

5834. By Mr. FRANK M. RAMEY: Petition of John T. Bruns and 61 other residents of Pana, Ill., urging passage of Senate bill 476 and House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

5835. By Mr. SMITH of West Virginia: Resolution of the Woman's Christian Temperance Union of Charleston, W. Va., urging Congress to enact a law providing for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

5836. Also, resolution of the Woman's Christian Temperance Union of South Charleston, W. Va., urging Congress to enact a law providing for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

5837. By Mr. SNELL: Petition of citizens and residents of the thirty-first congressional district of New York, protesting against the United States entering the World Court; to the Committee on Foreign Affairs.

5838. By Mr. SPEAKS: Petition signed by 31 citizens of Columbus, Ohio, urging passage of House bill 2562, proposing increased pension allowances for Spanish War veterans; to the Committee on Pensions.

5839. By Mr. STRONG of Pennsylvania: Petition of citizens of Indiana County, Pa., in favor of increased rates of pension for veterans of the war with Spain; to the Committee on Pensions.

5840. By Mr. SWICK: Petition of the mayor and city council of New Castle, Lawrence County, Pa., urging the enactment of House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day, for observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

5841. Also, petition of Hadassah Chapter, New Castle, Pa., Mrs. Louis F. Kohn, president; Mrs. Harold E. Abkowitz, secretary, opposing any change in the calendar which in any way endangers the fixity of the Sabbath, and the participation of the United States in any international conference for such purpose unless the delegates thereto are instructed to oppose such change; to the Committee on Foreign Affairs.

5842. By Mr. WHITEHEAD: Petition of W. G. Shackelford and others, of Henry County, Va., urging the enactment of House bill 2562, for increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5843. By Mr. WHITTINGTON: Petition of Martin G. McCraill and 70 other citizens, to pass House bill 2562 and Senate bill 476, to increase rates of pension to Spanish-American War veterans; to the Committee on Pensions.

5844. By Mr. WILLIAMSON: Petition of L. C. Valle and 30 other residents of Hot Springs, S. Dak., for the passage of legislation on behalf of Spanish-American War veterans; to the Committee on Pensions.

SENATE

WEDNESDAY, March 19, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business.

REVISION OF THE TARIFF

The Senate resumed 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.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate reconsider the vote taken last night by which the amendment to section 305 was concurred in, and I move that subparagraph (b) of the amendment adopted in Committee of the Whole be amended by substituting therefor the matter which I send to the desk.

Mr. MOSES. Let it be reported.

The VICE PRESIDENT. The Chair is advised that this is to correct a parliamentary situation. Without objection, the vote whereby the amendment made as in Committee of the Whole was concurred in will be reconsidered. The provision now submitted by the Senator from Utah will be reported.

The LEGISLATIVE CLERK. It is proposed to amend the amendment made as in Committee of the Whole by substituting therefor the following:

(b) Penalty on Government officers: Any officer, agent, or employee of the Government of the United States who shall knowingly

aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or books, pamphlets, papers, writings, advertisements, circulars, prints, pictures, or drawings containing any matter advocating or urging treason, or insurrection against the United States, or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon any person in the United States, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not more than \$5,000, or by imprisonment at hard labor for not more than 10 years, or both."

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to. Without objection, the amendment as amended is concurred in.

CALL OF THE ROLL

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	George	Keyes	Shortridge
Ashurst	Glass	La Follette	Simmons
Baird	Glenn	McCulloch	Smoot
Barkley	Goff	McKellar	Steck
Bingham	Goldsborough	McMaster	Steuwer
Black	Gould	McNary	Stephens
Blaire	Greene	Metcalf	Sullivan
Blease	Grundy	Moses	Swanson
Borah	Hale	Norris	Thomas, Idaho
Bratton	Harris	Nye	Thomas, Okla.
Broussard	Harrison	Oddie	Townsend
Capper	Hatfield	Overman	Trammell
Caraway	Hawes	Patterson	Tydings
Connally	Hayden	Phipps	Vandenberg
Copeland	Hebert	Pine	Wagner
Couzens	Heflin	Pittman	Walsh, Mass.
Cutting	Howell	Ransdell	Walsh, Mont.
Dale	Johnson	Robinson, Ind.	Waterman
Dill	Jones	Robison, Ky.	Watson
Fess	Kean	Schall	Wheeler
Frazier	Kendrick	Sheppard	

Mr. SHEPPARD. The junior Senator from Utah [Mr. KING] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

I also desire to announce the necessary absence of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED], who are delegates from the United States to the London Naval Conference.

Mr. SCHALL. My colleague [Mr. SHIPSTEAD] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is necessarily detained from the Senate by illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

EXPLANATION AND CORRECTION

Mr. BLEASE. Mr. President, I notice in this morning's RECORD, on page 5479, that the nomination of James A. Cobb to be judge of the municipal court of the District of Columbia was reported at the desk, and then the President pro tempore said:

Without objection, the nomination is confirmed.

On the same page, at the top of the second column, appear my remarks objecting to this nomination.

I also wish to send to the desk a telegram from Professor Morse, of the University of South Carolina, in reference to a quotation from him made yesterday by the Senator from Montana [Mr. WHEELER], as found on page 5504 of yesterday's RECORD. I ask that the telegram may be read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

COLUMBIA, S. C., March 18, 1930.

Senator COLE, L. BLEASE,

United States Senate, Washington, D. C.:

My position evidently misinterpreted. Do not approve unrestricted censorship by unqualified persons, but am as strongly opposed as anyone to importation and distribution of obscene books.

JOSIAH MORSE.

WASHINGTON AIRPORT—RETRACTION OF H. E. YOUNG'S CHARGES

Mr. VANDENBERG. Mr. President, I desire to make this immediate, informal report to the Senate respecting certain charges which were publicly made in the city of Washington last Saturday night, and which, if true, would have impugned the integrity of pending airport legislation and Senators connected with it.

As reported in the Sunday newspapers Mr. H. E. Young, representing the Iowa-Thomas Circle Association, told a public meeting of the Federation of Citizens' Associations that the congressional Airport Commission's recommendation of a site was influenced by the fact that two United States Senators are financially interested in the property intended to be purchased. The prejudicial phrase, "airport grab," was accordingly used in headlines in one Washington newspaper report. The whole purport of all of these reports was to impute dishonesty to the Airport Commission's recommendation.

Monday afternoon these reports were brought to the floor of the Senate by the senior Senator from Connecticut [Mr. BINGHAM], chairman of the Airport Commission, who not only repudiated the insinuations but stated that the terms of the proposed purchase preclude any possibility of "grab" or "graft." The terms speak for themselves in this respect.

As a member of the Airport Commission and as chairman of the subcommittee of the District of Columbia Committee to which the Airport Commission's report has been referred, I immediately told the Senate that Mr. Young would be given immediate and insistent opportunity to prove or retract his charges.

Within four hours thereafter Mr. Young was brought before the subcommittee on subpoena. He immediately stated that all of his information was second hand; that he had no intention of impugning the motives of any Senator when he used it; but he declined to give the committee the name of his informant until he had an opportunity to consult counsel. The committee gave him this opportunity.

This morning at 10 o'clock Mr. Young appeared with counsel before the committee. He made a complete retraction. He stated that the names which had been given him were names of former Senators who are merely reputed to be stockholders in one of these private airports which it is proposed to purchase on an audited cost-plus basis. He stated that he erroneously had thought these former Senators are still Members of this body. He repudiated the interpretation put upon his Saturday night remarks by the newspapers and expressed his apology for any unfortunate inferences which might have resulted therefrom.

In the light of this unequivocal statement under oath the committee felt it has no further interest in the pursuit of the sources of Mr. Young's gossip.

I desire, however, to make these concluding observations.

First. The Airport Commission members—speaking at least for myself and the Senator from Washington [Mr. JONES], who conducted this week's hearings—never knew until this week that even any ex-Senators were stockholders in any of these private properties, and no remote criticism is entitled to attach to them because of the fortuitous fact that they happen to be such stockholders, if such is the fact. We do not know that it is the fact, and we do not care.

Second. This episode is a shining example of the ugly ease with which loose and groundless gossip can assassinate public character and fatally undermine public confidence in the public service. I dare to express the hope that there may be some small measure of admonition in it to others in this community and elsewhere who may find themselves tempted to indulge themselves in this reprehensible and poisonous practice.

SPECULATION ON COTTON AND GRAIN EXCHANGES (S. DOC. NO. 116)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, in response to Senate Resolution 218 (submitted by Mr. HEFLIN and agreed to February 26, 1930), relative to means for the prevention of harmful speculations in cotton and wheat, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions of Highland Council, No. 297, Junior Order United American Mechanics, of Hudson County, N. J., favoring the passage of legislation to restrict immigration from countries of the Western Hemisphere, and also the so-called Blease bill, providing for the registration of aliens, etc., which were referred to the Committee on Immigration.

Mr. FRAZIER presented the petition of C. H. Roney, of Oakes, and 105 other citizens, all in the State of North Dakota, favoring certain changes in the administration of the Federal farm loan act, which was referred to the Committee on Banking and Currency.

Mr. KEAN presented a petition of sundry citizens of Newark, N. J., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

Mr. SULLIVAN presented a resolution of the Lions' Club, of Kemmerer, Wyo., favoring a more generous program of national-forests highway road construction, which was referred to the Committee on Agriculture and Forestry.

Mr. KENDRICK presented a memorial of sundry citizens of the State of Wyoming, remonstrating against any revision of the existing calendar unless a provision be included definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of blank days, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry employees of the Cheyenne (Wyo.) post office, praying for the passage of legislation providing for a shorter Saturday workday and additional pay for postal employees as a reward for continuous service, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions numerous signed by sundry citizens of the State of Wyoming, praying for the passage of legislation granting increased pensions to veterans of the Spanish War, which were ordered to lie on the table.

Mr. SHEPPARD presented a petition of sundry citizens of Palacios, Tex., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

JUDGE HARRY B. ANDERSON, WESTERN DISTRICT OF TENNESSEE

Mr. MCKELLAR. I ask unanimous consent to have printed in the RECORD a telegram from Frayser Hinton, of Memphis, Tenn., commander of the Tennessee Commandery, Military Order of Foreign Wars of the United States, in reference to Judge Harry B. Anderson, who has been charged with certain matters. The commander asked me to place the telegrams before a committee, and as the Committee on the Judiciary has charge of all matters relative to district judges I ask that it be printed in the RECORD and referred to that committee.

There being no objection, the telegram was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

MEMPHIS, TENN., March 18, 1930.

Senator K. D. MCKELLAR,

Senate Office Building, Washington, D. C.:

Resolutions passed by executive committee Tennessee Commandery, Military Order of Foreign Wars, March 18, 1930:

"Whereas the Tennessee Commandery, Military Order of Foreign Wars, attention has been directed to certain allegations involving the Hon. Harry B. Anderson, judge of the District Court of the United States for the Western District of Tennessee; and

"Whereas the said Harry B. Anderson is a man who answered the call of his country to the colors in time of war, and an active member of the American Legion and Tennessee Commandery, Military Order of Foreign Wars; and

"Whereas the said Harry B. Anderson enjoys the confidence, respect, and love of all the ex-soldiers and citizens of the city of Memphis who have had the privilege of knowing him: Now, therefore, be it

"Resolved by the Tennessee Commandery, Military Order of Foreign Wars, That we hereby affirm our confidence in the integrity of the said Harry B. Anderson as judge of the United States District Court of the Western District of Tennessee and as a private citizen of the State of Tennessee; be it further

"Resolved, That the commander of the Department of Tennessee, Military Order of Foreign Wars, be directed to transmit copies of this resolution to the President of the United States, to Senator K. D. MCKELLAR, and Congressman HUBERT FISHER, asking the latter gentleman to place said resolution upon file with the proper committee in Washington.

FRAYSER HINTON,

Commander Tennessee Commandery, Military Order of Foreign Wars of the United States.

REPORT OF A COMMITTEE

Mr. KENDRICK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 219) authorizing the Committee on the Library to employ a special assistant clerk during the remainder of the Seventy-first Congress, reported it without amendment.

REPORTS OF NOMINATIONS

As in open executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. GREENE, from the Committee on Military Affairs, reported the nominations of sundry officers in the Army, which were placed on the Executive Calendar.

ENROLLED JOINT RESOLUTIONS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, March 19, 1930, that committee presented to the President of the United States the following enrolled joint resolutions:

S. J. Res. 17. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Bey Mario Arosemena, a citizen of Panama; and

S. J. Res. 30. Joint resolution authorizing the use of tribal moneys belonging to the Fort Berthold Indians of North Dakota for certain purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. ASHURST:

A bill (S. 3954) granting a pension to Jersha A. Allen; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 3955) to transfer certain lands to Ouachita National Forest, Ark.; to the Committee on Agriculture and Forestry.

A bill (S. 3956) to establish a laboratory for the study of the criminal, dependent, and defective classes; to the Committee on the Judiciary.

By Mr. JONES:

A bill (S. 3957) for the relief of Lloyd Garretson Co.; and

A bill (S. 3958) for the relief of Grant A. McNeal; to the Committee on Claims.

A bill (S. 3959) to amend the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1917, and prior fiscal years, and for other purposes," approved April 17, 1917; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 3960) to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stats. 616); to the Committee on Public Lands and Surveys.

By Mr. WHEELER:

A bill (S. 3961) granting an increase of pension to Daniel O'Reilly; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 3962) for the relief of Dorothy R. Lewis; to the Committee on Claims.

A bill (S. 3963) granting to certain enlisted men of the Army honorably discharged for disability the pay of retired warrant officers; to the Committee on Military Affairs.

By Mr. HAWES:

A bill (S. 3965) to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles Rifle Range, St. Louis County, Mo.; to the Committee on Commerce.

By Mr. DILL:

A bill (S. 3966) to provide for the immediate payment to veterans of the amount of their adjusted service credit; to the Committee on Finance.

By Mr. BRATTON:

A bill (S. 3967) for the relief of Joe S. Duran; to the Committee on Finance.

By Mr. COPELAND:

A bill (S. 3968) for the relief of Allan MacRossie, jr.; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 3969) to provide for the further development of vocational education in the several States and Territories, and for other purposes; to the Committee on Education and Labor.

By Mr. NYE:

A joint resolution (S. J. Res. 155) to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson; to the Committee on Public Lands and Surveys.

AMENDMENT TO DISTRICT APPROPRIATION BILL

Mr. TYDINGS submitted an amendment providing an appropriation of \$37,000 for grading and improving the roadway of Rock Creek Park to the District line, intended to be proposed by him to House bill 10813, the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS TO THE TARIFF BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 2667, the tariff revision bill, which was ordered to lie on the table and to be printed, as follows:

Paragraph 403, on page 118, strike out lines 15 to 23, inclusive, and insert:

"PAR. 403. Cedar commercially known as Spanish cedar, lignum-vitae, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all cabinet woods (except teak), and Japanese white oak and Japanese maple: In the form of veneers, 30 per cent ad valorem; 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. CONNALLY submitted an amendment intended to be proposed by him to House bill 2667, the tariff revision bill, which was ordered to lie on the table and to be printed, as follows:

(Par. 320.) On page 72, line 11, strike out the figures "40" and insert in lieu thereof the figures "20," so as to make the paragraph read:

"PAR. 320. Electric storage batteries and parts thereof, storage battery plates, and storage battery plate material, wholly or partly manufactured, all of the foregoing not specially provided for, 20 per cent ad valorem."

Mr. FLETCHER submitted amendments intended to be proposed by him to House bill 2667, the tariff revision bill, which were ordered to lie on the table and to be printed, as follows:

(Par. 207.) On page 38, line 11, strike out "\$2.50" and insert "\$3.75," so as to read "china clay or kaolin, \$3.75 per ton."

On page 137, after the amendment agreed to as in Committee of the Whole, in the item on avocados, insert the following: "Provided, however, That no avocados shall be imported into the United States and/or until they shall have a fat content of not less than 8 per cent by weight by chemical analysis and all such imports shall be accompanied by a sworn certificate made by a competent chemist that each shipment has been tested and contains not less than 8 per cent fat content by weight by chemical analysis."

(Sec. 316.) On page 305, line 23, to strike out the period and insert a comma and "except in so far as said act of Congress permits or authorizes the importation into the United States of avocados, or avocado pears, known also as alligator pears and mangoes, free of duty and as to these commodities this act shall govern."

Mr. COPELAND submitted amendments intended to be proposed by him to House bill 2667, the tariff revision bill, which were ordered to lie on the table and to be printed, as follows:

Paragraph 301, on page 56, beginning on line 15, after the comma, strike out the words "72 cents per pound on the tungsten content in excess of two-tenths of 1 per cent."

Paragraph 368 (g), on page 103, line 17, insert after the word "taximeters," the words "and watchmen's time detectors."

Paragraph 389, on page 113, line 5, change the numerals from "30" to "20."

Paragraph 411, on page 121, line 3, insert before the numerals "33 1/2," the words "\$3 per pound and."

On page 127, line 7, insert a new paragraph as follows: "PAR. 710 1/2. Swiss cheese and Gruyere, 11 cents per pound."

Paragraph 501, on page 121, line 21, at the end of the paragraph insert the following: " : Provided, That in the case of any of the foregoing testing by the polariscope 98 sugar degrees or above, in lieu of the rate calculated as above, the rate per pound shall be the sum of (1) the rate at 98 sugar degrees, calculated as above, plus (2) 0.625 of 1 cent."

Paragraph 748 1/2, on page 137, strike out this paragraph and place avocados on the free list.

Paragraph 761, on page 140, line 22, after the word "alfalfa," change the numeral to "4"; after the word "clover" change the numeral "5" to "2"; and in line 25, after the word "clover" change the numeral "3" to "2."

Paragraph 773, on page 144, line 2, after the word "rolls" strike out the words "soup tablets or cubes, and other soup preparations, pastes, balls," and in line 7, after the word "pound" strike out the period and insert a semicolon and the following: "vegetable extract, soup-flavoring extract, and other soup preparations, in cubes, tablets, balls, paste, liquid, or similar form, 15 cents per pound."

Paragraph 909, on page 155, line 20, after the word "fabrics" strike out down to and including the word "chenilles" on line 22, so that the paragraph will read: "Pile fabrics (including pile ribbons), cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton, and all articles, finished or unfinished, made or cut from such pile fabrics, 50 per cent ad valorem; if terry woven, 40 per cent ad valorem; velvet ribbons, 50 per cent ad valorem."

Paragraph 1021, on page 168, line 15, after the words "ad valorem" insert the words "floor coverings made of sponge rubber, 25 per cent ad valorem."

Paragraph 1211, on page 183, line 4, change the final period to a comma and insert the words: "if Jacquard-figured, 75 per cent ad valorem."

Paragraph 1306, on page 185, line 9, at the end of the paragraph, insert the words: "Provided, That all woven fabrics in the piece, whether or not in chief value of rayon, shall be dutiable under this paragraph, if mixed with silk and containing 15 per cent or more in weight of rayon."

Paragraph 1537 (b), on page 232, at the end of the paragraph, insert the following: "but foregoing rates shall not apply to rubber-sponge material in block form approximately 120 millimeters by 80 millimeters by 35 millimeters (these measurements to vary within commercial limits) for the manufacture of soap dishes in assorted colors other than orange or red."

Paragraph 1545, on page 235, line 12, change the numerals to "15."

Paragraph 1554, on page 241, line 1, change the rate to 50 per cent ad valorem.

Paragraph 1623, on page 249, line 17, after the word "article," insert the words "except Swedish bread."

Paragraph 1812, on page 279, line 7, strike out the words in the parenthesis, namely: "except rugs and carpets made after the year 1700."

MIRIAM R. DINGLEY

Mr. SMOOT submitted the following resolution (S. Res. 240), which was referred to the Committee to Audit and Control the Continent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Miriam R. Dingley, widow of Edward Nelson Dingley, late the expert for the majority of the Committee on Finance, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

EXECUTIVE MESSAGES AND APPROVAL

Messages in writing were communicated to the Senate from the President of the United States, by Mr. Latta, one of his secretaries, who also announced that on March 12, 1930, the President approved and signed the act (S. 2093) for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 205) to provide for the expenses of participation by the United States in the International Fur Trade Exhibition and Congress to be held in Germany in 1930.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

S. 3579. An act authorizing a per capita payment to the Shoshone and Arapahoe Indians; and

H. J. Res. 205. Joint resolution to provide for the expenses of participation by the United States in the International Fur Trade Exhibition and Congress to be held in Germany in 1930.

REPORT ON UTILITY CORPORATIONS

Mr. WALSH of Montana. Mr. President, a few days ago there came to the Senate the usual monthly interim report from the Federal Trade Commission, investigating the activities of public utilities. In accordance with the order of the Senate heretofore made this report should be published as a public document; but, as it is very brief, I ask that it may be incorporated in the RECORD.

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

FEDERAL TRADE COMMISSION,
Washington, March 17, 1930.

DEAR SIR: I have the honor to submit herewith the twenty-first interim report of the Federal Trade Commission for filing with the Secretary of the Senate, pursuant to Senate Resolution No. 83, Seventieth Congress, first session, in the matter of investigation of utility corporations.

By direction of the commission.

GARLAND S. FERGUSON, *Chairman*.

PRESIDENT OF THE SENATE,
Washington, D. C.

FEDERAL TRADE COMMISSION,
Washington, March 15, 1930.

To the Senate of the United States:

Pursuant to the direction of the Senate in Senate Resolution 83, Seventieth Congress, first session (approved February 15, 1928), regarding the investigation of certain electric power and gas utilities companies, that this commission "report to the Senate within each 30 days after the passage of the resolution and finally on the completion of the investigation" upon the matters specified in the resolution, and that it transmit therewith the stenographic report of the evidence taken, this twenty-first interim report is respectfully submitted.

During the month following the last interim report work of the commission's examiners has continued at the offices of six holding companies and six operating companies, chiefly in connection with the financial aspects of their business but covering also questions of intercompany relations and control, etc.

Since the date of the last interim report public hearings as to the American Gas & Electric Co. and its subsidiary and associated companies were begun and completed. The American Gas & Electric Co. is a management as well as holding company, and its system embraces 10 subsidiary operating utility companies operating in nine States. The operation of eight of these utility companies is connected by a main transmission line running northwest from the southern line of Virginia to points in southern Michigan, with branch lines into Tennessee and Kentucky, and with two detached operations in Pennsylvania and New Jersey.

The hearings covered chiefly the financial and management aspects of the American Gas & Electric group, including (1) growth of capital assets and capital liabilities; (2) the issues of securities and the proceeds and expenses of such issues; (3) the extent of interest of the holding company in subsidiary public utilities and other companies and their relations with each other; (4) the services furnished to the public-utility companies by the holding company or associated companies, and the earnings and expenses connected therewith; (5) the advantages or disadvantages of holding companies; (6) their activities with respect to municipal ownership, and other matters specified in the Senate Resolution 83.

The hearings occupied 12 days, the first being on February 24, 1930, the final hearing being concluded late yesterday afternoon, March 14, 1930. Six examiners of the Federal Trade Commission were called as witnesses, including public-utility experts and accountants, 11 officials of the American Gas & Electric group of companies, and 2 other persons formerly connected with their affairs.

The transcript of the record and the exhibits relevant thereto will be transmitted as soon as the necessary verification of the transcript of the record and the preparation of the exhibits can be taken care of.

Public hearings will be resumed, it is planned, in a short time, and will involve the examination of another of the important holding and management groups. The commission expects to allow the pertinent accounting statements prepared by its examiners to be reviewed by the companies' representatives in order to hear objections as to any matters of fact and thus to obviate unnecessary disputes in the hearings as to the results shown on the books and records. This procedure is economical of time in the long run, but involves an intermission between the hearings for different groups of companies.

By direction of the commission.

GARLAND S. FERGUSON, Jr., *Chairman*.

REVISION OF THE TARIFF

The Senate 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.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Oregon will state his parliamentary inquiry.

Mr. McNARY. I am curious to know if, at any time during the discussion of the tariff bill, the Senate has entered into a unanimous-consent agreement to take up the various items schedule by schedule? At least, I know there has been a sort of an understanding that that would be the procedure.

The VICE PRESIDENT. There is no such agreement as to individual amendments.

Mr. McNARY. I am sure that our program has been fashioned upon that theory. It occurs to me, Mr. President, in full fairness to Members of this body, we should follow some logical procedure and practice. If a Senator has other duties to perform than to be in his seat in the Senate, it is well for him to be advised about when a schedule will come up and as to the order of procedure; otherwise, he might be detained at his office or in some other line of work, and be precluded from presenting an amendment. If we are to take up the amendments that now remain in a slipshod, hop-and-skip, catch-as-catch-can fashion, without anyone knowing the order to be followed, if we shall jump from the free list to Schedule 1, there may be no opportunity given to Senators who may be temporarily absent to prepare and present logically amendments in which they may be interested. I should like to have some orderly method of procedure. I am curious to know if we are going to embark on a new policy entirely without order or method. As I understand, the Senator from Utah has rather entered into an oral agreement with the Senator from Oklahoma to take up the oil item. Of course, the Senator from Utah has that right.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator from Oregon yield to me?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Oklahoma?

Mr. McNARY. Just a moment. I am not complaining about it; probably it is all right; but if we are going to start in that fashion, where will be the end?

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

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

Mr. McNARY. I yield.

Mr. SMOOT. The Senator will remember that last evening I did make the statement on the floor that I was going to ask unanimous consent that individual amendments be offered, beginning with Schedule 1, that that schedule should be completed, and that we should then proceed to consider the remaining schedules in order until we were through with the bill. The object I had in view is that which the Senator has now expressed. I think that is the proper way to proceed.

The question arose last night as to whether we would take the oil item up to-day, but there was then no definite understanding about it, as I remember. I did say, however, that I thought perhaps it would be well to dispose of the oil and lumber items before unanimous consent in regard to the consideration of individual amendments was asked. I would prefer, so far as I am concerned, to begin with Schedule 1 and go through the bill, schedule by schedule, in the way which has been suggested by the Senator from Oregon this morning.

Mr. DILL. Mr. President—

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

Mr. McNARY. I yield.

Mr. DILL. I want to know what there is about the oil item that makes it different from other items? Why can not all items come up in the regular way? Why can not this bill be taken up in an orderly manner, and let lumber and oil come up when they are properly reached, instead of specially singling them out?

Mr. SMOOT. I would be perfectly satisfied to follow that course, but I was seeking to conform my action to what I understood to be the wishes of the Senators interested in those items.

Mr. THOMAS of Oklahoma. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Oklahoma?

Mr. McNARY. I yield.

Mr. THOMAS of Oklahoma. The Senator from Oregon just made a statement that there is an oral understanding between the Senator from Utah and myself. That is the way rumors get started. There is no such agreement.

Last night the Senator from Utah, the chairman of the committee, suggested that he would like to take up oil and lumber and get them out of the way first. Following that suggestion, I notified the Senate that I would be ready this morning at 11 o'clock to present my oil amendment, and I am now ready to do so.

Mr. McNARY. Mr. President, I make no objection to the understanding had between the two eminent Senators; it is perfectly proper. I do not want to molest that understanding; if I had an understanding I would go through with it, and I expect the Senator from Utah to do so. I have no complaint to offer; I am merely speaking about what I believe to be a logical and businesslike way of disposing of the remaining amendments.

Mr. SMOOT. I had in mind that oil would come in the first schedule, anyway, and I did not see why it should not be taken up first.

Mr. McNARY. I am not questioning where oil comes; I do not care where it comes.

Mr. SMOOT. I did not see why the oil amendment should not be taken up this morning, because of the fact that it does fall in Schedule 1, and it would come in order at this time if I made the request for unanimous consent to which I have referred.

Mr. President, I now ask unanimous consent that in the presentation of individual amendments to the bill we begin with Schedule 1, complete amendments to that schedule, then proceed to Schedule 2, and when that is completed we proceed to Schedules 3, 4, and so forth, until the bill shall have been completed.

The VICE PRESIDENT. Is there objection?

Mr. BLEASE. Mr. President, I should like to ask the Senator if he would object to taking a vote on my amendment to the cement item, so that we could get that out of the way?

The VICE PRESIDENT. The Chair will say that the amendment in regard to cement offered by the Senator from South Carolina is entitled to be considered before the other amendments are reached. It is next in order. Is there objection to the request of the Senator from Utah?

Mr. DILL. Mr. President, let us have an understanding about it. If, when Schedule 1 is completed, we take up Schedule 2, and then Schedule 3 and Schedule 4, and so forth, when the bill shall have been completed in that way, will Senators be precluded from going back and offering amendments if they were not here or if they decide they should like to offer amendments?

Mr. SMOOT. Under the unanimous consent as suggested, I should think so.

Mr. DILL. Then I would have to object to such an agreement. Senators might have to be out of the Chamber when the schedule was finally adopted, and they would have no opportunity thereafter to offer amendments to it.

Mr. SMOOT. They ought to be here when the schedules are reached. I think that every Senator has been given every chance to offer amendments both as in Committee of the Whole and in the Senate.

Mr. DILL. I see no reason why we can not provide for taking up the amendments in order, and then if at the end of the bill any Senator should desire to offer an amendment to any schedule that he should have an opportunity to do so. I do not think we ought to cut off Senators who may happen to be out of the Chamber at the time a particular schedule shall have been completed.

Mr. WATSON. Mr. President, I should like to ask the Senator from Utah a question. Suppose we go to the free list and take an article off the free list, and then we want to go back and put the item on the dutiable list; in the event action of that kind were taken, it would be necessary to go back to the dutiable list and put the item in the proper schedule.

Mr. SMOOT. I am going to make a request to take care of that situation, if the unanimous-consent agreement shall be entered into, so as to provide that if in Schedule 1 an item shall be taken from the dutiable list and put upon the free list, the action of putting it upon the free list may be taken at the same time automatically; and, in like manner, if an item shall be taken from the free list and put on the dutiable list.

SEVERAL SENATORS. Regular order!

The VICE PRESIDENT. The regular order is consideration of the amendment offered by the Senator from South Carolina to the amendment agreed to as in Committee of the Whole relative to cement.

Mr. SMOOT. I am prepared to accept the suggestion of the Senator from Washington [Mr. DILL] and renew my request for unanimous consent so that we may provide a regular order of procedure. Then Senators, at least, will know when the various items are coming up. So I accept the suggestion of the Senator from Washington.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah for unanimous consent?

Mr. McKELLAR. I ask that the request be stated.

The VICE PRESIDENT. Will the Senator from Utah repeat his request for unanimous consent?

Mr. SMOOT. I ask unanimous consent that in the further consideration of the pending bill for individual amendments we begin with Schedule 1, continue its consideration until completed, that then we shall proceed with the consideration of Schedule 2, and after that is completed we shall proceed in like manner to consider the remaining schedules in their order until the bill shall have been completed. Furthermore, in accordance with the suggestion made by the Senator from Washington [Mr. DILL], I ask that when the bill shall have been completed in that way, any Senator who has been absent when any of the schedules were considered may have the right to offer individual amendments to the bill.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON. I object to any such procedure. If we are going to inaugurate an orderly procedure, let us follow it to the end. To say that at the conclusion of the bill, after we have completed the schedules, any Senator may thereafter offer individual amendments, is not to proceed in that fashion at all.

The VICE PRESIDENT. The Senator from California objects.

Mr. HARRISON. Mr. President, if I can get the ear of the Senator from Utah I should now like to make a suggestion to him. We are about to begin the consideration of individual amendments, and I was going to ask the Senator from Utah if he would not submit a unanimous-consent request for limitation of debate upon individual amendments. If a greater time for debate is desired on the lumber and oil amendments and on the amendment the Senator from Nebraska [Mr. NORRIS] is going to offer, which is of some importance, let us make an exception in those three cases, but let us try to get a limitation of debate so that we can wind up this bill within some reasonable time.

Mr. SMOOT. I indorse the suggestion made by the Senator from Mississippi, but I wondered whether we could reach such an understanding at this time until the oil amendment was out of the way.

Mr. HARRISON. The trouble is that the Senator has not made such a request, but has said "let us wait," and, if he shall wait, we will talk about seven hours here upon the oil proposition, and then we may not get an agreement. I desire to submit a unanimous-consent request, Mr. President.

Mr. SMOOT. I will submit such a request at the present time.

Mr. HARRISON. I ask unanimous consent—

Mr. WALSH of Massachusetts. Mr. President, I rise to a point of order. Is not a request for unanimous consent now pending?

The VICE PRESIDENT. It was objected to.

Mr. SMOOT. The Senator from California [Mr. JOHNSON] objected.

Mr. HARRISON. I ask unanimous consent that, with the exception of the lumber and oil amendments and the amendment to be offered by the Senator from Nebraska [Mr. NORRIS], each Senator be limited to not more than 10 minutes on any amendment offered.

Mr. SMOOT. I hope that request will be granted.

The VICE PRESIDENT. Is there objection?

Mr. PITTMAN. Mr. President, I regret that I have to object.

The VICE PRESIDENT. Objection is made.

Mr. HARRISON. I will inquire of the Senator from Nevada is there some other exception he desires to have made? If so, let us make that exception.

Mr. SMOOT. Does the Senator from Nevada want to make an exception of the silver amendment?

Mr. PITTMAN. Yes.

Mr. HARRISON. Very well, I will include silver in the exceptions.

The VICE PRESIDENT. Is there objection?

Mr. NYE. I inquire if the proposed agreement includes all amendments that may be proposed.

Mr. SMOOT. It includes them all outside of the ones excepted.

Mr. NYE. What are the ones excepted?

Mr. HARRISON. The amendments excepted are those relating to lumber, oil, silver, and the amendment to be offered by the Senator from Nebraska [Mr. NORRIS].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Secretary will state the pending amendment.

The CHIEF CLERK. On page 252, after line 21, in the amendment heretofore adopted as in Committee of the Whole, the Senator from South Carolina proposes to insert the following:

Imported by or for the use of, or for sale to, a State, county, parish, city, town, municipality, or political subdivision of government thereof, for public purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Carolina to the amendment made as in Committee of the Whole.

Mr. HALE. Mr. President, may the amendment be stated again?

The VICE PRESIDENT. The amendment will be restated; and the Senate will please be in order, so that it will not be necessary to state amendments twice.

The Chief Clerk restated the amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from South Carolina [Mr. BLEASE] to the amendment made as in Committee of the Whole.

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

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

Mr. BLEASE (when his name was called). I have a pair with the Senator from Connecticut [Mr. WILCOTT]; but he informed me that on this amendment he would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

Mr. GOULD (when his name was called). I have a general pair with the Senator from Utah [Mr. KING], and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. JOHNSON (when his name was called). Upon this question I am paired with the Senator from South Dakota [Mr. NORRIS]; but inasmuch as both of us would vote in like fashion, I cast my vote "yea."

Mr. OVERMAN (when his name was called). I again announce my general pair with the senior Senator from Illinois [Mr. DENEEN]. I transfer that pair to the Senator from Florida [Mr. FLETCHER] and will vote. I vote "yea."

Mr. SCHALL (when Mr. SHIPSTEAD's name was called). My colleague [Mr. SHIPSTEAD] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. THOMAS of Idaho (when his name was called). On this question I have a pair with the Senator from Iowa [Mr. BROOKHART]. If he were present he would vote "yea," and if I were at liberty to vote I should vote "nay."

Mr. WATSON (when his name was called). I transfer my general pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Delaware [Mr. HASTINGS] and will vote. I vote "nay."

The roll call was concluded.

Mr. SIMMONS. I transfer my pair with the Senator from Massachusetts [Mr. GILLET] to the Senator from South Dakota [Mr. NORRIS] and will vote. I vote "yea."

Mr. LA FOLLETTE. I desire to announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is unavoidably absent. He is paired with the junior Senator from Tennessee [Mr. BROCK]. If the senior Senator from Minnesota were present he would vote "yea."

Mr. BINGHAM. Mr. President, I think there is some misunderstanding about the vote of my colleague [Mr. WALCOTT]. He had a pair with the Senator from South Carolina [Mr. BLEASE]. I understand that in view of the fact that this amendment is offered by the Senator from South Carolina, my colleague released him from the pair. If my colleague were present he would vote "nay," but the Senator from South Carolina is released from the pair.

Mr. BLEASE. My understanding was that the Senator would vote as I have voted on this particular amendment. I may have misunderstood him, but that was my understanding.

Mr. THOMAS of Idaho. I transfer my pair to the junior Senator from Connecticut [Mr. WILCOTT] and will vote. I vote "nay."

Mr. HARRISON (after having voted in the affirmative). Has the senior Senator from Oregon [Mr. McNARY] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. HARRISON. I have a pair with the senior Senator from Oregon and therefore withdraw my vote. If at liberty to vote, I should vote "yea."

Mr. KEAN (after having voted in the negative). I desire to change my vote from "nay" to "yea."

Mr. FESS. I desire to announce that the Senator from Pennsylvania [Mr. REED] has a general pair with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 42, nays 37, as follows:

YEAS—42

Allen	Cutting	Johnson	Steck
Ashurst	Dill	Kean	Stephens
Barkley	Frazier	Kendrick	Swanson
Black	George	La Follette	Thomas, Okla.
Blaine	Glass	McMaster	Trammell
Bleas	Glenn	Norris	Tydings
Borah	Harris	Nye	Walsh, Mass.
Bratton	Hawes	Overman	Walsh, Mont.
Capper	Hayden	Schall	Wheeler
Caraway	Heflin	Sheppard	
Connally	Howell	Simmons	

NAYS—37

Baird	Grundy	Oddie	Sullivan
Bingham	Hale	Patterson	Thomas, Idaho
Broussard	Hatfield	Phipps	Townsend
Copeland	Hebert	Pine	Vandenberg
Couzens	Jones	Ransdell	Wagner
Dale	Keyes	Robinson, Ind.	Waterman
Fess	McCulloch	Robison, Ky.	Watson
Goff	McKellar	Shortridge	
Goldsborough	Metcalf	Smoot	
Greene	Moses	Steiger	

NOT VOTING—17

Brock	Gould	Norbeck	Smith
Brookhart	Harrison	Pittman	Walcott
Deneen	Hastings	Reed	
Fletcher	King	Robinson, Ark.	
Gillett	McNary	Shipstead	

So Mr. BLEASE's amendment to the amendment made as in Committee of the Whole was agreed to.

The VICE PRESIDENT. The question now is on concurring in the amendment made as in Committee of the Whole as amended.

Mr. KEAN. Mr. President, I give notice that I shall move for a reconsideration of the vote.

The VICE PRESIDENT. The Senator enters his motion.

Mr. HARRISON. Mr. President, what was the motion made by the Senator from New Jersey?

The VICE PRESIDENT. The Senator entered a motion to reconsider.

Mr. KEAN. Not now, Mr. President.

Mr. HARRISON. I move—

The VICE PRESIDENT. The Chair stated that the motion had been entered. Let the Senate be in order. All Senators will please take their seats.

Mr. BLEASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Chair will not answer a parliamentary inquiry until the Senate is in order. [After a pause.] The Senator will state his parliamentary inquiry.

Mr. BLEASE. Did the Senator give notice of a motion or did he make a motion?

The VICE PRESIDENT. He entered his motion.

Mr. BLEASE. I move to lay the motion on the table.

Mr. KEAN. I said I would enter the motion at the proper time.

The VICE PRESIDENT. Then the motion has not been entered.

Mr. BLEASE. I move to reconsider the vote by which my amendment was agreed to, and move to lay that motion on the table.

The VICE PRESIDENT. The question is on the motion to lay on the table the motion to reconsider.

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

The yeas and nays were ordered.

Mr. JONES. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. JONES. The Senator from South Carolina could not make a motion to reconsider.

Mr. BLEASE. Yes, I could.

The VICE PRESIDENT. The Senator made the motion, and moved to lay that motion on the table. That motion is not debatable. The yeas and nays have been ordered, and the Secretary will call the roll.

Mr. TYDINGS. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. TYDINGS. In order to set myself straight, I desire to propound this inquiry: If there is a motion to reconsider, followed by a motion immediately to lay that motion on the table, would not that have the parliamentary effect of killing everything that has just been done?

The VICE PRESIDENT. Only the reconsideration of the vote, that is all.

Mr. WALSH of Massachusetts. Mr. President, will not the Chair state the pending question?

Mr. LA FOLLETTE and Mr. JOHNSON addressed the Chair.

The VICE PRESIDENT. The pending question is on a motion to table a motion to reconsider.

Mr. LA FOLLETTE. Mr. President, may I suggest to the Senator from South Carolina that he withdraw his motion to lay the motion to reconsider on the table? There are many Senators who hesitate to vote to lay a motion to reconsider on the table—

The VICE PRESIDENT. The motion is not debatable.

Mr. LA FOLLETTE. I am asking the Senator if he will not withdraw his motion for the moment.

Mr. JOHNSON. Mr. President, I unite in that request.

The VICE PRESIDENT. The question is not debatable.

Mr. ASHURST. Let the roll be called.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. OVERMAN (when his name was called). I again transfer my pair with the senior Senator from Illinois [Mr. DENEEN] to the senior Senator from Florida [Mr. FLETCHER] and vote "yea."

Mr. LA FOLLETTE (when Mr. SHIPSTEAD's name was called). I desire to announce that the senior Senator from Minnesota has a pair with the junior Senator from Tennessee [Mr. BROOK].

Mr. SIMMONS (when his name was called). Making the same announcement as to my pair and transfer as on the last vote, I vote "yea."

Mr. THOMAS of Idaho (when his name was called). I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. I transfer that pair to the junior Senator from Connecticut [Mr. WILCOTT] and vote. I vote "nay."

Mr. WATSON (when his name was called). I transfer my pair with the senior Senator from South Carolina [Mr. SMITH] to the senior Senator from Delaware [Mr. HASTINGS] and vote "nay."

The roll call was concluded.

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

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING]; and

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 27, nays 54, as follows:

YEAS—27

Allen
Ashurst
Barkley
Blaine
Blease
Capper
Caraway

Connally
George
Glass
Harris
Harrison
Hawes
Hayden

Kendrick
McMaster
Norris
Nye
Overman
Schall
Simmons

Stephens
Swanson
Thomas, Okla.
Tydings
Walsh, Mass.
Walsh, Mont.

NAYS—54

Baird
Bingham
Black
Borah
Bratton
Broussard
Copeland
Couzens
Cutting
Dale
Dill
Fess
Frazier
Glenn

Goff
Goldsborough
Greene
Grundy
Hale
Hatfield
Hebert
Heflin
Howell
Johnson
Jones
Kean
Keyes
La Follette

McCulloch
McKellar
McNary
Metcalf
Moses
Oddie
Patterson
Phipps
Pine
Ransdell
Robinson, Ind.
Robison, Ky.
Sheppard
Shortridge

Smoot
Steck
Stelwer
Sullivan
Thomas, Idaho
Townsend
Trammell
Vandenberg
Wagner
Waterman
Watson
Wheeler

NOT VOTING—15

Brock
Brookhart
Deneen
Fletcher

Gillett
Gould
Hastings
King

Norbeck
Pittman
Reed
Robinson, Ark.

Shipstead
Smith
Walcott

So the Senate refused to lay the motion to reconsider on the table.

The VICE PRESIDENT. The question now is on reconsidering the vote whereby the amendment was agreed to.

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

Mr. HALE. Mr. President, that matter is debatable, is it not?

The VICE PRESIDENT. It is debatable.

Mr. BINGHAM. Mr. President, a situation has just arisen which I have never seen arise before, and I desire to ask the Chair whether, when a Senator gives notice of his intention to enter a motion to reconsider, and then another Senator, who was also in the majority, moves to reconsider, it does away with the right of the first-named Senator to offer his motion.

The VICE PRESIDENT. There can be only one motion made to reconsider.

Mr. BORAH. Mr. President, I was about to ask the question the Senator from Connecticut has propounded.

Mr. SWANSON. Mr. President, a Senator's intention to offer a motion to reconsider can not preclude another Senator from making the motion.

The VICE PRESIDENT. The Chair has ruled. The question is on the motion to reconsider.

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

Mr. BINGHAM. Mr. President, I desire to ask the Senator from South Carolina if he will not withdraw his motion, in view of the fact that the Senator from New Jersey had previously given notice of his intention to enter such a motion.

Mr. BLEASE. Mr. President, this amendment has been here since the 8th day of September. It has been whipped in and whipped out, and whipped around, as a Senator sitting near me suggests, until I am tired waiting for action on it. If the Senate wants to kill it, let it kill it, but I want to have it settled one way or the other, and I shall not withdraw my motion.

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

The VICE PRESIDENT. The Senator will state it.

Mr. BRATTON. May I ask the Chair whether the Senator from New Jersey voted with the prevailing or the losing side?

The VICE PRESIDENT. He voted with the prevailing side.

Mr. KEAN. I voted with the prevailing side.

The VICE PRESIDENT. The Chair has answered the question. The yeas and nays have been requested. Is there a second?

Mr. HALE. The motion is debatable, is it not?

The VICE PRESIDENT. The Chair has stated that it is debatable.

Mr. HALE. The Senator from New Jersey arose to address the Senate, and I yield to him.

Mr. KEAN. Mr. President—

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

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. KEAN. I yield.

Mr. FESS. Mr. President, I ask unanimous consent that debate upon the motion to reconsider be limited to 10 minutes for each Senator, and that no Senator be allowed to speak more than once.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KEAN. Mr. President, in regard to this amendment, it seems to me that if the amendment is agreed to, we might have a similar amendment affecting beef, or anything that goes into public consumption; that the hospitals and public institutions might likewise demand that everything they bought should come

in free of duty. The corporations which make cement, and the corporations which make other articles, are the people of the United States who pay the taxes, and they are entitled, since they pay the taxes, to have their goods consumed by the people who spend their money. The cement companies pay taxes in almost every State in the Union.

Mr. HAYDEN. Mr. President—

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Arizona?

Mr. KEAN. I yield.

Mr. HAYDEN. Would it not be perfectly natural for the State authorities to give preference to their taxpayers in the purchase of cement?

Mr. KEAN. I agree to that; surely.

Mr. HAYDEN. In that event, the enactment of this legislation would serve only one useful purpose—that is, if the producers of cement tried to extort too high a price from the State the State could have recourse to the necessary importations.

Mr. KEAN. The trouble with that is that the importers of cement will bring in their cement at a little lower price. The law in almost every State requires that the State or the public institutions buying any goods shall buy from the lowest bidder, whether his bid is one cent or one dollar, or any other amount, under the next highest bid.

Mr. HAYDEN. If the Senator will yield further, the almost universal specification is not that the contract shall go to the lowest bidder, but to the lowest and best bidder, which allows a certain amount of discretion. I know it is the almost universal rule for States and counties to give preference to their taxpayers in the purchase of goods. It seems to me there is very little danger—

Mr. KEAN. Mr. President, I yielded only for a question.

The VICE PRESIDENT. The Senator from New Jersey declines to yield further.

Mr. KEAN. In addition to that, there is not a country in the world that to-day is not urging its people to exclude foreign products and buy from their own citizens. England is doing it. Belgium is building 400 miles of cement road, specifying that no cement shall be used in those roads except cement that is made in Belgium. Japan is doing the same thing. Every other nation in the world except the United States is urging that all the products of the country shall be used in that country. This amendment is taking away the rights of the American people and the rights of the American workingman and trying to give them to somebody on the other side of the world. In other words, it is proposed to take bread out of the mouths of American workingmen and give it to foreigners.

Mr. OVERMAN. Mr. President, I would like to give the Senator from New Jersey [Mr. KEAN] an example of what recently occurred in my own State. We are building roads there—magnificent roads. The commissioner of highways asked for bids from the cement trusts here in this country, and they were excessively high. He tried to get them to reduce their bids, but could not do so. He told them then that he would have to purchase the cement from Belgium, which he finally did at a saving of several thousand dollars. After he had ordered the cement from Belgium the domestic cement people came to him and tried to get him to order from them by reducing their bids. That is an example of what happened in my State, and it is what will happen in other States if we leave it to a Cement Trust here to make these high bids to municipalities.

Mr. McMASTER. Mr. President, I want to add just a word to the testimony given by the Senator from North Carolina [Mr. OVERMAN]. The other day the Senator from West Virginia [Mr. HATFIELD] stated that the cement industry of West Virginia was being crushed by foreign competition. Within five days after the Senator had pleaded for the cement industry of West Virginia, the State of West Virginia set a certain day for the letting of contracts for public buildings, and the day before those contracts were to be let the cement companies of West Virginia raised the price of cement. The authorities of West Virginia protested against the unwarranted action of the Cement Trust in arbitrarily raising the price of cement one day before the State was to enter into contracts for public buildings.

Mr. BARKLEY. Mr. President, confirming what the Senator from South Dakota just stated, the building which was to be constructed in West Virginia, as I understand it, was an addition to the penitentiary. The cement makers got together and raised the price 30 cents a barrel. As a result of that action the present auditor of the State of West Virginia within the last two weeks has recommended that West Virginia build a cement plant of its own in order to circumvent any such action as that in the future.

Mr. HATFIELD. Mr. President, the Senator from South Dakota [Mr. McMASTER] put words in my mouth which I did

not utter. I did not say that the foreign cement industry was crushing the cement industry of West Virginia. The Senator asked me the question whether or not the cement industry in West Virginia would be helped by the adoption of a tariff on cement. I replied that it would indirectly, not necessarily, because West Virginia would be able to ship her cement out of the State and thus have a larger market, but because the cement industry generally throughout the country would be better off if we sold more domestic cement for use in the construction of our roads and to our own people, instead of having it shipped in from Europe and sold to our domestic consumers.

So far as West Virginia is concerned, so far as her rates are concerned, the increase in the rate that was made on cement by the American producers was made effective last fall and not, as the Senator from Kentucky [Mr. BARKLEY] stated, only a few weeks ago or just before the contracts were to be let.

For the information of the Senator from Kentucky, who deals with American industries rather loosely in so far as tariff efficiency goes, I wish to say that the State of West Virginia has expended more than \$100,000,000 on her roads. She is letting contracts to-day and to-morrow and possibly next week, and when she does it she will be able to take care of her own purchases, and it will not be necessary for the Senator from Kentucky to deal with the economic phase of the industries of West Virginia.

Mr. BARKLEY. Mr. President, I am not attempting to deal with the industries of West Virginia, certainly not so long as they have such an able representative here as my friend from that State who has just spoken.

The VICE PRESIDENT. The Chair will have to remind Senators that under the unanimous-consent agreement entered into each Senator is limited to one speech on the pending question.

Mr. BARKLEY. I thought I was asking the Senator from West Virginia a question. I did not know he had yielded the floor.

Mr. HALE. Mr. President, I do not know what proportion of the cement that comes into this country is used by counties, parishes, cities, towns, municipalities, or political subdivisions of the Government, but I imagine it is a very considerable majority of the whole amount of cement that is used in this country. Obviously, if the duty is taken off or is changed according to the terms of the amendment of the Senator from South Carolina [Mr. BLEASE], the whole purpose of a duty on cement will fail.

One of the arguments that was made against a duty on cement was that the farmer uses cement and that he would be better off if cement were left on the free list. The only person apparently who is not exempted by the proposed amendment of the Senator from South Carolina is the farmer. He will have to pay a higher price for his cement if, as the proponents of the proposition state, the price of cement will be raised by the duty. I do not think the price of cement will be raised at all by the duty as far as the country at large is concerned. It will undoubtedly affect us on the eastern and western coasts of the country.

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

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from South Dakota?

Mr. HALE. I yield.

Mr. McMASTER. If the duty on cement will not raise the price, why does the Senator from Maine object to it, because the local companies will be able to furnish it at the regular price?

Mr. HALE. I have said that the country at large would not be affected, but on the seaboard undoubtedly it would affect the price of cement.

I do not want to weary the Senate, but I have already brought up the case of the cement works which we have in Maine that can not compete with European cement which is brought into this country. There is no advantage in my going into that question again. We have come up against an insurmountable obstacle. The company operates now at a loss, and will continue to operate at a loss, if indeed it operates at all, unless a duty is put on cement. Obviously, as I said, if the amendment of the Senator from South Carolina prevails, we will get little benefit out of the duty. I hope very much that the amendment will be reconsidered and defeated.

Mr. VANDENBERG. Mr. President, may I have the attention of the Senator from South Carolina?

Mr. BLEASE. Certainly.

Mr. VANDENBERG. I want to ask a question of interpretation. I want to inquire whether under the language of the amendment it would not be possible for a private importer to import cement, stating that it is for sale to a municipality, though not having the actual sale in hand?

Mr. BLEASE. I understand that the party who orders the cement must show beforehand that he is the agent of the city, municipality, or other political subdivision.

Mr. VANDENBERG. Then may I ask the Senator why it would not still accomplish the very purpose he has in mind if the words "or for sale to" be stricken out, so there can be no possible question about it? His amendment then would still apply to all imports by and for the use of a city, and so forth.

Mr. BLEASE. I will state to the Senator that I can not do that now under the parliamentary situation. My idea is to let the amendment go to conference and let it be straightened out there if there is any objection to it in its present form.

Mr. VANDENBERG. Under the parliamentary practice the Senator can perfect his amendment.

Mr. BLEASE. Not now on a motion to reconsider.

Mr. COPELAND. Mr. President, to my mind this is the most amazing proposal we have heard in this body. Here we are striving to build up American institutions. We make large appropriations for the American merchant marine. We are all the time waving the Stars and Stripes. Yet here we propose to bring into the United States for sale the product of European factories, and for sale to whom? To divisions of the Government. I am amazed to think that the proposal should be countenanced for a moment.

If there is any State in the Union that would profit more by the adoption of this proposal than mine I do not know where it is. If there is another city which would profit more by the adoption of this amendment than mine, I do not know where that city is to be found. But in New York State and New York City we are too patriotic to desire to have cement brought in and sold to us at any cheaper price than the humble American citizen has to pay for it.

It is the Atlantic seaboard that will be largely affected by this sort of thing. I came here and pleaded with the Senate to place a duty upon cement in order that the cement factories in the Hudson River Valley might operate and in order that men working there might continue to be employed. To adopt this amendment would be to destroy the entire purpose of the bill. I plead with Senators not to do it. If Senators care at all for the welfare of labor in this country they will vote for such tariffs as will make it possible to operate our factories.

When I made my first talk in the Senate on the matter of cement I stated that it had been told to me that the Commerce Building here in the city of Washington was being erected and in it cement from abroad was being used. I was very glad, indeed, to receive an indignant protest from the Secretary of Commerce denying that that was the fact. Every division of government in this country should be ashamed to buy this product or any other product at less money than must be paid for it by the most humble citizen. I plead with Senators not to vote for the change.

Mr. McMASTER. Mr. President—

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

Mr. COPELAND. I yield.

Mr. McMASTER. I want to call the attention of the Senator from New York to the fact that in the city of New York, where they have lived under free trade, of course, in reference to cement for more than 10 years, out of every 250 barrels of cement consumed in the city of New York, all of it is produced by American manufacturers except only one barrel which is imported. That is to say, the American manufacturer sells in the city of New York 250 barrels of cement for every foreign barrel of cement that is sold there.

Mr. COPELAND. I assume that my genial friend the Senator from South Dakota considers that an argument. We have brought into this country—

Mr. McMASTER. Mr. President—

Mr. COPELAND. I must decline to yield. Let the Senator reply in his own time. There were brought into the United States last year 3,000,000 barrels of foreign cement; but if only one barrel had come in, the very fact that in my city they had to face the possibility of the competition of foreign cement, forced the American manufacturers to meet the foreign price.

Mr. BARKLEY. Mr. President—

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

Mr. COPELAND. Now I yield to everybody.

The VICE PRESIDENT. Does the Senator yield the floor?

Mr. COPELAND. No; not as yet.

The VICE PRESIDENT. The Senator can not yield to everybody unless he yields the floor.

Mr. COPELAND. I beg pardon of the Chair.

Mr. BARKLEY. Mr. President, I should like to ask the Senator if he is correct in the statement that last year we imported 3,000,000 barrels of cement? My recollection is that we only

imported 1,700,000 barrels of cement in the entire United States last year.

Mr. COPELAND. Very well; let us say we imported only 1,700,000 barrels. I say the importations amounted to 3,000,000 barrels, but I do not care as to that. As I said a moment ago, whether the importations were millions of barrels or one barrel, the fact that we have potential competition from Europe means that the American manufacturer must bring his price down to a level which makes it possible for him to sell and to prevent the contract going to a foreign manufacturer.

Mr. BARKLEY. Mr. President—

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

Mr. COPELAND. I yield.

Mr. BARKLEY. Those 1,700,000 barrels of cement imported were about 700,000 barrels less than were imported the year before. The price of the American product was lowered and raised at the whim of the manufacturers of cement, because they lowered it 20 cents a barrel in August and raised it 20 cents a barrel in December, while imports were declining.

Mr. COPELAND. Mr. President, there is no argument that can be used which would change the opinion of the Senator from Kentucky, and I am not going to seek to do it. I know, however, from personal observation that factories within rifle shot of where I live are not operating, and that there have been brought into New York millions of barrels of cement. If the Senate has any desire at all to relieve unemployment—and we have heard great speeches on the subject in the Senate—it should vote to maintain the rate now in the bill or some other tariff rate. I plead with the Senate to maintain the rate upon cement which has been determined by the Senate.

Mr. COUZENS. Mr. President, I wish to point out the viciousness of this proposal. In most cases the States have laws and municipalities operate under charters requiring contracts to be let to the lowest bidder. Those laws and charters do not, for patriotic purposes, permit public officials to select the home product if the imported product is quoted at a lower price. So, if this amendment shall be adopted, the foreign bidders or importers who may submit lower bids than those of the domestic producers, will secure the business under the provisions of the State laws and under the provisions of municipal charters. That will result in the taxpayers, the very workers themselves, paying taxes for public improvements and at the same time aiding foreign labor.

In other words, the unemployed and the workers who ordinarily produce this product, would be required to go down in their pockets and pay foreigners, because, by reason of such importations coming in free, they could submit the lowest bid, and public officials would be required, under the law, to accept the lowest bid. It seems absurd to me to ask the taxpayers themselves to go down in their pockets to pay for the maintenance of foreign industries. In the case of private purchasers the situation is somewhat different, as the Senator from New York has said; but the law gives to municipalities and States the privilege, in fact, it almost imposes the obligation upon them, under the requirement as to awarding contracts to the lowest bidders, to purchase the foreign product, thus making the citizens of the communities pay out of their pockets for the maintenance of foreign industries.

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

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

Mr. COUZENS. I yield.

Mr. HAYDEN. Is it not true that under most of the State statutes in asking bids for supplies for public works the officials are authorized to accept the lowest and best bid; that they reserve the right to reject any and all bids; and, therefore, there is a certain amount of discretion permitted as to what is the best bid?

Mr. COUZENS. I desire to point out to the Senator that he is entirely wrong. It is true that if a bid is made by an incompetent bidder, one who is not able to carry out the provisions of the contract, the officials may reject the bid, but if a perfectly legitimate and responsible bidder makes the lowest bid, and the public official fails to accept that bid, I have known of cases where the taxpayers have gone into court to mandamus the official to follow the charter or follow the law and compel him to accept the lowest bid. I know of no case where a responsible bidder submitting the lowest bid is not required to be awarded the contract.

Mr. PHIPPS. Mr. President—

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

Mr. COUZENS. I yield.

Mr. PHIPPS. Mr. President, is it not the fact that under the amendment of the Senator from South Carolina contracts

for work to be done with the money now being appropriated by the Federal Government for the purposes of public buildings, and with the money being appropriated as Federal aid to State highway systems, which are using large quantities of cement, would all be open to bidders who use foreign cement, under the manner in which the bidders are now awarded contracts for construction of Federal buildings; and in the construction of Federal highways would not that cement come in free?

Mr. COUZENS. Whether or not it would come in free, the amendment leaves it open to come in free—

Mr. PHIPPS. That is true.

Mr. COUZENS. And if the Federal Government is required to let contracts to the lowest bidders, no matter where they come from as long as they are responsible bidders.

Mr. PHIPPS. In other words, the money that the Federal Government is now appropriating for Federal buildings and for Federal highways may be spent, in large measure, for the purchase of foreign cement, whereas our own cement factories along the sea coast and along the Canadian border in many cases are closed down for lack of business.

Mr. COUZENS. I assume the Senator is making a speech, and I am in accord with the views of the Senator.

Mr. PHIPPS. I thought the Senator would be in accord with me. I merely wanted to make that point.

Mr. COUZENS. Mr. President, I should like to state that in a recent case I protested to the Treasury Department that in the construction of Federal buildings in the North and in other sections, cheap labor of all kinds is being brought in, thus depressing the local labor market; that, though thousands are unemployed in various districts, other workers are brought in to erect Federal buildings. My response from the Treasury Department and from the President was to the effect that under the law they were required to award the contracts to the lowest bidder. If that is true—and it is undoubtedly true—then the Federal Government as well as municipalities and State governments are required to let contracts to the lowest bidders, regardless of whether the bidder brings in foreign cement or domestic cement. This is a very unusual procedure. It is stated to me by persons who ought to know that this is the first time in the history of tariff legislation that such a proposal has been submitted and considered.

Mr. BRATTON. Mr. President, if I may have the attention of the Senator from South Carolina, I desire to say that I am sure what the Senator has in mind is to exempt from the duty cement which is actually used by States and municipal subdivisions thereof in the construction of highways?

Mr. BLEASE. Yes.

Mr. BRATTON. I join the Senator from Michigan in the expression of some apprehension that this amendment goes beyond that and will authorize an importer to bring in cement duty free upon the mere assertion that it is for sale to a State or a municipal subdivision. That might result in bringing in vast quantities of cement duty free that never would actually be used in the construction of highways.

I believe we all agree that what the Senator from South Carolina has in mind is to exempt a certain class of cement from duty, namely, that which is actually used in highway construction. Accordingly, I am inclined to believe that, notwithstanding the parliamentary situation, the Senate would give unanimous consent to eliminate from the amendment, if the Senator from South Carolina shares the view I have attempted to express, the words "or for sale to." After those words were stricken out, the amendment would read:

Imported by or for the use of a State, county, parish, city, town, municipality, or political subdivision of government thereof, for public purposes.

I appeal to the Senator to ask unanimous consent to strike those words from his amendment now, and then let us vote upon the motion to reconsider, with those words stricken out.

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

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

Mr. BRATTON. I yield.

Mr. COUZENS. I would have to object to that procedure, because if this amendment is going through I want it to go through in just as "rotten" a form as possible.

Mr. BRATTON. If the Senator from Michigan entertains that philosophy in writing tariff legislation, I am wasting words in discussing a unanimous agreement.

Mr. ROBSION of Kentucky. Mr. President, I rise to express my disapproval of this amendment by the Senator from South Carolina. It was only a few weeks ago that there was so much distress on account of unemployment and depression in the business world that President Hoover called together the cap-

tain of industry and the leaders of labor as well as many of those directing the business activities of the Federal Government, in the hope that the situation might be relieved. At that time I was a Member of the House of Representatives, and the Committee on Roads of that body, upon the urge of the President, proposed to increase the Federal contribution in aid for the construction of roads from \$75,000,000 a year to \$125,000,000 a year for the next three years. Furthermore, a building bill was immediately introduced and passed in the House of Representatives adding several hundred million dollars to the Federal building program.

It seems to me, however, that if we now permit Belgian cement to come in free of duty, and shut down our own cement mills, factories, and other industries, we will nullify these two measures for roads and public buildings on the part of Congress to aid unemployment and business in this country, and stimulate business in Belgium and other foreign countries.

What will it profit us if we spend \$125,000,000 a year of Federal money in building roads, and the cement is to be furnished by the cheap labor of some foreign country, and thereby shut down and close our own cement factories and mills? And what will it profit us, in our effort to stimulate business and furnish employment to labor in this country, if we use the millions and millions of dollars proposed to be expended in building public buildings if we get the material from foreign countries instead of from our own?

Mr. McMASTER. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Kentucky yield to the Senator from South Dakota?

Mr. ROBSION of Kentucky. I yield to the Senator.

Mr. McMASTER. I desire to point out the absurdity of the statement made by the Senator from Kentucky to the effect that—

Mr. ROBSION of Kentucky. It may be absurd to the Senator from South Dakota, but—

Mr. McMASTER. May I ask a question now?

The PRESIDING OFFICER. Does the Senator yield?

Mr. ROBSION of Kentucky. I do.

Mr. McMASTER. The Senator states that if we had free trade, \$125,000,000 or \$150,000,000 would be used in the purchase of foreign cement. For the past 10 years we have had free cement; and never in any one year, under the conditions of free cement competing with American cement, have the American people spent more than \$3,000,000 for foreign cement.

Mr. ROBSION of Kentucky. My statements may appear absurd to the distinguished Senator from South Dakota, because he and I view this matter from an entirely different standpoint. I am interested first in American cement mills and factories and American workers in these cement factories, rather than in the cement mills and the cement workers in Belgium or in any other country in the world. Of course, not all of this sum will be spent for cement.

Who is going to pay the taxes from which this \$125,000,000 will go into our public highways? Who is going to pay the millions necessary to erect the public buildings of this country? That money must come out of the pockets of the American cement industries, American cement workers, and the other industries and workers of this country.

Mr. President, what is there about cement that is different from cotton, meat, wool, corn, wheat, coal, potatoes, butter, or any other product of this country that is bought by the Federal, State, and municipal governments. No doubt the other day the Senator from South Dakota voted for a tariff on long-staple cotton, and voted for tariffs on wool, meat, butter, corn, wheat, eggs, and other products. It must not be forgotten that the Government uses the long-staple cotton and these other products to carry on its business. Why not put an amendment to the 7-cents-a-pound tariff on long-staple cotton and these other products, and let them come in free when they are to be used or bought by the governments, State or Federal.

The Government uses corn. It uses wheat. It uses rye. It uses straw. It uses every product from the farm. In the case of all these duties on farm products, why not insert an amendment saying that all corn, all wheat, all meat, and all of other products produced on the farm shall be free of duty because they are going to be used by the Government and for governmental agencies and purposes? I favor the tariffs on all these farm products, even if bought and used by the Government or State.

Mr. McMASTER. Mr. President—

Mr. ROBSION of Kentucky. Why, Mr. President and Members of the Senate, this amendment is absolutely wrong in principle. We not only are going to force our taxpayers to raise this \$125,000,000 for Federal aid for roads and these hundreds of millions of dollars for our public buildings, but we must not

forget that we spend a billion dollars a year for roads in this country, and that we will spend hundreds of millions of dollars for municipal and State buildings. If we adopt this amendment, the glad tidings will go across the sea that it is foreign cement, made in foreign mills and foreign factories by cheap foreign labor, that will be used to build the municipal buildings, the county buildings, the State buildings, the Federal buildings, and the Federal roads of this country. The 14,000,000 barrels of cement that have been coming in will be only a slight and insignificant matter compared to the amount that will come in under an invitation like this from the Congress of the United States. No contractor in this country could compete in bidding for our public works. Our mills and workers would be idle. They would pay the bills and stand by and see our roads and buildings built and erected from foreign materials.

I am opposed to it in principle. If this is right, then let us include every article on which there is a tariff when that article is used by the Government or by any State or municipality. Let each and every article be placed upon the same footing as the tariff on cement is placed. When we do that we will be consistent, and we will help to destroy American industry, and add to the unemployment in this country. I want to see the products and materials from American factories, mines, farms, mills, and workers used to build our roads and public buildings.

This cement proposition does not affect my own State of Kentucky, because this Belgian cement never can reach Kentucky. It can not reach Tennessee. It can not reach Georgia. The railroad rates are too high. It can only reach a few States of this Union, and those are along the Atlantic coast. Their Representatives and their Senators say they need and want this protection. It can not get to the Senator's State in South Dakota. It can not affect his State.

If they need it and want it, and it is going to benefit them, let us help them have it; and let their public buildings, let their highways, let their bridges be built of cement made by their own people, in their own factories, rather than have these materials furnished by the pauper labor of Europe.

Our own people and taxpayers pay the bills for the construction of our roads and public buildings, and they are entitled to have these built with American products. If the Federal Government discriminates against our own industries and workers, we may expect greater depression in business and more unemployment. So long as I am a Member of this body I shall always stand firm for our own industries and our own workers, whether it be the farm, the mine, the forest, the factory, or the mill.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

DIPLOMATIC IMMUNITY FROM TRAFFIC LAWS

Mr. McKELLAR. Mr. President, I send to the clerk's desk and ask to have read a very short bill.

Mr. BLEASE. Mr. President, I object.

The PRESIDING OFFICER. The Senator can read it.

Mr. McKELLAR. I will ask to have the bill sent back to me, please. It is as follows:

A bill (S. 2964) to amend the traffic laws of Washington, D. C.

Be it enacted, etc., That in the execution of the traffic laws in Washington, D. C., no immunity shall be given to violators of the traffic laws because the offender or alleged offender is a part of or connected with foreign legations.

Mr. President, in this connection I hope the Senator from South Carolina will save time by permitting the publication in the RECORD, without reading, of an article published on the front page of the Washington Post this morning, entitled "Police Gather Accident Data in Envoy Case." I ask that it be published in the RECORD as part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Washington Post of Wednesday, March 19, 1930]

POLICE GATHER ACCIDENT DATA IN ENVOY CASE—TWO EYEWITNESSES AVER COMMANDER POLICH IGNORED LIGHT—LIFE OF HAMMOND HANGS IN BALANCE—DIPLOMATIC IMMUNITY TO HALT ANY ATTEMPTS AT RECOVERY—MAN BORROWED CAR TO MEET HIS BRIDE—ATTACHÉ, IN STATEMENT, SAYS HE IS NOT RESPONSIBLE FOR SMASH-UP

While the life of Paul Edward Hammond, 22-year old Southern Railway clerk, hung in a balance at Emergency Hospital last night, Capt. William G. Stott, of the third precinct, was gathering data for a special report to Maj. Henry G. Pratt from eyewitnesses who claim to have seen Commander Juan Polich, Chilean naval attaché, pass a red light while going at an excessive rate of speed and crash into the youth's car at Connecticut Avenue and N Street.

Hammond, who has a skull fracture, severe lacerations of the scalp and one ear, a ruptured kidney, and internal injuries, was in a partial coma last night. At other times he was delirious, according to attendants at the hospital.

The testimony of Lonnie Beal, of 2019 N Street NW., was added to that of W. S. Shaw, of 1511 Twenty-second Street NW., last night for inclusion in the police report, which may find its way into the hands of the State Department.

STATEMENT OF BEAL

"Dewey Spivey [another witness of the same address] and I were sitting in a parked car on Connecticut Avenue," Mr. Beal said last night, "when we saw a new sedan come up the avenue at an excessive rate of speed. It crossed Eighteenth Street while the light was red.

"Dewey said to me, 'My God, look at that car go,' and just then we heard the crash. I did not see the roadster until after the wreck. We ran up to the scene of the accident and saw the boy who was hurt lying in the street. The man who was driving the car that hit him was examining the damage done to his fender and wheel.

"I looked at the roadster, which had been turned around by the other car, and found that it was in second gear. Just then somebody came along and took the injured fellow to the hospital."

SHAW GIVES TESTIMONY

A similar account of the accident was given by Shaw, who was driving up Connecticut Avenue when Commander Polich passed him. Mr. Shaw said he saw the roadster cross the street-car tracks going east on N Street and that it was proceeding at the rate of about 10 miles an hour.

The obstacle of diplomatic immunity yesterday stood in the way not only of any move that Hammond's wife, who is a bride of only a month, might make but also balked action on the part of John R. Hightman, of 7103 Georgia Avenue, owner of the car driven by the youth, for damages, which amounted to \$200.

Quigley and Hammers, attorneys, who were consulted by Mr. Hightman, whose son, Alfred, had lent the car to Hammond, advised him that nothing could be done and that "the only thing that can be done to stop this sort of thing is agitation in the newspapers."

According to young Hightman, Mr. Hammond had borrowed the car from him in front of the United States Daily, 2201 M Street, at 7.15 o'clock. The collision occurred exactly 15 minutes later. Mr. Hammond was on his way to Union Station to meet his wife.

Commander Polich, who issued a statement yesterday denying any responsibility for the accident and asserting that he was driving at a moderate rate of speed, yesterday inquired as to the condition of Mr. Hammond. A representative of the Chilean Embassy called on Mr. Hightman. He said that he regretted the incident, but that any publicity in the newspapers would do no good.

The recent agitation in the Senate over the arrest of a minor employee of the Turkish Legation led to the publication of a report by Maj. Henry G. Pratt, superintendent of police, which revealed that 37 representatives of foreign embassies or legations had been stopped by District policemen and warned "for operating automobiles in the District under the influence of liquor or other traffic violations from July 1, 1916, to June 20, 1929."

SECOND POLICH CRASH

Records yesterday also revealed that Commander Polich had another automobile accident on the night of December 26 at the intersection of Woodley Road and Woodley Place. While rounding a curve his car skidded, he said at the time, and struck an electric-light pole, shattering his windshield. He told police that he lost control of his auto.

Mrs. Polich sustained cuts on the face from flying glass and was treated by a neighborhood physician. The naval attaché said he was driving at a low rate of speed.

Commander Polich's version of the Monday night accident, as given in a written statement, follows:

THE POLICH VERSION

"I was coming north on Connecticut Avenue and was stopped at the intersection of Connecticut Avenue with Rhode Island Avenue and M Street by a red light. When the light changed to green I started off and passed this light and the green light at the intersection of Eighteenth Street. At N Street, where the accident occurred, I had my car in second gear and was making about 20 miles an hour when we collided. My left front fender hit the right front fender of the other car. The force of the collision jostled me away from the controls and before I could regain them my car had lodged against a tree on the sidewalk on Connecticut Avenue. I immediately got out of the car and ran over and lifted Mr. Hammond up, felt his pulse and the beat of his heart, and to see what I could do for him. Immediately we were surrounded by a number of people and Mr. Hammond was taken in some one's car to the hospital, I remaining at the scene of the accident.

"I regret exceedingly that Mr. Hammond has been so seriously injured. Although I feel that the accident was not due to any fault of mine, I shall be very glad to do what I can to assist Mr. Hammond

and his wife. For this purpose I visited the hospital last night and this morning, and I shall visit his family immediately to express my deep regret and also to offer them whatever assistance I can possibly render."

Mr. McKELLAR. I also ask that an editorial on the sixth page of this morning's Post, entitled "Diplomats in Traffic," be published in the Record without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Washington Post of Wednesday, March 19, 1930]

DIPLMATS IN TRAFFIC

Another automobile collision has occurred in Washington, in which a car driven by a diplomatic attaché has inflicted a serious if not fatal injury upon a citizen. Witnesses allege that the attaché's car was driven at excessive speed, and the nature of the accident tends to support this testimony. The attaché remained on the spot, gave such assistance as he could, and rendered a full report to the police.

The incident may result in exculpating the attaché from all blame, but it serves nevertheless to draw attention to the habitual recklessness of many members of the diplomatic corps, especially young bloods who take delight in violating the traffic rules and then escaping the penalty by invoking their diplomatic immunity. They are a danger to themselves and to all traffic. Citizens who have suffered from the aggressions of these fledgling diplomats are losing their patience, having found that there is no legal method for holding them to account. The crowd that gathered about the latest accident was in anything but a kindly mood when it was stated by witnesses that the diplomat in question had passed by a red light and was breaking the speed limit.

One or two heads of missions have solved this problem by making it an ironclad rule that any violation of traffic laws by their subordinates shall be punished by recall of the offender. The diplomatic corps could well afford, for the sake of general good feeling and public safety, to adopt this rule. The courtesy extended to the corps calls for scrupulous observance of the street rules that protect the public.

Mr. McKELLAR. Mr. President, in this connection I desire to say that a day or two ago a very sad and unfortunate accident occurred, where a representative of a foreign legation ran past a red light and ran into a young man, and that young man is at the hospital not only dangerously injured but the papers say that he is likely to die.

Of course, we are delighted to have these foreign legations come here. We want to treat them with every courtesy and respect; but I do not think their members ought to be allowed to disregard our laws—traffic laws or laws of any other kind—and endanger human life on the streets or anywhere else. They ought to be treated, and they ought themselves to ask to be treated, precisely like American citizens in this great Capital City. They ought not to have any superior treatment, and they ought not to have any inferior treatment. They ought to be treated precisely as American citizens are treated in this city.

The PRESIDING OFFICER. Without objection, the bill will be received and referred to the Committee on the District of Columbia.

The bill (S. 3964) to amend the traffic laws of Washington, D. C., was read twice by its title and referred to the Committee on the District of Columbia.

REVISION OF THE TARIFF

The Senate 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 question is on the motion to reconsider the vote by which the amendment of the Senator from South Carolina [Mr. BLEASE] was agreed to.

Mr. FRAZIER. Mr. President, I was quite interested in the argument of the Senator from Kentucky [Mr. ROSSON]. Judging from the statements that have been made here in the discussion on cement, as I recall, the argument was made over and over again that if a duty was placed upon cement it would not raise the price of cement here in the United States; and in that view of the case, why should foreign cement be used in building public works, even if this amendment is finally adopted, as I hope it will be?

Mr. President, I am very anxious, of course, to see our home products used in the construction of public works; but I am not willing to see an exorbitant price charged the Government by any corporation just because it is an American corporation. In my estimation, the fact that the products are being used in Government work is no reason why an American corporation or an American company should charge an exorbitant price and make an exorbitant profit out of it. If this amendment is adopted, I am satisfied that that can not be done.

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

Mr. FRAZIER. Yes; I yield.

Mr. McMASTER. I should like to have the Senator's comment upon this statement, taken from the United States Daily under date of March 11, 1930:

State-owned cement plants were suggested by the State auditor, Edgar C. Lawson, March 8, in a letter to the State board of control, following a charge by the board's secretary, Bonner H. Hill, that the Portland Cement Association has increased the price of cement 25 cents a bag on the eve of the letting of a contract for the construction of the State capitol's main wing.

In other words, if this duty is placed upon cement for public-building purposes on the eve of letting contracts for roads and for public buildings, it simply means that the Cement Trust will be in a position to raise the price of cement 25 cents a bag and to gouge the public. This amendment is offered for the purpose of preventing the Cement Trust from gouging the public.

Mr. FRAZIER. Mr. President, I think the Senator from South Dakota is correct in that statement. The general public pay for public works by taxation; and, in my estimation, it is nothing short of highway robbery to have any corporation or firm charge an exorbitant price just because it is Government money that pays for the work, whether it be cement, or labor, or what not.

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

Mr. FRAZIER. I yield to the Senator from Michigan.

Mr. COUZENS. I should like to ask the Senator if he would be perfectly willing to have all farm products that are used by hospitals, insane asylums, and all other public institutions on the free list?

Mr. FRAZIER. Mr. President, that is an entirely different proposition.

Mr. COUZENS. Not at all.

Mr. FRAZIER. But I want to say right now that no farmer gets any more for food products that go into a Government hospital than he does for those used in a private home.

Mr. COUZENS. Neither do the cement people.

Mr. FRAZIER. Somebody who handles farm products may get an exorbitant profit, and I condemn him for so doing; but it is not the farmer that gets it.

Mr. McMASTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Dakota?

Mr. FRAZIER. I yield.

Mr. McMASTER. In other words, I will say to the Senator from North Dakota that farm-owned products and products that are sold from the farm are not trust controlled; and there is a vast difference between selling farm products and selling cement, whose prices are controlled by a cement trust.

Mr. COUZENS. Of course, I deny that; and the Senator does not prove it, and has not proved it up to date.

Mr. GOFF. Mr. President—

Mr. FRAZIER. Mr. President, I do not think the Senator from Michigan will contend that farm products as sold by the farmers are trust controlled by any means.

Mr. COUZENS. Neither is the cement industry trust controlled.

Mr. FRAZIER. Judging from statements which have been made here as to the actual operations of those companies in setting prices, it would look as if they were in very close connection, at least, and practically trust controlled.

Mr. COUZENS. Oh, yes; Senators can say anything. They can charge anything on the floor of the Senate, because they are immune, but they submit no proof.

Mr. GOFF. Mr. President, I regret exceedingly that the Senator from South Dakota has left the Chamber. He made the statement, which was corroborated by the Senator from Kentucky, that the price of cement had been unduly and monopolistically raised in the State of West Virginia. As stated by the Senator from Michigan [Mr. COUZENS] a moment ago, Senators making these statements submit no proof. They do not, possibly, think that proof is necessary in order to reach the susceptible feelings of those who agree with them.

Since these statements were uttered on the floor I have made an investigation of this subject, and I stand here to say that the prices of cement in the State of West Virginia have not been unduly raised in the slightest or remotest degree.

I understand, from talking just a few moments ago with the vice president of the Alpha Cement Co., in the State of West Virginia, that during the month of August last there was a competitive war in that State between four cement companies, his company included; that as the result of that competition the price of cement in August last was reduced by from 20 to 25 cents a barrel; and that in the months of September, October, and November last efforts were made to restore the price of

cement as it had been reduced by this undue although necessary competition.

I have made inquiries as to what caused such competition, and I am informed that it was due to the fact that there was at that time no demand for cement, and that in order to keep their plants running it was necessary that the surplus stock and products on hand be converted into money that they might defray the necessary and pressing overhead expenses of the plants, and that in the third week of November last a restoration of prices took place—not that they raised the prices, but they restored the prices to where they justifiably and inherently were before this unexpected and undue competition reduced them.

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

Mr. GOFF. I yield.

Mr. McMASTER. The Senator states that in August certain competitive companies lowered the price of cement.

Mr. GOFF. Exactly.

Mr. McMASTER. All of the companies in the East during the month of August, running up as far as Boston, New York, Philadelphia, and all along the Atlantic seaboard, decreased the price of cement. Some of us think it was for the purpose of influencing Congress. That might not have been the case. But if it was done for the purposes the Senator states, because there had been a slowing up of the building program, I call attention to the fact that the slowing up of the building program continued on until November, and it is worse to-day than it was in November. Yet, in spite of that, the Cement Trust in the East raised the price arbitrarily from 20 to 30 cents a barrel in the face of the fact that the building program was on the decline.

Mr. GOFF. Mr. President, I understand I am limited to 10 minutes in this debate, and I must refuse to yield to the Senator from South Dakota any further during the time allotted me.

I deny that there is any cement trust operating in the State of West Virginia. I do not know as to other States, but my best information is that there is no cement trust existing anywhere in the United States to-day.

I further make this statement, that no cement manufactured in the State of West Virginia is brought into competition with cement in the Eastern States, because the high price of rail transportation prohibits its moving from the State of West Virginia to any of the New England States.

Reference has been made to a statement issued by the auditor of West Virginia, and I am informed that the auditor of the State of West Virginia did make such a suggestion. It would seem from the facts submitted and the facts obtainable that he was not doing that as the result of any unjustifiable raise in price, but that if he did do it he did it because of the restoration of the price to the normal level necessary to keep these plants as going concerns and to pay the wages which they have always paid to the labor employed in them.

The auditor suggests that the State should own the plants, and I am informed by the vice president of the Portland Cement Co. that yesterday they wrote the State of West Virginia offering to sell its plant to the State upon such terms as might represent its real and its inherent value, and that the letter should have been received by the Governor of West Virginia this morning.

Therefore, Mr. President, I want to say, without any qualification or without the slightest hesitation or reservation, that there has been no unjust increase in the price of cement in the State of West Virginia that is not justified by the necessary operating expense and the employment of American labor at the rate of wages paid according to our economic standards.

I add that when the price was reduced solely as a result of this competitive war in August last, and it was so reduced in order that the accumulated surplus or surpluses might be converted into money necessary to continue and insure those plants as going concerns.

Mr. President, I have not the slightest hesitation in saying that this proposal should be defeated.

Mr. HARRISON and Mr. BRATTON asked for the yeas and nays.

The yeas and nays were ordered.

Mr. FRAZIER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FRAZIER. Is the vote as to whether or not we will reconsider?

The PRESIDING OFFICER. It is; an affirmative vote is a vote to reconsider.

Mr. BRATTON. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRATTON. Is the motion to reconsider directed to the vote on the amendment of the Senator from South Carolina?

The PRESIDING OFFICER. The question is on reconsidering the vote by which the amendment of the Senator from South Carolina was agreed to.

Mr. BRATTON. Are we voting now upon the whole subject of a duty on cement, as affected by the amendment of the Senator from South Carolina?

The PRESIDING OFFICER. No; the vote is on reconsidering the vote by which the Senate agreed to the amendment of the Senator from South Carolina.

Mr. BRATTON. A further parliamentary inquiry. Does the motion to reconsider involve merely the amendment of the Senator from South Carolina, excepting cement used in the construction of highways, or does it involve the whole subject of a duty upon cement, with the exemption carried in the amendment of the Senator from South Carolina?

Mr. BLEASE. Mr. President, if the Chair will permit me, I think I can explain the matter for the information of the Senate.

I offered my amendment, which was adopted. The Senator from New Jersey gave notice that he was going to move to reconsider the vote. I immediately made a motion to reconsider, and that is what we are voting on, and nothing else.

Mr. BARKLEY. Mr. President, the amendment adopted to put a tariff of 6 cents on cement was not adopted as in Committee of the Whole, it was adopted on the motion of the Senator from New Jersey after the bill was reported to the Senate. It was an amendment offered and agreed to in the Senate after the bill was in the Senate. The amendment of the Senator from South Carolina is voted on as an independent amendment, the same as the other amendment was voted on as an independent amendment. It does not seem to me that this vote involves the question of a tariff on cement.

The PRESIDING OFFICER. The question is on the motion to reconsider the vote by which the amendment offered by the Senator from South Carolina was agreed to. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GOULD (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KING]. I transfer that pair to the junior Senator from Connecticut [Mr. WILCOTT] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. DENEE]. I have been unable to get a transfer and therefore withhold my vote. If permitted to vote, I would vote "nay."

Mr. LA FOLLETTE (when Mr. SHIPSTEAD's name was called). I desire to announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is paired with the junior Senator from Tennessee [Mr. BROCK]. If the senior Senator from Minnesota were present, he would vote "nay."

Mr. SIMMONS (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "nay."

Mr. THOMAS of Idaho (when his name was called). On this vote I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. WATSON (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Delaware [Mr. HASTINGS] and vote "yea."

The roll call was concluded.

The PRESIDING OFFICER (Mr. FESS). The Chair desires to announce that the Senator from Pennsylvania [Mr. REED] has a general pair with the Senator from Arkansas [Mr. ROBINSON].

Mr. JOHNSON. I announce the unavoidable absence of the Senator from South Dakota [Mr. NORBECK] and the fact that were he present he would vote "nay."

The result was announced—yeas 38, nays 43, as follows:

YEAS—38

Baird	Greene	McNary	Shortridge
Bingham	Brundy	Metcalf	Smoot
Broussard	Jale	Moses	Steiner
Copeland	Hatfield	Oddie	Sullivan
Couzens	Hebert	Patterson	Townsend
Dale	Jones	Phipps	Vandenberg
Fess	Kean	Pine	Waterman
Goff	Keyes	Ransdell	Watson
Goldsborough	McCulloch	Robinson, Ind.	
Gould	McKellar	Robson, Ky.	

NAYS—43

Allen	Capper	Glass	Johnson
Ashurst	Caraway	Glenn	Kendrick
Barkley	Connally	Harris	La Follette
Black	Cutting	Harrison	McMaster
Blaine	Dill	Hawes	Norris
Bleas	Fletcher	Hayden	Nye
Borah	Frazier	Healin	Schall
Bratton	George	Howell	Sheppard

Simmons
Steck
Stephens

Swanson
Thomas, Okla.
Trammell

Tydings
Wagner
Walsh, Mass.

Walsh, Mont.
Wheeler

NOT VOTING—15

Brock
Brookhart
Deneen
Gillett

Hastings
King
Norbeck
Overman

Pittman
Reed
Robinson, Ark.
Shipstead

Smith
Thomas, Idaho
Walcott

So the Senate refused to reconsider the vote by which Mr. BLEASE's amendment was agreed to.

The PRESIDING OFFICER. The Chair will state that unanimous consent was given for a reconsideration of the vote by which this particular amendment was agreed to. Therefore the question now is on concurring in the amendment made as in Committee of the Whole as amended by the amendment of the Senator from South Carolina.

The amendment as amended was concurred in.

Mr. SMOOT. Mr. President, the Senator from Washington [Mr. DILL] objected to the unanimous-consent request which I submitted at the beginning of the session to-day. He advises me now that he has no objection to proceeding as I suggested then in the consideration of the bill. Therefore I again ask unanimous consent that in considering individual amendments we begin with Schedule 1, and then proceed to the remaining schedules in their order until the bill is finished.

The PRESIDING OFFICER. Is there objection?

Mr. JONES. Mr. President, I am perfectly willing to agree to that if we could have an agreement to take up the lumber amendment at 11 o'clock to-morrow morning.

Mr. SMOOT. I have no objection to that if there is a general agreement to it.

Mr. NORRIS. Mr. President, I want to suggest to the Senator from Utah that the only objection I have to following the course he proposes is that no one can tell what amendments may be agreed to. It may be that after we pass a schedule some amendment will be agreed to in a subsequent schedule which will make it necessary to go back to the previous schedule.

Mr. SMOOT. We can have a unanimous-consent agreement to cover such a case.

Mr. NORRIS. What is the proposed unanimous-consent agreement?

The PRESIDING OFFICER. Will the Senator from Utah repeat his unanimous-consent request for the benefit of the clerks at the desk?

Mr. SMOOT. My request is that in the further consideration of the bill individual amendments shall be offered and considered beginning with Schedule 1, then proceeding to the remaining schedules in their order until the bill is completed. That is my unanimous-consent request. If it is agreed to, then I shall ask further unanimous consent that—

Mr. NORRIS. The Senator can not proceed on that theory, because if we agree to the first arrangement, then any one Senator could object to the other. The Senator from Utah should combine the two proposals.

Mr. SMOOT. Then I will couple with my previous request the further request that in any schedule under consideration, if there is a change in rate which would require the transfer of an article to the free list, it shall be done at the time of the determination of the Senate on that particular article by its vote.

The PRESIDING OFFICER. Is there objection?

Mr. NORRIS. Yes; I will not agree to that. It does not cover my objection.

Mr. SMOOT. Just what does the Senator want?

Mr. NORRIS. It may not be a free-list proposition; there may be nothing to be covered; but it is liable to happen that we will get into difficulty by our inability to go back and change something which may be made necessary by later action. Why does not the Senator commence at the beginning and let us go ahead?

Mr. COUZENS. I demand the regular order.

Mr. SMOOT. Very well; let us have the regular order.

The PRESIDING OFFICER. The regular order is demanded.

Mr. COPELAND. Mr. President, I desire to give notice of my intention to ask for a reconsideration of paragraph 1537, paragraph 1556, and paragraph 1812. Those were considered on day before yesterday—Monday.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. McMASTER. Mr. President, I ask unanimous consent to reconsider the vote by which the report of the committee of conference was adopted on House bill 9979, the deficiency appropriation bill.

Mr. JONES. Mr. President, it is very urgent that this bill shall be gotten through just as soon as possible. Other matters can be taken up when the regular Interior Department appropriation bill is before us, especially the matters which I know

the Senator from South Dakota has in mind. Therefore I shall have to object to his unanimous-consent request.

Mr. McMASTER. I desire to enter a motion to that effect, and I shall ask to have it taken up at the earliest opportunity this afternoon.

REVISION OF THE TARIFF

The Senate 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.

Mr. THOMAS of Oklahoma. Mr. President, pursuant to notice served on last night and again this morning, at this time I desire to call up the oil amendment. Before asking that the amendment be read, Mr. President, I ask that I be accorded the courtesy of not being interrupted during the course of what I shall have to say. I realize that if I should yield twice I perhaps might lose the floor, and, not desiring to take more time than is necessary, I respectfully ask that I may be permitted to proceed without interruption.

At this time, Mr. President, I ask unanimous consent to file at the close of my remarks some exhibits, which I shall furnish to the reporter at the proper time.

The PRESIDING OFFICER. Without objection, the request will be granted.

Mr. SMOOT. They are not photographs, are they, I will ask the Senator?

Mr. THOMAS of Oklahoma. They come within the rule, being merely ordinary exhibits in support of what I shall have to say.

(The exhibits referred to will be found at the conclusion of the remarks of Mr. THOMAS of Oklahoma.)

The PRESIDING OFFICER. Does the Senator from Oklahoma ask that his amendment be read?

Mr. THOMAS of Oklahoma. At this time, I ask that the Chair lay before the Senate the amendment which I submitted on yesterday.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Oklahoma.

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

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

Mr. CONNALLY. I desire to make the point that there is no quorum present.

Mr. THOMAS of Oklahoma. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	La Follette	Smoot
Ashurst	Glass	McCulloch	Steck
Baird	Glenn	McKellar	Steinwer
Barkley	Goff	McMaster	Stephens
Bingham	Goldsborough	McNary	Sullivan
Black	Gould	Metcalf	Swanson
Blaine	Greene	Moses	Thomas, Idaho
Bleas	Grundy	Norris	Thomas, Okla.
Borah	Hale	Nye	Townsend
Bratton	Harris	Oddie	Trammell
Broussard	Harrison	Overman	Tydings
Capper	Hatfield	Patterson	Vandenberg
Caraway	Hawes	Phipps	Wagner
Connally	Hayden	Pine	Walcott
Copeland	Hebert	Pittman	Walsh, Mass.
Couzens	Heflin	Ransdell	Walsh, Mont.
Cutting	Howell	Robinson, Ind.	Waterman
Dale	Johnson	Robison, Ky.	Watson
Dill	Jones	Schall	Wheeler
Fess	Kean	Sheppard	
Fletcher	Kendrick	Shortridge	
Frazier	Keyes	Simmons	

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, I ask that the Chair lay before the Senate the amendment which I have offered.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. On page 35, after line 2, it is proposed to insert the following:

PAR. 99. (a) Crude petroleum and fuel petroleum, \$1 per barrel of 42 gallons.

(b) Petroleum products: Kerosene, benzine, naphtha, gasoline, paraffin, paraffin oil, and all other distillates, derivatives, or refined products of petroleum, 50 per cent ad valorem. The ad valorem rate provided in this subparagraph shall be based upon the American selling price (as defined in subdivision (f), as amended, of section 402, Title IV) of any similar competitive article manufactured or produced in the United States. If there is no similar competitive article manufactured or produced in the United States, then the ad valorem rate shall be based upon the United States value, as defined in subdivision (d), as amended, of

section 462, Title IV. For the purposes of this subparagraph any petroleum product provided for herein shall be considered similar to or competitive with any imported petroleum product which accomplishes results substantially equal to those accomplished by the domestic product when used in substantially the same manner: *Provided*, That all funds derived from the tariffs upon petroleum and the refined products of petroleum as provided by this paragraph shall be covered into a special fund for appropriation and expenditure by the Secretary of Agriculture under the Federal highway aid act and the amendments thereto and the rules and regulations made thereunder: *And provided further*, That the United States Tariff Commission is hereby authorized and directed to make an investigation of the entire petroleum industry; to prepare and file a report of such investigation and to prepare and submit recommendations as in this act provided, to the end that the tariff rates provided in this paragraph may be increased or decreased as the facts developed may warrant and justify.

On page 265, strike out lines 3 to 6, inclusive, being paragraph 1734.

Mr. THOMAS of Oklahoma. Mr. President, as I proceed, I may have something to say relative to some of the activities of the so-called lobby committee, and I respectfully request that the members of such committee be advised of the statement I have just made.

Mr. President, the amendment just read embodies a request for a tariff on oil. More than that, it not only embodies a request for a tariff on oil but it involves a contest of oil against oil, a contest of domestic oil against foreign oil, a contest of independent oil against Standard oil, and a contest of American oil against British oil. Every Senator upon this floor, when he comes to vote upon this question, must vote for oil; at that time he will have his chance of voting for American oil or for British oil, for independent oil or for Standard oil, for domestic oil or foreign oil.

This amendment, Mr. President, suggests another question which is as vitally important, in my opinion, as is the amendment itself, as read from the desk. In this contest the independent oil producers to-day stand shoulder to shoulder with the corner grocery man, who sees a chain coming to ensnare and to destroy his business. The independent oil producers stand shoulder to shoulder with the many other independent businesses of America, which feel themselves being crushed in the near future by the processes of the new industrial revolution. So, Mr. President, this amendment is more than a contest of American oil against British oil, and against other foreign oil; it is a contest between the oil men of this Republic and those who control the millions, and likewise those who control the billions.

Mr. President, the proposal just read was considered on but one day.

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

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

Mr. THOMAS of Oklahoma. For what purpose?

Mr. CONNALLY. To make a point of no quorum.

Mr. THOMAS of Oklahoma. Mr. President, I care not as to the number of Senators who may be present. I am speaking to a larger audience.

The PRESIDING OFFICER. The Senator from Oklahoma declines to yield.

Mr. THOMAS of Oklahoma. Mr. President, the proposal just read at the desk was considered on but one day, and owing to the importance of the issues raised and the circumstances under which the amendment was voted on, I have sought this opportunity of again bringing the matter before the Senate.

The proposal now before the Senate provides, first, that petroleum and the refined products thereof shall be transferred from the free to the dutiable list; second, that a tariff of \$1 per barrel shall be levied on petroleum and a tariff of 50 per cent ad valorem shall be levied on the refined products of petroleum; third, the funds derived from the tariffs thus levied and collected shall be covered into a special fund for appropriation, and expenditure by the Secretary of Agriculture under the Federal highway aid act and the amendments thereto and the rules and regulations made thereunder; and, fourth, that the United States Tariff Commission is authorized and directed to make an investigation of the entire petroleum industry; to prepare and file a report of such investigation and to prepare and submit recommendations as in the act provided, to the end that the tariff rates provided in the paragraph may be increased or decreased as the facts developed may warrant and justify.

Mr. President, this issue here now raised is not alone whether this amendment should be agreed to; not alone whether the gigantic oil combines and mergers, some of them of foreign origin and foreign capital, should be taxed; not alone whether hundreds of thousands of American citizens should be helped, but the issue has assumed a larger and more important aspect, and we now have the question of whether citizens of the

United States shall be denied the right to come to their own Capital, to confer with those in authority and to present petitions for redress of grievances.

In addition to an economic issue over a proposal to tax foreign oil, produced and transported, in the main, by foreign companies, imported free into the United States in competition with domestic oil produced by American labor, we have a constitutional question. Section 2 of Article IV of the Constitution proposes to guarantee that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

The first amendment to the Constitution provides that Congress shall make no law abridging the right of the people to petition the Government for a redress of grievances.

The fourth amendment provides that—

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Mr. President, if citizens themselves, exercising their right to petition their Government, a right guaranteed by the first amendment, are to have their rooms raided, their papers and effects seized, and they themselves summoned and tried on the charge of lobbying, then the citizens will, through fear, cease to come to the Nation's Capital and, to the extent they are thus intimidated, the right of petition will be thereby abridged and denied.

On the day preceding the consideration of the petroleum amendment, Wirt Franklin, representing hundreds of thousands of oil-field workers, a citizen of Oklahoma, an upright, honorable gentleman, a credit to any State, in any country, was haled before the lobby investigating committee and, before his examination was concluded, one member of the committee, in a speech on this floor, condemned him as an undesirable lobbyist.

Mr. SMOOT. Mr. President, will the Senator yield there?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. I was asked to suggest the absence of a quorum, but I will leave it entirely with the Senator whether or not I shall do so. I will not do so if the Senator objects.

The VICE PRESIDENT. Does the Senator yield for that purpose?

Mr. THOMAS of Oklahoma. Mr. President, because I am to make some remarks attacking some of the activities of one of our committees I now yield for that purpose.

Mr. SMOOT. 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	George	La Follette	Simmons
Ashurst	Glass	McCulloch	Smoot
Baird	Glenn	McKellar	Steck
Barkley	Goff	McMaster	Stelwer
Bingham	Goldsborough	McNary	Stephens
Black	Gould	Metcalf	Sullivan
Blaine	Greene	Moses	Swanson
Blease	Grundy	Norbeck	Thomas, Idaho
Borah	Hale	Norris	Thomas, Okla.
Bratton	Harris	Nye	Townsend
Broussard	Harrison	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Caraway	Hawes	Patterson	Vandenberg
Connally	Hayden	Phipps	Wagner
Copeland	Hebert	Pine	Walcott
Couzens	Heflin	Pittman	Walsh, Mass.
Cutting	Howell	Ransdell	Walsh, Mont.
Dale	Johnson	Robinson, Ind.	Waterman
Dill	Jones	Robison, Ky.	Watson
Fess	Kean	Schall	Wheeler
Fletcher	Kendrick	Sheppard	
Frazier	Keyes	Shortridge	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, in what I am about to say I am not condemning the lobby committee. The lobby committee has done much good work. What I am about to say is a condemnation of some of the activities of the lobby committee, which I now proceed to point out.

Permit me to suggest that the resolution creating the Lobby Investigating Committee limited the powers of such committee to inquiries into the activities "of lobby associations and lobbyists." I deny that the Senate ever conferred on this committee powers to investigate private citizens who may come to Washington to petition the Congress for redress of grievances. I deny that the Senate has such powers to confer; and when any committee assumes and then begins to exercise such powers, no office, no place of business, no home, and no person is secure.

Mr. President, if the speech made here by the Senator from Wisconsin is the report of the lobby investigating committee,

then the citizens of the 19 oil-producing States, here to present a petition to the Congress, stand convicted and branded as ruthless, subtle, brazen, slimy, nefarious, and damnable lobbyists. Yet I hope the heavy physical effort of a member of the committee, the Senator from Wisconsin, which caused the galleries to smile, made before the first witness was half through testifying, will not be permitted to become and stand as the report of this committee.

Mr. President, the lobby investigating committee has rendered much valuable service, yet I do not approve of some of the activities of this committee. I do not approve of the action wherein one member of the committee brought before the Senate private letters and telegrams forcibly taken from the private rooms of citizens and made public here before the same were presented to the committee. I do not approve of the action of the committee in summoning and trying citizens on a charge of lobbying; of raiding the private rooms of citizens, seizing private papers and effects, and making public only selected letters and telegrams so secured without affording the accused a fair chance to explain his or their activities and to make a statement in his or their defense.

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

Mr. THOMAS of Oklahoma. I yield for a question only.

Mr. WALSH of Montana. Upon what information does the Senator tell the Senate that rooms were raided and private papers seized?

Mr. THOMAS of Oklahoma. I will come to that in the course of what I shall have to say later.

Mr. WALSH of Montana. I desire to say at this point, Mr. President, so that there shall be no misunderstanding about it, that no papers were seized anywhere; nor did the committee—

Mr. THOMAS of Oklahoma. Mr. President, I refuse to yield for the statement just being made. I have here the affidavit of the citizen in charge of the rooms when the raid was made.

In support of my statement just made, and before I pass from it, I desire to call the attention of the Senate and the country to the latest decision upon this question.

Mr. WALSH of Montana. Mr. President, will the Senator suffer another interruption?

Mr. THOMAS of Oklahoma. For a question.

Mr. WALSH of Montana. I want to say—and another member of the committee is here—that this is the first information any member of the committee had of any raid on anything.

Mr. THOMAS of Oklahoma. Mr. President, from this time on I refuse to yield, because I shall cover these statements in my speech proper; but, by way of dissertation, let me say that I have here on my desk three books of clippings taken from the press of the Nation, one book for each State; and on page after page the press of the Nation have stated and told the people of this Republic that a raid was made, and I will refer to that later.

In that particular relation I now desire to call the attention of the Senate to the decision of the Supreme Court of the United States in the latest case upon this question, that of *Sinclair against The United States*. Mr. Justice Butler rendered the decision, on behalf of the Supreme Court. In the body of his opinion we find the following language:

It has always been recognized in this country, and it is well to remember, that few, if any, of the rights of the people guarded by fundamental law are of greater importance to their happiness and safety than the right to be exempt from all unauthorized, arbitrary, or unreasonable inquiries and disclosures in respect of their personal and private affairs. In order to illustrate the purpose of the courts well to uphold the right of privacy, we quote from some of their decisions.

In *Kilbourn v. Thompson* (103 U. S. 168), this court, speaking through Mr. Justice Miller, said (p. 190): " * * * we are sure that no person can be punished for contumacy as a witness before either House unless his testimony is required in a matter into which that House has jurisdiction to inquire, and we feel equally sure that neither of these bodies possesses the general power of making inquiry into the private affairs of the citizen." * * *

In *re Pacific Railway Commission* (Circuit Court, N. D. Calif.; 32 Fed. 241) Mr. Justice Field, announcing the opinion of the court, said (p. 250): "Of all the rights of the citizen, few are of greater importance or more essential to his peace and happiness than the right of personal security, and that involves not merely protection of his person from assault but exemption of his private affairs, books, and papers from the inspection and scrutiny of others. Without the enjoyment of this right, all other rights would lose half their value." And the learned justice, referring to *Kilbourn v. Thompson*, supra, said (p. 253): "This case will stand for all time as a bulwark against the invasion of the right of the citizen to protection in his private affairs against the unlimited scrutiny of investigation by a congressional com-

mittee." And see concurring opinions of Circuit Judge Sawyer (p. 259 at p. 263) and of District Judge Sabin (p. 268 at p. 269).

In *Interstate Commerce Commission v. Brimson* (154 U. S. 447) Mr. Justice Harlan, speaking for the court, said (p. 478): "We do not overlook these constitutional limitations which, for the protection of personal rights, must necessarily attend all investigations conducted under the authority of Congress. Neither branch of the legislative department, still less any merely administrative body, established by Congress possesses, or can be invested with, a general power of making inquiry into the private affairs of the citizen. * * * We said in *Boyd v. United States* (116 U. S. 616, 630)—and it can not be too often repeated—that the principles that embody the essence of constitutional liberty and security forbid all invasions on the part of the Government and its employees of the sanctity of a man's home and the privacies of his life."

Harriman v. Interstate Commerce Commission (211 U. S. 407), illustrates the unwillingness of this court to construe an act of Congress to authorize any examination of witnesses in respect of their personal affairs. And see *United States v. Louisville & Nashville R. R.* (236 U. S. 318, 335).

In *Federal Trade Commission v. American Tobacco Co.* (264 U. S. 298), this court said (pp. 305-306): "Anyone who respects the spirit as well as the letter of the fourth amendment would be loath to believe that Congress intended to authorize one of its subordinate agencies to sweep all our traditions into the fire (*Interstate Commerce Commission v. Brimson* (154 U. S. 447, 479), and to direct fishing expeditions into private papers on the possibility that they may disclose evidence of crime."

Mr. President, there is no law against lobbying. It is not a crime to lobby. The Supreme Court says that no one has the authority to go on a fishing expedition, to search the homes of citizens to try to get evidence of a crime. What would that tribunal say if the question were presented to it of a fishing expedition into the private homes of citizens to acquire information which, if found, would constitute no crime? The Supreme Court said further:

We do not discuss the question whether it could do so if it tried, as nothing short of the most explicit language would induce us to attribute to Congress that intent. * * * It is contrary to the first principles of justice to allow a search through all the respondents' records, relevant or irrelevant, in the hope that something will turn up.

After the petroleum amendment had been considered and passed upon on Friday and after the attack upon the accused, made here by the Senator from Wisconsin, a recessed session of the committee was held and at that time Mr. Franklin requested the committee to permit him to make a statement, which request was refused. Mr. President, in order that no possible injustice may be done, and in order that the Senate and the country may know the facts, I desire to call attention to the record of the proceedings had before the committee.

When the committee was called to order, the following proceedings were had:

Mr. FRANKLIN. Mr. Chairman and gentlemen of the committee, since I was summoned and have testified here, matters and things have transpired so that I would crave your permission to make a statement in my own behalf and in connection with matters relating to this investigation.

Senator CARAWAY. We have a rule, Mr. Franklin, wise or unwise, that we do not take those, but I will say this much, that you may include that statement at the end of your testimony for the record, and if there is anything connected with the questions that come up from time to time you may explain those, but we have uniformly forbidden the reading of statements to the committee. * * * It may be included in the record.

Mr. FRANKLIN. I think I have the constitutional right in this committee or at any other place to make a statement of my position.

Senator CARAWAY. We are not arguing about that, Mr. Franklin. We have a rule that we have uniformly adhered to.

Senator BLAINE. Now you have a statement you want to leave with the committee. Would you let me take that statement, the statement that you had out on the table when you appeared this morning and wanted to read it?

Mr. FRANKLIN. Will it be made a part of the record in the case? If it is not to be made a part of the record, I do not wish to hand it in.

Senator BLAINE. I want to look it over.

Senator WALSH of Montana. The chairman announced that it would be made a part of the record.

Senator BLAINE. I just suggested to the chairman that we have not been permitting those to be made part of the record, but we have permitted them to be filed with the committee.

Mr. FRANKLIN. I do not care to file it unless it is made a part of the record.

Senator BLAINE. Then I think we ought to examine it before we determine whether it will be made part of the record. Let me go over it. I want to examine you on it.

Mr. FRANKLIN. Well, this is my statement.

Senator BLAINE. Is there any reason why you should not be cross-examined on it, or examined on it?

Mr. FRANKLIN. No reason, except it is my statement and if it is to be made a part of the record I would be glad to have you examine me on it as long as you desire; but if it is not going to be part of the record, I do not offer it.

Senator CARAWAY. I have always understood that every written statement that anyone wanted to make would be made a part of the record. You have no objection to it, have you?

Senator BLAINE. I do not know. It is a very simple matter for some one to make a statement and have it made a part of the record, and without examination it may be misleading.

Mr. FRANKLIN. I offered to read it and it was excluded.

Senator BLAINE. I did not know that any statement had been permitted to go into the record but might be put in the files.

Senator CARAWAY. Every statement.

Senator WALSH of Montana. Yes; Mr. GRUNDY's statement was filed.

Senator CARAWAY. Yes; he filed two, and Mr. Burgess filed a statement.

Senator BLAINE. If it is to be filed I want to see the statement first. If it is to be a part of the testimony in this case, Mr. Franklin, I desire to go over the statement and examine you on it.

Mr. FRANKLIN. And then admit it or exclude it, as you desire, afterwards?

Senator BLAINE. The committee will decide what it is going to do.

Senator CARAWAY. Let us decide that first, Senator BLAINE. I think in fairness to the witness he ought to know what the decision of the committee is.

Senator BLAINE. I have no objection, but I do not want a written statement filed with the committee without the opportunity to examine the contents of the paper.

Senator WALSH of Montana. The position taken by Senator BLAINE is perfectly correct. There may be something in that statement that ought not to go into the record, Mr. Franklin. Do you care to have the statement made a part of the record? If so, of course you will have to submit it to the committee to determine whether it is a proper thing to go in the record.

Mr. FRANKLIN. However, I want it distinctly understood that I do not offer this unless it is to be made a part of the record.

Senator CARAWAY. Well, that is just what we were discussing this second, Mr. Franklin.

Senator CARAWAY. You understand you can submit it to the committee and if they decide it should go into the record then it will go into the record, and if they decide it should not, it will be returned to you and not made public at all.

Is that what you understood? In other words, I made a declaration that it be made a part of the record. The committee wants to reverse that statement of the chairman and, therefore, the committee has a right to do it, and that is what we have been consulting about, and the committee decided to reverse the statement of the chairman about it.

Mr. FRANKLIN. I do not think I will offer it unless it is going to be made a part of the record, unless I am assured about it in advance.

Senator CARAWAY. All right.

Mr. President, I was present at that hearing and there stated that I would read the rejected statement to the Senate. This statement is as follows:

STATEMENT OF WIRT FRANKLIN OFFERED BEFORE THE SENATE LOBBY INVESTIGATING COMMITTEE MARCH 4, 1930

Mr. Chairman and gentlemen of the committee, since I was summoned by your committee to appear, and did appear last Friday morning, to be interrogated by you with reference to my activities in laying before Congress the condition of the oil industry in the United States, developments with reference to this matter have been of such a nature and of so serious an import that I have decided to ask permission of your investigating committee to make a statement setting forth clearly the reasons which actuated us in presenting to Congress the request for relief from the intolerable conditions now prevailing in the domestic oil industry, and to refute the charges, insinuations, and innuendo which have been hurled at me and my associates on the floor of the Senate by a member of this committee.

Gentlemen, may I have the privilege of making such a statement? When on January 28, 1930, the independent oil producers, refiners, and marketers met in convention at Tulsa, Okla., for the purpose of seeking a remedy to the condition of ruin with which the immediate future confronted them, and there decided by unanimous action of

some fifteen hundred delegates assembled from the various oil producing States, that our hope of redress lay in presenting the merits of our cause to the Congress of the United States—the only power on earth which could relieve our distressful conditions—we were of the opinion that the bill of rights and the Constitution of the United States were still effective and might be relied upon, at least to the extent of allowing us the right and privilege of petitioning Congress for a redress of our wrongs.

Being of this opinion and having thus decided to do, over 200 of the delegates there assembled from the various States volunteered to come to Washington to submit the merits of our cause to Congress, and at the same time voluntary contributions were made by the men there assembled to be applied toward the actual and necessary expenses of such an undertaking. We had previously been advised by both Senator PINE and Senator THOMAS of Oklahoma that this was the proper method of procedure.

Accordingly, the delegates returned to their respective homes with the understanding that they should reach Washington by February 3. Where a sufficient number came from any one locality or State, special cars were obtained, and these cars assembled at St. Louis, Mo., into a special train, which arrived in Washington on the morning of February 3, said train carrying 225 men engaged in the oil and allied industries. The newspapers having published the object of our trip, we were met in Washington by men from the eastern oil-producing States, and from time to time additional delegations of business men and men allied with the oil industry have come to Washington to present the problem to Congress as it affected the States and the localities from which they came.

Upon our arrival here most of our number established headquarters at the Mayflower Hotel and were met there by Senators and Representatives from a number of the oil-producing States, who arranged for us a meeting in the caucus room of the House Office Building on the morning of February 4, to which meeting Members of both the House and Senate generally were invited. Many of them attended. As president of the Independent Petroleum Association of America, I made a full and complete exposition of the domestic oil industry of the United States and presented the reasons, facts, and figures showing that a tariff on oil should be included in the pending tariff bill to protect the great domestic oil industry from utter demoralization and ruin and to prevent the gradual choking to the point of strangulation of the independent oil producers of the United States, which, if allowed to proceed, would result in the creation of a gigantic oil monopoly in the United States, similar to that existing in all other parts of the world.

It was pointed out that this tariff on oil was not only necessary for the preservation of this great industry, but in the interest of the general consuming public and all other industries and businesses. The domestic industry has grown to such proportions and its purchases of material and supplies are of such magnitude that anything which tends to destroy that industry will injure and seriously affect not only the oil-producing States, but the entire country, including the farmers and landowners who, as the owners of royalty interests, receive one-eighth of the entire production of oil.

It was made plain at this first meeting and so stated in unequivocal terms that the men engaged in this great industry had come in person to lay their cause before Congress; that they had employed no lobbyists; that they had hired no attorneys and that they would not do so; that we were submitting our cause to Congress upon its merits and its merits alone; that the facts and conditions of the industry were sufficient in themselves to warrant relief from the intolerable conditions which exist; and on that basis and that basis alone have we presented our cause to Congress and the Members thereof, resting secure in the belief that our rights as American citizens under the Constitution guaranteed to us the privilege of so doing.

Regardless of the serious charges, insinuations, and calumny, which I now assert are without foundation in truth and in fact and are unsupported by any competent evidence, we intend to continue the presentation of our just and righteous cause until truth and justice shall prevail. We do not intend to sit supinely by without asserting our rights until monopoly of this—one of the greatest American industries—shall securely fasten its tentacles about the industry, destroying the rights and property of millions of American citizens and taking toll, as it will eventually, from the entire American consuming public.

When your committee made known its desire to investigate our activities through your attorney, Mr. Holland, appearing at our headquarters in the Mayflower Hotel and making a demand that he be allowed to search through our files, I was absent at the time, but Mr. Russell Brown, who was present, conscious of the high plane upon which we had conducted the presentation of our claims, permitted Mr. Holland, without delay or interference of any kind, to go through our entire files, which contained copies of telegrams and letters sent and received by many members of our delegation, many, if not most, of which I had not seen or read. The following morning, at Mr. Holland's request, I brought these entire files to the committee and little thought or dreamed that some of them would be perverted, misconstrued, and stretched by the imagination of any member of this com-

mittee to give them a meaning entirely different from their true import.

I believed then that it was the purpose of the committee to arrive at the truth, to be impartial in its judgment, and to report to the Senate, if at all, only after they had made a full and complete investigation in a spirit of fairness. I am still of the belief that this committee, when it has completed its investigation, will in all fairness exonerate us from any charge of wrongdoing and will uphold and defend the constitutional right of any body of American citizens to petition Congress for a redress of their wrongs. If I have said or shall say anything in criticism of what has occurred, I trust your honorable committee and the Members thereof will realize that it is done in the spirit of developing truth.

Now, if the committee will bear with me I would call attention to specific instances where statements made on the Senate floor by a member of your committee do not conform to the record as made in the hearing before your body last Friday morning.

I am still reading from Mr. Franklin's statement, the one which he offered to the committee, the one which was rejected by the committee. I continue reading:

He said: " * * *. It developed in the testimony that the conduct of the business in the headquarters of this lobby is costing all the way from \$1,200 to \$1,500 a day. * * *. That statement was made in spite of the fact that I had testified that our expenses were running about \$200 per day to pay for stenographers, our hotel rooms, and the food we ate, and in face of the fact that the committee had in its possession all bills and statements from which could have been ascertained the exact daily expense.

He stated: " * * *. In the letters that were sent out containing requests for these telegrams from their constituents, they attached a dollar bill or remitted a dollar that might be used to pay for the telegrams. * * *. I had been asked about this particular matter before the committee, and had stated that while this matter had been recommended in a telegram received by us at our headquarters, that it had not been done. Was this a deliberate misstatement?

This Senator stated on the Senate floor, as shown by the CONGRESSIONAL RECORD: " * * *. Mr. President, they were even willing to trade in the President of the United States on this deal. They proposed to carry to him a rumor that they said was prevalent in the mid-continent oil region, that he was a large stockholder in petroleum-producing companies in South America, to extract from him a denial and then use that denial to advance their cause. * * *."

I assert, without fear of contradiction, that this statement is unsupported by any evidence whatever, being a product of the fertile imagination of him who uttered it. He assumed to derive the same from a telegram to me, sent by Mr. F. E. Tucker, executive secretary of the Independent Petroleum Association of America, from Ardmore, Okla. Mr. Tucker, than whom the President of the United States has no greater admirer in the Nation, sent that confidential telegram to me in solicitude for the President's welfare, upon learning that certain newspapers had published the rumor concerning the President. I talked to Mr. Tucker that night over the telephone and told him that the rumor should not be dignified by notice of any kind, and the telegram was placed in our confidential files. In referring to this matter, the Senator uses the following language: " * * *. They had a subtle, slimy method, designed to extract some information from the President and from the chairman of the Committee on Foreign Relations, so that they might use it to advance their cause. * * *."

From this instance and others to which I have referred, I am willing to let your committee and the Senate judge who is given to the use of "subtle, slimy methods." Furthermore, from an examination of the transcript of these proceedings before the committee, it appears that this confidential telegram from Mr. Tucker, seized and thus made use of, has not been introduced into or made a part of the record before the committee. It occurs to me that if honor were lacking, common decency would have prevented the use thus made of a confidential communication.

I stated in my testimony before the committee last Friday that from time to time business men were arriving from the oil-producing States, remaining a day or two and returning home and some of these sent telegrams and wrote letters suggesting certain lines to be pursued in securing support for the tariff on oil. The Senator, in presenting the matter on the Senate floor, took the strange position that every suggestion made by anyone, whether a member of our organization or not, had been carried out, although in my direct examination by the chairman of your committee and on cross-examination by the other members thereof, I explained the actual facts frankly and openly and I can see no reason or excuse for the Senator in any instance misconstruing and adding to these telegrams and letters in such a manner as to give them a very different meaning from what they actually had. I take it that suggestions made by various individuals, but which were not followed up or carried out, have no real bearing on the merits of this investigation.

I would now like to refer to the letter written by Charles Flint to Mr. Brown which was found in our files and concerning which I testified at the hearing that I had not seen, nor even heard it read until it was read to me in the committee hearing, and that it contained nothing which was acted upon by our organization, but when received was simply put into the files. If it has tended to besmirch or injure any United States Senator, the fault lies not with any of our organization, but with the Senator from Wisconsin who brought it to light and made it public. As a matter of fact, there is nothing in the letter which discloses anything other than a desire on the part of Mr. Flint to impress upon our organization that he was really an effective worker for our cause and had seen several Senators in our behalf. It is a perfectly innocent letter, except in the hands of some one with an unfair motive and a nature willful enough to carry it out.

The Senator said: " * * *. They have attempted to besmirch Senators. * * *." I wish to enter a categorical denial of this statement. It is without foundation in fact; it is not supported by any evidence, and I wish to add that if any Senators have been besmirched, it has not been done by me or any member of our organization, but by the Senator himself.

In conclusion, I wish to say that all we have attempted to do is to lay before Congress and the Members thereof in public meetings, openly and frankly, and in meetings with various groups of Senators and Members of the House, and in meetings held with the Senators in their offices, all the facts, figures, statistical information, and the present conditions affecting the petroleum industry in the United States, on which we have relied and still rely to gain the support of Senators and House Members for a tariff on oil to protect us from a flood of imported oil and the shutting in of hundreds of thousands of American oil wells, the ultimate result of which would be to throw out of employment nearly a million workmen engaged in the most typically American industry, with all the suffering and woe which that would bring to the families of these American citizens, and the commercial and industrial interests, not only of the 19 oil-producing States, but to the entire country at large. I would remind you gentlemen that the population of the oil States is in excess of 60,000,000 inhabitants, and that this matter can not be lightly cast aside.

Contrary to charges made, no undue influences were used by any of our group, no intimidation or coercion has ever been suggested, and the sole procedure followed has been the presentation of easily verified facts. This has been one step in the struggle of some 9,000 independent oil producers and hundreds of thousands of land and royalty owners in this country which they have taken in defense of their very existence, against three gigantic groups—the Royal Dutch Shell group, the Gulf (or Mellon) group, and the Standard Oil group, which are seeking to control and monopolize the oil industry of the United States as they now control and monopolize the same throughout the rest of the world.

Gentlemen, we have nothing to fear, and we will not be intimidated. We have done no wrong, and we here and now insist that your committee complete its investigation and make its report to the United States Senate, giving the true and just analysis of our presentation of the merits of our cause. We have been absolutely open and frank at all times. We have concealed nothing. We have done nothing of which we are ashamed. If it is a crime for a great body of the American people to petition Congress for the redress of wrongs, if when doing so American citizens are to be slandered, maligned, and have their good names drawn through the slime and filth of the imaginings of any man, then God help the United States of America!

WIRT FRANKLIN.

Mr. President, let me now pass to another phase of this new, strange, and unusual senatorial activity.

I am making no attack upon the Senate of the United States. I have the most profound respect for this body of which I am an humble member. No position on earth, elective or appointive, is comparable to membership upon this floor. The membership alone, perhaps, is unimportant but the opportunity for service is unlimited. That which appeals to me most is the opportunity afforded for helping those who can not help themselves. The billion dollar real and legal citizens do not need representation here, but the people, unacquainted with their rights, and too often unable to protect them if they knew, must have representation in the Senate if they are to meet the challenge of concentrated wealth now exemplified by Nation and world-wide industrial and financial organizations.

Mr. President, the United States Senate is great, not because of some of the activities in which it is engaged but in spite of such activities. The Senate is great, not because of some of the speeches made here but in spite of such speeches. The Senate is great because this historic chamber is an open forum for debate. Here Senators may cross forensic swords. Here Senators may give and must take. Here all propositions are subjected to analysis, dissection, and exposure. Here Senators can call each other "jackasses" with impunity. Here Senators may even make jackasses of themselves. But, Mr. President, so long as membership in this body remains open to the citizens without

unnecessary restrictions, open to the bench and bar, to doctor and teacher, to banker and worker, to farmer and industrialist, with free speech and a free press, with these galleries open to the public, the safety of the Republic is secure.

Now, back to the first battle in this war of oil. At the last moment, on the very eve of battle, a contest known to be unequal, a contest between the "ragged Continentals," fighting for their homes and families, and the powerful British group, led by the Royal Shell, flanked on the right by the Standard and on the left by the Gulf, all well remember what happened here. I do not charge that the Senator from Wisconsin was the general in high command of this five-billion-dollar industrial monopoly. I do not charge that he was even a member of their board of strategy. But, Mr. President, what was their strategy?

Just before the presentation of the issue, the lobby committee laid down a barrage and then, when night had fallen, the Senator from Wisconsin let loose the poison gas.

What of this gas?

The Senator from Wisconsin, apparently knowing nothing about the merits of the petroleum amendment, and having no arguments to urge against it, like an unprepared attorney without either law or evidence to sustain his cause, turned his attention to the sponsors of the amendment and attacked them as being a "most nefarious and damnable lobby."

Let me call attention to some of the weighty arguments used by the Senator from Wisconsin against the proposal. He made certain charges against this delegation of citizens from some 20 States. I now digress to call attention, Mr. President, to the map of the United States which I caused to be hung on the wall. The portions marked in red represent the oil-producing States, the States which had members upon the delegation. It was the delegation from that representative section of the United States against which this attack was leveled. The States referred to are Texas, Colorado, California, Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Montana, New Mexico, New York, Ohio, Pennsylvania, Tennessee, West Virginia, Wyoming, and Oklahoma. The Senator from Wisconsin charged the delegation with having interviewed every Member of the Senate, with having called upon the Senators at their offices and even with having called Senators from the Senate Chamber where they might be interviewed.

He charged these citizens with being "cocksure of everything"—a serious charge, Mr. President, when "cocksureness" is so scarce and, at the same time, so much in use and demand upon this floor.

He accused these citizens from the States I have indicated of so far forgetting the proprieties as even to go over to the House side and there interview and associate with mere Members of the House of Representatives.

He charged upon this floor that some of these citizens played golf with Senators. Mr. President, I do not—I can not believe that so serious a charge as this can possibly be true. I can not believe that any Member of this honorable body has fallen so low as to have dared to play golf with mere citizens. If this rumor persists, the situation calls for action, and I suggest that an investigation be ordered and, if it should be found that Senators actually played golf with citizens, then of course our duty is plain. Charges against the guilty should be filed immediately alleging conduct unbecoming a Senator and tending to disgrace the senatorial toga.

Mr. President, it was charged here by the distinguished Senator from Wisconsin that these citizens, delegates from those States, your constituents and mine, even dared to attend dinners where Senators were present. Again, Mr. President, why condemn these oil-field workers, unschooled in the maze of senatorial etiquette, for accepting invitations and daring to be seated at the same table or even in the same room with Senators? Why not condemn the host or hostess for permitting common clay to touch the sacred senatorial toga.

During the course of his remarks, the distinguished Senator from Nebraska interrupted to point out that some of these citizens were actually in the Senate gallery and that some of them appeared to be somewhat amused at the remarks being made by the Senator from Wisconsin. No doubt they were amused. No doubt they appeared to smile and I suggest my wonderment that they did not even laugh out loud.

Mr. President, some of the citizens referred to were in the Senate gallery at my invitation, and others were there with cards issued by my office. No seat in the Senate gallery is too sacred to be occupied by the humblest citizen of Oklahoma.

At this point, I pause to inquire what rights have the people left in this Republic?

What are the people for?

If we should take the viewpoint expressed by the Senator from Wisconsin we would be forced to the conclusion that

about the only rights the people have in times of peace are to work to earn money to pay taxes to support Senators to raid their private rooms, to investigate their activities when they dare to come to Washington in the exercise of their constitutional right to petition the Government for redress of grievances.

What are the people for?

In times of war—to enlist, to fight, to furnish cannon fodder, to subject themselves to deadly gases and germs of disease, and when calamity, disaster, and oppression come, to stay at home and suffer in silence.

What are the people for?

In campaign times—to work, to organize, to contribute to senatorial campaign funds, to make promises, to trade votes that Senators may not lose their togas.

Mr. President, I do not subscribe to such a doctrine. The citizens of the States are the sovereigns of the Nation, and, when they so cease to be, the Nation, as we know it now, will be no more.

Mr. President, in this defense of the rights of citizens have I gone too far? Have I been either unreasonable or unfair in interpreting the things which have been done here and the things which have been said here?

The press of the country is presumed to carry the news and to reflect and interpret what transpires in the Senate of the United States. Let me call attention to one or two news items appearing in the public press of recent date.

On the morning of the very day the Senate passed upon the petroleum amendment, a local paper, widely read, carried a front-page story under a heavy black-faced line. I exhibit the paper. On the front page, in bold terms, I read:

Lobby committee's help summoned.

Mr. President, who summoned into action the lobby committee? Who called out the reserves?

This same signed newspaper story answers the question. In the body of the story, under another black-faced line, we find the following:

COALITION WORKS STRENUOUSLY

The coalition, faced suddenly with the threat of the apparent combination, had worked laboriously throughout the day to tighten its lines and earlier had sought to postpone the vote until to-day with a view to having the Caraway lobby committee go into the matter.

The Evening Sun of Baltimore likewise carried a first-page story under a bold heading. I have the paper here. On the front page, the first column, under bold headlines, I read:

Good strategy seen in exposé of oil lobbying. Held most successful political maneuver in late years.

The signed story contains the following:

The most dazzlingly successful political maneuver of recent years was the surprise raid by the Caraway lobby committee on the headquarters of the Independent Oil Producers' Association late Thursday afternoon. * * *

At 4 o'clock Thursday afternoon, John Holland, investigator for the Caraway lobby committee, made his surprise raid on the oil headquarters located in the Mayflower Hotel.

Labor, a paper published here, the political and economic bible of thousands of workers of the country, said that the independent oil men "might have won if the lobby investigating committee had not intervened."

On the same day the fight was waged the Oklahoma City Times carried a front-page story under a heavy headline as follows:

Probe timed just as Senate debate starts.

In the story we read the following:

Late Thursday a subpoena was served on Franklin to appear Friday morning. Simultaneously, an investigator from the Senate committee appeared without warning and took possession of all of the letters, telegrams, and receipts in the office. No, this isn't Russia.

Mr. President, in these troubled times how significant that word Russia. Russia! Russia, embracing one-sixth of the earth's surface and containing one-third of the world's cultivated lands; Russia, containing vast quantities of timber, coal, ores, precious stones, and oil, and, next to the United States, the richest nation in the world; Russia, containing 150,000,000 of unhappy, dejected, and downtrodden human beings, until yesterday, was governed by a ruthless, ruling dynasty, wearing the Russian toga.

Only yesterday, when imperial Russia was in her glory, no mere citizen would have dared approach a Russian senator; no mere citizen had the opportunity of occupying the Russian

parliamentary galleries, and no mere citizen ever had the opportunity of even seeing Russian senators at play. Their only chance to look upon their mighty senators was upon state occasions or perchance when one should choose to drive or stroll, and then the peasants and workers, with cap in hand, stood aside and bowed in holy reverence and awe as the powerful and mighty senator swished by.

Mr. President, what of Russia to-day?

The Czar of all the Russias is gone. His Winter Palace, adjacent to and connected with the Hermitage, now known as the Palace of Arts, is one of the famous art galleries of the world, ranking with the Louvre in Paris, the National in London, the Prado in Madrid, and the world-famous gallery at Milan.

The Summer Palace of the former Czar at Tsarskoye Selo, now devoid of royalty, is preserved exactly as it was on that fateful night when Czar Nicholas and his family started on their last long ride.

The former private parks, closed to all but Russian royalty, in which Russian senators, safe from even the approach of mere citizens, played croquet, are now public recreation grounds. Only recently, I saw in one of these transformed public parks in Moscow, 175,000 Russian people, and not a single Russian senator was there.

The Russian palaces and villas where Russian senators used to dine, safe and secure from the touch and even the sight of Russian citizens, have been converted into schools, hospitals, and sanatoriums.

In traveling throughout Russia I met not a single Russian senator. Their togas are in the museums, but the senators are gone.

Mr. President, what has become of those austere, haughty, and mighty Russian senators?

Divested of their royal robes, those of them now so unfortunate as to be alive, are scattered through the world—some of them to-day are working for Amos 'n' Andy driving fresh air taxicabs on the Champs Élysées in Paris.

Mr. President, before I leave this phase of this discussion, permit me to suggest a word of warning to the people of the country.

Republicans of the Senate! If the Democratic Party were in power, if the Democratic Party controlled this Senate, if such majority party should set up here a committee to spy upon the citizens, to raid their homes, to indict and try them for exercising the right to petition their Government for redress of grievances, if such committee, so organized and operating, should proceed to act as a board of strategy to promote or defeat suggested legislation which the leaders of the Democratic Party favored or opposed—if such a proposal should be suggested, would you support the policy?

Democrats of the Senate! If the Republican Party were in power, if the Republican Party controlled this Senate, if such majority party should set up here such a committee, would you support such a proposal?

Progressives of the Senate! If a coalition of the Democratic and Republican Parties were in power, if such coalition controlled this Senate, if such coalition majority should set up here such a committee, would you support such a proposal?

In the next few days, perhaps, Senators here will be called upon to pass upon this question.

Mr. President, I make no defense of the questionable or professional lobbyist. I am speaking in defense of a delegation of honorable American citizens who came to Washington, exercising their constitutional right to petition this Congress for redress of grievances. I am speaking in defense of the constitutional right of any citizen of any State, of any race, of any party, with or without financial or political standing, to come to his Nation's Capital, and to call at the office of any official, Senator, or President, or any agent who serves the public. I am speaking in defense of their right to do this in the open, man to man, eye to eye, with head erect, and unafraid. I protest against a policy which would compel citizens, if they come, to appear at the back door, cap in hand, to beg for the crumbs which may fall from the table of monopoly.

Mr. President, I pointed a moment ago to a map upon the wall showing the States whose delegates are here asking Congress to consider an amendment for a tariff on oil. Who opposes this proposal?

The Standard Oil group opposes it. The Standard Oil group is known as the Rockefeller group. It is a \$5,000,000,000 group.

The Gulf Oil Co. opposes this proposal. The Gulf Oil Co. is reputed to be the personal property of the Mellon family, well represented here; and they oppose this proposal.

The Dutch Shell group, a foreign corporation owned by the Government of Great Britain, is here opposing this proposal.

Mr. President, the Standard Oil group, a \$5,000,000,000 group; the Gulf Oil group, a billion-dollar group; the Dutch Shell group, another billion-dollar group! So in presenting this request for consideration we are opposed by concentrated wealth in the gigantic sum of some \$7,000,000,000.

The main opponent here is the Dutch Shell group. The Dutch Shell group is the greatest producer of oil in the world. I read from the Wall Street Journal of date Saturday morning, January 11, 1930. Under the heading Royal Dutch Record Output, in black headlines, I read as follows:

RETAINS POSITION AS LARGEST PRODUCER

The group's production averaged 527,000,000 barrels daily for the entire year, and with this yield it undoubtedly retained its position as the largest producer of oil.

Mr. President, the Dutch Shell group is a British corporation. It is owned by the British Government—at least, I have authority to that effect. In support of my statement I call your attention to the following dialogue taking place between the senior Senator from Indiana [Mr. WATSON] and the late lamented Henry Cabot Lodge:

Mr. WATSON of Indiana. The Senator says that England controls the Royal Dutch Shell group. Does he mean by that the Government of England or citizens of England?

Mr. LODGE. The Government.

Mr. WATSON of Indiana. The Government itself?

Mr. LODGE. The Government has 60 per cent of the stock of the Royal Dutch and 40 per cent of the Shell, I think. It may be the reverse, but it controls both. Of course, the Royal Shell is an English corporation. In the Royal Dutch the Government has the absolute control of 60 per cent; at least, that is the report in response to the inquiry of our Government.

Mr. WATSON. Mr. President, will the Senator yield for just a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. WATSON. The Senator has said that the Standard Oil Co. was present, that the Royal Dutch Shell and the Gulf Oil were present. His expression was, "They were here." Does the Senator mean to say that there were actually representatives of those oil companies here at the time working against the passage of his amendment for a tariff on oil?

Mr. THOMAS of Oklahoma. Mr. President, I think I made that clear. The Gulf Oil Co. is a Mellon-owned company. Mr. Mellon is the Secretary of the Treasury. I contend that he is here, very, very much here.

The Dutch Shell group is a foreign company, and I now shall proceed to show that the Dutch Shell group is here, very much here.

Mr. WATSON. I wanted to say that if they had representatives here, I was just wondering why they had not been invited before this lobby committee.

Mr. THOMAS of Oklahoma. I will answer the question.

Mr. WATSON. Very well.

Mr. WALSH of Montana rose.

Mr. THOMAS of Oklahoma. I will not yield. They were here, and I will take care of the matter thoroughly. The Dutch Shell was here. The agent of the Dutch Shell Co. was investigated. I am just about to come to that investigation.

Mr. President, the Dutch Shell group is here. They have always been here, very much here. The lobbyist of the Dutch Shell group was before the committee. Here is a copy of the testimony taken before that committee. I now shall refer to that investigation. The lobbyist testifying said:

My name is John H. Carroll; my legal and voting residence, Unionville, Putnam County, Mo. I have an office here in Washington in the Transportation Building and have had since 1917, and I am a practicing lawyer.

Reading from page 1262, it appears that the Senator from Montana [Mr. WALSH] asked Mr. Carroll the following questions:

What particular department have you appeared before?

Colonel Carroll answered:

Well, I have been in the Interior Department a great deal. I represent the Royal Dutch and Shell companies and all their subsidiaries in the United States.

I want to read that again, not for the record but for the Senate.

I represent the Royal Dutch and Shell companies and all their subsidiaries in the United States.

That is from the lobbyist's own testimony.

Diverging for a moment, I have had placed upon the wall a chart giving the name of this lobbyist, his apartment number,

and the location of his hotel, a list of the companies he himself in this investigation acknowledged that he represented, and a list of the salaries he admitted he is now receiving.

Senators will notice, in looking at that chart, that he represents the Great Northern Railway, but no one inquired as to how much salary he was getting for that service; at least, I did not find it in the record. He testified he was representing the United States Sugar Co., but no one inquired how much salary he was receiving for such service.

Mr. WALSH of Montana. Mr. President—

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

Mr. THOMAS of Oklahoma. I yield.

Mr. WALSH of Montana. I am astonished at what the Senator says. I have a very distinct recollection of Colonel Carroll telling us what salary he got from the Great Northern Railway Co. and the Burlington.

Mr. THOMAS of Oklahoma. Mr. President, he admitted he received from the Northern Pacific and the Chicago, Burlington & Quincy Railroads, \$20,000 a year, but as to what he received from the Great Northern Railway Co. he was silent. I will refer to his testimony as I proceed.

It appears from page 1271 that Senator ROBINSON of Indiana asked this question of this witness:

Colonel, what is the Dutch Shell Co.?

The answer was:

Well, it is a Dutch-Holland controlled concern. They own large property in this country. The Shell Co. of California and the Roxanna Corporation of St. Louis.

On page 1272 we find further questions and answers. Senator ROBINSON of Indiana asked Colonel Carroll this question:

What service in the last five years have you rendered for them, generally?

Speaking about the Dutch Shell companies, Colonel Carroll answered:

Well, it has been—there is a great amount of detail in bringing expert labor and all that. We have everyday trips to the State Department, which is done by my assistant. I don't do that.

Senator ROBINSON of Indiana. To the State Department?

Colonel CARROLL. Yes; to get passports to bring in labor, expert labor.

Senator ROBINSON of Indiana. Do they bring in labor from foreign countries?

The answer was:

Various countries. They bring in under the labor act, experts.

Not only does Colonel Carroll admit that he represents the Dutch Shell Co., but he states positively that his main representation is in bringing to the United States labor from foreign lands to compete with American labor here in the United States of America.

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

Mr. THOMAS of Oklahoma. I yield.

Mr. WATSON. I have been for the Senator's amendment, and am now for a tariff on oil, and think it ought to be passed, and intend to help him pass it; but I believe in being fair to everybody. Has Colonel Carroll, to his knowledge, ever appealed to any Senator about a tariff on oil?

Mr. THOMAS of Oklahoma. I am coming to that in just a moment.

Mr. WATSON. I want to say just this, I have known him very intimately for a great many years—

Mr. THOMAS of Oklahoma. Mr. President, I refuse to yield further. I am not reflecting on Colonel Carroll. I am simply giving the record. It is all a matter of record. Colonel Carroll is engaged in a legal occupation. No one questions his right to represent these companies, and get all the salary he can, and before I am through, I will convince some of those present, at least, that he is earning some of the salaries he admits he is receiving.

The junior Senator from Indiana [Mr. ROBINSON] asked him this question:

Colonel, what is the capital of the Dutch Shell Co.?

Colonel CARROLL. I don't know exactly. I think it is close to a billion dollars.

Senator ROBINSON of Indiana. Do you know what their investment is in this country?

Colonel CARROLL. Well, it is in the neighborhood, I think, of \$500,000,000. It is very hard to say. The head of the concern is Gen. Avery Andrews, who is chairman of the board of these American concerns, and we report to him, and I suppose he reports to The Hague.

Senator ROBINSON of Indiana. You have been representing them here at Washington for the past 10 years, I understood you to say.

Colonel CARROLL. Yes; I think so.

Senator ROBINSON of Indiana. How much do they pay you, Colonel?

Colonel CARROLL. \$25,000 a year.

Senator ROBINSON of Indiana. Is that a retainer or a specific salary?

Colonel CARROLL. That is paid every month.

By looking at this chart Senators will see that Colonel Carroll represents the United Fruit Co. He is getting \$15,000 a year for representing that company.

When the tariff bill was first brought before the country the farm organizations of the United States made a demand for a tariff on bananas. That demand was pressed, and the evidence shows that 60,000,000 bunches of bananas come into the United States each year. The farm organizations asked for a tariff of 75 cents a bunch on 60,000,000 bunches of bananas. Make the multiplication and it will be found that the United Fruit Co. and other importers would have been taxed the sum of \$45,000,000 a year as a tax upon bananas alone.

They did not want that to happen. These fruit companies did not want to pay a tax on bananas. They have an investment of \$200,000,000 in their importing companies. To whom did they go to see that that did not happen? To what agent, what lobbyist, in the United States or in the world, did this \$200,000,000 concern go to employ services to defeat the tariff upon bananas?

They sent for Colonel Carroll. He went to Boston. He made a contract that for \$15,000 a year he would try to defeat a tariff upon bananas; and now we are here, in the closing days of this tariff discussion, and we have no tariff upon bananas.

Did Colonel Carroll earn his money? I do not know how he did it. He did not do it by approaching Senators in their offices. He did not do it by buttonholing Senators. No; he says that is ancient. He does not buttonhole Senators. Years ago he lobbied for railroads down in Missouri, and in that ancient way of lobbying they actually went to Senators and lobbied with them, saw them in the lobbies, on the streets, on the sidewalks, even called them from the Senate Chamber. That form of lobbying was so repulsive to Colonel Carroll that he left Missouri, left the town where he had to buttonhole legislators, the capital of Missouri. He does not work in that way now. I will show Senators in a little while, perhaps, how he does work.

Here is the testimony in support of the statement made:

Senator ROBINSON of Indiana. They employed you to help prevent the Government from levying a tax on bananas?

Colonel CARROLL. Yes; and to do such other business as might be brought up.

Senator ROBINSON of Indiana. And for that they pay you \$15,000 a year?

Colonel CARROLL. A year; yes, sir.

Mr. President, I find on page 1280 that Senator CARAWAY asked Colonel Carroll some questions. The colonel had just condemned Jefferson City, Mo., because 28 years ago he had to lobby in the ancient way of buttonholing senators, and calling on them at their offices, and calling them out of the senate chamber. He condemned that system of lobbying. I have read his answer. He testified as follows:

Senator ROBINSON of Indiana. Was that while the legislature was in session?

Colonel CARROLL. It certainly was. There would be no occasion to be there otherwise. I am really telling you now, if you want to know, that I am ashamed of ever having gone to Jefferson City on that business, and 28 years ago I notified the president of the Chicago, Burlington & Quincy Railroad that I would never go to the damned town again, and I have never gone there. Pardon me.

Senator CARAWAY. May I ask a question. Why were you ashamed? Was it the character of the work?

Colonel CARROLL. Well, it was the character of lobbying around, buttonholing fellows.

Mr. President, I have given some indication of the activities of Colonel Carroll. He lobbies in a modern way. He does not buttonhole Senators. He does not call upon them at their offices. He does not call them from the Senate Chamber.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Oklahoma yield to the Senator from Indiana?

Mr. THOMAS of Oklahoma. I yield for a question.

Mr. ROBINSON of Indiana. I merely wish to suggest to the Senator, before he leaves the question of the compensation of Colonel Carroll, that as I remember it we asked him if the total amount received per year was \$153,800 or some such figure as appears on the Senator's chart, and as I remember his answer he replied that he thought it was considerably more than that.

Mr. THOMAS of Oklahoma. Yes; I have his answer. He answered the question by stating that he paid an income tax of \$25,000 and left the committee to infer what his salary was.

Mr. President, Colonel Carroll was investigated and he so impressed the committee—no; the committee so impressed him—that he congratulated the committee.

How does Colonel Carroll lobby? He tells us one way in which he does not lobby, but keeps secret the rules he follows.

There is at this moment in the gallery a man by the name of Barlow. Mr. Barlow is an American citizen. He is old. Years ago he went to Cuba, and after a lifetime of hard work he secured a tract of land in the city of Habana embracing something like 70 acres. He had a hard time to get this land. He had lawsuits over it and the Cuban courts sustained his position. After he had fought for his title through the Cuban courts the Cuban Government for some reason refused to sustain and execute the decree of the Cuban courts. This American citizen appealed to the powers that be at Washington for aid and for help. After a long time he secured a favorable reception at the hands of the Foreign Relations Committee of this body, the committee presided over by the distinguished Senator from Idaho [Mr. BORAH]. The matter was discussed by the Foreign Relations Committee. I am not a member of that committee and am only telling now what I have been advised. Members can correct me if I make a misstatement.

After Barlow, an American citizen having a decree for property in Cuba, failed to get his land and appealed to the American Government and was forced to come to Congress and appeal to the committee here; after the committee heard his cause, the Foreign Relations Committee appointed a subcommittee to go down and call upon the Secretary of State in the interest of this American citizen. They went. As a result of their going, so I am advised, the State Department appointed an Undersecretary, Mr. Reuben Clark, to investigate the Barlow claim. Mr. Clark investigated the claim of Mr. Barlow, and, on the 22d day of last May, not a year ago, the State Department sent a message to the American ambassador in Cuba, Mr. Judah, directing Mr. Judah to take steps to protect the interests of Mr. Barlow in his Cuban title to his Cuban land. Remember that date, Senators—the 22d of last May.

When that order went out somebody did something. Look at this chart on the wall! Mr. Carroll admits that he is the attorney for the Cuban Embassy, for which he draws \$10,000 a year. Between the 22d day of May last and the 1st day of June—eight days—some one got in touch with Mr. Carroll. On the 1st day of June he drew the first monthly installment of a salary of \$54,000 a year to represent the interests antagonistic to Mr. Barlow. Instead of the American ambassador to Cuba, Mr. Judah, following the instructions of the State Department, Mr. Judah, accompanied by the former ambassador, Mr. Crowder, appeared in Washington, and, on the 4th day of June, they had a conference with the Secretary of State. Twelve days had expired since that notice went out, but in 12 days' time Carroll was employed. In 12 days' time a conference was held. In 12 days' time the American ambassador, instead of following the instructions of the American Government, came to Washington and had a conference with the Secretary of State. When the 4th day of last June had come and gone Barlow's claim was forgotten and lies dormant at this hour.

How was that done? It was not done by buttonholing Senators. It was not done by the ancient way of lobbying—man to man, face to face, eye to eye. I know of no way it could be done excepting by the modern way, as Colonel Carroll performs and operates. And what is that modern way? I can not explain it. I can venture only two suggestions. One of them is lobby telepathy and the second is radio mesmerism, and there are people in the world who make perfect receivers for just that kind of lobbying.

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

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

Mr. THOMAS of Oklahoma. For what purpose?

Mr. SMOOT. Just for a question.

Mr. THOMAS of Oklahoma. I yield for a question.

Mr. SMOOT. The \$54,000 that Mr. Carroll received does not include the amount that is paid for the fight with reference to a duty on sugar. That is separate and distinct, is it not?

Mr. THOMAS of Oklahoma. He said he represented the United States Sugar Co., but he did not tell how much of a salary they paid. It would be in addition to the \$153,800.

Mr. SMOOT. I have not any doubt about that, and he makes them pay well for it, too.

Mr. DILL. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Oklahoma. I yield for a question only.

Mr. DILL. I wonder if the Senator could give us any enlightenment upon his suggestion as to radio mesmerism and lobby telepathy. I do not just understand what he means by that.

Mr. THOMAS of Oklahoma. I suggest that we refer that to the lobbying committee. [Laughter.]

Mr. President, a man who represents the Dutch Shell Co. is entitled to be called "colonel." The men who manage that company are knighted. They are entitled to be called "sirs." Mr. Carroll is a colonel. He is not a lobbyist. Colonel Carroll is a parliamentary solicitor.

Shortly after Machado was elected President of Cuba Colonel Carroll took his private car, went down to Cuba, and brought the Cuban President to Washington in state. He does not travel as ancient lobbyists traveled. He travels like modern lobbyists, in a private car, furnished him by the president of one of the railroads. He went down and got the President of Cuba and brought him to the United States and entertained him while he was here and took him back home. That is the modern way of lobbying—I presume.

Mr. President, I am sorry the distinguished Senator from Nebraska [Mr. NORRIS] is not here. I am not responsible for his absence. I make no criticism because he is gone. Just after the committee had made a report upon the activities of Colonel Carroll, the Senator from Nebraska [Mr. NORRIS] sought an opportunity to make some observations upon the floor of the Senate, in the course of which he said:

Mr. NORRIS. For instance, in the report just made it is shown on page 4 that a couple of lobbyists employed another one. They employed Col. John H. Carroll. So far as I know, Colonel Carroll is a very high-class man, an able lawyer.

Mr. CARAWAY. Mr. President, will the Senator permit an interruption?

Mr. NORRIS. Yes.

Mr. CARAWAY. He has not tried a lawsuit in half a century.

Then the Senator from Nebraska proceeded to quote from the report submitted by the lobby committee, as follows:

Says the committee: "It did not appear after diligent questioning that Colonel Carroll had done anything or was in a situation to do anything in return for this liberal income, \$153,000 per annum."

Mr. BLAINE. Oh, yes, he was.

Mr. NORRIS. It does not appear on the surface, but the Senator from Wisconsin says he was in a position to do something. Perhaps he was, but not that has been here shown.

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

Mr. NORRIS. I yield.

Mr. BLAINE. I want to call the Senator's attention to the fact that the testimony shows that Colonel Carroll got \$45,000 from the railroads and at his advanced years he became the escort of Queen Marie when she made her tour of the United States.

Mr. NORRIS. Anyway, Mr. President, the report shows that there is no evidence here of his doing anything for these large sums of money, and we must assume, therefore, that if he does do something, and he has been on the witness stand, it is something that will not stand the light of day.

(At this point Mr. NORRIS entered the Chamber.)

Mr. THOMAS of Oklahoma. Again quoting the Senator from Nebraska [Mr. NORRIS]:

Mr. President, all of this ought to be nauseating and a stench in the nostrils of a patriotic people.

Mr. President, I suggest to some of those upon the floor that their company is quite as bad as that of some of us who have been accused of associating with citizens here petitioning the Congress for a redress of wrongs and a redress of grievances.

Mr. President, let me now return to another phase and I shall soon conclude. I said a while ago that the United States, and the world for that matter, is now going through an economic revolution. We are. Only a few days ago the public press carried a story that there was about to be a bank merger in New York City which, if consummated, would form a bank with practically \$3,000,000,000 in capital and resources. Two or three years ago we heard of a billion-dollar bank and America was shocked to think that such a gigantic sum could possibly come under the domain and management of one institution. But on the 15th of this month, only a few days ago, the news was spread that a merger was about to be completed which would bring into existence a \$3,000,000,000 bank. On the 18th a bulletin was flashed that the merger had been completed and that the new bank was in operation. What kind of a bank is that, Mr. President? I wonder whose bank that is? Let me call atten-

tion to a story in the Washington Post of date March 18. I read:

Reports have it that Winthrop W. Aldrich, brother-in-law of John D. Rockefeller, Jr., and president of the Equitable, a "Rockefeller" bank, will become president of the enlarged Chase, while Albert H. Wiggin and Charles S. McCain, chairman and president of the Chase, will become chairman of the executive committee and chairman of the board. George B. Silzer, former Governor of New Jersey, president of the Interstate, is expected to retire.

Mr. President, if this news story is to be believed, we find that this newly merged bank is to take care of the constantly growing profits of the Standard Oil Co., one of the groups fighting the independents upon this floor.

On the same page where we find this story about the merger of banks we find this headline:

Huge firm to link baking companies.

And in the body of the story we find that there has been formed a gigantic organization, with a capital of \$50,000,000, to operate a chain of bakeries, and to control, if they can, the baking business of the Nation. On the same day we find on another page the following:

DEPARTMENT STORES PROFITS DEPEND ON SIZE AND TURNOVER

Small department stores should merge, Fisher says.

Then, to-day I pick up a local newspaper, and I find a full-page advertisement with the headline—

Turning the light of truth on false and misleading statements in recent cigarette advertising.

Mr. President, we have in this Republic to-day not only a fight of oil against oil, independent oil against Standard Oil, American oil against British oil, but we have here a fight to the death between the cigarette-manufacturing companies of the Nation. When the fight is over there will be one tobacco company, one cigarette company; the present companies will be merged; and we will not then see the cheap prices for cigarettes which now obtain. When the monopoly shall have become complete the price of cigarettes will soar; and I suggest now that smokers of cigarettes lay in their supply before the battle is over.

Mr. President, what are we coming to? I was surprised at some of the votes against this amendment the other night. I may say that I was sorely grieved. For many years I have followed certain Senators upon this floor in thought and action. Then, when a question was presented here of the little man against the big, the independent against the monopoly, I was sorely vexed to find some of those to whom I heretofore looked for leadership voting against the small, the weak, and the independent, and in favor of monopoly.

Here is what is happening, Mr. President. I exhibit to the Senate a statement from a newspaper, "The New York Daily Investment News," and across the page in big headlines we see these words:

America joins steel entente. World-wide control of prices is assured.

Let me read one or two paragraphs from this signed article:

World-wide control of export sales and export prices on steel products has become assured through an agreement which has been entered into by most of the leading American steel producers.

Further—

Under this arrangement the bulk of the American business goes to the United States Steel Products Co., the export subsidiary of the United States Steel Corporation.

And further—

Each American company now gets its regular quota of export business, and the competitive price situation that formerly existed has been restricted to a large extent.

The international agreement now being entered into provides that each member country be given a global quota covering its sales in both domestic and export markets, and a percentage is established between domestic and export sales. The agreement provides further that each group of steel products shall be controlled by a committee composed of two members from each country.

The agreement also contains a clause which protects the domestic market of each member country from incursion on the part of other members.

Then follows, under the black-faced headline "Will have price body" this statement:

Special committees will meet periodically and will fix minimum export prices.

Presumably the international agreement will be of great value to the American industry, which has suffered considerably in recent years from

low-price foreign competition, especially at seaboard points. Not infrequently the American steel mills have met the low foreign prices in special cases, thereby undermining the domestic-steel price structure at the expense of profits.

If the international agreement works out as it is expected to, such foreign competition in the United States will be minimized so that it will not be a factor in influencing domestic prices.

Mr. President, I exhibit these newspaper stories as evidencing the growth of world-wide monopolies which are soon to dominate not only this country but the world. The fight has now begun against the independent oil producers, and if the larger units in the oil business can reduce the prices and force the independent operators out of business, so that they will not have local competition, then it will not be long until I will be able to exhibit upon this floor, if I shall then be here, another newspaper story to the effect that a gigantic oil monopoly has divided up the world; and when that time comes what will be the price of gasoline and oil refined products to the consumers of the United States?

Mr. President, let me say that in the former presentation of this question but two arguments were used against the amendment submitted at that time. One was advanced by the distinguished Senator from New York [Mr. COPELAND], who stated that, if the amendment should be adopted, it would not be long until American oil would be gone and American consumers would be forced to rely upon foreign oil or else to go without. I want to answer that argument briefly. I have authority which I think the Senator will accept and which I think the country will accept. I refer to the report of the Standard Oil Co. (Inc.) of New Jersey for the year ending December 31, 1928. It is the report submitted by Mr. Teagle, the president of that company, to his stockholders. Therefore, I have confidence that the report can be relied upon. What does Mr. Teagle say to his stockholders about the resources of oil and as to how long the American people may expect to have an oil supply for their requirements? Let Mr. Teagle answer. I will read one paragraph from the conclusion of the report, as follows:

The record of 1928 is more encouraging in the promise of further progress that it has held out than in the material results actually attained. There is ground for optimism in the clearer understanding which the industry now has of the shortcomings of a system of haphazard production and in the realization that the large reserves of oil above ground, the increasing percentage of the light products obtained from crude and the greater surety of finding new production where geophysical devices can be employed—

Here take notice—

have placed the industry in the position where it can deliver petroleum products for essential uses indefinitely.

The president of a billion and a half dollar corporation operating in America tells his stockholders that his company is now able to produce gasoline and oil products for the people of America—for how long? Indefinitely. I submit that in answer to the argument of the Senator from New York.

Then, Mr. President, the distinguished Senator from Maryland [Mr. TYNINGS] made an argument—and it has been copied since then by those who oppose this amendment—that if the amendment were adopted an added tax burden would be placed upon the people of the United States in the gigantic sum of \$900,000,000. That is a terrific sum. But, Mr. President, let me argue by analogy. The United States produces about the same amount of wheat in bushels that it produces of oil in barrels. It annually produces about 900,000,000 bushels of wheat and about 900,000,000 barrels of oil. If a dollar tax per barrel upon oil would increase the consumer's price \$900,000,000, why has not the tax of 42 cents a bushel on wheat increased the cost of wheat products some \$378,000,000?

Mr. President, wheat makes bread and bread is the staff of life; it is the one commodity which the poorest man must have; and yet Congress has placed a tariff duty of 42 cents a bushel on wheat thus raising the cost of bread to the consumers in the sum of almost \$400,000,000. I am not condemning this tariff duty on wheat; but when we come here and ask for a tariff on oil to protect the oil producers, to protect the oil drillers, and to protect the farmers who have oil beneath their land, we are met with the argument that such a tariff will raise the price of oil products to the consumer some \$900,000,000.

Mr. President, those who favor the 42 cent tax on wheat will deny that the price of wheat has been raised. They want that 42-cent tariff rate to be effective, and in order to make that tariff rate effective we have worked for eight years, and have created a Federal Farm Board; we have also authorized an appropriation of \$500,000,000, and have actually appropriated \$250,000,000, but even yet the price of wheat has not been perceptibly increased.

Mr. President, if the wheat Senators here—and I do not speak disparagingly; my State grows wheat; I should be proud to be called a wheat Senator—could, by a simple amendment, make the tariff of 42 cents a bushel on wheat effective, would they not be standing here sponsoring it? I should be standing here sponsoring it, and when my name was called I should vote "yea."

We have passed, as I say, a bill creating a Federal Farm Board to try to make that tariff effective. We have authorized the appropriation of \$500,000,000 to make it effective. We have appropriated \$250,000,000 to make it effective. We have not stopped there. We have placed in this tariff bill what is known as a debenture to try to force the price of wheat up, so that the tariff of 42 cents will be effective; and yet, when I come here pleading the cause from the same identical States and almost the same class of people, it is condemned.

Mr. President, had it not been for these oil leases and the small royalties the farmers of my State have received in the past few years, they would not now own the farms upon which they hope to harvest a crop of wheat next year, for which they expect to secure a reasonable price.

I call the attention of the Senate to the profits being made by the companies that are opposing this tariff.

The Humble Oil Co., a subsidiary of the Standard Oil Co., on March 3 submitted a report, showing that that company's net for the year 1929 was \$32,535,080.

The Standard Oil Co. of Indiana—another Standard subsidiary—shows in its report for 1929 that its net earnings were \$78,499,754.

Then the entire Standard group made a report, and that report shows that the Standard group made in 1929 the sum of \$269,645,927—the largest in history, and comparing with \$218,740,335 in 1928.

I have had prepared a chart—it is not hanging where many of you can see it—showing the profits of the Dutch Shell. The Dutch Shell is a holding company, owned by the British Government. It has many, many subsidiaries. It has one subsidiary known as the Venezuelan Oil Concessions. In 1927 that one subsidiary made 55½ per cent net. In addition to that it paid the holding company 15 per cent net, making the total net return upon its invested capital for that year 70½ per cent.

The Apex Oil Fields Co. made that year 80 per cent net.

The Standard Oil Co. has one subsidiary down in that section of the world—the Lago. In 1927 it earned \$8,000,000 on a working capital of \$3,500,000.

The authority to which I am referring states that the shares in some of the British and American oil companies increased in value some 600 per cent from 1924 to 1927.

Mr. President, I am speaking about the Shell Co. I have here a few advertisements taken from local papers. I submit them only as an incident. It is not an argument. They have a right to advertise. They are advertising. They are fighting now for a place here in Washington. Here is a copy of one of their advertisements, and here is a copy of another. They are appearing in local papers daily. You notice on the front page, in the advertisement, that it says:

Now comes Shell to Washington. Change to Shell, and feel the difference.

Mr. President, this Shell gasoline is made from sour oil from Venezuela; and, while I have not bought any of their gasoline, I am told that this advertisement should be changed, and instead of advertising "change to Shell and feel the difference," it should be, "change to Shell and smell the difference."

Mr. President, I have already talked too long. This is not a contest over this amendment. The world will go on if this amendment fails.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. SHEPPARD. Is it not a fact that when, about three years ago, the price of crude oil was a dollar a barrel more than it is to-day, the price of gasoline was lower than it is now?

Mr. THOMAS of Oklahoma. Mr. President, answering that inquiry, let me say that for 10 years the price of oil has been constantly going down, down, and the price of gasoline has been going up, up. As oil goes down, it meets gasoline coming up.

Mr. President, what is the inevitable result? There can be but one. Are the business men of America, the refiners on the Atlantic seaboard and in the seaboard towns, such poor business men that they will pay more for oil from the interior than they will pay for that shipped in from Venezuela? Of course, they will not. Every barrel of oil, every gallon of gasoline that can be produced in Venezuela, on the island of Aruba, will be brought to America and sold here because they can sell it

cheaper than we can produce it in America, and this will bring about one result: The price of American oil will go down, go down, until it meets the price of the foreign article, and that is 75 cents a barrel.

That is what we foresee. That is what we are appealing to the Senate to prevent; and, Mr. President, this is not alone an issue, oil against oil. I said a moment ago that no Senator upon this floor can escape voting for oil on this amendment. You have your choice. You can either vote for American oil or you can vote for foreign oil. You can vote for independent oil or you can vote for Standard oil. You can vote for domestic oil or you can vote for British oil.

I will not brand any Senator. I could not if I would. There are two groups here—one the American group, the other the foreign group. When you come to vote, you take your choice. You then line up with the crowd you wish to join.

Mr. President, in conclusion let me say that in my opinion this vote and this issue will have a wide effect and a wide portent in this country. These oil men stand shoulder to shoulder with the corner groceryman. They stand shoulder to shoulder with the independent filling-station proprietor. They stand shoulder to shoulder even with the hot-dog vendor, because only a few days ago I saw in the public press where the big oil companies of the Northeast are now putting in their own hotels, their own refreshment stands, at which they will sell hot dogs and their own cold drinks along with their refined-oil product.

Mr. President, this issue may not be important; this amendment may not be important, but the principle here enunciated, and the issues that will come from it, will dominate the public life of America for the next decade.

Mr. President and Senators, choose ye this day which group ye will serve.

Mr. PITTMAN. Mr. President, I have an amendment to offer to this amendment, which I send to the desk and ask to have stated.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	La Follette	Simmons
Ashurst	Glass	McCulloch	Smoot
Baird	Glenn	McKellar	Steck
Barkley	Goff	McMaster	Steiwer
Bingham	Goldsborough	McNary	Stephens
Black	Gould	Metcalf	Sullivan
Blaine	Greene	Moses	Swanson
Blease	Grundy	Norbeck	Thomas, Idaho
Borah	Hale	Norris	Thomas, Okla.
Bratton	Harris	Nye	Townsend
Broussard	Harrison	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Caraway	Hawes	Patterson	Vandenberg
Connally	Hayden	Phipps	Wagner
Copeland	Hebert	Pine	Walcott
Couzens	Heflin	Pittman	Walsh, Mass.
Cutting	Howell	Ransdell	Walsh, Mont.
Dale	Johnson	Robinson, Ind.	Waterman
Dill	Jones	Robison, Ky.	Watson
Fess	Kean	Schall	Wheeler
Fletcher	Kendrick	Sheppard	
Frazier	Keyes	Shortridge	

The PRESIDING OFFICER (Mr. Nye in the chair). Eighty-six Senators have answered to their names. A quorum is present.

The clerk will read the amendment offered by the Senator from Nevada to the amendment of the Senator from Oklahoma.

The CHIEF CLERK. The Senator from Nevada offers the following amendment to the amendment offered by the Senator from Oklahoma: Strike out the semicolon in line 16, page 2, and all the further provisos, line 16 to 23, inclusive, and in lieu thereof to insert:

That the United States Tariff Commission is hereby authorized and directed to investigate the domestic and foreign costs of production of petroleum and petroleum products; to prepare and file reports of such investigations, and to prepare and submit recommendations concerning duties thereon as in this act provided; to keep a continuous file of the posted price of crude petroleum and the retail price of gasoline; and to make findings as to the average posted market price of crude petroleum at the place of production, and also the retail price of gasoline at service stations at such principal markets for such gasoline as said Tariff Commission may select: And provided further, That no duty shall be collected or charged on crude petroleum or fuel petroleum during such periods as the average posted market price, as found by said Tariff Commission, of Texas and Oklahoma crude petroleum of a gravity at 36° B., taken at a temperature of 60° F., shall be in excess of \$2 per barrel at place of production: And provided further, That no duty shall be collected or charged upon the petroleum products set forth in subparagraph (b) hereof during such periods as the average retail service station price, as found by said Tariff Com-

mission, of standard unmixed gasoline in New York City, New York State, shall be in excess of 20 cents per gallon, exclusive of any gasoline tax collected from the purchaser.

Mr. PITTMAN. Mr. President, I am frank to say that I do not believe this amendment will be entirely effective as to oil. I do not believe it will have any effect whatever on gasoline. However, I have felt that there should be a check on the effect of this duty in the event it should be effective.

I do not think it will have any effect on the price of gasoline, for this reason, that should the price of oil reach \$2 a barrel, it will not be as high as it was when gasoline was selling for 18 cents, in 1926. In other words, if a profit could be made on gasoline when oil was \$2.20 a barrel, there could be a profit made now when it is \$2 a barrel.

I may also state that the danger I see in the oil situation now is the danger of monopoly. I do not think there is any question at all but that we all realize now that there are three great companies in the United States which dominate the price both of oil and of gasoline. There is no competition in gasoline prices to-day at all. There are local flurries of 2 or 3 cents where there are fights for distribution in various cities.

There is competition at the present time in the price of crude oil, because if there were not, the price of crude oil would not average \$1.20 a barrel, it would not average a price to-day that is every day putting about 3 per cent of the oil wells of this country out of business.

Where does that competition come from? It comes from the so-called independent oil producers of this country, who are competing with these big oil companies. Is it of interest that we should assist these independent oil companies in maintaining this competition?

The evidence shows that the independents are daily going out of business, and at the rate at which they are now ceasing to exist, two years from now there will not be any of them.

Let us look back several years. What was the price in the country at that time of the character of oil of which I have been speaking? It was about \$2.75 a barrel. Why was that? Because at that time the independent oil producers of this country had really not come into existence. The beginning of their activities was the discovery of a great many new fields in California, Oklahoma, and Texas, many of them called "town-lot wells," which fell into the hands rapidly of a number of independents. When those independents commenced to produce about 30 or 40 per cent of the oil of this country, then the oil of this country dropped in price steadily from \$2.75 a barrel to the price it brings to-day.

It has been testified before us, and I must accept that testimony, that oil must bring \$1.75 in order that the average well in this country may continue to produce, and the average price of this grade of oil about which we are talking, \$1.21 a barrel. There is no question, if that be true, that there is a steady loss, which will mean the extinction or the absorption of these independents.

We have the report of the Geological Survey, I think, at least, it is approved by them, that there are 300,000 oil wells in this country that are producing less than two barrels of oil each per day. No such well can exist, in my opinion, with oil bringing less than \$1.75 a barrel, and if it did bring less than that, such a well would be operated totally without profit.

What is the result? We must look to the future. There should be cheap oil, if that is desired, for two years, and then what will be the result? When these 300,000 wells have been run out of business, and all of their property absorbed, oil will go back to \$2.75 a barrel, the price before the independents started. It will probably have to go to three or four dollars a barrel if the price of oil is to be stabilized, and there are only two ways in which that can be done, either by sustaining the competition or by Government price fixing, either through the States, or in some other way. I deplore any attempt such as the latter, and therefore I am willing, even if it means a tax upon the people of this country of 50 cents a barrel for crude oil, that they should endure that tax, rather than see the extinction of these independents, and see oil go to from \$2.75 up to \$3.50 a barrel after that period of time.

I believe the stabilization of the price of oil, and the stabilization of the price of gasoline, through sustained competition between these three big companies, is the most desirable thing we can accomplish along this line.

Figures will be offered to show what the increased price of gasoline will tax the people of this country. I say that under this amendment, this tariff becomes inoperative when the grade of oil produced in Texas or Oklahoma reaches \$2 a barrel. If it does become inoperative, and has not any effect on the price, then the price of oil will not go above \$2 a barrel.

Why should that raise the price of gasoline? In 1926, when the price of oil was \$2.20 a barrel, the price of gasoline was only

18 cents. You can figure theoretically that if the price of oil goes above 15 cents a barrel the price of gasoline will go up proportionately, but, as a matter of fact, that is not the history of the two industries, and as far as gasoline is concerned, if the competition in gasoline has any effect at all—and I do not believe it has—then this duty, under the amendment I propose, ceases to be operative, if the price goes to 20 cents a gallon in New York City, where gasoline is sold cheaper than at any other place in the United States.

I have gone further than that. I have provided that the Tariff Commission itself shall report the average price of gasoline, so that if the price of gasoline in the West, in the central part of the country, or in the portions of the country most remote from the producing wells should be raised, they should strike the average, and if the average price, including probably 24 cents in Kentucky or some other remote place, went above 20 cents, then the duty should cease to exist at all, and there should be free trade from the outside.

Mr. THOMAS of Oklahoma. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Oklahoma?

Mr. PITTMAN. I yield.

Mr. THOMAS of Oklahoma. Do I understand that if the Senator's amendment should be adopted there will not be ordered a general investigation of the oil industry, but only an investigation as to the cost of production and distribution of gasoline products?

Mr. PITTMAN. That is all.

Mr. THOMAS of Oklahoma. One further question.

Mr. PITTMAN. I want to answer that question further. That is true, for the reason that I do not believe the functions of the Tariff Commission go to the extent to which those of the Federal Trade Commission extend. Nor do I think they have the facilities to conduct such an investigation. I think the Senator from Oklahoma should prepare a comprehensive resolution for an investigation of the oil situation by one of our committees—either the Committee on Interstate Commerce or the Public Lands Committee or some other committee—to get at the charges which the Senator from Oklahoma has made. I do not believe he is right in asking that the investigation be made by the Tariff Commission, because I think it is beyond their function, I do not think they have the equipment to carry it out, and I do not think any result will be brought about by that character of investigation.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield further?

Mr. PITTMAN. I yield.

Mr. THOMAS of Oklahoma. If the Senator will permit me, there will be no recourse for the independents if his amendment fails but to ask for a real investigation of the oil industry, to the end that publicity may be brought to bear upon this situation.

Am I right in interpreting the amendment to mean that, if it should be adopted, at any time oil of the gravity mentioned is selling in the market for \$2 a barrel, the tariff provision of a dollar a barrel is to become inoperative?

Mr. PITTMAN. That is right.

Mr. THOMAS of Oklahoma. Third, am I right in this interpretation of the amendment, that if at any time gasoline sells in New York City at 20 cents, the tariff upon gasoline shall become inoperative?

Mr. PITTMAN. I have changed that, and now provide that the Tariff Commission shall select key points in the United States, and shall daily report the average price of gasoline throughout the United States, and when that is reported by the Tariff Commission as being above 20 cents the tariff shall be inoperative.

Mr. THOMAS of Oklahoma. Then the force of the amendment, if adopted, would be that oil itself would not rise above \$2 a barrel and that gasoline in New York City should not rise above 20 cents a gallon.

Mr. PITTMAN. That is correct.

Mr. THOMAS of Oklahoma. If the Senator will yield, and if I may have the consent of the Senate, I will ask for a modification of my amendment; in other words, I will accept the amendment of the Senator from Nevada.

The VICE PRESIDENT. The Senator has a right to perfect his amendment.

Mr. THOMAS of Oklahoma. I ask that my amendment be modified to include the language suggested in the amendment submitted by the Senator from Nevada.

The VICE PRESIDENT. The Senator from Oklahoma modifies his amendment as stated. The question now is on agreeing to the amendment as modified.

Mr. WALSH of Montana. Mr. President, a very considerable share of the interesting address of the Senator from

Oklahoma [Mr. THOMAS] was devoted to an attack upon the lobby committee, so called. The charges made against it are of such a grave character as that they ought to have some immediate notice. In the absence of the chairman of the committee [Mr. CARAWAY] I undertake to reply briefly to some of the accusations made against the conduct of the committee.

They might be summarized, first, as a charge that the committee has invaded the privacy of homes for the purpose of securing evidence; in the second place, that raids have been conducted against offices and other places of business and papers forcibly seized; third, that quiet and inoffensive citizens coming to the capital for the purpose simply of presenting to Congress their views about public matters have been maligned and villified; and finally, that while the committee was diligent in inquiring into the activities of those seeking a duty upon oil, it, with a lack of impartiality, paid no attention to those forces opposed to a duty upon oil.

Mr. President, there have been no homes invaded nor have any documents or papers of any kind been taken from any homes. Neither has any raid been made upon any office nor have any papers or other documents been forcibly seized, nor have any papers passed into the possession of the committee except such as have been voluntarily surrendered to the committee by those in whose possession they were found.

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

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. WALSH of Montana. I yield.

Mr. WATSON. I was much interested, while the Senator from Montana was out of the Chamber during the remarks of the Senator from Oklahoma, in two statements read by him from newspapers to the effect that a man by the name of Holland had gone into the office—

Mr. WALSH of Montana. Mr. Holland is now sitting at my side.

Mr. WATSON. Whoever he is, I do not happen to know him. The statement was that he had gone into the office of one of these gentlemen and had, without right and without any subpoena, taken certain papers and brought them to the committee. I was wondering whether or not that is so.

Mr. WALSH of Montana. Mr. Holland informs the committee that his custom has invariably been to go to the occupant of the office, the person in charge, and ask leave to examine such documents as they had relating to the matters under inquiry and to take copies of the same, and frequently they have been turned over to him. That has been the procedure of the committee.

Mr. WATSON. Was that the procedure in the particular instance cited by the Senator from Oklahoma?

Mr. WALSH of Montana. The Senator can, I think, give no proof whatever of any seizure of any papers whatever anywhere.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH of Montana. I yield to the Senator, although he would not yield to me.

Mr. THOMAS of Oklahoma. I will not insist.

Mr. WALSH of Montana. Oh, no; I am perfectly willing to yield.

Mr. THOMAS of Oklahoma. I hold in my hand now a clipping of February 28 and the Senator can see the headlines:

Spectacular Senate raid of lobby headquarters aids in tariff fight.

I have a book of newspaper clippings of this kind for each day which I shall be glad to submit to the committee, and if they want to go into the matter, I submit they could probably get some valuable information from the boys in the press gallery.

Mr. WALSH of Montana. This is the first information that any member of the Senate committee has had concerning any raid, and I undertake to say that there is absolutely nothing to it at all. But we will not be required to rest upon newspaper accounts concerning this matter. Now that the matter has been mooted upon the floor of the Senate the facts about the matter will be established by indubitable proof.

But, Mr. President, reference has been made to the remarks of the learned judge writing the opinion in the case against Sinclair about the sanctity of the home and of the right of privacy to private papers guaranteed by the amendment to the Constitution. We heard a lot about that in the inquiry which resulted in that decision eventually by the Supreme Court of the United States. The welkin rang with eloquent denunciations of the invasion of homes and of the right of privacy, and so forth. But it will be remembered that after the learned

Justice had commented upon that appeal to the court he added, "But the matter before us does not concern the private papers of the party in whose possession they were found. They relate to the public business. They relate to the disposition of the oil reserves of the Government." Accordingly it was held that the committee was entirely within its rights in prosecuting the inquiry which it did.

So here, Mr. President, why talk about the private papers of some one which passed into the possession of the lobby committee or about inoffensive citizens who came to the Capital for the purpose of presenting their cause? What are the facts about the matter? These men came here some 200 strong in a private car from the Southwest, assembling at the city of St. Louis, whence they came here in a body. They established themselves here in the city of Washington at expensive headquarters, with a large force, involving an expenditure of some \$1,500 a day.

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

The VICE PRESIDENT. Does the Senator from Montana yield to the junior Senator from Oklahoma?

Mr. WALSH of Montana. I yield.

Mr. PINE. What does the Senator mean by "a private car"?

Mr. WALSH of Montana. Did I say "car"?

Mr. PINE. The Senator said "a private car."

Mr. WALSH of Montana. Special train. They came in a special train.

Mr. PINE. That was because so many of them were coming together at the same time.

Mr. WALSH of Montana. I suppose so, and they found it convenient.

Mr. PINE. Is there any evidence that it cost any more or that they expended more money because they came together in a special train?

Mr. WALSH of Montana. No; I do not think there was. They came here 200 strong in a special train and established headquarters here with a large force, as I said, of clerks and assistants and at an expense of practically \$1,500 a day, the total expenditure up to the time the committee went into the matter being something like \$50,000.

Mr. PINE. Will the Senator please produce the evidence that their expenses amounted to \$1,500 a day here in Washington?

Mr. WALSH of Montana. The committee has not made a report, but it will be accurate in that respect.

Mr. PINE. I understood that my colleague [Mr. THOMAS of Oklahoma] denied that they expended anything like \$1,500 a day.

Mr. WALSH of Montana. We will supply the proof so it will be available.

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

Mr. WALSH of Montana. I yield.

Mr. BLAINE. I call the Senator's attention to a telegram on page 8010 of the transcript.

Mr. WALSH of Montana. It is before me now.

Mr. BLAINE. I should be glad if the Senator would read it.

Mr. WALSH of Montana. I shall be glad to read it. This is a telegram from Mr. Cromwell and Mr. Franklin, connected with the organization, as follows:

FEBRUARY 15, 1930.

ROBERT C. SHARP,

President Independent Oil & Gas Co., Tulsa, Okla.:

Am afraid Waite favors your company join our association fight for oil tariff. We have nearly won in Senate. Some more friends are needed to carry through two weeks to get Senate amendment. Telegrams, stenographic publicity, headquarters expenses cash twelve to fifteen hundred dollars daily, and another special train necessary March 1. Will you please send Fred Tucker, Ardmore, Okla., association secretary, your company check for \$5,000? Ramsey Bros., Slick Phillips Petroleum, us, and others have so contributed. Also wire Goebel and Jones Bros., Kansas City, to communicate with Missouri Senators and Representatives to vote for oil tariff. Stanley Draper, charge our headquarters here, requests you send your Charles Hopkins here for week or 10 days. We greatly need him.

JOE I. CROMWELL.
WIRT FRANKLIN.

Mr. PINE. Does the Senator think it is fair to assume that they expended \$1,500 because they mentioned that amount in a telegram soliciting subscriptions, when, as a matter of fact, the committee have the paid bills showing the fact that they did not expend anything like that amount of money?

Mr. WALSH of Montana. We have those; yes. This is what Mr. Franklin said, that they are now expending \$1,200 to \$1,500 a day.

Mr. PINE. What are the facts as shown by the bills that were paid?

Mr. WALSH of Montana. Those are in the committee's record. I have not them before me just now. However, that is a matter of no great consequence.

But what did they do? Did they merely present their cause to the Congress? Did they merely wait upon Senators and present their cause to individual Senators, as well as issuing to them generally statements presenting their views about the matter? Nobody that I know of questions the absolute right of any citizen of the United States to come here, either in his own capacity or in a representative capacity, to present to the Congress of the United States any views he may have concerning any legislation. Nobody questions that right. Nobody doubts that right. Nobody endeavors to condemn it in any manner whatever. That is not the question. The lobby committee is not called upon to inquire into that kind of thing. It is called upon to inquire into organizations which establish themselves here having some kind of organization for the purpose of carrying on the work of influencing legislation in this body.

What did this organization do? Their activities are fairly well disclosed in a letter found in the record of the hearings of the committee at page 7982. I think that this letter will perhaps give the Senate a somewhat accurate idea of the character of the activities in which this organization was engaged. It is a letter addressed to Mr. Franklin. I read as follows:

Mr. WIRT FRANKLIN,

Washington, D. C.

DEAR MR. FRANKLIN: I thank you for the literature you are sending out showing the price of gasoline to the consumer when crude oil brings a reasonable price and when it is sold at a very low price. I think this is the nut we have to crack, because the old Democratic doctrine is that the ultimate consumer pays the tariff, and it is hard to convince people who have had that idea in their mind a long time.

We must convince the people in Wisconsin, Minnesota, and Oregon, and States like those, that they will not pay any more money for gasoline when the tariff is put on the oil than they do under the free-trade policy.

I am writing a letter to-day to Senator HAWES, of Missouri, calling his attention to that one particular point, and also to the fact that it is not only the present condition that we are up against that makes the problem so serious, but the fact that foreign oil will deluge this country if we do not shut the door against it.

Mr. A. A. Hammer has just been in my office and told me that he spent four years as a pioneer geologist in South America, and that he could convince anyone that there was so much oil in South America and Mexico that if it is allowed to come in free it will paralyze the oil industry in this country within a short time.

I am writing Senator RANDELL, of Louisiana; Senator DENEEN, of Illinois; Senator McNARY, of Oregon; and Senator FLETCHER, of Florida; a short 1-page letter along the same line, and also thanking Senator FESS, of Ohio, for his loyalty, as I know we can depend upon him. He was the first Senator I saw, and while he did not feel hopeful he assured me that he was with us and would support the tariff.

I wrote Joe Danciger in Fort Worth yesterday that I believed the most effective work could be done by putting some one in charge of each doubtful State and working through newspapers and other avenues of publicity in an educational campaign, and also having people who were convinced that we were right to send messages by letter or wire to their own Senators. These Senators know that they must go home for reelection and it is the home fires that we must keep burning.

I want to congratulate you on turning down any idea of running for governor or any other political office so that people will know that you are doing this work for no other reason except to maintain an industry in Oklahoma that we need. You know that we have a lot of people in Oklahoma who think that if a man gets some prominence that the first thing he wants is an office, and it is hard to do the best work under such conditions.

After this is all over and the fight has been won then it will be the time to consider political matters. When I started on the trip to Washington I did not realize there was so much at stake, but I can see now that it is the biggest problem we have for Oklahoma. It may not be the only way to solve the problem, but it is the best way to begin to solve it, for if we do not shut the door against foreign oil we are through.

After we have shut out foreign oil then we can do other things among ourselves. Give my best regards to Cromwell and Brown, for I know they are with us to the limit.

With best personal regards, I am yours truly,

A. C. TRUMBO.

That, Mr. President, gives you a kind of general idea as to what was being released and issued to the press associations and then sent out to the newspapers. It was proposed that they send a man into every one of the doubtful States to

develop sentiment in those States, and to have telegrams and other messages sent to Senators from those States, in order to get them properly lined up. Mr. Franklin, who appears to be a very honorable gentleman, was entirely frank about the matter, said that he expected in that way to arouse public sentiment at home that would be reflected back, and thus influence the action of Senators; but you will observe, Mr. President, that the thought that was in mind was that Senators would desire to be reelected, and that they would have that desire in mind in the action that they might take, and, therefore, their action, in order to save their own skins, politically, would doubtless be influenced by the letters and telegrams that came to them from home.

That is not all, Mr. President, but, in addition to that, there was evidence before the committee that this lobbying organization undertook actually to trade for votes. Reference has been made to it upon the floor here, and the evidence leaves scarcely room for doubt to the ordinary mind that a straight deal was made between the Senators from the State of Colorado, who were intensely interested in a duty on sugar, that they were to vote for the duty on oil and that the Senators from Oklahoma were to vote for a duty on sugar. Whether that was the case or not, that was the work in which they were engaged; and Mr. Franklin was perfectly frank in saying that, of course, they were engaged in trading votes, for he understood that was the way in which tariff bills were always framed.

Mr. PINE. Mr. President, will the Senator from Montana yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH of Montana. I yield.

Mr. PINE. In order to disabuse the mind of the Senator from Montana I will say that, so far as I was concerned, no trade was made.

Mr. WALSH of Montana. I am perfectly willing to take the word of the Senator from Oklahoma upon that, but I am telling what was developed with respect to the activities of these gentlemen concerning the interrogation of whom the lobby committee is taken to task on the floor by the Senator's colleague [Mr. THOMAS of Oklahoma].

Mr. PINE. Did not Mr. Franklin testify when he was on the stand before the Lobby Committee that their expenditures did not amount to more than \$300 per day?

Mr. WALSH of Montana. I must say that I have not the figures in mind. I had in mind his letter when I spoke. I shall be very glad before we get through, however, to give the actual figures of the expense incurred by the organization.

Mr. PINE. I think we should have the facts and not conclusions drawn from telegrams and letters that passed during that period of time. Those men, of course, were enthusiastic; they were probably overstating their effectiveness; they were making these statements, no doubt, to influence Mr. Franklin and members of the committee. I attended many of the hearings, and I think the committee felt—

Mr. WALSH of Montana. Let me remark that the telegram with respect to that is Mr. Franklin's own telegram.

Mr. PINE. But did not Mr. Franklin testify that he had not signed that telegram?

Mr. WALSH of Montana. I do not think he so testified; but he testified that he did not sign many telegrams that went out over his name.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator from Montana yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH of Montana. I yield.

Mr. THOMAS of Oklahoma. Mr. President, let me say to the Senator from Montana that on this proposition I want to join with my colleague from Oklahoma in denying that I made any trade. I go further and state that I have not interviewed any Senator upon this subject especially. I have called a few from the Chamber to meet delegations, and I took one delegate to see the Senator from Connecticut [Mr. BINGHAM]. There are quite a number of Senators around me, and I should be very glad to have some or all of them stand and say whether I have approached them upon this proposition and discussed the question with them.

Mr. WALSH of Montana. Mr. President, bear in mind that I am making no attack upon the Senator from Oklahoma. He has attacked the lobby committee, and, although he would not allow me to interrogate him when he was making the charges, I shall ask him now to state, if he can, succinctly, what complaint he has to make against the lobby committee?

Mr. THOMAS of Oklahoma. I will be very glad to do so. The first complaint I make is against the raiding of the rooms of private citizens.

Mr. WALSH of Montana. Very well; that is a matter of disputed fact; all right.

Mr. THOMAS of Oklahoma. The second complaint I make is the refusal to receive and make a part of the record the statement of a man who was before the committee seeking to make that statement.

Mr. WALSH of Montana. I shall advert to that.

Mr. THOMAS of Oklahoma. And the third complaint is that one member of the committee should bring upon this floor evidence thus seized and make it public before it was presented to the lobby committee.

Mr. WALSH of Montana. Before it was presented to the lobby committee?

Mr. THOMAS of Oklahoma. Yes, sir.

Mr. WALSH of Montana. That is an accusation against some particular member of the committee, in which I am not concerned; it does not affect me at all.

Mr. THOMAS of Oklahoma. I admit that is correct.

Mr. WALSH of Montana. I do not take any responsibility for what individual members of the committee may do; but the assault was not made upon individual members of the committee.

Now, we understand that the charge against the committee is, first, for raiding offices; and, second, for not allowing Mr. Franklin to read his statement. That is the sum and substance of the charge against the lobby committee.

Mr. THOMAS of Oklahoma. Mr. President—

The PRESIDING OFFICER (Mr. BLEASE in the chair). Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH of Montana. I yield.

Mr. THOMAS of Oklahoma. In making my presentation of the subject here I specifically mentioned the person to whom I alluded, and that was the Senator from Wisconsin [Mr. BLAINE], as to using material secured from private rooms without having first presented it to the committee. I did not charge that against the committee then, and I do not now charge it against the committee.

Mr. WALSH of Montana. I presume I am accurate in saying that the two charges against the committee are, first, raiding rooms, and second, not allowing Mr. Franklin to make a statement. But the more grave charge, not now recited by the Senator from Oklahoma, is a charge, by inference and innuendo, that the committee, while they were diligent in the search for evidence of activities in favor of a duty on oil, were altogether neglectful of investigating the activities of those who were opposed to the duty on oil.

With respect to the statement of Mr. Franklin. Some time earlier in the proceedings of the committee Mr. GRUNDY, who has since become a Senator, appeared before the committee and wanted to read a statement which he had prepared. It can be very readily understood by Members of the Senate that at an inquiry of this character witnesses will appear who want to make the committee a forum from which they can reach the public in support of their particular cause. The committee is not concerned with either the rights or the wrongs of any particular matter before the Senate; it is concerned only in endeavoring to find out what activities have been carried on for the purpose of promoting or defeating legislation—not about the merits of legislation at all. Yet it is always a task to prevent a witness from using the opportunity to expatiate upon the merits of his particular cause.

Mr. PINE. Mr. President—

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

Mr. WALSH of Montana. I will yield in a moment. So when Mr. GRUNDY came before the committee and wanted to read a paper, I am sure the chairman of the committee felt that it would probably have little reference whatever to the activities of Mr. GRUNDY, but would rather be a defense of his views of the public policy of a tariff or no tariff or of a high tariff or a low tariff. So Mr. GRUNDY was given permission not to read it, but to let it go into the record without reading. I now yield to the Senator from Oklahoma.

Mr. PINE. If the purpose of the investigation was as stated by the Senator, then why was this preliminary or premature report made?

Mr. WALSH of Montana. To what premature report does the Senator refer?

Mr. PINE. The report made by a member of the committee at the critical time when this question was up for decision.

Mr. WALSH of Montana. The committee has made no report, but any member of the committee has a perfect right to

make use of any testimony before the committee, just as any Member of the Senate would have the right to make use of it. He could use it in a speech which he might make here at any time. There is nothing extraordinary about that. When we were conducting some investigations here, which have become somewhat historic, no one waited until the committee had made a report, but when testimony was adduced that was of a sensational character it was a common thing for Members of the Senate to rise and say, "I am informed that before the committee on yesterday testimony to the following effect was given." What is wrong about that? What reason is there for criticism of it?

Mr. PINE. It is a misuse of incomplete information.

Mr. WALSH of Montana. I can not agree with the Senator; I can not agree with the Senator that it is wrong to use that any more than it is to use what a Senator may read in a newspaper. We read from the newspapers that certain things have taken place. Why should we not read testimony that is given before a committee?

Mr. PINE. Is it proper for the power of the committee to be employed by an individual Senator to secure information for use in defeating legislation?

Mr. WALSH of Montana. Mr. President, the testimony taken is put down in writing; it is available to any Senator at any time; and it is printed just as fast as it can be printed.

Now, let me proceed. Mr. Franklin came here and wanted to read a paper after he had been subject to examination. The chairman told him that a rule had been adopted that papers could not be read, and suggested that he could have leave to incorporate it in the record. The statement has since been read, and, as expected, it was, to a very large extent, if not exclusively, an argument in favor of the cause that Mr. Franklin represented. The Senator from Wisconsin [Mr. BLAINE], however, insisted that he should have the right to examine the paper before it should go in the record. Technically, I have no doubt in the world that the Senator from Wisconsin was correct about the matter. I would have been perfectly willing to take the chance of it being entirely proper to go into the record, and so stated; but the Senator from Wisconsin asked that before it should go into the record he should have a right to see it.

Why is not that right? How do we know but that it might contain scandalous matter of some kind or other, and that it ought not to go into the record or be published to all the world? Of course, it did not have that kind of matter; but, as a matter of strict legal right, why has not a member of the committee a right to see a paper which some one wants to insert in the record before it goes into the record?

A Senator offers something for the Record here; and another Senator rises in his place and says, "Reserving the right to object, I should like to look at the paper." What is wrong about that?

Mr. NORRIS. Mr. President—

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

Mr. WALSH of Montana. I do.

Mr. NORRIS. I should like to suggest to the Senator from Montana that if this witness or any other witness had asked permission of the lobby committee to put something in the record, and they had let him put it in without examination, and it had afterward developed that it was improper, that it was slanderous or libelous on some person or for any other reason was improper, the committee would have been condemned all over the country for letting it go in. It would have been insisted that the committee should have examined the evidence before permitting it to go in.

Mr. WALSH of Montana. I say, Mr. President, that personally I was quite willing to take the chances upon there being nothing improper in the article, and quite willing that it should go in the record, but the Senator from Wisconsin said, "I want to see it before it goes into the record," and I defy anybody to offer a substantial reason why he should not have an opportunity to see it if he desired to do so before giving his assent to its going into the record.

The other suggestion of impropriety upon the part of the committee is as to its action being entirely lacking in impartiality.

After Mr. Franklin was examined, he was particularly interrogated by at least two members of the committee as to whether he had any knowledge whatever of any organization or any individuals who were actively engaged in endeavoring to defeat the duty on oil, and he told us that he was utterly unable to give us any information on the subject. He had no knowledge of anyone who was engaged in opposition to their work, and that was not exceptional or peculiar. That course has been pursued with practically everybody who has come before the committee. After interrogating them concerning their activities in support of their contention, we have invariably asked them,

"Can you give the committee any information about anyone who is really in opposition to you, carrying on propaganda such as you are carrying on against the contention which you make in this matter?"

Mr. ALLEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Kansas?

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

Mr. ALLEN. If information had been before the committee showing that there were those who were lobbying here to defeat this amendment, is it the belief of the Senator that the Senator from Wisconsin would have brought that information to this body?

Mr. WALSH of Montana. Of course, the Senator from Wisconsin must answer for himself. I am simply endeavoring to give the Senate an idea about what the committee has been doing, for the purpose at the present time of refuting the contention, made only by inference, that the committee has not been active in endeavoring to secure testimony to submit to the Senate concerning those who have been opposing the duty on oil.

Mr. ALLEN. But the Senator does not regard the presentation which the Senator from Wisconsin made of the fragmentary report as having arisen through any other cause than his opposition to the measure for an oil tariff, does he?

Mr. WALSH of Montana. Why, it is perfectly well known that the Senator from Wisconsin [Mr. BLAINE] is opposed to the proposed duty on oil; and he was making use of such material as was available to him to support his views.

Mr. ALLEN. Would it be too strong to say that he was seeking for that sort of material?

Mr. WALSH of Montana. Of course, he was seeking for that sort of material. He was seeking for material to establish the activities of those urging a duty upon oil.

Mr. ALLEN. In effect, was he not using the lobby committee to lobby against the measure?

Mr. WALSH of Montana. The Senator will have to take up that matter with the Senator from Wisconsin. Let me ask the Senator from Kansas, however, a question. When information came to the committee of the appearance in this city of a delegation of 200 people coming by a special train from the Southwest—St. Louis—for the purpose of urging the imposition of a duty on oil, and information came to them that this delegation had established themselves with an organization at the Mayflower Hotel in this city and were at that time engaged in endeavoring to influence the Senate to impose such a duty, what would the Senator from Kansas have had the committee on lobby do?

Mr. ALLEN. Knowing of the situation as I did, I should have considered that these men were entirely within their rights. Other great organizations had come here in exactly the same way, and had played their game in the open, as this organization did.

Mr. WALSH of Montana. Would the Senator from Kansas have felt that the lobby committee, commanded by the Senate to investigate the activities of lobbyists here, should have closed its eyes to this situation and not have called these men before it?

Mr. ALLEN. Upon the very small amount of actual material that was secured, I should say that it would have been just as well to have ignored the obvious situation.

Mr. WALSH of Montana. Whether it would have been just as well or not, does the Senator say we should not have called them?

Mr. ALLEN. I am waiting for the full report. So far as any disclosures at present indicate, I should say that it would have been a more just and dignified thing.

Mr. WALSH of Montana. To have let it go?

Mr. ALLEN. Yes; since it was obvious as to why they were here, and what they were doing.

Mr. WALSH of Montana. And if the Senator were on the other side of the question, would he say so likewise?

Mr. ALLEN. I am inclined to think I should say so in any event concerning this matter.

Mr. WALSH of Montana. This is a diversion, Mr. President. I read from the record at page 8056. My recollection is that it was I myself who put the original question to Mr. Franklin as to whether he had any information that he could give to the committee concerning activities of anybody in opposition to the duty on oil; but I read, from page 8056, an inquiry addressed to him by the Senator from Wisconsin [Mr. BLAINE], as follows:

Senator BLAINE. Mr. Franklin, do you know of any independent oil men who have been here during the last month or two opposing a tariff on oil?

Mr. FRANKLIN. No, sir; I do not.

Senator BLAINE. Do you know of any oil producer or anyone connected with oil, either through association, corporation, or otherwise, who has been here in Washington opposing a tariff on oil?

Mr. FRANKLIN. No; I don't know of any oil producer who has been here opposing it.

Mr. President, I imagine probably this well-equipped organization, with headquarters down in the Mayflower Hotel, with their clerks and aides and such other means as they had to inform themselves about what was going on, would in all probability have known about the existence of an opposing organization here in the city of Washington if any existed. They told us they had no information about the matter at all; they could not give us any information that would require us to call before the committee anybody who was engaged in opposition.

I continue:

Senator BLAINE. Do you know of any Senator who has been approached by anyone interested in oil, in any way opposing a tariff on oil?

Mr. FRANKLIN. No; I have stated heretofore that the opposition would be secretive and clandestine, and I still think it. I have reason to believe that they are here, but I haven't any espionage system. I can't keep up with them.

Senator BLAINE. Give us the grounds of your belief. There is some reason why you believe that. Now, give the committee the benefit of whatever is in your mind.

Mr. FRANKLIN. I asked them in our hearing before the Committee on Ways and Means to appear in the open.

Senator BLAINE. Asked who?

Mr. FRANKLIN. The representatives of those companies.

Senator BLAINE. Who was he?

Mr. FRANKLIN. I said representatives.

Senator BLAINE. Well, who were they? You asked the representatives?

Mr. FRANKLIN. I made a statement in the open hearing.

Senator BLAINE. Oh, you just challenged them before the committee?

Mr. FRANKLIN. Yes.

Senator BLAINE. You don't mean you notified them?

Mr. FRANKLIN. No.

Senator BLAINE. Who were those representatives you had in mind when you challenged them before the committee to present the case before the committee?

Mr. FRANKLIN. I was not acquainted with them. I was told they had representatives in the room.

Senator BLAINE. Who told you that?

Mr. FRANKLIN. I don't remember who told me that.

Senator BLAINE. I am trying to figure out whether there is a bogey man in this, or a real, active, subtle though it may be, as you claim, influence in connection with tariff on oil. Now, can you give us any information concerning any such influence, hearsay or otherwise?

Mr. FRANKLIN. Well, I know positively that the Mellon interests are opposed to a tariff on oil. Their representatives have said so. They haven't appeared in the open.

Senator BLAINE. Now, that is interesting. Give us some fact that we can get hold of?

Mr. FRANKLIN. I don't know that they have approached any Senator. I am not watching the Senators or having them watched.

Senator BLAINE. Who spoke for the Mellon interests?

Mr. FRANKLIN. No one.

Senator BLAINE. How did you get the idea that they were opposed to it?

Mr. FRANKLIN. I got it from Henry McGraw in Tulsa, their vice president and general manager.

Senator BLAINE. What did he say?

Mr. FRANKLIN. He said they were positively opposed to a tariff on oil. Every Mellon man you run into is opposed to it.

Senator WALSH of Montana. That will be valuable to us, Mr. Franklin. You have given us one—

Senator BLAINE. Give us his name?

Mr. FRANKLIN. Henry McGraw.

Senator BLAINE. Of what location?

Mr. FRANKLIN. Tulsa. He is vice president and general manager of the Gipsy Oil Co.

Senator WALSH of Montana. That is one of the subsidiaries of the Gulf Oil Co.?

Mr. FRANKLIN. That is one of the subsidiaries of the Gulf. Furthermore, that company has not cooperated in any other movement looking to the stabilization of the oil industry.

Senator WALSH of Montana. Just exactly what do you mean by that?

Mr. FRANKLIN. I mean the President's curtailment and conservation program. They do not attend the meetings. They send no representatives. While they are a large company—

Senator WALSH of Montana. Now, that is the one you spoke of to conserve oil and limit the production?

Mr. FRANKLIN. They sent no representatives to those meetings. They have held off and have not cooperated in the movement.

Senator CARAWAY. Have they acquiesced in the agreement?

Mr. FRANKLIN. When the order of the corporation commission was made—that is the way it is done in Oklahoma—they have not violated it, but they have never attended any of the meetings.

Senator WALSH of Montana. To secure the necessary order?

Mr. FRANKLIN. To secure it.

Senator WALSH of Montana. Is there any other representative of the Gulf interests that you can tell us about?

Mr. FRANKLIN. No, sir; he is the head of the Gulf interests in Oklahoma, Henry McGraw is, and he is a very fine man.

Senator WALSH of Montana. Did they attend the Colorado Springs meeting?

Mr. FRANKLIN. They did not. They had no representative there.

Senator CARAWAY. Did the Standard Oil of any of the States?

Mr. FRANKLIN. I think the Gulf interests was the only large interest that was not in attendance at the Colorado Springs conference.

Senator WALSH of Montana. Senator BLAINE asked you a little while ago about people who were antagonizing you in your efforts to secure a duty on oil, and you have given us the case of the Gulf. Have you any information about the activity on the part of any of these large organizations or others in opposition to your efforts?

Mr. FRANKLIN. They have never appeared in the open, so I don't know.

Mr. President, I ask the Senator from Oklahoma whether, in the light of this testimony, he thinks it quite fair to apprise the country that the members of this committee, being against a duty on oil, prosecuted diligently inquiries into the activities of those favoring the duty on oil, but, by reason of their preference in the matter or their views in the matter, did not interrogate the representatives of these three great companies?

Mr. BROUSSARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Louisiana?

Mr. WALSH of Montana. I yield.

Mr. BROUSSARD. Along that line, inasmuch as the Senator is a member of the lobby committee, I understand that Mr. Carroll was called before the lobby committee to investigate the sugar lobby, and I wish to ask the Senator why it was that when the lobby committee found that Mr. Carroll represented the United States Sugar Co. it was not found out how much he was paid for that?

Mr. WALSH of Montana. I can not tell the Senator. The efforts of Colonel Carroll seemed quite absurd to the entire committee. I do not know how either the Great Northern or the United States Sugar was left out.

Mr. BROUSSARD. But you were investigating sugar lobbies?

Mr. WALSH of Montana. Oh, yes.

Mr. BROUSSARD. You overlooked the only thing that was pertinent to the investigation.

Mr. WALSH of Montana. I do not think so. I do not think so at all. On the contrary, the Cuba company was the head of the sugar lobby.

Mr. BROUSSARD. Oh, Mr. Lakin was. He gets \$54,000—the Lakin interest.

Mr. WALSH of Montana. He represented the Cuba company, and they were paying Lakin \$10,000 a year. That is small.

Mr. BROUSSARD. It seems strange that while you were investigating the sugar lobby and you got Mr. Carroll there, and he stated he represented the United States Sugar Co., you did not find out how much he was getting.

Mr. PINE. Mr. President, will the Senator from Montana yield to me?

Mr. WALSH of Montana. I yield.

Mr. PINE. Did the committee get the records from Mr. Carroll's office?

Mr. WALSH of Montana. What is that?

Mr. PINE. Did the committee send out and get all the records from John H. Carroll's office?

Mr. WALSH of Montana. I do not think we did.

Mr. PINE. Why did it not?

Mr. WALSH of Montana. I do not know just why we did not. We went into the sugar lobby pretty extensively. I will state that the committee felt—I am sure the Senator from Indiana [Mr. ROBINSON], who is here, will confirm me—that we went into that to the limit, that it had become tedious and tiresome.

Mr. PINE. Does the committee now know what Mr. Carroll does for the money he receives?

Mr. WALSH of Montana. The committee has reported that it is a profound mystery to them why anybody should ever pay Colonel Carroll a dollar for anything. Our report is on file to that effect.

Let me remark that Colonel Carroll is an old gentleman, a very amiable and agreeable old gentleman, something over 75 years of age, in feeble health. He is almost blind of one eye. He has not tried a lawsuit since he was a youth. He was a lobbyist for the Burlington road before the legislature of the State of Missouri from a time when the memory of man runneth not to the contrary. About 1919 he came here to Wash-

ington, and we could not find out what he does for anybody to earn a dollar of this money—he was prodded and prodded and prodded, and the committee quit without knowing what he does or how he gets it.

Mr. PINE. And quit without getting his records?

Mr. WALSH of Montana. Yes. We were unable to find that Colonel Carroll had done a thing or was able to do a thing. Why should we go to his records?

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

Mr. WALSH of Montana. I yield.

Mr. BORAH. It ought to be said, in behalf of Colonel Carroll, that he did not attempt to conceal anything. Of course, he could not explain why he was in their service, but that he was in their service and what he was paid and his entire relationship with them he was perfectly willing to state.

Mr. WALSH of Montana. Exactly.

Mr. BORAH. He was proud of it.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield to me?

Mr. WALSH of Montana. I yield.

Mr. THOMAS of Oklahoma. The record shows that Colonel Carroll did not try to conceal anything. The record likewise shows that he did not tell anything. He promised to fill the record with reports and there is not a single report here. I suggest to the committee that they make a raid upon the colonel's apartment. It will be interesting if they do.

Mr. WALSH of Montana. Of course, Mr. President, we all understand this insolent insinuation against the committee which is repeated now. I resent it. The Senator has been told by at least one member of the committee that the committee never made a raid on anybody. If he does not care to accept my statement about the matter, he is at liberty to disregard it.

Mr. THOMAS of Oklahoma. Mr. President, I was not present when the raid was made and naturally—

Mr. WALSH of Montana. Again the insinuation.

Mr. THOMAS of Oklahoma. I do not know what order was given to the raider, as I shall denominate him, but I have the record here that a raid was made. I will leave the committee to offset that record.

Mr. WALSH of Montana. To offset which record?

Mr. THOMAS of Oklahoma. The record in the public press throughout the United States.

Mr. WALSH of Montana. Mr. President, I do not care to prosecute this matter further. The committee is quite content, I am sure, with the character of the investigation it has conducted—at least so far as the oil lobby is concerned. I dare say that the heat exhibited by the Senator from Oklahoma arises rather from the revelations than from the conduct of the committee.

Mr. ROBINSON of Indiana. Mr. President, I think in most matters suggested so far I am in accord with my colleague on the so-called lobby committee who has just spoken. There are one or two matters, however, with reference to which I am in disagreement.

Let me suggest that I voted against a tariff on petroleum because I have firm convictions on that question. I expect, if the question comes up again, to vote the same way.

I always felt myself—though I think I failed to register a protest at the time, and thereby perhaps might have been derelict in my duty—that the statement presented to the committee by Mr. Franklin should have been incorporated in the RECORD. I think the statement of any witness before that committee should be permitted to go in the record.

In the first place, the proceedings are ex parte from beginning to end. Any witness before a subcommittee of the Senate is at a tremendous disadvantage. There are certain rules of evidence which throw a safeguard around an American citizen when he is in a court of law or equity, but there is no such safeguard to protect a witness before a Senate investigating committee. Wherever such a committee is composed completely or partly, even, of lawyers, it does seem to me that those members of the bar, who back in their respective States and perhaps before the United States Supreme Court are officers of the court, should see that the citizen's rights are protected in any examination which may be conducted.

My experience in this body throughout the years I have been a Member of the Senate has shown that directly the contrary is the rule. Rules of evidence might as well never have been written or formulated. A witness comes before this investigating committee, in this instance composed exclusively of lawyers, and no rules of evidence are followed.

It has been suggested that a witness should not be permitted to incorporate in the record a statement of his side of the case. Why? I submit that members of the subcommittee manage to get their side of the case before the public, even to the extent of lecturing witnesses, and in some cases insulting witnesses

with language thoroughly abusive and which would not under any circumstances be permitted in a court of law or of equity.

This, I submit, is all wrong; and where comes the safeguard for the American citizen? If I understand our theory of government, it differs principally from the old monarchical system in this: That public officials, prior to the advent of the American Constitution, were responsible to the crown, but according to the philosophy of our Constitution and our Government the American public official is responsible to the American citizen, who is the sovereign. Not in a crown rests the sovereignty in this country, but in the citizen who is himself sovereign. Therefore, we are but servants of the people. How ridiculous it is to summon a sovereign citizen before a committee and then for the servant of the citizen deliberately to insult the sovereign power of the Republic.

This, I submit, is wrong; and where, I ask the junior Senator from Oklahoma, is the safeguard? How may it be prevented? It seems to me only in this body itself. This body, in a sense, when it desires to do so, can exercise supreme power. I think the Supreme Court has so held. In other words, the Senate, acting through a majority, may commit any excess, it may commit acts of tyranny, and there is no relief save from the body itself.

"Raids." I do not know that that is the proper term, but it is common knowledge to every Member here that subcommittees of the Senate do send investigators into private offices and even into private homes, if they desire to do so, to gather private papers, private documents, from the citizen, when there is no evidence, indeed, no suspicion of crime, but just to go on what we sometimes call in the practice of the law "a fishing expedition," hoping there may be something found to blacken the record of some individual or some concern.

What rights, in that situation, has the citizen himself? What protection has he? None, Mr. President, save the protection which comes through the exercise of a sound discretion by a majority of the Members of this body; that is all. The Senate should be as much concerned as the courts to see that the constitutional safeguards of the citizen are always scrupulously observed.

Mr. President, I hold no brief for any lobbyist. I hold no brief for anyone connected with the oil lobby on either side. I made up my own mind on this question without regard to any lobby. Certainly I am not prejudiced in favor of the oil lobby that was investigated so recently and about which the Senators from Oklahoma complain. That is evidenced quickly and easily by the fact I voted against a tariff on oil and expect to do so again.

But, Mr. President, I say to you, sir, that Senators should not forget that they themselves are servants of the people and not masters. I say it is an abuse of discretion, in my judgment, on the part even of an individual Senator to stand on this floor and point out a man in the gallery and denounce him there as if he had no right to be there and as if he were but a dog.

The Senate collectively is all powerful. The individual Senator may not be so to any great degree, but a majority of the Senate could destroy the Government if it would. It could resort to tyranny such as has destroyed governments in the years gone by. I think this discussion on the floor this afternoon is well worth while. It seems to me high time that we should stop, look, and listen, and that in the future we should have some regard for the rights of the sovereign citizen of the American Republic.

Mr. NORRIS. Mr. President, I listened to the Senator from Indiana and I wondered if I was in the Senate or whether I was down in the courthouse where Doheny is being tried and where his defense is a condemnation of the United States Senate and its committees. I have not heard anything like the expressions of the Senator from Indiana since I read the condemnation of Mr. Hogan, the attorney for Doheny and Fall, in denouncing the Senate, in denouncing its committee for going into the homes and the offices of Sinclair and Doheny and Fall and Stewart and those other thieves and robbers and debauchers of public officials. How they denounced us! How they particularly condemned these "smelling committees," these committees that are reaching out trying to get some evidence. They caught Fall, they caught Doheny, they caught Sinclair, by those means—this ungodly, disreputable organization known as the United States Senate.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

Mr. NORRIS. Yes; after a while—and it has been condemned from the beginning of any of the disclosures that have brought about a disclosure of the facts which were involved in the greatest debauchery of public officials that has ever been known in the history of the United States. We have been

condemned down there in court and in the newspapers just as the Senator from Indiana now says, because, it is said, we are creeping out trying to get some evidence, trying to get hold of some man's letters and telegrams. It is the same old story.

If I am correctly informed, the Senator from Michigan [Mr. VANDENBERG], who sits in front of me at this moment, deserves censure and condemnation because he brought before a subcommittee of the Senate a man who had publicly made a statement which subsequent investigation showed was wrong and false, and for which he apologized before the committee and took it all back. He will reassert it to-morrow, when he will be able to say, "You are condemned by your own Members. Your own Members condemn all this action."

Fault has been found from the very beginning with every step that was ever taken which resulted in the exposure of the steal of Elk Hills, of the steal of the public domain of the United States, of the robbery from the Navy Department of the oil wells which we thought we had preserved for a time of danger. Every step was criticized. Every single letter that was produced was said to have been obtained through the violation of some private right, and the men who were engaged in the investigation, the men who had had to take the ridicule and the condemnation, have been individually selected for public ridicule and denunciation. The Senate as a body and as a whole incidentally has come in for most of those denunciations.

What about this man Franklin? Does anybody deny that the letters and the telegrams are genuine?

Mr. PINE. Mr. President—

Mr. NORRIS. Does anyone at all deny it?

Mr. PINE. I deny that he signed them.

Mr. NORRIS. That does not make them not genuine because he did not sign them. He has not repudiated a single one of them. Letters go out of my office that I do not sign, but they go out under my orders; and that is the way it was with those telegrams and those letters.

Mr. CARAWAY. He said he assumed full responsibility for what was done.

Mr. NORRIS. It is a silly thing for grown men to say otherwise in regard to these letters and telegrams. They are undisputed, but the way they were obtained is criticized. Perhaps it was wrong. As far as the evidence here adduced shows, they were obtained in a perfectly legitimate and honorable way; but because there has been found in some newspaper something to the contrary the committee is condemned.

Why, Mr. President, if the sentiments expressed by Senators on the floor of the Senate this afternoon in regard to investigating is going to become the policy of this body, we might just as well quit. The next man that comes before a Senate committee and tells a lie and makes a misrepresentation or misstatement must, according to the viewpoint of some Senators, be let alone. We must not inquire into his private opinions. We must not pursue him. We will be doing wrong if we do that. The sovereign citizen coming before a committee of the Senate—

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

Mr. NORRIS. The sovereign citizen at the beginning of these investigations was Mr. Sinclair and was Mr. Doheny, who is on trial to-day for bribing a public official, and all through from the beginning to the end everywhere has come, on the part of those who want to clear Sinclair and Doheny, a condemnation of the United States Senate.

I yield to the Senator from Montana.

Mr. WALSH of Montana. I am just advised that the fact of the matter is that so far as the papers of the oil lobby are concerned they were all brought to the office of Mr. Holland by Mr. Franklin or somebody under his direction.

Mr. NORRIS. Why should we get so technical? Objection is made because a Senator read some of those letters or telegrams to the Senate, as it is claimed, before they were actually presented to the committee. Does that change the substance of them? Is that a denial of their truth if that is done? Is there any charge here that those members of the lobby committee have violated a law or have, as a matter of fact, done anything wrong in obtaining this evidence which these people produced? It is their own evidence against themselves.

A committee of investigation is not a court. Every lawyer knows that. The rules of evidence which apply in court, where a man is on trial or a case is on trial, do not apply to a committee of investigation any more than they do to a grand-jury investigation.

Mr. ROBINSON of Indiana. Should they be any less fair?

Mr. NORRIS. Certainly not.

Mr. ROBINSON of Indiana. Should not the Senate be just as fair as the court?

Mr. NORRIS. Certainly; and what has the Senator to say about any question asked Franklin that was unfair? If he had anything to say, he ought to have said it at the time.

Mr. ROBINSON of Indiana. If the Senator will read the record of the lobby committee, he will find that I did.

Mr. NORRIS. Assuming that the Senator himself was right, are we going to judge a committee by every technicality? Are we going to condemn evidence that is produced because we do not agree with every step a majority of the committee took? We can not get half a dozen men to agree on any procedure if they proceed very long. There will be some disagreement.

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

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. NORRIS. I yield.

Mr. PINE. The committee condemned Franklin for what the other members of his organization did and then, as I understand the Senator from Montana [Mr. WALSH], he refuses to be bound by what a member of his lobby committee did here on the floor of the Senate. It seems to me that what is good for one should be good for the other.

Mr. NORRIS. Yes; it is. But the Senator in my judgment does not use the ordinary good sense and judgment which he exercises on all other occasions when he says that because a member of the committee used evidence here on the floor of the Senate that had not yet been read to the committee, therefore the committee is responsible, if a man who is running a big office force is likewise responsible for letters and telegrams that go out of that office. There is no analogy. We have all the facts before us, I think. Every man can judge for himself. I find no fault with the Senator if he wants to criticize any other Senator because he read evidence to the Senate before it was read to the committee. But the evidence is here, the evidence has been read, and the Senator had a right to read it.

I have listened to testimony before the Committee on Agriculture and Forestry many times and I have come right from the committee to the floor of the Senate and listened to Senators who were not members of the committee use as a text something that had happened in evidence that day before the committee. They had made speeches on it and nobody thought of criticizing them for it. I call to mind some very remarkable incidents of that kind, one when the Senator who sits right by my side, not a member of the committee, made one of his eloquent speeches the same day the evidence was developed in the committee, and did it before the committee reported, and before the committee had taken any action. Nobody criticized him. Everybody knew that he was within his rights when he did it and that he had a right to do it.

Any other Member of the Senate could have made the same speech the Senator from Wisconsin [Mr. BLAINE] made if he had heard the evidence and seen the telegrams. I have known some of them to do it. I would not have felt that I was out of place if I had made the same speech and read the telegrams. I do not think it was wrong. But let us assume for the moment that it was wrong. Every man has the right to believe that it was wrong. The Senators from Oklahoma, in what I believe to be the narrow-minded view they take of this matter, have a perfect right to believe it was wrong and to say so. No one criticizes them for doing so, but it does not follow that everybody else must believe as they believe. It does not follow that everybody who does not agree with them must be condemned.

The junior Senator from Oklahoma [Mr. THOMAS] started out by announcing that he was going to criticize Members of the Senate and then announcing that no one should be permitted to interrupt him. I left the Chamber. I did not know he was going to say anything about me, but I was informed afterwards that he did. I concede his right to say, "I shall not be interrupted," and I am not one of the Senators who would violate the rule in that respect. I listened to him quote a speech that I had made. I have made lots of foolish speeches, but that was a speech of which I am proud, and I was delighted to have the Senator read from it.

I told the truth. I did not know why he was reading it, but he was reading it when I came in. I do not know what his idea was; I could not ask him without being discourteous and violating a rule of the Senate, because he had said he did not want to be interrupted.

Mr. BLAINE and Mr. CARAWAY addressed the Chair.

The VICE PRESIDENT. The Chair recognizes the Senator from Wisconsin.

Mr. BLAINE. The Senator from Montana [Mr. WALSH] met the issues that have been raised by the junior Senator from Oklahoma [Mr. THOMAS]. I will not retrace the steps taken by the Senator from Montana except to emphasize one or two points.

The senior Senator from Oklahoma [Mr. PINE] made a declaration to the effect that Mr. Franklin knew nothing about the telegram which stated it was costing his headquarters from \$1,200 to \$1,500 daily.

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

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. BLAINE. I yield.

Mr. PINE. I think the Senator from Wisconsin is mistaken about my having said that. I said that a telegram was sent out soliciting money, and I think I said that Mr. Franklin did not sign it.

Mr. BLAINE. Mr. President, on page 8011 the question was asked:

You sent that telegram, Mr. Franklin?

That is the telegram dated February 15, 1930, in which it was stated that the headquarters was costing from \$1,200 to \$1,500 daily. The question was asked:

You sent that telegram, Mr. Franklin?

Mr. Franklin replied:

Yes, sir; I sent that.

Of course, Franklin knew about those telegrams, and he knew about the letters; he knew the entire scheme that was set afoot when these newly made millionaires came to Washington to "put over" a tariff on oil.

Mr. PINE. Mr. President, will the Senator from Wisconsin yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. BLAINE. I yield.

Mr. PINE. Does the Senator now know what the actual cost of the headquarters was?

Mr. BLAINE. Mr. President, it is more important to know that Mr. Franklin came to town with a scheme to trade the votes of Senators for sugar for votes for oil.

Mr. PINE. Will the Senator answer my question?

Mr. BLAINE. Ah, Mr. President, the cost to the American people when that deal is consummated, if it shall be consummated, will be so great that the amounts that have been spent by all lobbyists in this city will sink into insignificance.

Mr. PINE. Will the Senator answer my question?

Mr. BLAINE. Mr. President, the Senator from Montana [Mr. WALSH] has answered the question, and the only purpose the Senator from Oklahoma can have in asking the question again is to attempt to becloud the issue with respect to this trade of votes for oil for votes for sugar.

Mr. PINE. Mr. President, will the Senator from Wisconsin yield?

Mr. BLAINE. I yield.

Mr. PINE. Will the facts becloud the issue? I asked the Senator if he knew what the facts were with respect to the expenditure of money, the cost of the headquarters?

Mr. WALSH of Montana. Mr. President, I have the record before me with respect to that matter, and if the Senator from Wisconsin will pardon me I shall be glad to put it in.

Mr. BLAINE. I will be glad to have the Senator from Montana do so.

Mr. WALSH of Montana. We endeavored to ascertain the expenses of the main office of this organization in Ardmore, Okla. We did not find out what their expenses there were, but this testimony was given to the committee:

Senator CARAWAY. How much was raised for the expense of your office here, Mr. Franklin?

Mr. FRANKLIN. Well sir, I can not answer that definitely, but I would be very glad to send you a certified statement from the office at Ardmore, because the money that is coming has largely been sent in since we have left Oklahoma. I would judge that we have raised somewhere in the neighborhood of \$50,000.

Senator CARAWAY. Has that much been expended here in the office?

Mr. FRANKLIN. No, sir.

Senator CARAWAY. What are your daily expenses?

Mr. FRANKLIN. Oh, they will probably average \$200 a day. That includes our hotel bill and the food we eat.

Senator CARAWAY. Does that include any entertainment expenses?

Mr. FRANKLIN. Well, we have had no entertaining expense, except, I think, we gave a little dinner to the Oklahoma Congressmen, our own folks.

That is the state of the record on the matter. They raised \$50,000 for their operations.

Mr. PINE. But the evidence is that their expenses were from \$200 to \$300 a day.

Mr. WALSH of Montana. The evidence is that their hotel bill was \$200 a day.

Mr. PINE. Is there not evidence to the effect that that was practically the only expense they had?

Mr. WALSH of Montana. Not at all; because we saw an enormous bill for telegrams, running at one time, my recollection is, to \$300, or something like that.

Mr. BLAINE. Mr. President, the examination of Mr. Franklin discloses beyond any doubt whatever that when he arrived on the scene the scheme was put on foot to trade votes for sugar and votes for oil. I am not going to repeat the testimony which I presented on the floor of the Senate before the vote on the oil amendment was taken as in Committee of the Whole, but I want to call the attention of the Senate to the fact that the junior Senator from Oklahoma [Mr. THOMAS], with all his charges, with all his insinuations, in not one single breath did he dispute or attempt to deny that a trade was in process on oil and sugar.

Mr. THOMAS of Oklahoma. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. BLAINE. I decline to yield to the junior Senator from Oklahoma, because he was so very emphatic during the delivery of his remarks that he would not yield, and he has delivered a very lengthy address, which was well prepared, completely written out, and he read it well. I am not criticizing him for that, but I am saying now that in the course of those remarks he made his petty criticism of the committee and the manner in which it conducted the investigation; he raised the question as to the truth and veracity of my statement that from twelve to fifteen hundred dollars a day were expended by the oil organization; he referred to other trivial matters, but not one single denial came from him of the only important question in this whole debate, and that is the proposed trade in votes.

Mr. WATSON. Mr. President, will the Senator from Wisconsin yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. BLAINE. I will yield for a question, but not for a speech.

Mr. WATSON. I am going to ask the question. The Senator has emphatically stated that trades were made. Of course, I saw a statement in the newspapers about trades, and all that sort of thing, but does the Senator know the name of any Senator who traded a vote for oil for a vote for sugar?

Mr. BLAINE. Mr. President, the Senator evidently did not listen to my remarks very closely on Friday, the last day of February, and he evidently does not understand my remarks to-day. I said that when Mr. Franklin came to the city of Washington he set on foot a plan, a scheme, for a trade of oil votes for sugar votes. Whether or not that plan is going to be carried out and consummated will be determined by the final roll call.

Mr. WATSON. No; now—

Mr. BLAINE. Yes, indeed, Senator.

Mr. WATSON. Let me ask the Senator this question: Does the Senator know of any Senator who agreed to swap his vote in consummation of a deal of that kind? Both Oklahoma Senators have denied it emphatically.

Mr. BLAINE. Let me say to the Senator that those Senators, if there are such, who have entered into such a deal did not take me into their confidence at the time they made the exchange.

Mr. WATSON. Then, what right has the Senator to say that the Senator who now votes for a tariff on oil has been traded off by somebody; that Mr. Franklin traded him off when he came here?

Mr. BLAINE. Let me say that Mr. Franklin said so.

Mr. WATSON. Did Mr. Franklin say that every man who voted for oil agreed to swap his vote for a vote for sugar or lumber or steel?

Mr. BLAINE. No; he did not say anything of the kind.

Mr. WATSON. I thought not.

Mr. WALSH of Montana. Will the Senator from Wisconsin permit an interruption from me?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. BLAINE. I yield.

Mr. WALSH of Montana. The information which the committee has on the subject in brief is given in the record. I read from the record, at page 7914, and, if the Senator will pardon me, the introductory part is somewhat lengthy, but the subsequent testimony would not be understood without it:

Mr. John T. Adams telegraphed Mr. Franklin:

"Bonfils, editor Denver Post, tells me he heartily favors it—

That is, the duty—

"He has wired WATERMAN. Mayor Denver has wired both Senators. Other close friends Senators have also wired. We have not ceased efforts by any means. Any success attend you. Continued regards."

"JOHN T. ADAMS."

You can not tell us anything more about Mr. Adams except he is a lawyer in Denver, Colo.?

Mr. FRANKLIN. Yes; I can tell you that he is one of the judges of the Colorado Supreme Court. I would like to further explain, Senator, that I have a summer home out in Colorado in the district from which Judge Adams was elected and that for the last five years he has visited me at my cabin and we fish together for rainbow trout. Last summer after the Colorado conference he came there and spent a week with me.

Senator WALSH of Montana. It looks from the telegram that you were still fishing, Mr. Franklin.

Mr. FRANKLIN. He became very much interested in this tariff matter from Colorado's standpoint, so much so that he accompanied me and several others to Debeck, Colo., to look over the oil-shale deposits of Colorado, where the Colorado Bureau of Mines said that after survey and measurement there were 80,000,000,000 barrels of recoverable oil in that one deposit. We started up a retort at Debeck and made oil from the shales on that occasion. Judge Adams's interest in the matter is from the standpoint of developing Colorado's resources. Colorado's oil shales can never be developed as long as the oil is imported from South America, and he is just as much interested in this in behalf of Colorado as I am in behalf of Oklahoma.

Senator WALSH of Montana. Do you know how successful the efforts were to bring PHIPPS and WATERMAN into life?

Mr. FRANKLIN. Well, I have understood that they would be for a tariff on oil. I could not guarantee them at all, and I know they have a right to change their minds.

Senator WALSH of Montana. Another telegram from Mr. Adams, under date of February 19:

WIRT FRANKLIN,

Mayflower Hotel, Washington, D. C.:

WATERMAN much interested in your proposition, but his support not absolutely assured. He wires that Oklahoma Senators should see value of sugar tariff in which Colorado and West are vitally interested. Follow this up.

JOHN T. ADAMS.

Do you know whether the Oklahoma Senators did become able to see the value of the sugar tariff?

Mr. FRANKLIN. Well, sir, I talked to them about it. I tried to make them see the value of a sugar tariff. I did everything I could to make them see it. I don't know whether they have seen it or not.

Senator WALSH of Montana. Another telegram from Adams to Winbourne:

MAYFLOWER HOTEL,
Washington, D. C.

Must stress necessity of all your people recognizing importance of WATERMAN's suggestion about sugar tariff. Believe if you do he will become aggressively active. See WATERMAN. Use our names, if desired. Wire progress.

ADAMS AND WINBOURN.

Do you know whether WATERMAN did become aggressively active?

Mr. FRANKLIN. No; I do not. I did see Mr. WATERMAN, though, after getting that telegram.

Senator WALSH of Montana. This telegram from you states—it is a telegram to John T. Adams:

"JOHN T. ADAMS,

"State Capitol, Denver, Colo.:

"Yours received. Saw WATERMAN yesterday and again to-day, and believe have matters satisfactorily arranged here for support of both PHIPPS and WATERMAN for oil tariff, but nevertheless suggest that all support possible be given them from Colorado. Secured 2 votes for his cause, which will help Colorado."

Where did you get those two votes?

Mr. FRANKLIN. I talked to the Oklahoma Senators about it.

Senator WALSH of Montana. And they had agreed to vote for—

Mr. FRANKLIN. They said they would support sugar; yes, sir. That is, they would support it up to a certain limit. They would not go beyond a certain limit.

Senator WALSH of Montana. Do you know how they did vote on the sugar tariff before?

Mr. FRANKLIN. No, sir; I don't believe I do.

Senator WALSH of Montana. Who is Earl Callaway?

Mr. FRANKLIN. He is one of our delegation—a Texas oil man from Amarillo, Tex.

Senator WALSH of Montana. I have a telegram under date of February 14, 1930:

"D. R. MEYER,

"Amarillo, Tex.:

"It is very essential that we have good man here from Colorado to stay until fight is over. Neither Senator from Colorado will support tariff. Can't we bring some pressure to bear?"

Mr. FRANKLIN. Who is that from?

Senator WALSH of Montana. This is from Earl Callaway to D. R. Meyer, of date February 14. Your telegram, however, is under date of February 21. By that time they had signified their purpose to vote?

Mr. FRANKLIN. Well, I do not know anything about this Callaway telegram.

That is the information there is in the record, in answer to the inquiry addressed to the Senator from Wisconsin.

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

Mr. BLAINE. If the Senator from Colorado desires to make a statement in this connection, I prefer that he make it in his own time.

Mr. PHIPPS. But I appeal to the Senator, for the reason that he has yielded to the Senator from Montana to read into the RECORD statements which I should be permitted to answer at this moment.

Mr. WALSH of Montana. Mr. President, I think the Senator from Colorado ought to be permitted to do so; and I appeal to the Senator from Wisconsin to allow the Senator from Colorado to make any statement he cares to make.

Mr. PHIPPS. I am always very brief and to the point in my remarks.

Mr. BLAINE. Mr. President—

The VICE PRESIDENT. Does the Senator yield?

Mr. PHIPPS. If the Senator refuses to yield, I will speak in my own time.

Mr. BLAINE. If the Senator desires to discuss the telegram, as it has reference to himself, I will yield to him at this time if I do not thereby yield the floor.

Mr. PHIPPS. Mr. President, will the Senator lose the floor if he permits me to make a short statement in response to what has been read into the RECORD?

The VICE PRESIDENT. The Chair would hold that the Senator would not, the first time.

Mr. PHIPPS. I thank the Senator.

Mr. President, Mr. Winbourn is attorney general of Colorado. I understand that he was in Washington perhaps for several days. As far as I know, he did not call at my office. I did not see him.

I had a telegram from Hon. John T. Adams, a judge of our Superior Court of Colorado, inquiring as to my attitude with reference to a duty on oil. I replied that I was favorable to the duty. I am a protectionist, always have been, and am proud of it. I believe that a duty on oil is essential, and would be of aid to my State, just as I believe a duty on sugar is essential. No one ever approached me with the slightest intimation that if I would favorably consider a duty on any particular product, he in turn would be inclined to favor a duty on some of the products of Colorado.

I believe I had a telegram from the mayor of Denver, although I am not certain. I believe I did have. I had telegrams or letters from several people, because our State is producing oil. There was nothing out of the ordinary in any of these communications that I have received with reference to a tariff on oil or a tariff on anything else; and the question of trade never entered my head.

I have talked to Senators here in the interest of sugar. I tried to state to them our situation. I have talked to some of them as to our situation with regard to the depressed price of silver, but never with any thought in my own mind that I should be asked to make a trade, or to consider favorably the products of other States by reason of securing support for products of my own State.

Mr. CARAWAY. Mr. President, will the Senator permit me to interrupt him?

Mr. PHIPPS. Certainly.

Mr. CARAWAY. I appreciate the Senator's position; and that is the thing that I have most condemned about lobbyists. They have not hesitated to use anybody's name and suggest any kind of an arrangement as if it had been carried out. Nobody's reputation is safe as long as people believe they can come here and finance a campaign and get results by it. They are not respecters of anybody's reputation. The Senator from Vermont [Mr. DALE] was tremendously outraged at a statement one of them made about him, and I do not blame him.

I understand that there has been some criticism of the committee. I was not here. I am not defending my own mannerisms. I think possibly I said more of the unkind things than anybody else. I assume entire responsibility for them, here or anywhere else. If anybody does not like them, I am not asking any immunity from them. I said to the Senator from Oklahoma what I thought about his statement. He is at liberty to repeat it; and I have this to say about it:

I have regretted that it was necessary that people's names should be dragged into this matter. What I wanted to do

was to make lobbying odious. Men who are perfectly willing to get together and put their money with somebody else's money and try to control government, whether it is legislative or executive, are devoid of the fine sense of honor that men ought to have. There is no difference between the man who comes here with his money and wants to buy legislation, whether he does it or not, and Sinclair or Doherty—not a bit.

Mr. PHIPPS. Mr. President, I do not know that the Senator from Arkansas is addressing his remarks to me. I hope not, because I have not said—

Mr. CARAWAY. I just wanted to say that in behalf of the committee. I said I sympathized with the Senator's position.

Mr. PHIPPS. I am in agreement with the Senator as to going beyond what is right and fair in trying to secure consideration, through the tariff, of different articles of produce; but I think I can distinguish between the man who is a producer or a dealer, who comes here to make his own statement, and the man who sits here and makes a profession of taking in money as an employee to advocate anything he is asked to advocate.

Mr. CARAWAY. So can I. The right of petition is guaranteed, and everybody recognizes it, and everybody is glad it exists.

In many respects, I approve the methods of the oil people. I did not approve a statement that they were investigating some Senator to find out if he did not have an investment in Standard Oil, in order to put a blackmailing clamp on him. I did not approve the method of wanting to trade.

Mr. PHIPPS. Mr. President, may I ask the Senator—

Mr. CARAWAY. Pardon me; I was not criticizing the Senator. I said to the committee, and I said to Mr. Franklin, "I appreciate your right, and I admire the way you have come yourself to speak for yourself"; but some other matters I did not approve. I did not approve the idea of wanting to trade.

Mr. PHIPPS. Mr. President, as far as I recall, no member of the Oklahoma delegation called on me directly or sent word to me indirectly; but I think I could distinguish between that committee coming here to state their own case and people who are regularly employed for the purpose of trying to influence legislation.

Mr. CARAWAY. Oh, I can, too; but the Senator does not approve the very system that was involved in those telegrams—

Mr. PHIPPS. Absolutely not.

Mr. CARAWAY. Auctioning the Senator off without his knowledge. It is absolutely reprehensible.

Mr. PHIPPS. If they tried to, it did not reach me.

Mr. CARAWAY. They reached the Senator's feelings very strongly.

Mr. PHIPPS. Oh, I am merely putting my answer in the RECORD.

Mr. WALSH of Montana. Mr. President—

Mr. BLAINE. I yield to the Senator from Montana.

Mr. WALSH of Montana. In line with the statement made by the Senator from Colorado and that made by the Senator from Arkansas that these lobbyists are continually misrepresenting the situation, I want to read from the record here. I read before this telegram under date of February 14. Now, note the date—February 14, 1930. This is from the offices of Mr. Franklin, here in the city, to D. R. Meyer, Amarillo, Tex.:

It is very essential that we have good man here from Colorado to stay until fight is over. Neither Senator from Colorado will support tariff.

That is, the tariff on oil.

Can't we bring some pressure to bear?

That is the 14th.

Mr. PHIPPS. What is the date of that telegram, please?

Mr. WALSH of Montana. February 14.

Mr. PHIPPS. I thank the Senator.

Mr. WALSH of Montana. Now, I read on page 7919:

Senator WALSH of Montana. Pardon me, Mr. Franklin. You did, however, two days later, send the telegram to which your attention has just been called from Mr. Callaway to Mr. Meyer is dated February 14. I now call your attention to your telegram to Judge Adams, of date February 16, 1930, as follows:

"Justice JOHN T. ADAMS,

"Supreme Court Chambers, Denver, Colo.:

"We have large delegation from all oil-producing States, arrived here February 3, and presented to Congress necessity for tariff. Have made headway and believe have excellent chance of securing inclusion oil tariff in pending bill before Senate. Attorney General Winbourn was here first week, but apparently unable to secure support Colorado Senators."

That is the 16th. On the same date there is a telegram from Mr. Franklin to Mr. Winbourn:

WASHINGTON, D. C., February 16, 1930.

Attorney General WINBOURN,

State Capitol, Denver:

Have wired Justice John T. Adams to secure as many prominent Coloradans as possible to urge your Senators to give us support. Suggest you confer with him without delay and you two together work out plan to secure your Senators' adherence to oil tariff without delay. Have progressed steadily, gaining new strength every day, and believe will win fight before Senate. We must have support of States to be benefited.

WIRT FRANKLIN,
Mayflower Hotel.

Do you know whether these two gentlemen did work out some plan?

Mr. FRANKLIN. Well, from the succeeding telegrams there which you have read it appears that they got together and did what they could in the matter in the interest of their own State as well as the United States generally.

And the vote, as taken on February 28, 1930, shows that the two Senators from Colorado voted for the duty on oil.

Mr. PHIPPS. Of course we voted for it. We never thought of doing anything else.

Mr. WALSH of Montana. The closing story is told at page 7922 of the record, as follows:

WIRT FRANKLIN,

Mayflower Hotel, Washington, D. C.:

Court hearing oral argument to-day, but attorney general and I discussed your project this afternoon and are in full accord. Are considering best line of immediate action and will advise you later. When do you leave? Can you return via Denver? You could help materially. Regards.

Were you later advised as to what was considered by them to be the best line of action to bring the two Senators from Colorado into line?

Mr. FRANKLIN. No, sir; except it might have referred to the suggestion to help Colorado get on the sugar tariff, too. That is the only way I could interpret that.

Mr. Franklin's idea about the matter is very clearly set out in his statement of what he thought was the best way to reach that result. Here is his testimony:

Senator CARAWAY. There has been no suggestion that groups get together and trade—you vote for my proposition and I will vote for yours?

Mr. FRANKLIN. Oh, yes. I have heard that suggestion.

Senator CARAWAY. Has it been made in your office?

Mr. FRANKLIN. Well, I don't know that you would call it trading.

Senator CARAWAY. Well, we both know what trading is, you know.

Mr. FRANKLIN. Well, there has been a suggestion that perhaps if Senators wanted one item on the tariff list protected, it might help to unite forces. I have heard that. I have understood all my life that that is the way a tariff bill was made.

Mr. WATERMAN. Mr. President, will the Senator yield to me a moment? I just want to make a brief statement.

Mr. BLAINE. I yield.

Mr. WATERMAN. I do not care to interrupt the Senator at this time, but in my own time I shall have something to say about the matters which appeared to be developed on the face of this record.

I thank the Senator from Wisconsin for yielding to me.

Mr. BLAINE. Mr. President, I understand the junior Senator from Kansas took exception to the fact that I made some remarks in the Senate before the vote on oil was taken, and as a basis for those remarks used the material which had been produced before the committee investigating the subject of lobbying.

The material I used on that occasion was material either introduced in evidence or material that was before the committee, in its possession, and delivered to the committee voluntarily by Mr. Franklin.

Those who would criticize because I chose at that time to drag these ugly facts out into the open I assume would have had the committee take the testimony and put it under lock and key until the vote was taken. The information that was divulged before the committee, and which I, in turn, presented to the Senate of the United States, in my own right, as a Member of this body, was information valuable then, not after the vote was taken.

I presume, from his rather keen criticism, that the junior Senator from Kansas would have much preferred to have had that testimony stated a week after the vote was taken.

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

Mr. BLAINE. I yield.

Mr. ALLEN. I think I had better make a little clearer to the Senator what I meant, if he will permit.

My objection was to the fact that you subpoenaed this man in the hope of getting some half truths, or some suspicious circumstances, and that, having gotten them, you hurried over here with a pettifogging presentation of some material which was not convincing, but which you sought to make convincing by facts misleading and misrepresenting.

Mr. BLAINE. Mr. President, I understood the Senator very well. He has not enlightened me one bit by his recent remarks. I did not subpoena Mr. Franklin. The trouble with the Senator from Kansas is that he takes himself too seriously.

Mr. ALLEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Kansas?

Mr. BLAINE. He would like to set himself up as the judge of what other Senators should do.

Now, Mr. President, I do ask the Senator not to interrupt me again with a speech. I will yield for a question.

Mr. ALLEN. Very well.

Mr. BLAINE. He chooses to make himself a great shining example of exemplary conduct.

Mr. ALLEN. I do think I can help some—

Mr. BLAINE. If a Senator so chooses, that is his responsibility, but I decline to accept his standard. I think it is a wrong standard; I think it is a bad standard. If the Senator proposed to have this testimony suppressed, such conduct would be nothing short of betrayal of our Government. If that is what the Senator means—

Mr. ALLEN. Mr. President—

Mr. BLAINE. Does he mean that a Senator who had that information should have suppressed it until it was too late?

Mr. ALLEN. Mr. President, I have been asked—

Mr. BLAINE. If that is what he means, Mr. President, that is not a standard that should be set as an example for legislators in this country.

Mr. ALLEN. Mr. President, does the Senator yield?

Mr. BLAINE. For a question.

Mr. ALLEN. But the Senator has asked me four questions. Does he yield for me to answer?

Mr. BLAINE. No; I have not asked the Senator any question that he can not answer in his own time.

Mr. ALLEN. The—

Mr. BLAINE. Mr. President, I decline to yield. The Senator will have full opportunity to reply when I get through.

Mr. ALLEN. Very well.

Mr. BLAINE. Mr. President, the information contained in my remarks was material information to which the Senate of the United States was entitled before the vote on oil was taken. I make no apology for having dragged out these ugly facts onto the floor of the Senate before it was too late. The time to act was before the vote was taken. If that be pettifogging, then the Senator from Kansas may make the most of it.

Oh, what a delightful situation it would have been if this committee, investigating lobbying, had taken the testimony, permitted the reporter to transcribe it, had filed that testimony away, and then, at some time in the future, had it printed, long after it could serve any useful purpose. That is what the Senator from Kansas, if I understand his proposition, in his criticism of the Senator from Wisconsin, would have liked to have had done.

Mr. ALLEN. Mr. President—

The PRESIDING OFFICER (Mr. WALCOTT in the chair). Does the Senator from Wisconsin yield to the Senator from Kansas?

Mr. BLAINE. I yield for a question.

Mr. ALLEN. This is merely to clear up a misapprehension in the Senator's mind. My contention is that you had no facts, that you brought no facts here, that you came here with a lot of half truths and insinuations with the purpose of casting reflection which was not justified.

Mr. BLAINE. Mr. President, the Senator from Kansas just listened a few moments ago to the reading of the record by the senior Senator from Montana [Mr. WALSH]. Is the Senator from Kansas deaf? Can he not understand plain language? Does he not understand the questions that were asked and the answers made? The Senator from Montana just read the questions and the answers thereto, and those questions and answers had been made before I made my remarks upon this question some time ago.

Does the Senator claim that those questions and answers were pettifogging? I placed those facts before the Senate.

Mr. ALLEN. I claim that they are not significant. I claim they are the confused remarks of a witness who was not in the proper state of mental composure to realize what he said.

Mr. BLAINE. Mr. President, I decline to yield for any such flimsy excuses as the Senator from Kansas is attempting to offer.

Mr. ALLEN. The man was under duress every moment.

Mr. BLAINE. I decline to yield.

Mr. ALLEN. Very well.

Mr. BLAINE. The Senator from Kansas has stated for the third time that when I brought these facts to the Senate it was pettifoggery, even insinuating that those facts were not even before the committee, when the Senator from Kansas knew, or ought to have known, that the facts as read from the record by the senior Senator from Montana came from testimony under oath before the committee in the forenoon of the day on which we voted on the question of a tariff rate on oil.

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

Mr. BLAINE. I yield.

Mr. CARAWAY. I know that Franklin would not appreciate the Senator's defense of him, because Franklin is a man of great ability. I understand he was a lawyer of some distinction, and then become an oil producer, and I think he is one of the ablest men I ever saw. But the telegrams came from the attorney general and a member of the Supreme Court of Colorado. They were not confused. They were introduced before the committee. Of course, it is the Senator from Kansas who has gotten confused.

Mr. BLAINE. No; but when oil—the magic word—becomes of interest you may expect confusion of mind, and sometimes of purpose. So I am not blaming the Senator from Kansas for his failure to understand this situation. He can not help it.

Mr. CARAWAY. Mr. President, if the Senator will yield—

Mr. BLAINE. I am sorry for the Senator from Kansas.

Mr. CARAWAY. I was going to say that the Senator from Kansas actually has painted a mental picture of himself, and I hope the Senator will say nothing more about it.

Mr. BLAINE. I think I will follow the Senator's advice.

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

Mr. BLAINE. I yield.

Mr. NORRIS. Will the Senator permit me to state what it seems to me is perfectly plain some Senators think the lobby committee ought to have done? They should have asked Mr. Franklin to come before the committee, and then they should have said, in substance, "Now, Mr. Franklin, we are investigating the oil lobby. We would like to have your telegrams and your letters and your statement, but you are under no compulsion to give them if you do not want to. We invite you to give us this evidence, but if you would not like to give it to us, you are excused."

Mr. BLAINE. Mr. President, in conclusion, I want to state that the remarks I made on the occasion heretofore I made, as I have stated, in my own right, as a Member of this body, upon the records and facts that were before the committee of which I am a member. I do not withdraw one single word I expressed on the former occasion. I do not qualify a single statement. What I said then was true, what I said then was a part of the record of the committee. I stand upon that to-day. The Senator from Oklahoma was unable successfully to challenge a single statement of fact.

Mr. President, I have here two telegrams, one from the speaker of the House of Representatives and the other from the secretary of the Senate of the State of Texas, in reply to telegrams which I sent to them asking whether or not the Texas Legislature had passed or approved any memorial favoring a tariff on oil. I ask that the two telegrams be read at the desk.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The telegrams were read, as follows:

AUSTIN, TEX., March 5, 1930.

HON. JOHN J. BLAINE,

United States Senate, Washington, D. C.:

Note on oil tariff memorial in senate, yeas 8, nays 15. No record vote in committee.

BOB BARKER, Secretary.

AUSTIN, TEX., March 5, 1930.

JOHN J. BLAINE,

United States Senate:

Simple resolution relating to tariff on oil killed in committee on federal relations by vote of 5 to 1. It never reached floor of assembly.

W. S. BARRON,

Speaker House of Representatives.

Mr. WALSH of Massachusetts. Mr. President, at the request of the senior Senator from Maryland [Mr. TYDINGS], I desire to offer for the RECORD an important and impressive table showing the cost to the American people of a tariff tax of \$1 a barrel upon oil, if effective. The table shows that the total cost to the American public would be \$900,000,000. The table also shows how much of that cost would be allotted to each of the

several States. As I said, I am offering this in behalf of the Senator from Maryland [Mr. TYDINGS], who is temporarily detained from the Chamber at this time. This table shows that this tax, if effective, will cost the people of Massachusetts \$34,668,000 and of Maryland \$13,040,000.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to follows.

The consumption of oil in 1928 was about 900,000,000 barrels. A tax of \$1 a barrel, if effective, would cost the American people about \$900,000,000 per year. The following table shows the cost by States in round numbers:

Alabama	\$21,132,000
Arizona	3,006,000
Arkansas	15,700,000
California	30,834,000
Colorado	8,451,000
Connecticut	12,420,000
Delaware	2,009,000
District of Columbia	3,933,000
Florida	8,712,000
Georgia	25,650,000
Idaho	3,879,000
Illinois	57,365,000
Indiana	26,370,000
Iowa	21,638,000
Kansas	15,921,000
Kentucky	21,740,000
Louisiana	16,180,000
Maine	6,910,000
Maryland	13,040,000
Massachusetts	34,668,000
Michigan	33,012,000
Minnesota	21,483,000
Mississippi	16,110,000
Missouri	30,630,000
Montana	4,930,000
Nebraska	11,664,000
Nevada	690,000
New Hampshire	3,980,000
New Jersey	28,395,000
New Mexico	3,240,000
New York	93,465,000
North Carolina	23,031,000
North Dakota	5,910,000
Ohio	51,831,000
Oklahoma	18,250,000
Oregon	7,047,000
Pennsylvania	78,480,000
Rhode Island	5,430,000
South Carolina	15,147,000
South Dakota	5,724,000
Tennessee	21,033,000
Texas	39,967,000
Utah	4,040,000
Vermont	3,168,000
Virginia	20,781,000
Washington	12,200,000
West Virginia	13,167,000
Wisconsin	23,688,000
Wyoming	1,746,000

Mr. WATERMAN. Mr. President, when this storm first broke, when the tariff on oil was first considered, if happened that I was not in the Chamber. I ascertained what took place by reading the RECORD a day or two thereafter, when the speech of the Senator from Wisconsin [Mr. BLAINE] was printed in the Appendix of the RECORD of a subsequent date.

I personally know Judge Adams, of the Supreme Court of the State of Colorado, and have known him for many years. I will vouch for him as a reputable citizen and a reputable judge. He was reputable enough to be elected by the people of my State to the high position which he holds with distinction. Mr. Winbourn, to whom reference is made, was elected two years ago as the attorney general of the State of Colorado. He is also a reputable citizen, a reputable lawyer, and a reputable official of that State.

I have always understood that Judge Adams was somewhat interested in the oil question because it was believed that in the San Luis Valley, where he had lived for many years, the underlying strata contains much oil. He may be financially interested in it; I do not know personally.

It was urged to-day that Mr. Winbourn was here in Washington. I did not see him. I was not in the city of Washington at any time while he was present here, so I did not confer with him about this or any other subject whatever. I never have conferred with Judge Adams with reference to the situation.

I frankly say that I never was opposed to a tariff upon oil, and I have never expressed myself as opposed to it. I had nothing to trade. Nobody offered to trade with me for something that I did not have nor for that which I did have.

Mr. Franklin, whose name has been bandied about here, so far as I know, is a reputable gentleman. I know that he is a man of ability and of experience, because I have discovered it from my conversations with him. He was here seeking votes to support a tariff upon oil. He was frank enough to tell me that that was his purpose. He talked about the question; he talked about the advisability of having a tariff upon oil and its probable

effect upon the industry in this country if a tariff was put upon oil. Nothing objectionable ever escaped the lips of Mr. Franklin in my presence.

I have never talked with the junior Senator from Oklahoma [Mr. THOMAS] about the question. I did briefly talk with the senior Senator from Oklahoma [Mr. PINE] at one time for a few moments just before the first vote was taken upon the matter. There was nothing developed in that conversation which was discreditable to him, and I did not suppose there was anything developed that was discreditable to me as a Senator.

I have stated upon the floor of the Senate, and I have stated in the presence of Senators elsewhere that, by the eternal, I will not vote for a tariff upon the products of another State if the Senators from that State vote against protecting the industries of my State, and I stand upon that platform.

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

Mr. WATERMAN. I yield.

Mr. FESS. I listened to the reading of the telegrams from Judge Adams. I take it that he knew that the Colorado Senators believe in a protective tariff. I do not know what his opinion was about the position of the Senators from Oklahoma, but I have been trying to see whether the interpretation which has been placed upon those telegrams can be justified, that Judge Adams is urging that a trade be entered into. I do not see that that is the only interpretation that could be placed upon a telegram of that kind. If I were wiring to some representative in the Senate on a matter of interest to me and if I knew that there were other States interested in a protective tariff on a different article, and if I should say, "Here are people interested in protecting articles in their own States," I can not see that it carries with it something sordid on the basis of a bargain. I have believed in protecting sugar and have so voted. I believe in a protection on oil and have so voted. But certainly I would not be subject to criticism if for any reason I had decided not to vote for a tariff on oil but should vote for a tariff on sugar. Because I should assume that position I should not be subject to the charge of a barter or subject to the charge of prejudice in the matter of voting. I can not understand, if all the evidence we have is such as was read from Judge Adams's telegrams, what basis there is for the charge that oil is being traded for sugar and sugar for oil.

Mr. WATERMAN. So far as I know there is no basis for it. The Senators from Colorado ordinarily are not noisy. They try to attend to their own business and make up their own minds with reference to what they will do upon any subject before the Senate. But any man who knows the senior Senator from Colorado [Mr. PHIPPS], as the people of Colorado know him, and who knows me, as they have known me for 40 years, knows that in season and out of season I am a high-protective man, in favor of protecting every industry in this country no matter in what State it may be. Any of the people who know either of us know that they do not have to trade with us in order to get our votes for the protection of any living industry in this country. It is unnecessary to approach us in that way. No one has ever approached me with any such branch in his hand.

The conversations I have had with Mr. Franklin were full, fair, and frank. I tried to ascertain from him what good a tariff would do him if it were put upon oil. He explained to me how and why, which was perfectly legitimate, I am sure. I have assumed that it was perfectly legitimate for Senators to talk among themselves with reference to the matter and to reach an agreement with reference to these things. We do it here continuously. We agree upon the floor of the Senate upon amendments to pending bills where there is a compromise between conflicting ideas.

Is there anything vicious about it? The very Capital of the United States is located here upon the banks of the Potomac as the result of a compromise and a trade between Alexander Hamilton and Thomas Jefferson. The Constitution of the United States itself was a compromise from start to finish and a trade from start to finish. Everybody knows that one side of the people of this country were contending that the sovereignty of the States must be protected by the Constitution. The others were contending that the people of the different States must likewise be protected. Out of that blazing furnace of discussion came the great covenant of the Constitution of the United States, the result of trades and compromises of which we and all of us are proud.

So I am frank to say that, by the eternal, whenever a proposition comes up on the floor of the Senate with reference to a tariff upon any article, if any Senator votes against a tariff upon articles produced in my State which are not produced in his State, I will not vote for a tariff upon the articles produced in his State. We might as well understand that now as any other time.

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

Mr. WATERMAN. Certainly.

Mr. CARAWAY. Of course, the Senator has a perfect right to defend his own course, but he said a moment ago that he was in favor of a high tariff on every American industry.

Mr. WATERMAN. I am.

Mr. CARAWAY. But the Senator would go back on his announced doctrine. If some other Senator did not vote for a tariff on an article produced in his State, he would punish the whole people.

Mr. WATERMAN. I would punish the people of that State for it, but not the whole people.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Virginia?

Mr. WATERMAN. I yield.

Mr. GLASS. I may have a very defective sense of discrimination, but I am unable to see the difference between a doctrine of that sort and a plain trading of votes.

Mr. WATERMAN. I do not care what the Senator may call it. I think I have seen the Senator vote for protection for articles produced in his State and vote against protection for practically every article produced in every other State.

Mr. GLASS. Oh, no; the Senator has not seen that, and he can not ascribe to me any motive of retaliation for any vote which I have cast.

Mr. WATERMAN. I do not care whether it is retaliation or what it is; the fact exists on the floor of the Senate.

Mr. GLASS. The fact exists in my mind that I can not discriminate a doctrine of that sort from the plain trading of votes.

Mr. WATERMAN. I shall practice it so long as I sit here.

Mr. GLASS. That is the Senator's privilege.

Mr. WATERMAN. And the most can be made of it.

So, I say, Mr. President, that there was no trade so far as I am concerned. I was not opposed to a tariff on oil. I had nothing to give for a vote on sugar. I have been somewhat active around the Chamber and elsewhere in attempting to procure tariff rates on articles produced in my State; I have likewise been somewhat busy in attempting to secure adequate tariff rates upon articles produced in other States which are not produced in my own.

I have been trying to spread the blanket of protection fairly over all the industries of this country; and I say again that when any Senator from any State votes exclusively for the protection of articles produced in his own State and then votes against the protection of articles produced in my State, I will not give him any vote for the protection of the articles produced in his State. We might as well understand that now, gentlemen.

Mr. President, I had not intended to be drawn into this discussion, but we may as well have an understanding. My name has been bandied around here as a trader and a horse jockey and all that. I have stood it until I became out of patience with it. I think the whole thing is merely a tempest in a teapot; that it was conceived and started and brought here and put over for the purpose of killing not only a tariff on oil but a tariff rate on many other articles produced by various industries. That is what I believe about it.

So, Mr. President, my record is entirely open; my record is full and fair before the Senate. I think Senators will understand where I stand and what I propose to do and what I shall do. It may as well be understood now that the people of my State are interested in a tariff upon oil. I have had many communications from them; I have never answered whether I would vote for it or whether I would not, and, as a matter of fact, I do not very often make such declarations in connection with anything, but when I come to vote I have reached a conclusion which has been derived from such information as I could gather here and there, and I have voted in accordance with my conscience. There is no trade; there is no sale; there is no bargain; there is no consideration passing from any Senator here to me nor from me to any other Senator in connection with any vote which has been cast or shall be cast.

Mr. CARAWAY. Mr. President, the Senator from Colorado [Mr. WATERMAN] makes himself perfectly clear that while his predilection is to vote for protection, if a Senator from some other State will not vote to protect articles produced in his State, he will not vote to protect the articles produced in the other Senator's State. I take it that the converse is necessarily true, that if a Senator will agree to vote on articles produced in Colorado the Senator from that State will vote for protection on articles produced in the other Senator's State.

Mr. WATERMAN. I will say that I probably will.

Mr. CARAWAY. I should say that was a trade. The Senator from Ohio [Mr. FESS], whom I have always looked upon

as the public censor of the Senate, it seems, can not understand and does not resent, though I resent, the sending of telegrams offering to trade and saying in effect, "I think we can make this contact." At one time I thought that the Senator had obtained a very dignified place in the educational world, and I necessarily imagined that he understood the English language; but I am perfectly willing to say that I was mistaken about that.

The peculiar thing about this whole matter, Mr. President, is that anybody should feel resentful at there being disclosed what is really transpiring or what people say they are bringing about. If it is honorable, nobody should care; but if anyone is engaged in a dishonorable practice, no honorable man ought to defend it.

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

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Oklahoma?

Mr. CARAWAY. I yield.

Mr. PINE. I will say there is no objection to the facts, but it is the misconstruction of the facts to which we object.

Mr. CARAWAY. The Senator ought to realize that here are 96 Senators, and if they are all so feeble-minded that they can not read a telegram for themselves and know what it means, then God save the States from which they come. It is not a question of interpretation to which any one objects, but it is the fact itself about which Senators complain.

Now to show, Mr. President, a rather unreasonable situation, I agreed with Mr. Franklin that a tariff ought to be levied on oil. I do not indorse the doctrine my friend here on my right [Mr. WATERMAN] enunciates, that he is for a protective duty on any article produced in my State if I am for a protective duty on everything produced in his State, but otherwise he is against imposing a protective duty on anything produced in my State unless I am for protecting everything produced in his State. If that is the way this tariff bill is to be written, if the merits of various proposals are to be disregarded, the American people then will have no protection against exorbitant rates. Because my observation has led me to the conclusion that ordinarily Senators are too much inclined to appraise the needs of their own State above what other people who are disinterested may set upon them. But if the rule is to be that the interests of my State are to be slaughtered unless I myself am willing to lay aside my judgment as to rates which ought to be written into this bill on articles produced in other States, this new manner of writing tariff bills is going to be a revelation to the American people, and I shall be very much surprised if they do not resent that way of legislating.

Now, I want to say a word about the so-called lobby committee. I am chairman of that committee, but not from my own solicitation. If the chairman of the Judiciary Committee were present, and if other members of that committee were present, they would bear me out in the statement that I asked that some other Senator be given that place.

The Senator from Indiana [Mr. ROBINSON] never complained about the manners of that committee, and any danger its activities might involve to the public interest, until the gentleman who was before the committee to-day first appeared as a witness some days ago. Then, for the first time, we commenced to hear about a Democratic committee, and about its being unfair.

The witness to whom I referred is the only witness as to the treatment by the committee he has protested there was a violation of his rights. In that committee the rule has prevailed, as every member of the committee knows, that if any member wanted to subpoena—not subpoena, because we have issued but three subpoenas—but if a member wanted a witness invited to come he had only to indicate his desire. We left it to each Senator's honor to say what he thought ought to be investigated about a matter under consideration before the committee. And then when that question was disposed of if it was desired by any member of the committee to inquire into something else the committee were willing that that should be done. It has been a harmonious committee until recently, when one member of the committee complained because he objected to the unearthing of certain things with reference to a witness who was then and is now before the committee, and that is all. That is the first time and the only time he has objected to either manner or substance of the committee's activities.

I do not object to criticism of the committee. I have said—and I want to repeat—that we have used whatever methods we thought were necessary to ascertain the facts; but I should like to have those Senators who complain about the committee to remember that there has been but one witness who appeared before the committee since it was organized who was not friendly to the activities that were being investigated. The former secretary of a Senator, Mr. Russell, of Utah, had a grievance against the Senator from Utah [Mr. KING]. But none of us, so far as I am aware, knew this until he appeared before

the committee. We have never invited and have never encouraged or permitted anybody who had a grievance to come before the committee. There are stacks of letters in my office, as well as telegrams, from people wanting to come before the committee, but when it was ascertained that they had some personal grievance invariably they have been denied the opportunity to testify.

As to every organization that has been investigated, witnesses have been selected for that organization, and every man who has been before the committee has been asked if there was anyone he wanted to testify, and if he has named a witness we have procured that witness for him, so that every phase of the case is gone into.

We have investigated the American Tariff League, for instance, and every witness was either a member of that organization or somebody whom the organization wanted called. While the committee was investigating those seeking a higher tariff, it was suggested by the Senator from Indiana that we ought to go into the activities of those who wanted lower tariff, and every witness wanted was brought here. Those witnesses were turned over to the Senator from Indiana to inquire into their activities. He wrote the report dealing with that phase of the subject.

The committee's action has been unanimous on every matter, and the only complaint, as I have said, that has arisen in the committee has been over the examination of the gentleman who was before the committee to-day.

Mr. President, there has been complaint—and with this observation I am through—about the bad manners of the committee. That is largely due to my mannerisms. I am not defending my manners, Mr. President, but I would not advise anybody else to copy them. Sometimes I myself have felt, after a hearing was over, rather regretful for some of the things I have said. The truth is I always regret an unkindness done or said. I have no ill will against any living being. I am willing, however, I repeat, to assume the responsibility for everything I have said or the committee has done. I have not objected to any witness incorporating anything in the record that he desired as a statement, except one thing.

When the junior Senator from Pennsylvania [Mr. GRUNDY] was before the committee, and enunciated his famous doctrine that the Senators from "backward States" should not vote when tax measures were being voted on or refunds were being voted to corporations who had paid money to the Government, he registered with the committee a solemn promise that he was going to submit to us a list of Senators, common and preferred; and I then insisted that he live up to it. He brought in a statement at one time and handed it to me, after he had given it to the newspapers, in which he undertook to rehash his theory about the mistakes of the fathers, but did not give us the list of Senators. I refused the statement. I excused him, however, for not complying. I knew it was embarrassing, and I was perfectly willing to let it go although I was willing to be classed as one of those common Senators who very much offended his sense of what the fathers ought to have done.

I thought then that it was a pleasantry, and I think so still. I really doubt very seriously if the Senator from Pennsylvania would rewrite the Constitution; and, facetiously, I said that if Pennsylvania had been given all the Senators that the Senator from Pennsylvania thought it ought to have, the high cost of electing a Senator in Pennsylvania would have been prohibitive.

If Pennsylvania had been awarded 57 Senators—and I think that is the number that the Senator from Pennsylvania thought its great industrial wealth entitled it—knowing how much it cost to nominate and elect a Senator in Pennsylvania, I doubt if the great wealth of the Senator and the State at large could have supported the election of that many Senators.

I said that I thought the Senator from Pennsylvania was indulging in a facetious vein. I loved to hear him talk. I did not have to agree with him, and I do not; but I realized that he was not going to be with us long, and I was willing to accord him the opportunity of expressing anything he felt with reference to that subject.

I did not hear the speeches of criticism of the committee, and I am glad I did not. I did hear the speech of the Senator from Indiana [Mr. ROBINSON]; and I rather think if I were the Senator from Indiana that I would have objected in the committee, instead of going on the floor to denounce the committee.

Personally, I do not want anybody to feel any obligation to defend my course of conduct on that committee. I should feel humiliated if anyone felt that he ought to do it. I shall do that for myself if it becomes necessary; but I do not feel that it is necessary.

Mr. PINE. Mr. President, in the State of Oklahoma we have a group of socialists. That group in 1924 supported La Follette and WHEELER. They have a paper down there that is known as the Oklahoma Weekly Leader. It is edited by Oscar Ameringer and Dan Hogan, who have keen minds, and know how to express themselves.

I have an editorial from that paper which appeared in the issue of March 6, 1930. I send it to the desk and ask that it be read.

Mr. CARAWAY. Mr. President, may I ask the Senator a question? I do not know what the editorial says. Does the Senator indorse what it says?

Mr. PINE. I do.

Mr. CARAWAY. The Senator makes it personal?

Mr. PINE. I do.

Mr. CARAWAY. All right.

The VICE PRESIDENT. Without objection, the editorial will be read.

The Chief Clerk read as follows:

[From the Oklahoma Weekly Leader of Friday, March 6, 1930]

THE PROGRESSIVES BLUNDER

In voting with the Standard Oil Senate Republican group against the tariff on crude oil, the Progressive contingent, led by Senators BLAINE, LA FOLLETTE, NORRIS, and WHEELER indulged in some loose thinking and jumped at conclusions in a manner savoring of Old Guard psychology.

Their arguments were the generally sound arguments of the free-trade advocates. But their application of these arguments to the proposed tariff on crude oil shows how far present Progressives have drifted from the keen reasoning and probing leadership that characterized the attitude of the senior La Follette. In the name of a great principle, Senator BLAINE denounced the lobby of the oil independents in terms formerly reserved by the senior La Follette for the Standard monopolists. The elder Wisconsin statesman set forth all too convincingly that the price of gasoline had no relation to the price of crude; that the oil monopoly charged what the traffic would bear, save when engaged in driving an independent operator to the wall. To hear Senator BLAINE contend that a tariff on oil would raise the price of gasoline, in the face of recognized monopolistic control and the enormous margin between the cost of producing gasoline and its price of sale, is laughable. The Wirt Franklin lobby is the first encouraging sign since the great La Follette inquiry of a stand by the independents against the refining monopoly.

The trite argument of Senator BLAINE for conserving our supply by encouraging the import of cheap crude could only be founded on ignorance of the fact that true conservation is best served by keeping the price at a point where it will be possible to pump the vast number of small oil wells that must be abandoned and lost forever once the load of foreign crude forces the price too low for their profitable operation.

The price of crude throughout the mid-continent area bears directly upon the farmer himself, and an oil tariff to him is as vital farm relief as the measures taken to protect the price of cotton, corn, and wheat. Southwestern cooperatives are pooling their royalty rights, as they pool cotton and wheat, through a movement which promises salvation in direct proportion as oil may be saved from the same deflation that has crushed agriculture.

If Senator BLAINE is so concerned for the gasoline consumer, let him direct an intelligent inquiry into the forces that fix gasoline prices, not launch invectives at the independent producers, whose interests are identical with those of the small landowner.

Free importation of crude oil under a high-tariff governmental policy has the same earmarks of discrimination as characterize the failure to apply export debentures for agricultural commodities. The arguments of the free trader fall flat when applied to one commodity, especially when applied to that commodity by progressives who are supposedly rational, and who gladly espoused the export debenture proposal to maintain the prices of agricultural commodities. The export debenture would have affected consumer prices. The crude-oil tariff would not.

Mr. WHEELER. Mr. President, I thought there was a rule against putting in the Record or reading any article which was libelous against a Member of the Senate. If I am not mistaken, this article is libelous, in that it charges me and others with Old Guard psychology.

The VICE PRESIDENT. The rule relates to debate. The Chair, however, will take advantage of this opportunity to state that hereafter Senators must observe the rule in reference to characterizing the conduct of other Senators in their debate, and hereafter the Chair will call to order any Senator who violates Rule XIX.

Mr. BLAINE. Mr. President, I ask to have read by the clerk a copy of a letter addressed by myself to Mr. John A. Simpson, of Oklahoma City, Okla.

The VICE PRESIDENT. Without objection, the letter will be read.

The Chief Clerk read as follows:

MARCH 10, 1930.

Mr. JOHN A. SIMPSON,

President Farmers' Educational and Cooperative Union,
Oklahoma City, Okla.

DEAR MR. SIMPSON: I am in receipt of your telegrams and letter of recent date.

"Oil" seems to be a magic word. Nations go to war for oil. Oil has corrupted officers of the Government in high places. Now, you propose to tax a natural resource on the plea of "farm relief."

"Farm relief" has been a slogan upon the banner of every sordid interest that has been seeking special favors and the privilege to pick the farmers' pockets. Indeed, "farm relief" has been so thoroughly exploited by the same sordid, selfish interests that the farmer will be relieved of everything, except the right to toil, that others may profit.

No, Mr. Simpson, I am not engaged in the prevalent pastime of handing gold bricks to the farmers.

Oil, sugar, cement, lumber—all to be taxed in the name of "farm relief." Oh, the crimes that are being committed in that name!

And Standard Oil is a silent partner in the game that is being played here. And for whose benefit? The new crop of multi-millionaires have banded themselves together, as so-called independent petroleum producers, to pull the chestnuts out of the fire for Standard Oil.

If it were not for the tragedy of the situation it would cause serious men to laugh.

Yours very truly,

JOHN J. BLAINE.

Mr. FESS. Mr. President, there has been a lot of confusion about the votes when we have taken an item off the free list and put it on the dutiable list. We have followed the practice of having two votes—first when we put on the duty, and second when we took the item off the free list. Also, when we have taken an article off the dutiable list and put it on the free list we have been following the practice of having two votes.

There are many Members of the Senate who think that one vote ought automatically to operate on the second proposition. For example, if we put oil upon the dutiable list, the practice heretofore would be that we would then vote to take it off the free list. It seems to me that that opens up unlimited debate.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. FESS. Yes; I yield.

Mr. THOMAS of Oklahoma. My amendment provides, first, that oil shall be transferred to the dutiable list, and the last line or two provides that the lines in the present bill that put oil on the free list shall be stricken from the bill. Anyone could ask that the amendment be divided; but if the whole thing carries, the whole thing is taken care of.

Mr. FESS. But after talking with the Senator from Utah it was agreed that a unanimous-consent request should be presented.

Mr. SMOOT. I hope the Senate will agree to this unanimous-consent request.

Mr. LA FOLLETTE. Mr. President, the Senator from Nebraska [Mr. NORRIS] objected to that this morning when the Senator from Utah asked it.

Mr. FESS. This has not as yet been presented. I will withdraw it for the present.

Mr. LA FOLLETTE. I suggest the Senator wait until the Senator from Nebraska returns.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the junior Senator from Oklahoma [Mr. THOMAS] as modified.

Mr. WALSH of Montana. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Allen	Couzens	Hastings	McCulloch
Ashurst	Cutting	Hatfield	McMaster
Baird	Dale	Hawes	McNary
Barkley	Fess	Hayden	Metcalf
Black	Fletcher	Hebert	Moses
Blaine	Frazier	Heflin	Norbeck
Blease	George	Howell	Norris
Borah	Glass	Johnson	Nye
Bratton	Glenn	Jones	Oddie
Broussard	Goff	Kean	Overman
Capper	Goldsborough	Kendrick	Philpps
Connally	Hale	Keyes	Pine
Copeland	Harris	La Follette	Pittman

Ransdell	Simmons	Thomas, Okla.	Walsh, Mass.
Robinson, Ind.	Smoot	Townsend	Walsh, Mont.
Robison, Ky.	Steck	Trammell	Waterman
Schall	Steiner	Vandenberg	Watson
Sheppard	Swanson	Wagner	Wheeler
Shortridge	Thomas, Idaho	Walcott	

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

The question is on agreeing to the amendment offered by the Senator from Oklahoma as modified. The yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CUTTING (when his name was called). On this question I have a pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]. If the senior Senator from Minnesota were present, he would vote "nay"; and if I were permitted to vote I would vote "yea."

Mr. GLASS (when his name was called). I have a nontransferable pair with the senior Senator from Connecticut [Mr. BINGHAM]. In his absence I am unable to vote. If permitted to vote, I would vote "nay."

Mr. McNARY (when his name was called). On this vote I am paired with the senior Senator from Mississippi [Mr. HARRISON]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. OVERMAN (when his name was called). I transfer my pair with the Senator from Illinois [Mr. DENEEN] to the Senator from Massachusetts [Mr. GILLET] and vote "nay."

Mr. THOMAS of Idaho (when his name was called). On this vote I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. If he were present and permitted to vote, he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. TOWNSEND (when his name was called). On this vote I have a general pair with the senior Senator from Tennessee [Mr. McKELLAR], who I understand, if present, would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I am unable to secure a transfer. I understand that if the Senator from South Carolina were present he would vote "nay." If I were permitted to vote, I would vote "yea."

The roll call was concluded.

Mr. GLENN. I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. I understand that if present he would vote "nay," and if I were permitted to vote, I would vote "yea."

Mr. CARAWAY. I have a pair with the senior Senator from Vermont [Mr. GREENE]. I do not know how he would vote if present, and being unable to get a transfer, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. WAGNER. I have a pair with the Senator from Missouri [Mr. PATTERSON] who would vote "yea" if present. The Senator from Kentucky [Mr. ROBISON] has a pair with the Senator from Washington [Mr. DILL], who would vote "nay" if present. I transfer my pair to Mr. ROBISON's pair, allowing Mr. ROBISON and myself to vote, and leaving Mr. DILL and Mr. PATTERSON to stand paired. I vote "nay."

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

The Senator from Wyoming [Mr. SULLIVAN] with the Senator from Tennessee [Mr. BROCK]; and

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Maryland [Mr. TYDINGS].

If present, the Senator from Wyoming [Mr. SULLIVAN] and the Senator from Pennsylvania [Mr. GRUNDY] would vote "yea," and the Senator from Tennessee [Mr. BROCK] and the Senator from Maryland [Mr. TYDINGS] would vote "nay."

I also desire to announce the following general pairs:

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING]; and

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 29, nays 38, as follows:

YEAS—29

Allen	Goldsborough	McCulloch	Sheppard
Baird	Hastings	Moses	Shortridge
Bratton	Hatfield	Oddie	Steiner
Broussard	Hebert	Phipps	Thomas, Okla.
Capper	Johnson	Pine	Waterman
Connally	Jones	Pittman	
Fess	Kean	Ransdell	
Goff	Kendrick	Robison, Ky.	

NAYS—38

Ashurst	Couzens	Hayden	Norbeck
Barkley	Fletcher	Heflin	Norris
Black	Frazier	Howell	Nye
Blaine	George	Keyes	Overman
Blease	Hale	La Follette	Robinson, Ind.
Borah	Harris	McMaster	Schall
Copeland	Hawes	Metcalf	Simmons

Smoot	Trammell	Walcott
Steck	Vandenberg	Walsh, Mass.
Swanson	Wagner	Walsh, Mont.

NOT VOTING—29

Bingham	Gillett	McKellar	Sullivan
Brock	Glass	McNary	Thomas, Idaho
Brookhart	Glenn	Patterson	Townsend
Caraway	Gould	Reed	Tydings
Cutting	Greene	Robinson, Ark.	Watson
Dale	Grundy	Shipstead	
Deneen	Harrison	Smith	
Dill	King	Stephens	

So the amendment of Mr. THOMAS of Oklahoma, as modified, was rejected.

Mr. LA FOLLETTE subsequently said: I ask unanimous consent that there may be inserted in the RECORD following the vote on the oil amendment of the Senator from Oklahoma [Mr. THOMAS] taken this evening, the vote on the same amendment taken in Committee of the Whole on February 28, 1930.

There being no objection the vote was ordered to be inserted in the RECORD, as follows:

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

Mr. BLEASE (when his name was called). Making the same announcement as on the previous vote, I withhold my vote.

Mr. VANDENBERG (when Mr. COUZENS's name was called). My colleague the senior Senator from Michigan [Mr. COUZENS] is necessarily absent from the Chamber. If present, he would vote "nay."

Mr. GEORGE (when his name was called). I have a pair with the Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the senior Senator from Michigan [Mr. COUZENS] and vote "nay."

Mr. GLENN (when his name was called). On this question I have a special pair with the junior Senator from New York [Mr. WAGNER], who is necessarily absent. If he were present, I understand he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. NORRIS (when Mr. HOWELL's name was called). I desire to announce that my colleague [Mr. HOWELL] is necessarily absent from the Chamber. If he were present, on this question he would vote "nay."

Mr. McKELLAR (when his name was called). Making the same announcement as on the previous vote with reference to my pair with the Senator from Delaware [Mr. TOWNSEND] and its transfer to the junior Senator from Nebraska [Mr. HOWELL], I vote "nay."

Mr. ODDIE (when his name was called). On this question I have a pair with the senior Senator from North Carolina [Mr. SIMMONS]. If he were present, I understand he would vote "nay." If I were permitted to vote, I would vote "yea."

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

The roll call was concluded.

Mr. FESS. On this question I desire to announce that the Senator from Idaho [Mr. THOMAS] is paired with the Senator from Montana [Mr. WHEELER].

The Senator from Wyoming [Mr. SULLIVAN] is paired with the Senator from Maryland [Mr. TYDINGS];

The Senator from New Hampshire [Mr. MOSES] is paired with the Senator from Vermont [Mr. GREENE];

The Senator from Rhode Island [Mr. HEBERT] is paired with the Senator from Massachusetts [Mr. GILLET]; and

The Senator from Wyoming [Mr. KENDRICK] is paired with the Senator from Minnesota [Mr. SHIPSTEAD].

If present, the Senator from Idaho [Mr. THOMAS], the Senator from Wyoming [Mr. SULLIVAN], the Senator from New Hampshire [Mr. MOSES], the Senator from Rhode Island [Mr. HEBERT], and the Senator from Wyoming [Mr. KENDRICK] would vote "yea," and the Senator from Montana [Mr. WHEELER], the Senator from Maryland [Mr. TYDINGS], the Senator from Vermont [Mr. GREENE], the Senator from Massachusetts [Mr. GILLET], and the Senator from Minnesota [Mr. SHIPSTEAD] would vote "nay."

I also wish to announce the following general pairs:

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Connecticut [Mr. BINGHAM] with the Senator from Virginia [Mr. GLASS];

The Senator from Ohio [Mr. McCULLOCH] with the Senator from Iowa [Mr. BROOKHART]; and

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING].

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

I also desire to announce the necessary absence of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED], who are delegates from the United States to the Naval Arms Conference meeting in London, England.

The result was announced—yeas 27, nays 39, as follows:

Yeas, 27: Messrs. Allen, Baird, Bratton, Broussard, Capper, Caraway, Connally, Cutting, Fess, Goff, Goldsborough, Grundy, Hastings, Hatfield, Johnson, Jones, Kean, Patterson, Pine, Ransdell, Robison of Kentucky, Sheppard, Shortridge, Steiwer, Thomas of Oklahoma, Waterman, and Watson.

Nays, 39: Messrs. Ashurst, Barkley, Black, Blaine, Borah, Brock, Copeland, Dale, Dill, Fletcher, Frazier, George, Hale, Harris, Harrison, Hawes, Hayden, Heflin, Keyes, La Follette, McKellar, McMaster, Metcalf, Norbeck, Norris, Nye, Pittman, Robinson of Indiana, Schall, Smith, Smoot, Steck, Stephens, Swanson, Trammell, Vandenberg, Walcott, Walsh of Massachusetts, and Walsh of Montana.

Not voting, 30: Messrs. Bingham, Blease, Brookhart, Couzens, Deneen, Gillett, Glass, Glenn, Gould, Greene, Hebert, Howell, Kendrick, King, McCulloch, McNary, Moses, Oddie, Overman, Phipps, Reed, Robinson of Arkansas, Shipstead, Simmons, Sullivan, Thomas of Idaho, Townsend, Tydings, Wagner, and Wheeler.

So the amendment of Mr. THOMAS of Oklahoma was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9979) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 19, 27, 49, and 50 to the said bill and concurred therein, and that the House insisted upon its disagreement to the amendments of the Senate numbered 23, 46, and 47.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

The PRESIDENT pro tempore. The Chair lays before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 9979) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1930, and June 30, 1931, and for other purposes, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, March 19, 1930.

Resolved, That the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9979) entitled, "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes."

IN THE HOUSE OF REPRESENTATIVES, March 19, 1930.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 19, 27, 49, and 50 to the bill (H. R. 9979) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, and concur therein.

That the House insists upon its disagreement to the amendments of the Senate Nos. 23, 46, and 47.

Mr. JONES. Mr. President, the Senator from South Dakota [Mr. McMASTER] has entered a motion to reconsider the vote by which the conference report was agreed to. I am not disposed to take advantage of any technical objection that I might raise and therefore I am ready to have the matter disposed of so we can get the bill through as quickly as possible.

Mr. McMASTER. The object of making the motion for a reconsideration involves an item of \$1,100,000 appropriated for educational purposes for the Indian children. We are asking for a reconsideration not for the purpose of increasing the appropriation, but for the purpose of a redistribution of the appropriation itself in order that we may maintain decent food standards and clothing standards for the Indian children of the country.

On June 18, 1929, the President of the United States, I am informed, appointed a commission composed of Dr. Marshall C. Guthrie, medical director of the Indian Bureau; Dr. Edith Hawley, of the Bureau of Home Economics of the Department of Agriculture; Dr. Frances Rothert, of the Children's Bureau; and Dr. E. Blanche Sterling, of the United States Public Health Service. This commission, after its investigation, declared that a minimum health subsistence ration for Indian

children in boarding schools would cost 39.1 cents a day wholesale. This figure was pared down by the Indian Bureau to 37.8 cents a day, and President Hoover, in December, asked Congress for appropriations to provide food immediately for every Indian boarding school in the amount of 37.8 cents a day. President Hoover in December asked the Congress for an appropriation to provide food immediately for the Indian children based upon that figure. He also recommended that the clothing appropriation should be increased from the amount of \$22 per capita per year to \$44 per capita per year.

The Senate Appropriations Committee recommended for food for these children the sum of \$480,000. That would have maintained the standard recommended by the President's commission. The conference committee pared that amount down to \$195,000. The Senate Appropriations Committee recommended \$200,000 for clothing, and the conference committee pared that amount down to \$50,000. That is a great reduction from the recommendations made by the President's commission which was appointed for the purpose of investigating this question. I can not see any reason why these amounts should be pared down and then the sums appropriated for equipment and livestock. The appropriation for equipment and livestock was increased from \$350,000 to \$565,000, taking that additional sum from the food and clothing that should go to these Indian children.

The case is so clear that it seems to me the Senate ought to reconsider the vote by which the report was adopted and give to these Indian children the food and clothing to which they are entitled in the amount which was recommended by the President's commission.

Mr. JONES. Mr. President, the conferees have agreed upon the identical item which the House approved, and that is in the amount of \$1,100,000. In the House the money was not distributed. The Senate Appropriations Committee reported a distribution of \$1,100,000 and in the conference I think we have made a very good distribution under all the circumstances. We want to get the bill through as quickly as possible. There are some important developments that will have to stop unless we do.

This is a deficiency bill. We will have the general Interior Department appropriation bill before us shortly that takes care of the Indians. If an adequate provision has not been made in this bill we can make it in that bill. The appropriation in this bill continues over not only through the rest of this fiscal year but during the next fiscal year. We can supplement that and take care of conditions that may be necessary in the Interior Department appropriation bill.

Let me call attention to the amount which has been distributed. Of the \$1,100,000 there is \$435,000 for subsistence; that is, there is \$195,000 in one item, \$40,000 in another, and \$50,000 in another. The amount for dairy herds has been increased to \$150,000 and that is the same as subsistence. As a matter of fact, that is where we have taken care of the children in that way. Out of the total amount of \$1,100,000, the amount of \$435,000 is distributed for subsistence.

Mr. McMASTER. Mr. President, will the Senator inform the Senate why the Senate Appropriations Committee in compliance with the President's recommendation appropriated \$480,000 for food for children and why that amount was cut to \$195,000 in conference?

Mr. JONES. It is not cut to \$195,000. It is practically placed at \$435,000, just as I have stated.

Furthermore, it must be realized that in conference there must be concessions on both sides. Concessions were made on both sides in this case. I think we have made a pretty liberal distribution of the \$1,100,000 under all the circumstances. As I said, if that does not take care of the future, it can be dealt with in the regular 1931 appropriation bill for the Interior Department.

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

Mr. JONES. Certainly.

Mr. COPELAND. Is it true that from this sum which we set aside for food and clothing a very large sum was taken out for equipment and livestock, about \$215,000? The thing I have in mind is a diversion of funds which we thought in the Committee on Appropriations we were voting for the food of these children and for their clothing. Was that reduced in a way to put it into some material things rather than the life and welfare of these youngsters?

Mr. JONES. Quite the contrary to the last suggestion of the Senator with reference to the welfare of the children. There is a difference of opinion among the individuals as to what is most important for us to do now, whether it is to furnish a very largely increased amount for clothing and for subsistence, or whether a smaller amount should go for equipment for the

various schools throughout the country that will relieve the children from a great deal of hard labor and hard work and give them more time and furnish more facilities for their education. There is a difference of opinion with reference to the relative merits of the propositions. We have secured a large increase for subsistence; we have secured a considerable amount for equipment and furniture. There is very poor furniture in many of the Indian schools throughout the country. They ought to have reasonably good furniture. There is very poor equipment in many of the schools. Much of the time of many of the children is taken up in really hard work which they ought to have for educational purposes. This will be taken care of by the equipment, the up-to-date machinery, especially along the lines of laundry equipment and things like that.

I will say frankly to the Senator that my personal opinion was that they could do a great deal of this work, and that it would really be better for them to do it, and that the first consideration should be food and nourishment. There is a very considerable increase for that purpose, and if it is not sufficient, as I believe it is not for the future, it can be taken care of in the regular Interior Department appropriation bill that deals regularly in 1931 with this very matter. This is a deficiency bill that ordinarily would carry the appropriations along to June, 1930.

Mr. SWANSON. Mr. President, this is simply a bill to take care of them until the regular appropriation is made?

Mr. JONES. That is really what is expected, but we continue on into the next year whatever is not used in this year.

Mr. SWANSON. The deficiency bill makes an appropriation to take care of the immediate situation, and after it is made it can be extended and continued until the next year, as I understand is done in this bill. In the general legislation, if we think they need more, we can give it to them at that time.

Mr. McMASTER. Mr. President, will the Senator from Washington yield further?

Mr. JONES. Certainly.

Mr. McMASTER. The statement to the effect that this is an emergency appropriation just to cover the present emergency—

Mr. JONES. I think I said it is a deficiency measure.

Mr. McMASTER. Very well; but I want to explain the situation. The \$480,000 for food is not in the sense of an emergency except in that it is an increase of the standards of food for these children during the balance of this fiscal year and the next fiscal year. That is the object of the increased appropriation. The conference committee have taken the \$480,000, which the Senate Appropriations Committee recommended for that purpose in order to elevate the food and clothing to a proper standard, and have deducted \$215,000 from the food requirements and from the clothing requirements and added it to the item for equipment. That is what has been done. It is an unfair thing to do. These children ought to receive the standards of food and the standards of clothing that were recommended by the commission appointed by the President. It would only take a short time to correct the situation.

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

Mr. JONES. Certainly.

Mr. BRATTON. I understand it is contemplated to add to the dairy herds for the various schools. Is that catalogued as equipment and would they be purchased out of the \$215,000 shifted from food and clothing to equipment?

Mr. JONES. That is taken out of the \$585,000 which is estimated by the department for equipment, furniture, and dairy herds. Out of that it was figured by the department that there would be about \$94,000 for dairy herds. We have increased that to \$150,000.

Mr. SWANSON. As I understand, the only contention is that the conference committee did not allow enough for food and clothing?

Mr. JONES. I suppose that is the complaint.

Mr. SWANSON. The sum of \$250,000 would certainly take care of all demands for food and clothing until the regular appropriation bill can be passed relating to the Interior Department.

Mr. JONES. With reference to clothing, the Senate provided \$100,000.

Mr. McMASTER. No; \$200,000, and that met the requirements of the recommendations of the President's commission.

Mr. JONES. I do not know whether it met the requirements of the President's commission or not. The amount in the distribution as provided in the House was \$30,000. That has been increased to \$50,000 for clothing. This is the reason for it. This is the season of the year where generally on these reservations they do not need very expensive clothing, they do not need winter clothing or anything of that kind, and it was thought that \$50,000 would be sufficient, at least as a deficiency

measure, until the regular appropriation takes effect and is made available.

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

Mr. JONES. I yield.

Mr. HAYDEN. If anyone can complain about the reduction in the amount allotted for clothing, I can. It was on my motion that the item was increased to \$200,000 by vote of the Senate. The conferees reduced the amount to \$50,000; but the chairman assures us—and I must take his word for it, because it sounds so sane and so logical and so reasonable—that \$50,000 is sufficient to take care of the immediate clothing needs of the Indians; that the regular Indian appropriation will come along a little later, and if more money shall be needed for clothing it can be provided for in that measure. So, for my part, I am willing to vote to approve the conference report and let this deficiency bill become a law.

Mr. McMASTER. Then the Senator is willing to decrease the standards of food for the Indian children?

Mr. HAYDEN. Not at all. Let us finish up with the clothing item first. The clothing item was \$200,000 as passed by the Senate. This bill appropriates \$50,000. If, upon investigation, it shall be determined by the Committee on Appropriations that more money is needed, the committee will amend the Interior Department appropriation bill and provide in that bill for the necessary amount, so that no Indian child will be without clothing next winter. We can take care of the clothing question completely.

Now as to the food item. I think one of the finest things there is in this measure is the \$150,000 for the purchase of dairy cattle. Nothing is better for the Indian children than fresh milk, and we propose to purchase for every Indian boarding school, where it is possible, as many fine dairy cows as may be needed, which will furnish the children with fresh milk.

There was no such provision at all as that in the President's Budget estimate; it is a new idea sponsored by Representative Cramton in the House, and I think is one of the best proposals that have been made. Nothing can be better for the Indian children than fresh milk. We have provided for a dairy herd for every one of those schools. So when it is said that we have deducted from the food item, it certainly ought to be admitted that there has been added \$150,000.

Mr. McMASTER. As to the food increase represented by the dairy herd that is going to be purchased—and there can not be any great number purchased in 60 days—it will increase the value of the food allowance to these children by 2 cents a day; and we will not, in this appropriation bill, come anywhere near the requirement of an allowance of 37½ cents a day for the Indian children.

Mr. HAYDEN. Mr. President, if the Senator will allow me, I will say that the entire matter can be threshed out when we come to consider the Interior Department appropriation bill, and, therefore, I do not feel justified in voting against the adoption of the conference report.

Mr. JONES. Mr. President, I do not feel that we have provided as much money as may be necessary in this deficiency bill; I know that we have not brought the per capita amount for the children up to where, in my judgment, it ought to be, but we have increased it over what it is now, and we have made a considerable increase, though not, as I have said, all that should be made; but, as has been said, that can all be taken care of, and I have no doubt will be taken care of, for the next fiscal year in the regular appropriation bill.

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

Mr. JONES. I yield to the Senator from New York.

Mr. COPELAND. Mr. President, what is known as the Hoover standard of feeding would cost 37.8 cents a day.

Mr. JONES. That is correct.

Mr. COPELAND. And when we voted this money down-stairs we thought that we were giving these youngsters 37.8 cents a day. These children are now fed, these wards of the Government, at 20 cents a day. That is outrageous.

Mr. JONES. It is 27 cents a day, in practice.

Mr. COPELAND. Very well; 27 cents a day; that is just a little less outrageous. We had provided by our appropriation that for the 80 days that remain before the fiscal year ends, for the balance of the year, the Indian children would have 37.8 cents a day for food. That has been cut down now to \$195,000 from the amount we had proposed of \$480,000, which will give these youngsters—

Mr. JONES. There are \$150,000 which will go to this item.

Mr. COPELAND. Very well. That will give it to them for 47 days, during which they can have the full allowance, but for the rest of the time they will have nothing more than what they have at present.

Mr. JONES. That may be taken care of in the regular appropriation bill for the next fiscal year. Let me say to the Senator we have not done everything that some of us would like to have done, but the Senator knows that in conference between the two Houses there have to be concessions made, and we were more easily led, probably, to make some concessions because of the fact that the regular Interior Department appropriation bill will come up in two or three months and that will take care of the situation for the next fiscal year.

Mr. COPELAND. The Senate committee added \$1,370,000, was it not?

Mr. JONES. No; it was \$270,000.

Mr. COPELAND. We added it for a specific purpose.

Mr. JONES. Yes.

Mr. COPELAND. And we added it to increase these welfare items; that is what we did it for. In conference that money has been taken away, but provision has been made for dairy herds, of which the Senator from Arizona has spoken—and I approve of that; that is all right—

Mr. JONES. And then there is the labor-saving machinery.

Mr. COPELAND. Yes, machinery; and rosewood caskets.

Mr. JONES. I want to say the testimony before the committee shows that they need furniture, and they need it very badly. They have to have reasonable accommodations of that kind. As I have said also, a considerable portion of the appropriation is to furnish them with labor-saving machinery.

There is a very decided difference of opinion as to what should be done along this line. Personally, I think the Indian children should do a little more work than others perhaps think they should do. This is all I care to say in reference to the matter.

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

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield.

Mr. SWANSON. Is the question on agreeing to the conference report or on a motion to reconsider the whole bill?

Mr. JONES. The question now is, as I understand it, on the motion to reconsider the adoption of the conference report as to the whole bill. Then, there will come up again the question of sending the bill back to conference.

The PRESIDENT pro tempore. Just a moment. Is the Senator from Washington referring to the motion entered by the Senator from South Dakota earlier in the day?

Mr. JONES. Yes.

The PRESIDENT pro tempore. That motion has no standing before the Senate.

Mr. JONES. I said I did not propose to make any objection to the motion.

The PRESIDENT pro tempore. Whether the Senator from Washington makes any technical objection or not, it is the business of the Chair to enforce the rule, and under Rule XIII the motion of the Senator from South Dakota can not be entertained, because it does not carry a certain feature which the rule makes necessary. In the meantime the papers have come back to the Senate in perfectly regular order, and, therefore, the only thing that can be done is for a motion to adopt the conference report as presented or for a motion to be entered that the Senate insist upon its amendments and ask for a further conference with the House.

Mr. McMASTER. That is the motion I make at the present time.

The PRESIDENT pro tempore. That motion is now made by the Senator from South Dakota and may be regarded as pending.

Mr. JONES. May I ask what the effect of that motion is? As I understand, we have adopted the conference report; the House has agreed to the conference report, and the only difference at issue between the two Houses is the three amendments I have indicated.

The PRESIDENT pro tempore. The Chair understands that perfectly.

Mr. JONES. The Senator moves that the Senate insist upon its amendments and ask for a further conference. That is exactly what I was going to do.

Mr. SWANSON. Mr. President, I understand that if a motion to agree to the conference report shall be agreed to, that settles the matter. As to the amendments still in disagreement, then a motion could be made to insist on those amendments, and ask for a further conference with the House.

The PRESIDENT pro tempore. That is correct.

Mr. JONES. And the Chair to appoint the conferees on the part of the Senate.

Mr. SWANSON. Yes.

Mr. FRAZIER. Mr. President, in the original Budget sent from the Indian Bureau and approved by the Budget Bureau, as I understand, was an item for dairy cows, and there was an item in the so-called President's recommendation for dairy cows.

Mr. JONES. I think there was an item of \$94,000.

Mr. FRAZIER. Of \$94,000, which was increased by the Senate on this bill, and that is all very well, but the situation is this, Mr. President—

Mr. HAYDEN. Mr. President, the Senator is mistaken. If he will look at the Budget estimate he will find that there was nothing estimated for dairy cows, but that in the House bill there was \$94,000 for that purpose originally.

Mr. FRAZIER. In the estimate that was made by Mr. Rhoads, Commissioner of Indian Affairs, there was included \$94,000 in his recommendation to the House committee.

Mr. HAYDEN. Yes; but the Senator is speaking of the Budget estimate submitted by the President. That Budget estimate was absolutely silent on the subject of cows. A proposal to buy dairy cattle was raised afterwards by the Commissioner of Indian Affairs before the House committee. If the Senator will look at the Budget he will find that I am correct.

Mr. FRAZIER. As I recall the statement of the commissioner himself, it was that the President sent an estimate for dairy cows and that the amount approved by the President was \$94,000.

Mr. HAYDEN. I have taken the trouble to look at the Budget, and it is not there.

Mr. FRAZIER. I have not the report of the committee before me, but that can be settled afterwards. At any rate, Mr. President, the situation is this: At the present time the Indian children at the boarding schools are being fed on 20 cents a day; not 27 cents a day, as the Senator from Washington stated a moment ago, but 20 cents a day.

Mr. JONES. There must be, then, a conflict in the testimony by those in authority, because some of the officials of the department said 27 cents and a fraction.

Mr. FRAZIER. That was what they expected in the future under the new bill, but at the present time it is only 20 cents a day. As the Senator from New York has said, if this appropriation goes through, adding \$195,000 to what is now available, it will carry them for the 47 of the 80 days remaining of this school year, and for the remainder of the 80 days, or 33 days, they would have to fall back on 20 cents a day. The regular appropriation is for 1931, and that will not go into effect until after the school year is closed.

Mr. JONES. A great many of the schools will close before the 1st of July and the children will go home.

Mr. FRAZIER. They will close about the middle of June, but that is 80 days away.

Mr. HAYDEN. Mr. President, if the Senator from North Dakota will yield, he realizes, of course, that Congress appropriates money for the support and maintenance of the Indian schools in a lump sum for each boarding school and that if the money is expended for food it can not be expended for furniture or for some other purpose. If, upon the other hand, Congress should appropriate money for furniture or fixtures and that money is made immediately available, as it is in this bill, that would release an equivalent amount of their regular appropriation for food. So it does not necessarily follow that because the food allowance has been decreased below the Budget estimate and the amount for furniture equipment has been increased that the food allowance is reduced by that amount, because by appropriating for the furniture school funds that they normally would have for that purpose are released for food.

In other words, if the lump sum appropriated to each school is for maintenance, it can be shifted from one purpose to the other very readily.

Mr. FRAZIER. But the Comptroller General, as I understand, is very particular about the allocation of funds, and when there is a specific appropriation, such as there is in this bill, it has got to be expended for the purpose specified.

Mr. HAYDEN. I understand that, but there is available in each Indian boarding school now a lump sum for the support of that school, which is divided into food, and clothing, and furniture, and so on. If a part of this money is used for any one of those purposes, it automatically makes available other money for food, so that it does not paint a true picture to say the figures that are contained in this particular item in this deficiency bill tell the whole story, because that is not so.

Mr. FRAZIER. Mr. President, the way the appropriation is carried in the Interior Department bill, as figured out by the Indian Department, as I recall, the best they can do, according

to their own statement, will only give them 32 and a fraction cents a day for the school year for 1931 under that bill. That is below the minimum that has been recommended by the food expert.

Mr. JONES. May I suggest to the Senator that that bill has not been acted upon by the Senate committee as yet, but has just passed the House?

Mr. FRAZIER. I appreciate that.

Mr. JONES. And the Senate committee, of course, can do whatever it thinks proper.

Mr. FRAZIER. I want to serve notice that, whether or not we get any more on this deficiency bill, several members of the Committee on Indian Affairs are going to take that matter up when the Interior Department bill shall come before the Committee on Appropriations and urge larger appropriations for 1931. For the rest of this year, however, we are going to be away short of what we should have if the matter is to be allowed to stand as it is. There is no escape from it. I can not see any possible chance of bringing the food allowance up to 37.8 cents per day, the minimum that was agreed upon by this board of experts; and that, in my estimation, is altogether too low.

Mr. FLETCHER. Mr. President, as I understand, the question now before us is whether or not the items in disagreement shall go back to the conference committee for further conference; and this is one of the items in disagreement.

Mr. FRAZIER. No; this food-supply proposition is not in disagreement between the two Houses. Both Houses have approved it.

Mr. WALSH of Massachusetts. But I do understand that there are three items that are in disagreement, and that the chairman of the committee recommends to the Senate that we send the bill back to conference for further discussion about those items.

Mr. JONES. Yes. Porto Rico, the Boston building, and the Denver building are in disagreement; and the motion now is to insist upon our amendments and ask for a further conference, and that the Chair appoint the conferees.

Mr. BRATTON. Is the Porto Rican amendment the hurricane relief amendment?

Mr. JONES. Yes.

Mr. WALSH of Massachusetts. I am very much pleased to hear it.

The PRESIDENT pro tempore. The question is on the motion of the Senator from South Dakota. Of course, there is some question about the paternity of the motion; but the Chair is attributing it to the Senator from South Dakota.

Mr. JONES. That is all right.

The PRESIDENT pro tempore. The Chair will hold that the Senator from South Dakota will have priority in making it.

Mr. SWANSON. His motion was to disagree.

The PRESIDENT pro tempore. The motion, as the Chair understands it, is that the Senate insist upon its disagreement and ask for a further conference with the House, the Chair to appoint the conferees.

Mr. SWANSON. But have we adopted the conference report?

The PRESIDENT pro tempore. That was adopted before; and the Senator from South Dakota having failed in entering his motion to demand the return of the papers, we can not consider it here.

Mr. McMASTER. I did make that notation when I made the motion. First, I asked unanimous consent for those two purposes—one to reconsider the motion and the other to recall the papers from the House.

Mr. JONES. And I objected. The request was objected to and no further request was made.

Mr. McMASTER. Then I entered a motion to that effect.

Mr. JONES. Yes; the Senator entered a motion to reconsider—that is all.

The PRESIDENT pro tempore. The present occupant of the Chair was not presiding when the motion was entered; but the memorandum which the Chair finds here now does not contain the motion or the request. It is on that memorandum alone that the Chair has held as he has.

Mr. HAYDEN. Mr. President, a parliamentary inquiry: Could the mere giving of notice by one Senator that he intended to demand the return of the papers and to move for a reconsideration result in having the papers brought back from the House? The Senate would have to act on it, would it not?

The PRESIDENT pro tempore. The rule is entirely mandatory that there must be a motion for a request for the return of the papers, and that motion must be acted upon immediately. The language of the rule is:

Shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Mr. HAYDEN. And the Senate did not act upon it.

The PRESIDENT pro tempore. According to the memorandum which the present occupant of the chair finds, they did not.

Mr. McMASTER. I now move that they do.

Mr. FLETCHER. It is too late now.

The PRESIDENT pro tempore. That can not be done, because, in proper order, the House has now returned the bill to the Senate and discharged its conferees.

Mr. McMASTER. When were the conferees discharged?

The PRESIDENT pro tempore. As soon as they sent the conference report over here.

Mr. JONES. This afternoon.

Mr. McMASTER. This afternoon? After a motion had been entered to take care of that matter, then, the Senate disposed of a conference report in that manner?

Mr. JONES. The request for the papers was not acted upon by the Senate. It was not submitted to the Senate.

The PRESIDENT pro tempore. The papers were not then in the possession of the Senate; and there having been no motion to request the return of the papers and an immediate vote upon that motion, the present occupant of the chair is compelled to hold that the motion which the Senator from South Dakota wishes to make can not be entertained.

The question is on agreeing to the motion which the Chair understood the Senator from South Dakota to make, but which the Senator from Washington claimed as his; namely, that the Senate insist upon its amendments to the three items in disagreement and request a further conference with the House, the Chair to appoint the conferees.

Mr. McMASTER. Does that include the Indian school items?

Mr. JONES. No; they have been agreed to by both Houses.

Mr. McMASTER. I move to amend that motion by including the Indian school items.

Mr. HAYDEN. I make the point of order that that can not be done.

Mr. JONES. That can not be included.

The PRESIDENT pro tempore. The Senator from Arizona will state his point of order.

Mr. HAYDEN. The point of order is that the House and the Senate both having approved the conference report upon these Indian items, they are no longer in dispute between the two bodies, and that it is not in order to make the motion tendered by the Senator from South Dakota.

The PRESIDENT pro tempore. The Chair holds the point of order to be well taken.

Mr. McMASTER. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. McMASTER. Do I understand that when a conference report has been adopted, within three days no motion can be made to reconsider the adoption of that report?

The PRESIDENT pro tempore. No; but when the motion is made it must be accompanied with a mandatory motion to request the return of the papers, and the vote must be had on that immediately.

Mr. McMASTER. My first request to-day was for unanimous consent that the Senate reconsider that matter, and that the papers be recalled from the House; and the unanimous consent was objected to by the Senator from Washington. Then I immediately entered a motion to that effect, covering both of those subjects.

The PRESIDENT pro tempore. Let the Chair propound an inquiry to the Senator from South Dakota. Who was occupying the chair at that time?

Mr. HAYDEN. The Vice President.

Mr. McMASTER. I think the Vice President was occupying the chair.

The PRESIDENT pro tempore. Whoever was occupying the chair at that moment left no memorandum here covering the motion of the Senator.

Mr. McMASTER. It was the duty of the clerk to have left a memorandum. The Chair does not leave a memorandum to that effect.

Mr. JONES. The motion to have the papers brought back should have been submitted at once.

Mr. SWANSON. And voted on immediately.

Mr. JONES. And voted on.

Mr. SWANSON. It was not submitted. We can not wait until the House takes action.

The PRESIDENT pro tempore. The present occupant of the Chair holds that the motion can not be entertained. The only motion that can be entertained now is for the Senate to recede from its amendments, or to insist upon its amendments and ask a further conference; and the latter motion has been made, and is now pending.

Mr. McMASTER. Mr. President, I will say this much. I knew that there probably would be some technical difficulties in connection with this matter. I went to our parliamentarian and had him go fully over the situation, and I followed his instructions to the letter. Now, I find that I have been jockeyed out of the whole deal in some way.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to; and the President pro tempore appointed as conferees on the part of the Senate at the further conference with the House of Representatives Mr. JONES, Mr. HALE, Mr. PHIPPS, Mr. OVERMAN, and Mr. GLASS.

REVISION OF THE TARIFF

The Senate 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.

Mr. PINE. Mr. President, I offer the amendment which I send to the desk.

I may say that this amendment is identical in language with the Thomas amendment as modified by the Pittman amendment, except that it provides for a duty of 50 cents per barrel on crude or fuel oil, and 25 per cent ad valorem on oil products. That is the only change in the amendment.

Mr. GOFF. Mr. President, does the amendment now offered by the senior Senator from Oklahoma make any provision as to the disposition of the tariff which may be imposed on oil?

Mr. PINE. It goes into a special fund, and is appropriated for expenditure on the roads, the same as in the other amendment.

Mr. GOFF. And that is the same provision that was included in the original amendment offered by the junior Senator from Oklahoma [Mr. THOMAS]?

Mr. PINE. It is the same provision.

I desire to say that it costs 18 cents per barrel to produce oil in Venezuela. It costs \$1.70 per barrel to produce oil in the States of Oklahoma and Texas. The difference is \$1.52 per barrel. In this amendment we ask for a tariff of 50 cents per barrel.

This Government has adopted the policy of protection. The independent producers ask for a rate equal to one-third of the difference in the cost of producing oil in the United States and Venezuela.

There has been considerable confusion in regard to what is involved in this matter. We have found the friends of the people here voting for a monopoly. The letter that was read here by the Senator from Wisconsin [Mr. BLAINE], directed to John Simpson, of Oklahoma, was in response to a telegram from John Simpson to the Senator from Wisconsin. In that telegram Mr. Simpson expressed his surprise that the Senator from Wisconsin should be found working in the interest of monopoly. John Simpson is the president of the Farmers' Union of the State of Oklahoma, and he has been president of that organization for 14 years.

These independent producers are entitled to a tariff of \$1 per barrel on their oil. Common honesty demands it.

I ask for the yeas and nays on this amendment.

Mr. PINE's amendment was, on page 35, after line 2, to insert the following:

PAR. 99. (a) Crude petroleum, and fuel petroleum, 50 cents per barrel of 42 gallons.

(b) Petroleum products: Kerosene, benzine, naphtha, gasoline, paraffin, paraffin oil, and all other distillates, derivatives, or refined products of petroleum, 25 per cent ad valorem. The ad valorem rate provided in this subparagraph shall be based upon the American selling price (as defined in subdivision (f), as amended, of section 402, title 4) of any similar competitive article manufactured or produced in the United States. If there is no similar competitive article manufactured or produced in the United States, then the ad valorem rate shall be based upon the United States value, as defined in subdivision (d), as amended, of section 402, title 4. For the purposes of this subparagraph any petroleum product provided for herein shall be considered similar to or competitive with any imported petroleum product which accomplishes results substantially equal to those accomplished by the domestic product when used in substantially the same manner: *Provided*, That all funds derived from the tariffs upon petroleum and the refined products of petroleum as provided by this paragraph shall be covered into a special fund for appropriation, and expenditure by the Secretary of Agriculture under the Federal highway aid act and the amendments thereto and the rules and regulations made thereunder: *And provided further*, That the United States Tariff Commission is hereby authorized and directed to investigate the domestic and foreign costs of production of petroleum and petroleum products; to prepare and file reports of such investigations, and to prepare and submit recommendations concerning duties

thereon as in this act provided; to keep a continuous file of the posted price of crude petroleum and the retail price of gasoline; and to make findings as to the average posted market price of crude petroleum at the place of production, and also of the retail price of gasoline at service stations at such principal markets for such gasoline as said Tariff Commission may select: *And provided further*, That no duty shall be collected or charged on crude petroleum or fuel petroleum during such periods as the average posted market price, as found by said Tariff Commission, of Texas and Oklahoma crude petroleum of a gravity of 36° B., taken at a temperature of 60° F., shall be in excess of \$1.50 per barrel at place of production: *And provided further*, That no duty shall be collected or charged upon the petroleum products set forth in subparagraph (b) hereof during such periods as the average retail service-station price, as found by said Tariff Commission, of standard unmixed gasoline in New York City, N. Y., shall be in excess of 20 cents per gallon, exclusive of any gasoline tax collected from the purchasers.

On page 265, strike out lines 3 to 6, inclusive, being paragraph 1734.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Oklahoma [Mr. PINE]. On that amendment the yeas and nays have been demanded. Is the demand seconded?

Mr. BARKLEY. I make the point of no quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Allen	Goff	McCulloch	Smoot
Ashurst	Goldsbrough	McMaster	Steck
Baird	Hale	McNary	Steiwer
Barkley	Harris	Metcalf	Stephens
Black	Harrison	Moses	Sullivan
Blaine	Hatfield	Norbeck	Swanson
Borah	Hawes	Norris	Thomas, Idaho
Bratton	Hayden	Nye	Thomas, Okla.
Broussard	Hebert	Oddie	Townsend
Capper	Heflin	Pine	Trammell
Connally	Howell	Pittman	Vandenberg
Copeland	Johnson	Ransdell	Walcott
Dill	Jones	Robinson, Ind.	Walsh, Mass.
Fess	Kean	Schall	Walsh, Mont.
Fletcher	Kendrick	Sheppard	Waterman
Frazier	Keyes	Shortridge	Watson
George	La Follette	Simmons	Wheeler

The PRESIDENT pro tempore. Sixty-eight Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment proposed by the senior Senator from Oklahoma [Mr. PINE].

Mr. PITTMAN. As I understand the amendment now offered by the Senator from Oklahoma, it is to reduce the tariff 50 cents a barrel. Is that correct?

Mr. PINE. That is correct.

Mr. PITTMAN. But it still carries the limitation of \$2?

Mr. PINE. Yes.

Mr. PITTMAN. I think, in order to make it conform, the \$2 should be changed to \$1.50; that is, that whenever the price reaches \$1.50 a barrel, the duty shall be removed. I therefore offer an amendment to change the "\$2" to "\$1.50."

Mr. PINE. I accept the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

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

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. VANDENBERG (when Mr. COUZENS's name was called). My colleague the senior Senator from Michigan [Mr. COUZENS] is unavoidably absent. If present, he would vote "nay."

Mr. DILL (when his name was called). I have a pair with the junior Senator from Kentucky [Mr. ROBSON]. I withhold my vote.

Mr. FESS (when his name was called). On this vote I have a pair with the senior Senator from North Carolina [Mr. SIMMONS]. Were he present he would vote "nay"; and if I were permitted to vote, I would vote "yea."

Mr. FESS (when Mr. ROBSON's name was called). I have been requested to announce that the Senator from Kentucky [Mr. ROBSON] is paired with the Senator from Washington [Mr. DILL]. If the Senator from Kentucky were present, he would vote "yea."

Mr. LA FOLLETTE (when Mr. SHIPSTEAD's name was called). The senior Senator from Minnesota [Mr. SHIPSTEAD] is paired with the junior Senator from New Mexico [Mr. CUTTING]. If the senior Senator from Minnesota [Mr. SHIPSTEAD] were present, he would vote "nay," and the junior Senator from New Mexico [Mr. CUTTING], if present and voting, would vote "yea."

Mr. STEPHENS (when his name was called). On this vote I have a pair with the junior Senator from Illinois [Mr. GLENN]. Therefore, I withheld my vote.

Mr. SULLIVAN (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. BROOK]. Being unable to secure a transfer, I withhold my vote. If the Senator from Tennessee were present and voting, he would vote "nay"; and if I were permitted to vote, I would vote "yea."

Mr. THOMAS of Idaho (when his name was called). On this vote I have a pair with the junior Senator from Iowa [Mr. BROOKHART]. If he were present, he would vote "nay"; and if I were permitted to vote, I would vote "yea."

Mr. TOWNSEND (when his name was called). On this vote I have a general pair with the senior Senator from Tennessee [Mr. McKELLAR]. I understand that if he were present he would vote "nay," and if I were permitted to vote, I would vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I am unable to secure a transfer, and therefore can not vote. I am told that if the senior Senator from South Carolina were present he would vote "nay." If I were permitted to vote, I would vote "yea."

The roll call was concluded.

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

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

The senior Senator from Connecticut [Mr. BINGHAM] with the junior Senator from Virginia [Mr. GLASS].

I also desire to announce the following pairs on this question:

The Senator from Delaware [Mr. HASTINGS] with the Senator from Massachusetts [Mr. GILLET];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER]; and

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Maryland [Mr. TYDINGS].

If present and voting, the Senator from Delaware [Mr. HASTINGS], the Senator from Missouri [Mr. PATTERSON], and the Senator from Pennsylvania [Mr. GRUNDY] would vote "yea," and the Senator from Massachusetts [Mr. GILLET], the Senator from New York [Mr. WAGNER], and the Senator from Maryland [Mr. TYDINGS] would vote "nay."

Mr. GEORGE (after having voted in the negative). Upon this question I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the junior Senator from South Carolina [Mr. BLEASE], and allow my vote to stand.

Mr. CARAWAY. Making the same statement with reference to my pair, I withhold my vote. If permitted to vote, I would vote "yea."

The result was announced—yeas 28, nays 32, as follows:

YEAS—28

Allen	Goldsborough	Kendrick	Pittman
Baird	Hale	Keyes	Ransdell
Bratton	Hatfield	McCulloch	Sheppard
Broussard	Hebert	McNary	Shortridge
Capper	Johnson	Moses	Steiner
Connally	Jones	Oddle	Thomas, Okla.
Goff	Kean	Pine	Waterman

NAYS—32

Ashurst	George	McMaster	Steck
Barkley	Harris	Metcalf	Swanson
Black	Harrison	Norbeck	Trammell
Blaine	Hawes	Norris	Vandenberg
Borah	Hayden	Nye	Walcott
Copeland	Heilin	Robinson, Ind.	Walsh, Mass.
Fletcher	Howell	Schall	Walsh, Mont.
Frazier	La Follette	Smoot	Wheeler

NOT VOTING—36

Bingham	Dill	King	Simmons
Blaise	Fess	McKellar	Smith
Brock	Gillett	Overman	Stephens
Brookhart	Glass	Patterson	Sullivan
Caraway	Glenn	Phipps	Thomas, Idaho
Couzens	Gould	Reed	Townsend
Cutting	Greene	Robinson, Ark.	Tydings
Dale	Grundy	Robison, Ky.	Wagner
Deneen	Hastings	Shipstead	Watson

So Mr. PINE's amendment as modified was rejected.

Mr. PITTMAN. Mr. President, I do not know whether we are to take up the bill by schedules or not.

Mr. SMOOT. The Senate has refused to do that.

The VICE PRESIDENT. The Senate refused to enter into an agreement proposing that course, but the Chair suggests that it would be well to follow that plan.

Mr. PITTMAN. I desire to offer an amendment. I shall not take over 10 minutes in discussing it. If I can have 10 minutes, I will submit the matter to the Senate.

The VICE PRESIDENT. Let the amendment be reported.

The LEGISLATIVE CLERK. On page 116, line 2, the Senator from Nevada proposes to insert the following:

PAR. 394½. Silver-bearing ores and mattes of all kinds, 30 cents per ounce on the silver contained therein: *Provided*, That on all importations of silver-bearing ores and mattes of all kinds the duties shall be estimated at the port of entry and a bond given in double the amount of such estimated duties for the transportation of the ores or mattes by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores or mattes at such establishments they shall be sampled according to commercial methods under the supervision of Government officers, who shall be stationed at such establishments, and who shall submit the samples thus obtained to a Government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample and report the result to the proper customs officers, and the import entries shall be liquidated thereon. And the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph.

PAR. —. Silver bullion or base bullion, silver dross, reclaimed silver, scrap silver, all alloys or combinations of silver not specially provided for, 30 cents per ounce on the silver contained therein: *Provided*, That this paragraph shall not apply to minted coins of the United States, or circulating minted coins of a foreign Government in the possession of an individual not in excess of \$100 in exchange value.

PAR. —. Silver-bearing ores, mattes, base bullion, silver dross, reclaimed silver, scrap silver, and all alloys or combinations of silver imported into the United States for the purpose of processing, refining, or minting for export to a foreign country and not for use, sale, or disposition within the United States or any of its possessions, may be imported for such purpose free of duty upon the execution of a bond given in double the amount of the estimated duties that would be charged upon such silver contents so imported if for use, sale, or disposition in the United States, conditioned that such silver contents will not be used, sold, or otherwise disposed of in the United States prior to export therefrom, and upon further compliance with such regulations and guaranties as the Secretary of the Treasury may by regulations require.

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

Mr. PITTMAN. I yield.

Mr. FESS. I ask unanimous consent that debate on this amendment be limited to not more than 10 minutes and that no Senator be allowed to speak more than once.

Mr. SMOOT. I submitted a similar request, and it was objected to.

The VICE PRESIDENT. The Chair will state that there is already existing a unanimous-consent agreement limiting debate, and the item of silver was excepted.

Mr. PITTMAN. I objected to that. I think I can explain the amendment in 15 minutes, unless the time is taken up by questions. That was the only reason why I objected, as I said before.

Mr. FESS. May I submit the request, that after the address of the Senator from Nevada, no Senator shall be permitted to speak longer than 10 minutes or more than once.

The VICE PRESIDENT. Is there objection?

Mr. DILL. I object.

Mr. PITTMAN. I will agree myself not to speak more than 15 minutes. Is that the request?

The VICE PRESIDENT. Objection was made by the Senator from Washington to the request of the Senator from Ohio. The Senator from Nevada will proceed.

Mr. PITTMAN. Mr. President, while this is a long amendment, it is long by reason of the fact that it is not intended to charge any duty whatever on the importations of silver-bearing ores or silver bullion or silver in any other form that comes into this country for the purpose of smelting, refining, or minting, and export. It is provided in such case that a bond shall be given. In other words, it is the exact language that is used in the provision which applies a tariff duty on zinc and lead. I do not intend that the smelters or the refiners or the mints shall be in any way affected or influenced by this duty.

We produce in this country 58,000,000 ounces of silver a year, in round numbers. We consume 40,000,000 ounces. We imported from Mexico last year 77,000,000 ounces of silver. We imported from South America 18,000,000 ounces of silver. The wages in Mexico are \$1.21 a day for miners, and that is generally for a 10-hour day. According to the labor reports the average wages of miners engaged in the silver mines of the United States are \$4.79 a day. There is a measure of the difference in the cost of production between Mexico and South America on the one hand and the United States on the other hand.

Let us take one other measure. Silver in 1913 was worth 60 cents an ounce. Silver to-day is 40 cents an ounce; so silver

has dropped 33½ per cent in its price since 1913. According to the index number the average of every commodity has increased at the present time 35½ per cent. If it is placed on the basis of the wages, then the wages in this country are almost four times what they are in Mexico. If it is on the basis of maintaining standards, then the standard is that we will have to add 80 per cent to the price of silver now to put it on a parity with the rest of the commodities in this country. In other words, farm products to-day are over 40 per cent above what they were in 1913, while the average of all products is 35½ per cent above 1913 prices.

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

Mr. PITTMAN. Certainly.

Mr. BORAH. In view of the fact that the price of silver is a world price, that the price of silver is fixed practically every day in London, I am at a loss to understand how the duty which the Senator from Nevada proposes to impose will help the silver producers in this country.

Mr. PITTMAN. I must say to the Senator that there is some ground for that doubt, but it will prevent dumping. It is to a certain extent like wheat, where the world price is fixed in Liverpool. We have attempted through the debenture to cure that deplorable condition. In the case of silver we have a domestic market for 75 per cent of our production. The Senator recollects that several years ago we started in to try to organize an export association, the same as we have for copper to-day. We found it exceedingly difficult to do that by reason of the fact that silver from Mexico was coming into this country free of duty, undisturbed and unimpeded. It was coming in from South America and from Canada. Finally we gave up the idea that we could put our hands on the silver and control it in any way. For instance, the Guggenheim association, the American Smelting & Refining Co., and other subsidiaries, produced very little silver in the United States, but they produce enormous amounts in Mexico, and yet they were to be in the silver association. When the silver ore was brought across the line into their smelters and became silver and got into their hands it lost its identity, its earmark, and instead of having, as we would under this duty, 20,000,000 ounces of exportable silver annually, we would have had 134,000,000 ounces of exportable silver annually.

There are several thousand miners in the United States producing silver ore—and when I say "silver ore" I mean ore that is chiefly valuable for silver, because lead and silver are mixed. While there are several thousand miners engaged in that occupation, it is not as difficult to get those men together as it is to get the farmers together in a cooperative association. What I hope and what the mine operators' associations through the West hope is that we can prevent the dumping of this cheap silver into the United States from Mexico and South America, and now from India, and thus we can help our domestic producers. The dumping of silver from India is the most serious thing we have now to face, and that has come up, I may say, so suddenly that the people do not understand it. India dumped 55,000,000 ounces of silver on the world in 1928. How much she dumped in 1929 we have no record of yet, but I think it has been fully as much. The whole world production of silver is only 256,000,000 ounces, so it can be readily understood what it means when there is dumped on the market in addition to the ordinary production 55,000,000 ounces more. The rupee is the circulating medium in India. They use silver almost exclusively for money. Great Britain is determined that they shall not use silver for money.

Great Britain has demonetized silver. They have not only demonetized silver, not as we do in the United States and in Mexico and other places, but they are destroying silver. Every time a silver rupee comes into a bank in India it is immediately sent to the mint and melted up and the silver shipped out of the country. It is dumped on the market of the world without regard to price, because Great Britain would rather throw that silver into the sea than to have it remain in India.

Her only hope of divorcing the people of India from their old money, which they have used from the beginning of time, is to get silver out of the country. Before the war, as we all know, they taught India to accept paper money and certificates redeemable in silver on presentation. The war came on and they were unable to redeem, and they came near having a revolution. Great Britain came here and got a law passed to allow us to melt up our standard silver dollars to give her 200,000,000 ounces of silver to prevent a revolution in India. She does not want that to happen again. She does not believe she can control India until she gets rid of the silver in India. She is putting it on the world without regard to the effect on the market.

It is having a very destructive effect in China and Mexico and South America, as it is having on us. In our country it is simply breaking the miners. In China it is breaking everybody,

as it is in Mexico and in South America. I have articles here stating that the depreciation in the price of wheat and the price of cotton is due largely to the condition with reference to silver in India and China. That situation is not denied. Our own commerce reports refer to it. China buys with silver, and with nothing else. With the price of silver cut in two, the purchasing price of China is cut in two. Not only that but the commodities in China have risen by comparison with the fall of silver. They have not the money to buy their own food. Their purchase of wheat and cotton is bound to be 50 per cent less than it was before that depression in silver. It takes two silver dollars, and they use silver dollars in China, to buy as much wheat to-day as one dollar would buy a year ago. It takes two silver dollars to buy as much cotton to-day as one dollar would buy a year ago. India is in the same condition. India can not buy and South America can not buy. That is the effect on the world. The effect of it is limited.

Mr. BORAH. Mr. President—

Mr. PITTMAN. I yield.

Mr. BORAH. Assuming for the sake of the argument that the duty would have some effect on the price of silver, upon whom would fall the result of that duty and who would be affected by the higher price?

Mr. PITTMAN. Two classes of people, in a large measure. About one-fourth of the extra cost at the present time would fall upon the moving-picture industry. It would probably increase the cost to the moving-picture industry, because the moving-picture industry is increasing in extent. The other would fall upon the purchasers of silverware. It would be in proportion divided between the purchasers of silverware among those who purchase sterling silver and those who purchase plate. The amount of silver used in a plated spoon or plated knife or plated fork is almost negligible in the total cost of the article. With the exception of the cheap plated ware, which, of course, we all buy, the amount falling upon the consumer would be extremely limited.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield further to the Senator from Idaho?

Mr. PITTMAN. I yield.

Mr. BORAH. The Senator refers to the moving-picture industry. I should like to know what use they make of silver?

Mr. PITTMAN. They use it in developing their photographic plates. It would cost them about \$3,000,000 a year extra if the price of silver was 70 cents an ounce instead of 40 cents an ounce. The total expenditures of the moving-picture industry, as we all know, are up in the billions of dollars. This is a picture of the situation: Silver has been a commodity ever since 1873; everyone knows that. It is treated that way by the Secretary of the Treasury; it is treated that way by the Secretary of Commerce. Our Government buys foreign silver. It gets it where it can buy it cheapest; it gets silver anywhere. It is paying but 40 cents an ounce to-day and making it into dimes and putting them in circulation at a rate of \$1.38 cents an ounce. The profit goes into the Treasury.

The Government would lose nothing and only a few classes would lose anything by a tariff on silver, even if the producers got the full benefit of it; but suppose the producers got the full benefit of it, would they be in any different condition from the other industries in this country? Take the farmer. The farmer to-day is suffering, and we have been doing everything on earth we could to relieve that suffering. Still the products of the farmer, on the average, are up at this time 35½ per cent above what they were in 1913. Yet the silver miners, with the price of their product 33½ per cent lower than it was in 1913, have to pay an average of 35½ per cent more for everything they use than they did in 1913. That is not a theory; it is a fact.

What is the result? The result is that three mines in my own home—big mines—have been compelled to close down by reason of the low price of silver. In the State of the Senator from Idaho, as he will realize, if he has been reading the newspapers, two or three large lead-silver mines have been closed down during the last few weeks. In Utah several important mines have closed down in the last week; and one district in Colorado, which is purely a silver-mining district, where silver mines were working a month ago, two or three of them, employing thousands of men, have closed down. The Senator from Colorado has a telegram, as I have, and he will put it in the Record, saying that there is not a silver mine in that district working to-day.

Take the Associated Press reports of yesterday, and what do they say about Utah? That the mines there have cut the wages of the men in the lead and silver mines of Utah 25 cents a day, and in the smelters 25 cents a day, in the hope that they may be able to operate.

Mr. WALSH of Montana. Mr. President—
The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I yield.

Mr. WALSH of Montana. In view of the extraordinary drop in the price of silver in recent months, it is not at all surprising that the industry should be in the deplorable state mentioned by the Senator from Nevada. The industry is suffering, perhaps, as severely as any in the United States at the present time. What troubles me about the matter, however, is, when we produce 60,000,000 ounces in this country and consume in the arts and in subsidiary coinage only 40,000,000 ounces annually, exporting 33½ per cent of our entire production, and 50 per cent of our consumption, how a duty can possibly increase the price of silver?

Mr. PITTMAN. As I said while the Senator was out, there may be ground for doubt as to whether it would do all that is desired, but the record discloses the fact that since 1926 the production of silver in this country has been steadily decreasing. As a matter of fact, it has been decreasing for longer than that. Let me refer to the decrease in silver production in Montana since 1926. In 1926 Montana produced 11,974,257 ounces of silver; in 1928 it produced 10,681,675 ounces.

Mr. WALSH of Montana. Mr. President, let me remark, as the Senator doubtless knows, that there are practically no more silver mines in Montana; that is, the mines primarily producing silver were obliged to close down years ago by reason of the depressed price of silver, and there is no mine in the State of Montana to-day operating on account of silver production that I know anything about. Silver is merely a by-product of the copper-mining industry.

Mr. PITTMAN. I think the Senator is in error there. There may not be what is called a pure-silver mine in Montana, but there are mines that carry lead with silver as a by-product, and there are mines that carry copper with silver as a by-product.

Mr. WALSH of Montana. Let me say to the Senator that there are no lead mines in Montana.

Mr. PITTMAN. Ore must produce a total value of minerals of over \$8 or \$9 a ton, as a general thing, in order to make it pay.

Mr. WALSH of Montana. I should say that is so. There is, of course, silver in copper ores, but the copper is the dominant mineral; and the same thing is true of zinc ores; but I am speaking about mines operating primarily on account of silver content; so that the figures the Senator has given merely indicate a slight decrease in the silver carried in the copper and zinc ores.

Mr. PITTMAN. I think the Senator will ascertain by looking at the record—and if I had time I would show it to him—that the production of silver in Montana from 1926 to 1928 has decreased about 5 per cent; but throughout the western section of the country the production has decreased in greater proportion in the States where there are more silver mines, for many of those mines have ceased operations, while in the Senator's State the large copper mines are operating, although numerous small copper properties sometimes operate and sometimes they do not.

Mr. WALSH of Montana. Let me say—

Mr. PITTMAN. When silver is down to 60 cents an ounce the silver mines may do a little work, but when silver is down to 40 cents none of them work at any time; and silver production has decreased all over the country by 10 per cent in the last 10 years.

I will state what I am getting at. I want to answer the Senator's question as to what good will a tariff really do. We are making a tariff bill; I hardly suppose we will frame another one for 7 or 8 years; I hope it will be 20 years; but, at any rate, it will be a long time before we engage in framing another tariff law, but we have got to look to the future. Now, what of the future? We see a steady curve of decrease in the production of silver in the United States. No one knows of any big new mines; at least, I have not heard of any.

We see an increasing demand for silver, the moving-picture industry, with its great expansion being the heaviest individual consumer of silver; and it is going to increase its consumption. The time will come, according to that curve, in three or four years when the consumption and production will be about equal; but in the meantime there are corporations in this country engaged in the manufacture of steel articles, in the manufacture of cotton goods, in the manufacture of woolen goods which they produce themselves more than is consumed in this country, and their surplus is taken up by export. They sell that exported surplus of goods cheaper than they sell at home. That is admitted, and they justify it on the ground of mass production.

Now, we will assume that we can organize a silver association; that we have one-fourth of our silver production to

export; that all of the silver miners put their silver into that export association, as has been done in the case of copper. What will be the result? It will meet the market, and, instead of selling silver by the day, as it is now sold, through London, and having the London brokers fix the price every morning, we will have an export association that will take that 25,000,000 ounces of silver, place it in a bank and borrow money on it, which can then be loaned to the miners who put it in pro rata. Thus that silver can be carried until the seasonal demand in India and China comes. To-day they do not do that; to-day they do exactly as the farmer does; they have no cooperation, no marketing system; they all dump their silver on the market at the same time, and the profit is made by the brokers in London.

China undoubtedly is now asking the four powers to permit her to place an embargo upon the importation of silver into China, because it has already bankrupted China; it has taken away her purchasing power; but China can not do that without the consent of certain powers. India not only dumped 55,000,000 ounces in the market in 1929, of which we have a record, but is dumping it now upon the markets of the world in order to get it out of India, and she has placed a duty of 10 cents an ounce to keep it from ever coming back in. That is the situation we are facing.

Mr. SWANSON. Mr. President, I should like to ask the Senator a few questions. The only vote I cast on the tariff bill when it was considered as in Committee of the Whole with which I have not been satisfied was the vote I cast on the silver amendment. I look on silver now as absolutely a commodity; it is no longer money; it is like wheat, corn, oats, iron, and other things.

As the Senator has said, a few weeks ago, India prohibited the importation of silver, and proposes to dump her silver in all parts of the world. Our market is accessible to India, and I have no doubt the vast reservoir of silver in India will be dumped here, so that the price of silver may go to 30 cents an ounce or even less. China has not done that as yet, but at any time China may do it. That is the situation. I will ask the Senator how much silver we get from Mexico?

Mr. PITTMAN. We got 77,000,000 ounces from Mexico in 1928.

Mr. SWANSON. How much do we export?

Mr. PITTMAN. We export about 109,000,000 ounces.

Mr. SWANSON. With that much coming in from Mexico and Latin America—

Mr. PITTMAN. Let me give the total that comes in. The total imports into this country are 114,000,000 ounces.

Mr. SWANSON. How much do we produce?

Mr. PITTMAN. We get 77,000,000 ounces from Mexico, 18,000,000 ounces from South America, and the rest of it from miscellaneous countries. After we consume, say, 40,000,000 ounces of silver, we then have left about 60,000,000 ounces of the silver thus brought in here. That 60,000,000 ounces sent out, together with the 50,000,000 ounces which we have, makes about 100,000,000 ounces exported.

Mr. SWANSON. At the time I cast that vote I thought of the question that night, and I saw what India had done. As I have said, silver is an absolute commodity; it is liable to taxation even from a Democratic standpoint for revenue. The people who buy silver plate ought certainly to be able to pay a tariff on it, for they are rich enough to buy, and the moving-picture industry, certainly to a large extent, is engaged in a business for the leisure class. Inasmuch as silver has become a commodity, if there is any imported, as the Senator says there is, from a revenue standpoint I do not see why it should not pay a tariff like any other commodity.

Mr. WALSH of Montana. Mr. President, the Senator overlooked the fact that we actually ourselves export 33½ per cent of our production.

Mr. SWANSON. We can not impose a tariff, of course, on anything we export, but if what the Senator from Nevada says is so, and 114,000,000 ounces come in here, and we put a tax on it, we would certainly collect revenue, would we not?

Mr. PITTMAN. Yes; we would collect revenue.

Mr. SWANSON. How can the Senator from Montana argue, then, that we would not collect that revenue?

Mr. WALSH of Montana. I have not so argued. I was speaking about how we were going to improve the situation of the silver producer.

Mr. SWANSON. I am talking about prices.

Mr. WALSH of Montana. Of course, if the Senator is arguing in favor of a duty on silver as a revenue measure, I have nothing to say about that. That was not what I was talking about. I was talking about the situation of the silver producer.

Mr. SWANSON. I should like to see his condition improved. I should like, also, to see the condition of other people improved.

Mr. WALSH of Montana. So should I.

Mr. SWANSON. But if silver is, as everybody admits, a mere commodity like wheat, corn, oats, tobacco, lead, steel, and everything else, I am considering it simply from a revenue standpoint. If there is none imported, if we do not get any revenue from it, I am willing to let it alone; but if 119,000,000 ounces are imported, I do not see why we should not get a revenue from it, to be frank about the matter.

The vote I cast on this subject in Committee of the Whole is the only vote I cast in committee with which I have not been satisfied, and I have tried to review every vote I have cast. When I saw, however, that India was dumping silver here, that China will dump it here, and that this is the dumping ground of silver from all over the world, and it is coming in here, if we put silver down to 30 cents, why should not the Government collect some revenue from it?

That is the way I look at the matter; and if that is not true, I should like to have it corrected.

Mr. PITTMAN. Mr. President, I thoroughly agree with the Senator from Virginia. There is no doubt but that manufactured silver is a luxury in a large sense. At least 90 per cent of the silver that is manufactured is a luxury, anyway. It is a luxury going into millions and millions of dollars of the expense of the profitable moving-picture industry and the silver-plated ware. Of course, under the theory, there is no reason for it.

Some Senators have said to me that they have always voted for free silver, from the time of Bryan up to the present time. There is a whole lot of difference between the free silver under Bryan, which meant the free coinage of silver, and the free entry of silver into the United States.

For instance, let me call your attention to this statement by Mr. Herbert M. Bratter, of the Finance and Investment Division of the Department of Commerce. In discussing silver, he says:

The person interested in what silver will do in the future must keep in mind that silver is a commodity, and that its price moves in sympathy with general commodity prices.

I have here the statements of other writers along the same line.

Mr. Benjamin White, in the annual review number of the Engineering and Mining Journal, says:

Previous to 1873, an artificial premium was placed upon the metal by an agreement of the great powers to mint it at a certain ratio to gold. When this was abrogated, the premium dropped until the average price in the decade before the war fell to about 26d., as against that of 62d.

Then it became a commodity. Of course it is a commodity. The same rules of tariff that apply to any other commodity apply to this commodity; and we find, as I say, that 117,000,000 ounces are imported into this country free of duty. We find to-day that the Mexican Congress is doing everything on earth it can do to protect its miners. What is it doing?

The great Wachuca mine has been so hard put that it has turned its mine over to the miners down there. It could not afford to pay them \$1.21 a day, and it turned over the mine to them and said, "Pay us 2 per cent of the gross profits." The Mexican Congress now have had suggested to them that they pass an act to buy silver at a price at which they can afford to work the mines and store the silver. In other words, the government is to give a bonus to the silver miners of Mexico.

We find to-day that the Chinese Government, to protect its credit and its buying power, is requesting the other governments to permit it to put a high tariff or an embargo on silver. In other words, every country is attempting to protect itself against the destruction that Great Britain is bringing upon it by dumping the silver of India on the world.

That is the situation, and we find nothing to do. We are asked, "What good will it do?" Maybe it will not do any good, but what else have Senators to suggest? Are they willing to stand here and do nothing? While other countries are putting duties on silver, shall we stand here and do nothing? Our mines are closing down everywhere—we know that—in every State. The lead mines are closing down. The silver mines of Utah have made a reduction of 25 cents a day with the consent of the miners. They had to do that or close down. Practically every mining property in Tonopah, Nev., is closed down on account of it. We must do something. All I have asked the Senate is not to give us what every other commodity has, which would be 80 per cent if I got it, but one-half as high a duty as the average commodity of this country has.

That is all I have to say.

Mr. SMOOT. Mr. President, I do not intend to detain the Senate long.

This question has bothered me a great deal. I have tried in my own mind to arrive at a solution of the question whether a tariff would be the proper thing to bring about the desired result.

I recognize that the mining industry is at a standstill, and particularly the silver mines of the country. The representatives of every mine in the State of Utah, together with the Mining Congress officials, have telegraphed to me and written to me to support this duty on silver. I confess that I do not know whether or not it would do any good to the silver industry in the long run; and if it were not for one thing, and one thing only, I should vote against it as I did before. That is this:

England is forcing India to a gold standard. As those silver coins come out of circulation they are melted and exported all over the world; but America is the principal place to which they are sent.

I have always thought in the past that I would rather have silver, not as a commodity, but the same as gold, for the purpose of making a circulating medium. That day, it seems to me, is past. The question which arises in my mind now is this: Is it actually past, or is the present condition of silver in this country brought about by the conditions existing in the world to-day?

Of course if China were in a financial condition to go upon a gold basis to-day, it would virtually force all of the silver of the world into the United States. That is being done as far as India is concerned. India and China are the two great nations that have consumed silver in the past. So, in casting my vote as I am going to cast it to-day for a duty upon silver, I want the Senate to understand that I do it with a great deal of apprehension. I admit that under existing conditions to-day perhaps it will be of a slight advantage; but it will be only slight.

If conditions in the world are not changed; and if China and India still are purchasers of silver and use it for a circulating medium, I believe then that the action taken, if a duty is placed upon silver, would necessarily be repealed, or it would be a disadvantage to the miners; but under the present conditions the situation is a serious one. The miners think a duty is going to help them. They think the imposition of this duty will at least keep up sufficient production in the United States to take care of our needs.

Therefore, before casting my vote, I wanted to say that much in explanation of it. I repeat that I vote, as I shall vote, with a great deal of apprehension.

Mr. DILL. Mr. President, I do not want to take the time of the Senate to discuss this subject further than to say that when the question came up previously, I voted against a tariff on silver, and I did so without having full information. I have made some little study of the matter since that time; and while I have considerable doubt as to whether it will do any good, I do not see how it will do any harm. Since the silver producers think it will help them, and since they demand it, and the tariff bill places a tariff on everything else, I feel that it is my duty to vote for a tariff on silver, and see what the result will be.

For that reason I intend to change my vote. I should not take the trouble to make this announcement if it were not for the fact that I am afraid somebody will charge that I have been "silvered" in some way or other for switching my vote in this case. It has gotten so in the Senate that a man can not change his mind without having his integrity of purpose impugned, or being charged with having made a trade somewhere. If he happens honestly to change his mind, he has to get up and explain it, or some charge will be made against him.

Mr. TRAMMELL. Mr. President, will the Senator permit a question?

Mr. DILL. Yes.

Mr. TRAMMELL. I desire to ask the Senator if he does not think he has misstated the proposition. It is all right for some people to change their minds, and there is no criticism, and they are exalted as patriots; but some other people may, under different circumstances, vote differently, and they are charged with entering into some trade or something of the kind.

So I think the Senator rather misstated the situation. I know Senators here who change their minds when they get ready, and vote differently under different circumstances, and they are patted on the back as great patriots.

Mr. DILL. They pat themselves on the back.

Mr. TRAMMELL. Yes; that is it. They say they are patriots, and admit it.

Mr. DILL. There are certain items in this bill which editors and some others look upon as being rather holy, and if a man changes his mind on those he must be a scoundrel.

Mr. TRAMMELL. Oh, yes.

Mr. DILL. But on some other subject that is not so holy to these particular people it is a glorious thing if he changes his mind.

Mr. TRAMMELL. As an illustration of that, I refused to vote for a duty of \$2.24 per hundred on sugar, thinking that was too high. Later, under different circumstances, the rate on sugar having been reduced to \$2 per hundred, I voted for it. I had stated all along that I was willing to vote for \$2 per hundred on sugar, but that I was not willing to vote for \$2.24 per hundred on sugar; so when we had the proposition of \$2 per hundred on sugar I voted for it, and yet they say, "He changed his vote!"

I did not change my vote at all. I voted for \$2 on sugar when I had previously refused to vote for \$2.24. It just depends upon who does a thing of that kind.

There is practically not a man in the Senate who at some time has not refused to vote for a higher duty and at a subsequent time has voted for a lower duty upon the same item; and yet nobody accuses him of changing his mind. So, as I say, the Senator rather misstated the proposition.

Of course, it does not worry me, so far as I am concerned, to have people say that, if they will just relate the facts. All I want is to have them relate the facts.

Somebody referred to Thomas Jefferson here the other day. Some Senator quoted from him. Thomas Jefferson, in commenting on the press—and I feel friendly to the press in a general way—said there ought to be some reforms, and that they ought to arrange about four columns in the papers—one for the truth, one for possibilities, one for probabilities, and one for lies. He started off by saying there would not be very much in the first column, the truthful column. That was his appraisal of the press.

All I ask is that the press state the truth. If some member of the press or some Member of the Senate desires to criticize some one else, let him tell the truth and the facts. In my own instance, let him say that Senator TRAMMELL declined to vote for a rate of 2.24 cents on sugar, but when the rate was later reduced to 2 cents, he voted for that. Then the public can pass on the question of whether I changed my position or not.

Mr. GOFF. Mr. President, I desire to say that I intend to support the amendment of the Senator from Nevada. When this matter was before the Senate some weeks ago I voted for the tariff on silver as then proposed by the Senator from Nevada, and I intend to do so to-night, and I intend to do so because I think the mining of silver is one of the great industries of the United States, which not only needs protection, but deserves protection in every sense of the word.

I want to say that, regardless of what people may say or think about the change in one's vote, or the change in one's mind, that is purely immaterial if the person so voting is consistent in his stand.

I do not criticize those who advocate free trade. It is their political philosophy, their economic creed, and it is their standard of legislation. I am a protectionist, and I have always voted for protection, and I intend always to vote for protection for the industries of this country. I do not intend to vote for any excessive protection, and neither do I intend to vote for a protection that is entirely too low.

I am not in sympathy with the people who stand in the Senate for protection to American industries and who then turn about and vote against protection because they say "My State does not want it. My industries do not need it." If you are going to measure your vote in this body by what the wishes and desires of your State may be, then you are merely an opportunist, and I do not think anyone can be a free-trade opportunist or a protectionist opportunist and merit the respect of his constituents, either friends or foes.

The Senator from Nevada said the mines are closed. That is true, and I want to say to the Senator, and I want to say to the other Members of this body now present, that the coal mines in the coal-producing States of this Nation are closing, and the oil wells are closing. Yet men who believe in the doctrine of protection have stood here upon this floor to-night and have voted against giving protection to coal and security to oil.

Mr. President, I want to register, just as far as such a registration will go, and just as emphatically as it can be made, that I am against such a policy of protection, and I do not believe that the men who so vote and who so advocate protection are true protectionists in any sense of the word. They are political opportunists and in any aspect economic expeditionists.

Therefore, as I have said, in the few words which I have uttered, I intend to vote for a protection on silver.

Mr. WALSH of Montana. Mr. President, the people of the West interested in silver ought to be particularly grateful to the distinguished Senator from West Virginia for his considera-

tion of their interests. He votes for a duty on a product on which the duty can not possibly make any difference in the price, but when he comes to a product of which we consume very much more than we produce, like manganese, he is found voting on the other side.

Mr. ODDIE. Mr. President, I am not going into any discussion of this item. I will be very brief.

I commend my colleague for the able manner in which he has presented this very important question. I intend to support the amendment, and I hope it will carry. I am very familiar with the depressed condition of the silver-mining industry and of the benefits we all hope and believe will come to that industry from the adoption of this amendment. Not alone to the silver-mining industry, but to the industries of copper, lead, zinc, and gold, and the mining of other metals, because silver is a by-product in the mining of many of the metals I have mentioned.

The matter has been presented very thoroughly and ably by my colleague, and I hope the amendment will be agreed to.

Mr. FESS. Mr. President, I have not had the occasion, in the consideration of this tariff bill, to change a vote at any time. I usually make up my mind after listening to the discussion.

When this question came up before I had not looked into the silver situation, and I voted against the proposal offered by the Senator from Nevada. I have listened to his argument to-night, and I think he has made a good case, and this is one place where I am going to change my vote, and I shall vote for the amendment.

Mr. GOFF. Mr. President, I wish to say to my friend the Senator from Montana that I thank him sincerely for the compliment which he paid me. I wish to return that compliment by saying that when the distinguished Senator from Nevada testified as to the needs and the demands of protection I felt, in view of his argument and the able manner in which he stated it, that it was the best evidence of which the nature of the case admitted. For that reason, I was not at all impressed or affected by the criticism, even in a complimentary vein, of the Senator from Montana.

I want to remind him that, possibly, tomorrow, or, at least, before we finish the consideration of this bill, I shall give the distinguished Senator from Montana the opportunity to express himself, show his consistency, on the question of a tariff on white arsenic, and we will then see whether or not his vote is the same as mine upon the question of the protection to a great industry in his State.

Mr. WALSH of Montana. Mr. President, I appreciate also the kindness of the senior Senator from Ohio, who is very glad to vote for a duty on a product of my State which everybody concedes will do no good, at least for the present, but, high protectionist that he is, devotee of that principle, declines to give us a duty on manganese, which would do some good.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. LA FOLLETTE. 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	Kendrick	Shortridge
Ashurst	George	Keyes	Smoot
Baird	Glass	La Follette	Steck
Barkley	Goff	McCulloch	Steiger
Black	Goldsborough	McNary	Stephens
Blaine	Hale	Metcalf	Sullivan
Borah	Harris	Moses	Swanson
Bratton	Harrison	Norbeck	Thomas, Idaho
Broussard	Hastings	Norris	Thomas, Okla.
Capper	Hatfield	Nye	Townsend
Caraway	Hawes	Oddie	Trammell
Connally	Hayden	Phipps	Vandenberg
Copeland	Hebert	Pine	Walsh, Mass.
Cutting	Heflin	Pittman	Walsh, Mont.
Dale	Howell	Ransdell	Waterman
Dill	Johnson	Robinson, Ind.	Watson
Fess	Jones	Schall	Wheeler
Fletcher	Kean	Sheppard	

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

Mr. LA FOLLETTE. Mr. President, it is not my desire to take up any time in the discussion of this amendment, but I asked for a yeas and nays vote on it, and the Senate refused to second the demand. I think it is rather an unusual procedure, when a Senator asks for a record vote upon an amendment, that it should not be accorded. All that I ask is that there shall be a record vote. I do not want to take up any time of the Senate, but I ask that the Senate go on record on this amendment. I ask for the yeas and nays.

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

Mr. FESS (when his name was called). I am paired with the senior Senator from North Carolina [Mr. SIMMONS]. Not knowing how he would vote, I shall have to withhold my vote. Were I permitted to vote, I would vote "yea."

Mr. GLASS (when his name was called). I have a non-transferable pair with the senior Senator from Connecticut [Mr. BINGHAM]. In his absence, I withhold my vote. If I could vote, I would vote "yea."

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. I understand that if he were present he would vote as I shall vote. I vote "yea."

Mr. STEPHENS (when his name was called). On this vote I am paired with the Senator from Illinois [Mr. GLENN]. I transfer that pair to the senior Senator from Tennessee [Mr. McKELLAR] and vote "yea."

Mr. SULLIVAN (when his name was called). I have a general pair with the Senator from Tennessee [Mr. BROCK]. If I were permitted to vote, I would vote "yea."

Mr. THOMAS of Idaho (when his name was called). I have a general pair with the Senator from Iowa [Mr. BROOKHART]. I understand that he would vote as I shall vote. I vote "yea."

Mr. TOWNSEND (when his name was called). On this vote I have a pair with the senior Senator from Tennessee [Mr. McKELLAR]. If he were present and permitted to vote, I understand he would vote as I shall vote. Therefore I vote. I vote "yea."

Mr. WATSON (when his name was called). I transfer my general pair with the Senator from South Carolina [Mr. SMITH] to the junior Senator from Pennsylvania [Mr. GRUNDY] and vote "yea."

The roll call was concluded.

Mr. DILL. I have a pair with the Senator from Kentucky [Mr. ROBSON]. I transfer that pair to the junior Senator from Iowa [Mr. BROOKHART] and vote "yea."

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

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Massachusetts [Mr. GILLET] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING];

The Senator from Vermont [Mr. GREENE] with the Senator from Arkansas [Mr. CARAWAY];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from Indiana [Mr. ROBINSON] with the Senator from Maryland [Mr. TYDINGS];

The Senator from Connecticut [Mr. BINGHAM] with the Senator from Virginia [Mr. GLASS]; and

The Senator from Connecticut [Mr. WALCOTT] with the Senator from South Carolina [Mr. BLEASE].

The result was announced—yeas 55, nays 12, as follows:

YEAS—55

Allen	Goff	Kean	Shortridge
Ashurst	Goldsborough	Kendrick	Smoot
Baird	Hale	Keyes	Steck
Barkley	Harris	McCulloch	Steinwer
Borah	Harrison	McNary	Stephens
Bratton	Hastings	Metcalfe	Swanson
Broussard	Hatfield	Moses	Thomas, Idaho
Capper	Hawes	Norbeck	Thomas, Okla.
Copeland	Hayden	Oddie	Townsend
Cutting	Hebert	Phipps	Trammell
Dale	Heflin	Pine	Waterman
Dill	Howell	Pittman	Watson
Fess	Johnson	Ransdell	Wheeler
Fletcher	Jones	Sheppard	

NAYS—12

Black	Frazier	Norris	Vandenberg
Blaine	George	Nye	Walsh, Mass.
Connally	La Follette	Schall	Walsh, Mont.

NOT VOTING—29

Bingham	Glass	Overman	Smith
Bleas	Glenn	Patterson	Sullivan
Brock	Gould	Reed	Tydings
Brookhart	Greene	Robinson, Ark.	Wagner
Caraway	Grundy	Robinson, Ind.	Walcott
Couzens	King	Robison, Ky.	
Deneen	McKellar	Shipstead	
Gillett	McMaster	Simmons	

So Mr. PITTMAN's amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, this matter was passed upon in Committee of the Whole on February 18 and the amendment was defeated by a vote of 36 to 32. I ask unanimous consent that that roll call may be inserted in the RECORD at this point.

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

The matter referred to is as follows:

The yeas and nays were ordered, and the Chief Clerk called the roll. Mr. BLEASE. I have a pair with the Senator from Maryland [Mr. GOLDSBOROUGH]. Not knowing how he would vote on this question, I withhold my vote.

Mr. WATSON (after having voted in the negative). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Oklahoma [Mr. PINE] and will let my vote stand.

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

The Senator from New Hampshire [Mr. MOSES] with the Senator from Iowa [Mr. STECK];

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Alabama [Mr. HEFLIN];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING].

I also desire to announce that the Senators from Maryland [Mr. GOLDSBOROUGH] and Mr. TYDINGS are detained from the Senate on departmental business.

Mr. McNARY. On this amendment I have a pair with the Senator from Mississippi [Mr. HARRISON], which I transfer to the Senator from South Dakota [Mr. McMASTER], and will vote. I vote "nay."

Mr. SHEPPARD. I desire to announce that the Senator from Arkansas [Mr. CARAWAY], the Senator from North Carolina [Mr. SIMMONS], the Senator from Texas [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are necessarily detained on official business.

I also desire to announce the general pair of the Senator from Maryland [Mr. TYDINGS] and the Senator from California [Mr. JOHNSON].

The result was announced—yeas 32, nays 36, as follows:

Yeas, 32: Ashurst, Baird, Bratton, Brookhart, Broussard, Fletcher, Goff, Grundy, Harris, Hastings, Hatfield, Hawes, Hayden, Howell, Jones, Kendrick, McKellar, Norbeck, Oddie, Patterson, Phipps, Pittman, Ransdell, Sheppard, Shortridge, Steinwer, Stephens, Sullivan, Thomas of Idaho, Townsend, Trammell, and Waterman.

Nays, 36: Allen, Bingham, Black, Blaine, Capper, Couzens, Cutting, Dale, Deneen, Dill, Fess, Frazier, George, Gillett, Glass, Glenn, Greene, Hale, Hebert, Kean, Keyes, La Follette, McCulloch, McNary, Metcalf, Nye, Robinson of Indiana, Robison of Kentucky, Schall, Smoot, Swanson, Vandenberg, Wagner, Walsh of Massachusetts, Walsh of Montana, and Watson.

Not voting, 28: Barkley, Bleas, Borah, Brock, Caraway, Connally, Copeland, Goldsborough, Gould, Harrison, Heflin, Johnson, King, McMASTER, Moses, Norris, Overman, Pine, Reed, Robinson of Arkansas, Shipstead, Simmons, Smith, Steck, Thomas of Oklahoma, Tydings, Walcott, and Wheeler.

So Mr. PITTMAN's amendment was rejected.

Mr. SMOOT. Mr. President, in view of the adoption of the amendment of the Senator from Nevada [Mr. PITTMAN], other amendments will be required in paragraphs 1735, 1638, and I think one other paragraph. I want to give notice now that in the morning I shall prepare the necessary amendments to conform with the action just taken, and ask the Senate then to agree to those amendments.

Mr. HEBERT. Mr. President, I have an amendment pending, which I am prepared to take up at this time.

The VICE PRESIDENT. The amendment offered by the Senator from Rhode Island will be stated.

The CHIEF CLERK. On page 223, after line 14, insert the following:

(b) In addition to the foregoing, there shall be paid the following duties:

(1) On laces, 3 inches or less in width, and on laces suitable for conversion into laces 3 inches or less in width, one-half of 1 cent per yard for each one-half inch, or fraction thereof, in width;

(2) On nets and netting, having 50 holes or less per square inch, three-fourths of 1 cent per square yard; having more than 50 but not more than 100 holes per square inch, 1½ cents per square yard; having more than 100 but not more than 150 holes per square inch, 1½ cents per square yard; having more than 150 but not more than 200 holes per square inch, 2½ cents per square yard; having more than 200 but not more than 250 holes per square inch, 3½ cents per square yard; having more than 250 but not more than 300 holes per square inch, 5 cents per square yard; having more than 300 but not more than 350 holes per square inch, 6½ cents per square yard; having more than 350 but not more than 400 holes per square inch, 7½ cents per square yard; having more than 400 but not more than 450 holes per square inch, 8½ cents per square yard; having more than 450 holes per square inch, 10 cents per square yard.

Mr. HEBERT. Mr. President, this amendment was introduced while the bill was in Committee of the Whole. I was not able to secure consideration at the time when this paragraph was under consideration. Later on I attempted to bring it before the Senate, but it was ruled out of order at that

time. This is the first opportunity I have had to obtain the consideration of the amendment.

Mr. BARKLEY. Mr. President, there is so much confusion in the Chamber that some of us did not understand the paragraph to which the Senator's amendment relates.

Mr. HEBERT. It applies to paragraph 1529, on page 223, after line 14.

Mr. BARKLEY. The Senator is going to explain his reason for offering the amendment?

Mr. HEBERT. Yes; I am about to do so. I am going to ask indulgence of the Senate to make a statement in explanation of the amendment. I may say at the outset that it is one of great importance to many people in my State.

This amendment proposes specific duties in addition to those provided in the pending bill. The duty now provided in the bill amounts to 90 per cent ad valorem upon the various laces enumerated in paragraph 1529. The additional specific duties would amount to 1 cent per yard for each half inch or fraction thereof on laces 3 inches or less in width, and with a gradual increase upon greater widths and widths containing more holes per square inch, up to a maximum of 10 cents per square yard on laces having more than 450 holes per square inch.

LACE INDUSTRY IN THE UNITED STATES

The lace industry was first established in the United States in 1909, a short time after the passage of the tariff bill of that year, which exempted lace machinery from any import duties, in the hope that the industry might be fostered and encouraged in this country. As a result of this legislation, a considerable number of plants were established at that time and it is estimated that approximately 95 per cent of the machinery for the manufacture of laces now operated in the United States was imported then. It may be added that all lace machinery now in use by the manufacturers of these laces in the United States is imported from abroad.

The industry had its inception in the State of Rhode Island, where at the present time nearly one-half of the total productive capacity is to be found; other mills being located in the States of New Jersey, Pennsylvania, New York, Connecticut, Ohio, and Illinois. The number of lace machines, as the looms upon which laces are manufactured are known, and the States where located, are as follows:

Rhode Island.....	258
New Jersey.....	70
Pennsylvania.....	78
New York.....	80
Connecticut.....	70
Ohio.....	31
Illinois.....	29
Total.....	616

As compared with the total equipment of lace factories in the United States, the following figures will show the equipment in foreign countries.

Location of lace and lace-braiding machines in European countries in 1924

Country	Nottingham lace-curtain machines	Levers and levers go-through machines	Bobbinet machines	Lace-braiding machines
France.....	25	3,946	400	2,500
Great Britain.....	802	2,000	2,500	200
Germany.....	157	160	314	4,000
Other European countries.....	187	-----	30	300
Total.....	1,171	6,106	3,244	7,000

PROGRESS OF THE INDUSTRY

At the time of the establishment of the industry in the United States it was hoped that the surplus skilled labor theretofore employed in the textile mills of New England and in other parts of the country might be given employment in this new activity, and, in view of the large quantities of laces of this kind then being imported in the United States, that a sufficient market would be found for the products of these mills. In the course of time, however, it became apparent that on account of the great difference in labor costs in the United States and in foreign countries, particularly in France and England, our manufacturers were unable to compete with importations from abroad, and representations for an increase in tariff duties upon imports of laces were made to Congress. A number of increases in duties have been accorded to our manufacturers of laces from time to time, but the provision in the pending tariff bill is the same as the duty carried in the existing law; but even this is, in view of existing conditions in the industry, clearly insufficient to enable us to compete successfully, as the figures and the experience which I shall present will conclusively demonstrate.

CAPITAL INVESTED

It is estimated that approximately \$25,000,000 is invested in the industry in the United States at the present time. There are employed in these mills now some 8,000 operatives, though at full capacity they could provide employment for not less than 15,000.

While the actual production for the year 1927, the last year available to me, had a value of \$11,500,000, yet the potential annual output of the American lace factories is estimated to be in the neighborhood of \$35,000,000.

I have prepared, and I ask to have inserted in the RECORD at this point in my remarks, a schedule of actual production of American laces as shown by the reports of the United States Bureau of the Census, for each of the years 1914 to 1927, divided into classes of products.

The VICE PRESIDENT. Without objection, it is so ordered. The table referred to is as follows:

Annual American production
(From figures of the U. S. Bureau of Census)

	1914	1919	1921	1923	1925	1927
Cotton levers laces.....	3,681,042	6,607,546	3,988,120	8,029,404	6,547,830	6,262,931
Silk laces, nets, veillings, etc.....	1,328,933	5,825,359	2,844,902	2,892,812	1,325,617	570,120
All other cotton nets and laces.....	2,902,857	5,922,185	6,630,662	4,307,825	4,189,027	3,457,185
All other products.....	685,742	1,085,336	141,554	198,671	982,773	1,171,810
Total.....	8,598,574	19,440,426	13,605,238	15,428,712	13,045,247	11,552,046

Mr. HEBERT. I have also prepared a schedule, which I ask to have inserted in the RECORD, showing the imports of these laces, taken from figures of the United States Tariff Com-

mission for each of the years 1923 to 1928, divided into classes.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

Annual importation of laces

(From figures of the U. S. Tariff Commission, plus duty and landing charges)

NOTE.—In the absence of a unit basis of comparison of domestic production and importation of laces, importations have been figured on the basis of landed value to make these more nearly comparable on a dollar basis.

	1923	1924	1925	1926	1927	1928
Machinemade laces.....	21,301,352	25,690,998	17,526,774	12,172,278	11,641,238	11,303,460
Nets, nettings, veils, veillings.....	4,857,570	3,836,072	3,404,224	3,371,734	3,871,498	5,505,236
Burnt-out laces, etc.....	3,413,144	3,152,962	1,810,800	2,437,142	2,557,090	2,022,568
Handmade laces.....	4,821,722	4,655,838	3,554,508	2,383,805	2,733,140	1,613,224
Total.....	34,402,788	37,335,870	26,296,306	20,363,960	20,802,936	20,444,518

Mr. HEBERT. Mr. President, in this latter schedule, in the absence of a unit value for comparison of domestic production and imports, the value of importations has been figured on a basis which will make them fairly comparable to domestic production on a dollar basis.

It is found that the value of the average annual importations is \$26,607,730, and that the value of the average annual domestic production is \$13,611,707.

From these figures it is clear that the American lace manufacturer with his present equipment is capable of supplying practically all the requirements of the American market, whereas under present conditions, because of insufficient protection, he is limited to operating at approximately but 35 per cent of his capacity, and as a result the countries of Europe supply our market to the extent of twice the value of domestic production.

COMPARISON OF AMERICAN AND FOREIGN METHODS OF MANUFACTURE

The lace machines operated in America are identical with those in use in France and England, our principal competitors, although it may be said that in the main, the machines in use in America are more modern. At any rate, American plants are operated much more efficiently than those of Europe, having much larger individual units. The average American plant consists of from 18 to 20 lace machines, whereas European plants, particularly those in France, consist mostly of from 2 to 6 machine units. Every other process of manufacture both here and abroad is identical, so that the only essential difference in costs is found in the items of labor and yarns.

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

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Massachusetts?

Mr. HEBERT. I yield.

Mr. WALSH of Massachusetts. I do not want to interrupt the admirable speech the Senator is making on this subject, but I should like to make some inquiries about the present duty.

The VICE PRESIDENT. The Chair feels that it is his duty to call the attention of the Senator from Rhode Island to the fact that he only has one minute remaining.

Mr. WALSH of Massachusetts. In my time I should like to ask the questions.

Mr. HEBERT. Very well.

Mr. WALSH of Massachusetts. First, I ask unanimous consent that the Senator from Rhode Island may have his time extended for 10 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. WALSH of Massachusetts. I inquire of the Senator from Rhode Island what is the present duty upon the laces described in the amendment offered by him?

Mr. HEBERT. The present rate is 75 per cent.

Mr. WALSH of Massachusetts. And the Senator seeks to make a separate classification of the particular laces referred to in his amendment?

Mr. HEBERT. Yes; and to provide specific duties upon certain narrow laces.

Mr. WALSH of Massachusetts. Exactly, and the purpose of the amendment is to increase the duty on the narrower and finer laces?

Mr. HEBERT. Not necessarily on the finer laces, but on the narrower laces, the staple laces, so called.

Mr. WALSH of Massachusetts. What will the duties represent in ad valorem terms?

Mr. HEBERT. One hundred and twenty-seven per cent, Mr. President.

Mr. WALSH of Massachusetts. Is that the average?

Mr. HEBERT. The average; yes.

Mr. WALSH of Massachusetts. I suppose some of the narrower laces described would have a lower duty and some a higher duty than 127 per cent?

Mr. HEBERT. Yes; that is true.

Mr. WALSH of Massachusetts. But the average is 127 per cent?

Mr. HEBERT. It is 127 per cent.

Mr. WALSH of Massachusetts. Will the Senator give us the story of the importations of these laces?

Mr. HEBERT. Yes; I have those figures here.

Mr. GEORGE. Before the Senator does that may I ask him if the amendment is to paragraph 1529?

Mr. HEBERT. It is paragraph 1529, page 223.

Mr. WALSH of Massachusetts. It comes in at the end of paragraph 1529 on page 223, and the Senator proposes to add a separate subdivision.

Mr. GEORGE. I know, but the duty under that paragraph is 90 per cent ad valorem.

Mr. HEBERT. Mr. President, that is the duty that is provided in the pending bill, but I understood the Senator from Massachusetts to ask me what the duty is under existing law.

Mr. GEORGE. The duty under existing law is 75 per cent ad valorem, and under the pending bill it is 90 per cent ad valorem.

Mr. HEBERT. That is true.

Mr. WALSH of Massachusetts. My question was with reference to the present duty. The Senator may not disturb himself at this moment but may give the record of imports later on in the course of his address, if it is more convenient for him to do so.

Mr. HEBERT. I have the figures here, Mr. President. In 1923, according to the figures of the United States Tariff Commission, the imports were \$34,402,788; in 1924 they were \$37,335,870; in 1925 they were \$26,296,306; in 1926 they were \$20,363,960; in 1927, \$20,802,936; and in 1928, \$20,444,518.

Mr. WALSH of Massachusetts. How do those figures compare with the domestic production?

Mr. HEBERT. They are about 35 per cent of the domestic production.

Mr. WALSH of Massachusetts. That is, the imports constitute about 35 per cent of the domestic production?

Mr. HEBERT. The imports constitute about 70 per cent of the consumption of this country.

Mr. WALSH of Massachusetts. What is the condition of the industry in Rhode Island?

Mr. HEBERT. I hesitate to attempt a description of the existing conditions of the industry, so bad is it, and so bad has it been for some time.

Mr. WALSH of Massachusetts. Are these laces manufactured in factories of separate units where nothing else is made except laces?

Mr. HEBERT. Nothing else is manufactured in these factories; they are essentially lace factories.

Mr. WALSH of Massachusetts. They are not textile mills that make a variety of cotton textiles, but they make solely these laces?

Mr. HEBERT. Not in the State of Rhode Island. There are some mills in other States which have a diversity of production; some mills, I understand, in the State of Pennsylvania produce stockings and other knit goods, but that is not true of the factories in Rhode Island.

Mr. WALSH of Massachusetts. That is an exceptional condition in the textile business?

Mr. HEBERT. It is; it is not the usual condition.

Mr. WALSH of Massachusetts. I thank the Senator for the information; and I now ask that the time consumed in my questions be taken out of my time and that the Senator be given his 10 minutes.

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

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Kentucky?

Mr. HEBERT. I yield.

Mr. BARKLEY. From what source does the Senator quote the figures as to the domestic production of these laces?

Mr. HEBERT. From the census figures, Mr. President.

Mr. BARKLEY. And what were they given by the Senator as being? What was the domestic production?

Mr. HEBERT. In the year 1927, the last year for which the figures are available, the domestic production had a value of \$11,552,000.

Mr. BARKLEY. I find from the Tariff Summary some difficulty in separating the value of these domestic products. The summary gives the total amount of laces produced in the United States for 1923 as \$300,000,000.

Mr. HEBERT. Mr. President, those figures have nothing to do with the laces that are included in my amendment; they cover other products altogether. The laces that would come within the purview of my amendment are what are known as Levers laces and Barmen laces, and are wholly unlike most of the laces that are included in the figures just quoted by the Senator.

Mr. BARKLEY. The Tariff Commission does not separate Levers laces in the table of domestic production, so that I am unable to find from this report the domestic production of that type of laces; and I was interested to know from what source the Senator obtained the figures.

Mr. HEBERT. Mr. President, the figures which I have quoted were taken from the census figures, but after analyzing and separating the different classes of laces, so as to bring in this group the laces which are included in the amendment which is now pending.

Mr. BARKLEY. Was that analysis or that separation made by the Census Bureau or by somebody else?

Mr. HEBERT. The analysis, as I understand, was furnished by an association of lace manufacturers, and was then checked up by the Tariff Commission, which has been making an extended investigation of the lace industry in this country since 1923.

Mr. BARKLEY. If I understand the Senator's amendment, notwithstanding the fact that the present bill increases the tariff on these articles from 75 per cent to 90 per cent ad valorem, the Senator seeks now to add on to that 90 per cent the specific rate which he provides and which will raise the total ad valorem equivalent to 127 per cent.

Mr. HEBERT. On the average that is what it would do.

Mr. President, I should like to answer all inquiries, but I realize that it is being taken out of my time, and I should like to complete my statement.

It is to be noted that a large percentage of the finer cotton and metal yarns used in the industry in this country are not produced here, and therefore they must be imported, and as they bear a duty of approximately 35 per cent, this added cost is reflected in the prices which obtain for our production.

COMPARATIVE WAGES IN THE UNITED STATES AND EUROPE

Ninety per cent of the lace-machine operatives in this country have been trained abroad. The training of these operatives is a slow process, and those now in the country have shown a reluctance to assist in the training of American operatives, with the result that replacements have to be made from abroad. Therefore, so far as the operation of the machines in the industry is concerned, there is no difference in point of efficiency between the United States and France and England. There is a difference, however, and one that is very marked, in the salaries and wages paid to those operatives. For example, lace weavers in this country receive a weekly wage of approximately \$55, whereas the same workman in the mills in France is paid \$14 per week. The warpers in the United States receive a weekly wage of \$42, as compared with \$9 paid to like operatives in France. And brass-bobbin winders in this country are paid \$30 per week, but those employed in this particular work in France receive a weekly wage of \$7.50. The slip winders in this country receive a weekly wage of \$22.50, as compared with a weekly wage of \$7 paid to the like operatives in France. A summary of these wages shows that the average paid to American workers is \$39.88 per week, and those paid to French operatives is \$9.38 per week.

CLASSIFICATION OF LACES

There are three major classes of laces produced in the United States—novelty laces, staple laces, and nets.

NOVELTY LACES

Novelty laces are usually manufactured of silk, metal, or rayon yarns, or more frequently in combinations of all of these, and range in width from 9 to 54 inches. As their name implies, they are transitory items, some styles being in demand for but a few weeks and then they disappear from the market. In these the American manufacturer has an advantage over his foreign competitor, because of his closer proximity to the market and his ability to supply the demand more readily than can the manufacturer located abroad. However, because of domestic competition the American manufacturer has not received that profit to which he should be entitled, and at any rate his margin on these novelties has been much less relatively than that of the French makers. However, with but a fraction of the American market available to the American producer and with the repeated change and intermittent demand for this type of laces, no American manufacturer has been able to operate successfully in the past.

STAPLE LACES

This class of laces constitutes the greatest range and provides the most substantial income to the American manufacturer. They range in width from one-half inch to 9 inches and are manufactured principally of finer cotton yarns. Also they entail more labor in proportion to yarn value than novelty laces. Notwithstanding the American industry was established to produce this very class of laces, yet because of competition from abroad, it has been unable to compete in its own home market. The United States Tariff Commission began an investigation of this item of manufacture in 1923. No conclusion has yet been reached, though the results of this investigation up to the present point show conclusively the need of further protection to the American manufacturer.

In this category are included Valenciennes laces which form the bulk of the European production and of the American importations of Levers laces. As already stated, they range in

width from one-half inch to 9 inches, but in the main they do not exceed 4 inches in width. They are made in sets of edgings and insertions for trimming of underwear and dresses, and are of two main types—diamond mesh or French Val, and round-hole mesh or German Val. There is, however, a small production of fillet laces made with a square-hole mesh. One of the most largely produced patterns is the "fish-eye Val" made with a "fish-eye" shaped figure and a diamond mesh. Some Vals are made with Maltese or Cluny effects.

NETS

Nets constitute another staple branch of the industry. They are manufactured of cotton, silk, and other rayon yarns. The history of this part of the industry in the United States is deplorable, so far as the financial results to the manufacturers are concerned, as the cost computations, which I shall present later in my remarks and ask to have inserted in the RECORD, will show.

LACE INDUSTRY AND INCOME-TAX RETURNS

If the American lace industry is to continue as a part of our industrial structure, it is absolutely essential that further protection be afforded to so-called staple laces. Otherwise, its disappearance as one of our activities is already decreed.

An examination of the income-tax returns of 31 concerns transacting business in the United States in the years 1926, 1927, and 1928 discloses the following facts:

Of 31 concerns filing income-tax returns in 1926, 18 show aggregate losses from operations of \$679,089.01, and 6 show aggregate profits of \$370,955.34. Consolidating these profits and losses, the results show a net loss from operations upon a volume of sales for the year of \$23,981,000 amounting to \$308,134.

In the year 1927 of 31 concerns reporting, 15 show aggregate losses of \$324,164.23, and 13 show aggregate profits of \$383,182.14. Again consolidating the profits and losses for that year and applying them to the gross sales of \$22,698,000, the results show a net profit from operations of \$59,017.91.

In 1928 of 27 concerns filing income-tax returns, 12 of them showed losses aggregating \$369,565.42, and 15 reported aggregate profits of \$743,451.14. Consolidating these profits and losses and applying them to the gross sales of the year, amounting to \$23,084,000, we find a net return from operations for that year of \$373,885.72, or approximately 0.017 per cent.

While it might be assumed that there has been some improvement in the situation as viewed from the returns to which I have just made reference, yet this is not so in fact, because the concerns which have shown a profit are found to have diversified their activities, and they are not limited to the production of laces alone. For instance, one concern which showed losses in each of the years 1926 and 1927 and a profit in 1928 had diversified its productions so that in the latter year it produced in addition to laces, hosiery, underwear, rugs, and other articles. Another of these concerns which has shown very moderate profits for each of the years to which reference has been made also produces knit goods. Still another one of these manufacturers of laces which showed losses in 1926 and 1927, and a small profit in 1928, derived much of that profit from real-estate operations in the latter year.

I shall now give a brief review of the history of the lace mills of the United States and the results of their operations as disclosed from their income-tax returns principally and supplemented by reports to their stockholders. I do not propose to refer to these by name lest in doing so their credit be wholly destroyed or their standing seriously affected. I have the facts in detail, however, and if any Senator is interested to know more about them I shall gladly place them at his disposal that he may make a further examination.

The first manufacturing concern on my list is domiciled in Rhode Island. It was one of the first to be established, and has been in operation for 20 years. It has never paid a dividend to its stockholders.

Another concern, also domiciled in Rhode Island, has never been successful and has been supported by outside capital.

The concern whose name follows on my list, also domiciled in Rhode Island, is a consolidation of two defunct concerns. After this consolidation the corporation failed, with liabilities of over a quarter of a million dollars.

Again, another concern which operates 25 machines, was saved from financial difficulties in 1924 by the acquisition of additional capital; but an examination of its income-tax returns for the years 1926, 1927, and 1928 shows losses aggregating approximately \$75,000.

Of the five concerns domiciled in New Jersey and operating 70 machines, one failed about a year ago; one made some profits during the war, but since then has been losing on an average

between \$75,000 and \$100,000 per year; and the others are family operated mills.

Of the three plants domiciled in Pennsylvania, the lace-manufacturing equipment in one has been for sale for quite a while, and that part of its business has been unsuccessful for years. One has failed three times and has recently reorganized, and the other has never been successful since its inception.

Of the 6 plants domiciled in the State of New York and operating 80 machines 2 have shown profits for each of the three years under observation, though 1 imports as well as manufactures laces. Two have shown profits one year and losses for the other two years; and the others have shown consistent losses for each of the years under observation.

Of the four plants domiciled in the State of Connecticut, one shows small profits for 2 years and losses for the next; whereas the others show losses for 2 years and profits for the remaining 1 year of the period under observation. It is to be noted, however, that those which have shown any profits have been engaged in other lines of activity; and from the general condition of the lace industry in this country it may be said, with no small degree of assurance, that the profits derived in any one year probably came from sources other than the manufacture of laces.

I ask that there may be included at this point in my remarks certain cost comparisons on laces.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

FOREIGN AND DOMESTIC COST COMPARISON OF LACES
(As submitted, with samples, to the Committee on Ways and Means)

EXHIBIT NO. 1.—TWO-THIRDS-INCH WIDE, 12-POINT VALENCIENNES LACE (STAPLE)	
Foreign sample 10181: Cost in France per meter November 13, 1928, centimes 12; plus 25 per cent, 3; centimes net, 15; exchange at 3.93, \$0.5895; add 10 per cent expenses plus 90 per cent duty, \$0.5895; total, 1.1790; to convert meters to dozens by 11, 12.969:	
Landed cost (including foreign manufacturers' profit) per dozen yards.....	\$0.1269
Suggested specific duty.....	.12
Total.....	.2469
Domestic sample 5073: Cost of production at the mill, \$0.1816 per dozen yards; plus 25 per cent for selling, administrative expenses, and profit, \$0.0454; total.....	.2270
EXHIBIT NO. 2.—1-INCH WIDE, 12-POINT VALENCIENNES LACE (STAPLE)	
Foreign sample 10183: Cost in France per meter Nov. 13, 1928, centimes 18; plus 25 per cent, 4.5; centimes net, 22.5; exchange at 3.93, \$0.88425; add 10 per cent expenses plus 90 per cent duty, \$0.88425; total, 1.76850; to convert meters to dozens by 11, \$0.19453:	
Landed cost (including foreign manufacturers' profit), per dozen yards.....	.1945
Suggested specific duty.....	.12
Total.....	.3145
Domestic sample 5042: Cost of production at the mill, \$0.268 per dozen yards plus 25 per cent for selling; administrative expense and profit, \$0.067. Total.....	.335
EXHIBIT NO. 3.—ONE AND ONE-HALF-INCH WIDE, 12-POINT VAL LACE (STAPLE)	
Foreign sample 10184: Cost in France per meter Nov. 13, 1928, centimes 24; plus 25 per cent, 6; centimes net, 30; exchange at 3.93, 1.1790; add 10 per cent expenses plus 90 per cent duty, 1.1790; total, 2.3580; to convert meters to dozens by 11, 25.938:	
Landed cost (including foreign manufacturers' profit), per dozen yards.....	.2593
Suggested specific duty.....	.18
Total.....	.4393
Domestic sample 5081: Cost of production at the mill, \$0.329 per dozen yards plus 25 per cent selling, administrative expenses, and profit, \$0.082. Total.....	.411
EXHIBIT NO. 4.—1-INCH METAL LACE (STAPLE)	
Foreign sample 09712: Cost in France, 0.47; exchange at 3.93; 90 per cent duty plus 10 per cent for expenses:	
Landed cost (including foreign manufacturers' profit), per yard.....	.03½
Suggested specific duty.....	.01
Total.....	.04½
Domestic sample 18678: Cost of production at the mill, \$0.0420, plus 25 per cent selling, administrative expenses, and profit, \$0.0105. Total.....	.0525
EXHIBIT NO. 5.—1-INCH SILK CHANTILLY LACE (STAPLE)	
Foreign sample 1762/1486: Cost in France per meter, Jan. 26, 1929, francs, 0.37¼, less 10 per cent exchange at 3.93, \$0.01328; add 10 per cent expenses plus 90 per cent duty, \$0.01328:	
Landed cost (including foreign manufacturers' profit), per yard.....	.0241
Suggested specific duty.....	.01
Total.....	.0341
Domestic sample 16854: Cost of production at the mill, \$0.03 per yard plus 25 per cent selling, administrative expenses, and profits, \$0.0075. Total.....	.0375

EXHIBIT NO. 6.—THREE-FOURTHS-INCH METAL LACE (STAPLE)

Foreign samples 09717 and 09711: Cost in France, francs, 0.31; exchange at 3.93; 90 per cent duty plus 10 per cent for expenses:

Landed cost (including manufacturers' profit) per yard..... \$0.0225

Suggested specific duty..... .01

Total..... .0325

Domestic sample 18672: Cost of production at the mill, \$0.03220; plus 25 per cent selling, administrative expenses and profit, \$0.008. Total..... .04

EXHIBIT NO. 7.—SEVEN-EIGHTH-INCH CHANTILLY LACE (STAPLE)

Foreign sample 1762/3017: Cost in France January 26, 1929, 0.44 francs per meter, less 10 per cent; exchange at 3.93; \$0.0155; add 10 per cent expenses plus 90 per cent duty, \$0.0155; landed cost per meter, \$0.0310:

Landed cost—per yard..... .0282

Suggested specific duty..... .01

Total..... .0382

Foreign sample 824/6781: Cost in France, 0.85 franc less 40/5 per cent; exchange at 3.93, \$0.0190; add 10 per cent expenses plus 90 per cent duty, \$0.0190; total \$0.0380:

Landed cost (including foreign manufacturers' profit) per yard..... .0345

Suggested specific duty..... .01

Total..... .0445

Domestic sample 17980: Cost of production at the mill, \$0.051 net per yard; plus 25 per cent selling, administrative expenses, and profits, \$0.01275. Total..... .06375

EXHIBIT NO. 8.—3-INCH COTTON BUNCH LACE (STAPLE)

Foreign sample 1762/1539: Cost in France per meter Jan. 26, 1929, 1.35 francs less 10 per cent; exchange at 3.93, \$0.0530; add 10 per cent expenses plus 90 per cent duty, \$0.0530; landed cost per meter, \$0.1060:

Landed cost (including foreign manufacturers' profit) per yard..... .0954

Suggested specific duty..... .03

Total..... .1254

Domestic sample 19250: Cost of production at the mill, \$0.115; plus 25 per cent selling, administrative expenses, and profit, \$0.0287. Total..... .1437

EXHIBIT NO. 9.—COTTON BOBBINET (NET)

Landed cost (including foreign manufacturers' profit, 90 per cent duty and 10 per cent expenses) per square yard..... .20½

Suggested specific duty..... .03½

Total..... .24½

Domestic sample 9126: Cost of production at the mill, \$0.225 per yard, plus 25 per cent selling, administrative expenses, and profit, \$0.056 per yard. Total..... .281

EXHIBIT NO. 10.—SILK NET, 72 INCHES WIDE (NET)

Foreign sample: Exactly identical quality, imported December, 1928. Landed cost (including foreign manufacturers' profit, 90 per cent duty and 10 per cent expenses) per yard..... .64

Suggested specific duty..... .10

Total..... .74

Domestic sample 2122: Cost of production at the mill, \$0.68 net; plus 25 per cent selling, administrative expenses, and profit, \$0.17. Total..... .85

EXHIBIT NO. 11.—36-INCH METAL ALL-OVER (NOVELTY)

Foreign sample 1782/414/7945: Cost in France, 13.90 francs, less 10 and 5 per cent; exchange at 3.93, \$0.4664; add 10 per cent expenses plus 90 per cent duty, \$0.4664; landed cost per meter, \$0.9328:

Landed cost (including foreign manufacturers' profit) per yard..... .8480

No specific duty.....

Total..... .8480

Domestic sample pattern 19772: Cost of production at the mill, \$1.06 per yard; plus 25 per cent selling, administrative expenses, and profit, \$0.265. Total..... 1.325

EXHIBIT NO. 12.—36-INCH ESPRIT NET (NOVELTY)

Foreign sample 1915/1016/9536: Cost in France, August, 1928, 10.90 francs; exchange at 3.93, \$0.4283; add 10 per cent expenses plus 90 per cent duty, \$0.4283; landed cost per meter, \$0.8566:

Landed cost (including foreign manufacturers' profit) per yard..... \$0.78

No specific duty.....

Total..... .78

Domestic sample pattern 12648: cost of production at the mill, \$1.03 net, net; plus 25 per cent selling, administrative expenses, and profit, \$0.26. Total..... 1.29

EXHIBIT NO. 13.—40-INCH ESPRIT NET (NOVELTY)

Foreign sample 1762/438/129: Cost in France, February 23, 1928, 8.90 francs less 10/5 per cent; exchange at 3.93, \$0.2990; add 10 per cent expenses plus 90 per cent duty, \$0.2990; landed cost per meter, \$0.5980:

Landed cost (including foreign manufacturers' cost) per yard..... .5442

No specific duty.....

Total..... .5442

Domestic sample pattern 13508: Cost of production at the mill, \$0.76 net, net; plus 25 per cent selling, administrative expenses, and profit, \$0.19. Total..... .95

EXHIBIT NO. 14.—36-INCH ESPRIT NET (NOVELTY)

Foreign sample 56580: Cost in France, May 5, 1928, 12.95 francs, less 10 and 5 per cent; exchange at 3.93, \$0.4350; add 10 per cent expenses plus 90 per cent duty, \$0.4350; landed cost per meter, \$0.87.

Landed cost (including foreign manufacturers' profit) per yard.....\$0.7817

No specific duty.

Total......7817

Domestic sample 19682: Cost of production at the mill, \$0.93 net, plus 25 per cent selling, administrative expenses, and profit, \$0.23. Total.....1.16

EXHIBIT NO. 15.—36-INCH BOHEMIAN FLOUNCING (NOVELTY)

Foreign sample 1763/317/5078: Cost in France per meter, 14.20 francs, less 10/5/2 per cent; exchange at 3.93, \$0.4660; add 10 per cent expenses plus 90 per cent duty, \$0.4660; landed cost per meter, \$0.9320.

Landed cost (including foreign manufacturers' profit) per yard......8481

No specific duty.

Total......8481

Domestic sample 20483: Cost of production at the mill, \$0.98; plus 25 per cent selling, administrative expenses, and profit, \$0.2450. Total.....1.225

EXHIBIT NO. 16.—36-INCH CHANTILLY LACE FLOUNCING (NOVELTY)

Foreign sample 434/1105: Cost in France per meter, April 11, 1928, 11.45 francs, less 10/5 per cent; exchange at 3.93, \$0.3851; add 10 per cent expenses plus 90 per cent duty, \$0.3851; landed cost per meter, \$0.7702.

Landed cost (including foreign manufacturers' profit), per yard......71

No specific duty.

Total......71

Domestic sample 20663: Cost as of April, 1929, \$0.82 per yard; plus 25 per cent selling, administrative expenses, and profit, \$0.205. Total.....1.025

Mr. HEBERT. It so happens, Mr. President, that some of the larger mills engaged in this industry in the State of Rhode Island are domiciled in that part of the State where I have lived all my life. I am familiar with their problems. I remember very distinctly when they were organized and their stock-subscription books were opened. It was confidently believed at that time that the lace industry was destined to become a factor in the manufacturing life in our community, which up to that time had been concentrated almost exclusively in the production of cotton textiles. It is sad to relate, after the experience of the years, that many of the mill operatives in my community invested their meager savings in the stock of some of these factories, hoping, as they had every reason to hope, that they would be successful, would be an asset to the community, and would at least give some measure of return upon the investment.

I think I am safe in saying that none of those mills have paid but very meager if any dividends to their stockholders upon their investment for the entire period of approximately 20 years since their organization.

The management of these manufacturing plants is competent, and there is no reason why their mills should not be successful if they could find a market for their products at a reasonable price. For 20 years I have heard it repeated again and again that the reason why they can not operate at full capacity and why they can not earn anything for their stockholders is because of the ruinous competition from abroad, and that they will never be successful unless the American market is made available to them by the imposition of such rates of duty as will at least equalize their costs of production with those abroad.

Congress can do no single act in the consideration of the pending bill which would operate so favorably to any industry as to adopt the amendment which I have proposed. Not only would the passage of my amendment bring about some degree of success to the plants domiciled in Rhode Island but it would provide help to the industry in all the States, and this protection is as much needed in other States as it is by the concerns domiciled in Rhode Island.

Under present conditions, with the depression in the textile industry in New England, the people there who are dependent on lace manufacturing for a livelihood would welcome any assistance that can come to them through the medium of this added protection.

If there is one item in the pending bill which will be of benefit to an industry in the State of Rhode Island, I do not hesitate to say that the provision which I propose will be, and I sincerely hope that it may receive the favorable consideration of the Senate.

Mr. WALSH of Montana. Mr. President, I desire to ask the Senator from Rhode Island if the matters which he has been presenting were presented to the committees of either House?

Mr. HEBERT. Mr. President, I did not present them. I assume that they were presented. In fact, I am informed that representations were made to the Ways and Means Committee of the House, and as a result of those representations the increase was made from 75 per cent in the existing law to 90 per cent in the pending bill.

Mr. WALSH of Montana. The matter, then, was not considered by the Finance Committee of the Senate at all?

Mr. HEBERT. I am not advised whether the matter was considered by the Finance Committee. I do know that the Finance Committee left the 90 per cent rate in the bill.

Mr. WALSH of Montana. Does the Senator know whether there were any hearings before the Finance Committee?

Mr. HEBERT. I think not, Mr. President.

Mr. WALSH of Montana. It seems to me, in view of the complicated nature of the questions involved in the amendment, that the opportunity to present it to the Senate in an understandable way at this time is rather meager.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Utah?

Mr. HEBERT. I do.

The VICE PRESIDENT. The Senator has one minute left.

Mr. SMOOT. May I say to the Senator from Montana that wherever a witness upon any particular item in the bill had been heard by the Ways and Means Committee, we announced that we very much preferred not to hear him; and that is why their statements are not in the hearings before the Finance Committee.

Mr. BARKLEY. Mr. President, I find from examining the copy of the hearings before me that not only was this matter presented exhaustively to the Ways and Means Committee, which raised the rate from 75 per cent to 90 per cent, but it was also exhaustively presented to the subcommittee of the Committee on Finance, for it takes up over 100 pages of the hearings.

Mr. SMOOT. It may have been presented before the subcommittee; but I was speaking of the full committee.

Mr. BARKLEY. Of course nobody was heard before the full committee. That might be said of the metals schedule and all the others. There was a full hearing of more than 100 pages before the subcommittee to which this schedule was referred, and that subcommittee made no report to the full committee recommending an increase; and, so far as we know, the majority members of the Finance Committee unanimously refused to increase the rate above 90 per cent.

Mr. SMOOT. I am not talking about that. This subcommittee may have heard a repetition of what was said before the House committee, but I know that was the request made by many of the subcommittees.

Mr. BARKLEY. Oh, yes; the subcommittees all requested witnesses not to repeat what they had said before the Ways and Means Committee, and each one of the witnesses said he was not going to, and then proceeded to do it.

Mr. President, I was not in charge of this schedule; I was not on the subcommittee that did have charge of it; but I am not willing to let the matter come to a vote without just a word, at least.

The question of lace is largely a question of fashion. When women want to wear lace goods, both the domestic manufacturer and the importer are prosperous. When they do not desire to wear lace all the tariffs in the world could not make either the importer or the domestic manufacturer prosperous, either in the manufacturing or in the distribution of lace.

The rate of duty in the present law, as we have already heard, is 75 per cent, which is no mean duty; and the House has raised it to 90 per cent. I regard a 90 per cent ad valorem duty on any commodity as a rather exorbitant duty, except under very special circumstances; but, in addition to that 90 per cent, the Senator from Rhode Island now seeks to incorporate in the bill amendments which will raise the duty to an average of 127 per cent.

Of course, if the average is 127 per cent we may safely assume that some of the higher duties will range in the neighborhood of 150 or 175 or even as high as 200 per cent; and I seriously question whether any industry that can not survive without 150 or 200 per cent ad valorem duty ought to have artificial life injected into it by the levy of these high and indefensible rates of duty. It means that every article that any woman in America would purchase that would normally be worth \$1 would cost her \$3, or if it normally were worth \$10 it would cost her \$30, because of this tariff which the Senator from Rhode Island seeks to impose.

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

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Rhode Island?

Mr. BARKLEY. I do.

Mr. HEBERT. I may say, for the information of the Senator, that the laces that are subject to the provisions of this amendment would never go into the making of a gown for a woman. They are all narrow laces. The widest one would be somewhere in the neighborhood of 4 inches.

Mr. BARKLEY. They might not go into it, but they might go onto it.

Mr. HEBERT. They range from half an inch to about 4 inches. They are the staple narrow laces. They range in price from less than half a cent a yard to 4 or 5 cents per yard.

Mr. BARKLEY. I do not regard a 4-inch-wide lace as being an extremely narrow lace. It strikes me that it is rather a healthy looking piece of lace.

In view of the fact that this lace now bears a duty of 90 per cent and in view of the fact that we have no reliable information here, in addition to what was submitted to the two committees, justifying this increase from 90 to 127 per cent, I do not see how the Senate can adopt the amendment providing for the increase, unless they are obsessed with the idea that they ought to increase every tariff where an increase is requested.

Mr. SMOOT and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Kentucky yield, and to whom?

Mr. BARKLEY. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I desire to correct the statement made by the Senator from Rhode Island. The present law is 90 per cent, not 75 per cent. Laces, lace window curtains, burnt-out laces, and so forth, carry a rate of 90 per cent ad valorem. Embroideries not specifically provided for, ornamented with beads, and so forth, have a duty of 75 per cent; but laces carry a rate of 90 per cent, the same as in the House bill.

Mr. BARKLEY. There was some confusion as to the present rate. Some of them are dutiable at 75 per cent, and some of them are dutiable at 90 per cent.

Mr. SMOOT. Not the laces—the embroideries.

Mr. BARKLEY. Under this paragraph that the Senator is seeking to amend, some of them bear a 75 per cent rate, and some of them 90 per cent.

Mr. SMOOT. But the Senator's amendment does not apply to that, because he says specifically in his amendment that it refers to the narrow laces.

Mr. BARKLEY. That makes the case still worse. If, after presenting the matter to the Ways and Means Committee, they could not get the increase, I think that is prima facie evidence that they do not need it or are not entitled to it; and when they go through the sifter of the Finance Committee with the same evidence and a reiteration of it and can not get the Finance Committee to recommend an increase, I think they have still fewer legs to stand on.

Mr. SMOOT. All I wanted to do was to have the RECORD straight.

Mr. BARKLEY. We are asked here, without any report from the Finance Committee of the Senate or the Ways and Means Committee of the House, without any reliable information except that which has been gathered or collated or separated or segregated by some manufacturers' association, to take this action. Of course, I understand that the Senator from Rhode Island himself is compelled to rely upon the accuracy of that information. There has been no investigation by the Tariff Commission. There has been submitted no impartial information upon which we may intelligently vote for an increase in the duty on these laces.

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

Mr. BARKLEY. I yield.

The VICE PRESIDENT. The Senator has three minutes remaining.

Mr. HEBERT. I stated in the course of my argument that the Tariff Commission have been engaged in an investigation of this industry since 1923. They have not yet announced their findings.

Mr. BARKLEY. That is correct.

Mr. HEBERT. I think I am safe in saying, however, that they find that in order to equalize the cost of production between Europe and the United States, the duty must be on the average 127 per cent, as my amendment provides. I think I am safe in saying that that will be the figure of the Tariff Commission.

Mr. BARKLEY. I presume that upon that basis if the Tariff Commission were about to recommend or find that 500 per cent was necessary to absorb the difference in the cost of manufacture of laces in the United States and Europe, the Senator would advocate a duty of 500 per cent on these articles.

That raises the whole question as to how far we may go above 100 per cent, how far we may go above doubling the value of any article, with justice to the American people, in order to make it possible for somebody to manufacture the article in the United States.

Mr. HEBERT. Mr. President, the Senator asks me how far I would go to protect an American industry. I will say to him that there is no limit to which I would not go to protect an American industry and American workingmen.

Mr. BARKLEY. I am satisfied of that, from the Senator's position.

What I said was that if it took 500 per cent ad valorem, which would be, of course, in the nature of an embargo, which would compel the American woman to buy lace made in the United States and pay five or ten times as much for it as for the lace imported, he would be in favor of that sort of tax. I am not. I am willing to go any reasonable distance, and I think when we have gone to 100 per cent, we have gone about as far as reason dictates.

Mr. BLAINE. Mr. President, I wanted to ask the Senator from Kentucky a question, but the Chair announced he had only three minutes left, so I am going to ask him the question in my time.

I want to inquire whether the Senator from Kentucky knows of any other article or commodity in the cotton schedule which carries a rate of duty of almost 100 per cent?

Mr. BARKLEY. I do not; and I think I am safe in saying there is no such article. There is no such article in the woolen schedule. The rayon schedule, which we debated at such length on two occasions, carries no such rate, except in the event of the possible lowering of the price of rayon, when the minimum of 40 cents a pound might amount to more than 100 per cent. There is no case in any of these textile schedules or items which provides for a combination of rates that amounts to more than 100 per cent, as I now recall.

Mr. COPELAND. Mr. President—

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

Mr. BLAINE. I want to pursue the inquiry just a little farther and ask the chairman of the Committee on Finance if there is any commodity or article in the cotton schedule which carries a rate as high as nearly 100 per cent ad valorem?

Mr. SMOOT. There are rates in the present law of 90 per cent on some of the very items we are discussing.

Mr. BLAINE. Not over 90 per cent?

Mr. SMOOT. Not that I recall.

Mr. BLAINE. I thank the Senator.

Mr. COPELAND. Mr. President, I want to ask the Senator from Kentucky what is the rate on these articles?

Mr. BARKLEY. The rate in the act of 1922 on these particular articles is 90 per cent. The Senator from Rhode Island said a while ago that it was 75 per cent, but he is mistaken. The testimony before the Finance Committee shows that the present rate is 90 per cent. The producers went before the Ways and Means Committee and sought an increase, which was refused by that committee and by the House. They also appeared before the subcommittee of the Finance Committee having charge of this schedule and asked for an increase, and the subcommittee denied the increase, and the full committee denied it.

Here on the floor of the Senate, without any additional information, without any report from any source justifying it, we are asked to increase this rate from 90 per cent to 127 per cent.

Mr. COPELAND. It covers only part of the laces?

Mr. BARKLEY. It covers only part of the laces provided for in section 1529. It covers only those in subsection (a), which, of course, form a considerable category within themselves.

If the Senator will read the different sorts of laces enumerated from the middle of page 222 to the middle of page 223, and then reflect that this amendment adds to the duties provided in that subsection the specific duties provided in the amendment, he will find that the amendment covers a considerable field of laces, although not all the laces mentioned in paragraph 1529.

Mr. COPELAND. Is the Senator familiar with all these types—flouncings, all-overs, ruffings, flutings, and so forth?

Mr. BARKLEY. I have only a superficial acquaintance with flouncings.

Mr. COPELAND. As a matter of fact, these are all more or less luxuries, are they not?

Mr. BARKLEY. The Senator will have to ask the women about that. They may regard an article of wearing apparel which contains lace as a luxury, and they may regard it as a necessity. It probably would depend a good deal on the ques-

tion of the style. If it is out of style, it is no longer a necessity, probably not even a luxury, and that is the whole trouble with not only the lace industry, but the embroidery industry. Women no longer wear embroidered articles, and in order to relieve that situation, many embroidery factories have gone to making other articles in order to keep their machinery in operation and their men employed. No sort of tariff on the things they have been compelled to abandon by a change in style will help them, and that is the situation, very largely, that pertains to the lace industry.

Mr. COPELAND. Is it the argument of the Senator that they must go out of business or do something else?

Mr. BARKLEY. That is what they think.

Mr. COPELAND. I did not follow the argument of the Senator from Rhode Island closely.

Mr. BARKLEY. Probably the Senator would not admit that, but it is a fact that where machinery has been employed, and factories have been operated, to make a certain type of wearing apparel, and, by the decree of some fashion maker, that article is no longer stylish, of course, the machinery must become idle, or they must find something else to make which would appeal to those who have been wearing the article previously made.

Mr. COPELAND. Let us assume that the Senator's position is correct, and that these concerns will go out of business if there is not anything for them to do. Then, of course, when the articles are in style, the foreign product will come along with no American competition, and our women certainly will be at the mercy of the foreign manufacturer.

Mr. BARKLEY. That is purely speculative.

Mr. COPELAND. Most of our tariffs are that way; are they not?

Mr. BARKLEY. I will say to the Senator that I would not think it would be sound economics or sound legislation to place a prohibitive tariff or an exorbitant tariff on an article which had gone out of style, and which the American producer had been compelled to abandon, in order to protect a thing which is no longer in use. If the American people will not wear a thing, they can not be compelled to wear it by increasing the tariff on it. The increase in the tariff would not keep their machines busy producing something which the American women would not wear.

Mr. COPELAND. The Senator knows that fashion makers are all the time changing the fashions in order that they may sell new garments.

Mr. BARKLEY. Yes.

Mr. COPELAND. So it would seem to me that it would be good American policy to maintain our institutions if we can.

Mr. BARKLEY. I agree with that; but when they can not be maintained because the people will not wear what they make, how can we remedy that by making it more expensive to wear what they make?

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. HEBERT].

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, I want to make a brief statement. The highest duty imposed under the cotton schedule is in paragraph 920, Nottingham lace-curtain machine products, and the equivalent ad valorem rate based on the imports of 1928, under the Senate bill as it now stands, is 60 per cent ad valorem.

The highest duty in Schedule 10, flax, hemp, jute, which includes the linens, of course, is 73.25 per cent ad valorem.

The highest ad valorem equivalent, based upon the imports of 1928, in the wool schedule, is under paragraph 1109, cloth, heavy-weight fabrics of wool, where the rate is 84.10 per cent.

The highest rate under the silk schedule is 65 per cent ad valorem. That rate is imposed upon manufactures of silk not specifically provided for.

The highest rate under the rayon schedule is 72.46 per cent ad valorem, and that is the rate on knit fabrics and knit goods of rayon, falling under paragraph 1309.

The present duty upon these laces is 90 per cent, and under the scale of rates proposed by the Senator from Rhode Island the average would amount to 127 per cent.

The VICE PRESIDENT. The yeas and nays have been ordered, and the Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CAPPER (when his name was called). On this question I am paired with the Senator from New Mexico [Mr. BRATTON], who is necessarily absent. If I were permitted to vote, I would vote "yea."

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. If I were at liberty to vote, I would vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. STECK]. He being absent and I not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. STEPHENS (when his name was called). I am paired on this vote with the junior Senator from Illinois [Mr. GLENN]. Therefore I withhold my vote.

Mr. SULLIVAN (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. BROCK]. If permitted to vote, I would vote "yea."

Mr. THOMAS of Idaho (when his name was called). I have a general pair with the junior Senator from Iowa [Mr. BROCKHART]. If permitted to vote, I should vote "yea."

Mr. TOWNSEND (when his name was called). On this vote I have a pair with the Senator from Tennessee [Mr. McKELLAR]. If free to vote, I would vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I am unable to obtain a transfer and therefore withhold my vote. I am told that if the Senator from South Carolina were present he would vote "nay." If I were privileged to vote, I would vote "yea."

The roll call was concluded.

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

The Senator from Vermont [Mr. GREENE] with the Senator from Arkansas [Mr. CARAWAY];

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Massachusetts [Mr. GILLET] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Maine [Mr. GOULD] with the Senator from Utah [Mr. KING];

The Senator from Kentucky [Mr. ROBSON] with the Senator from Washington [Mr. DILL];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from Connecticut [Mr. BINGHAM] with the Senator from Virginia [Mr. GLASS]; and

The Senator from Oregon [Mr. McNARY] with the Senator from Mississippi [Mr. HARRISON].

Mr. SHEPPARD. I desire to announce that the Senator from Louisiana [Mr. RANDELL] has a general pair with the Senator from Minnesota [Mr. SHIPSTEAD].

The roll call resulted—yeas 26, nays 20, as follows:

YEAS—26

Allen	Grund	Kendrick	Shortridge
Baird	Hale	Keyes	Smoot
Copeland	Hastings	McCulloch	Steinwer
Dale	Hatfield	Oddie	Vandenberg
Fess	Hebert	Phipps	Walcott
Goff	Jones	Pine	
Goldsborough	Kean	Robinson, Ind.	

NAYS—20

Barkley	Fletcher	Howell	Schall
Black	Frazier	La Follette	Sheppard
Blaine	George	Norbeck	Swanson
Connally	Harris	Norris	Walsh, Mont.
Cutting	Hedin	Nye	Wheeler

NOT VOTING—50

Ashurst	Gillett	Metcalf	Stephens
Bingham	Glass	Moses	Sullivan
Blease	Glenn	Overman	Thomas, Idaho
Borah	Gould	Patterson	Thomas, Okla.
Bratton	Greene	Pittman	Townsend
Brock	Harrison	Ransdell	Trammell
Brookhart	Hawes	Reed	Tydings
Broussard	Hayden	Robinson, Ark.	Wagner
Capper	Johnson	Robison, Ky.	Walsh, Mass.
Caraway	King	Shipstead	Waterman
Couzens	McKellar	Simmons	Watson
Deneen	McMaster	Smith	
Dill	McNary	Steck	

The VICE PRESIDENT. On this question the yeas are 26 and the nays are 20, with the following Senators present who are paired, thus constituting a quorum: Senators WATSON, THOMAS of Idaho, SULLIVAN, CAPPER, METCALF, TOWNSEND, STEPHENS, and MOSES. So the amendment is agreed to.

Mr. WALSH of Montana. Mr. President, did the Chair state that there were 26 yeas and 20 nays, and the other Senators were paired, making a quorum?

The VICE PRESIDENT. That was the statement of the Chair.

Mr. JONES. Mr. President, I desire to offer the following amendment and have it read, printed, and lie on the table. It relates to lumber.

The VICE PRESIDENT. The amendment will be printed and lie on the table, and the clerk will read, as requested.

The Chief Clerk read as follows:

On page 118, after line 3, insert the following paragraph:

"PAR. —. Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber not specially provided for; all the foregoing, if of fir, spruce, pine, hemlock, or larch; railroad ties, and telephone, telegraph, trolley, and electric-light poles of any wood; all the foregoing, \$1.50 per thousand feet, board measure, and in estimating board measure for the purposes of this paragraph no deduction shall be made on account of planing, tonguing, and grooving."

Mr. JONES. I desire to state that I hope, when the amendment comes up to-morrow, that we may reach an agreement with reference to a limitation of debate.

Mr. HEBERT. Mr. President, I desire, at the request of another Senator, to enter a motion to reconsider the vote whereby the Senate concurred in the amendment made in Committee of the Whole to paragraph 1530, the vote rejecting the amendment proposed by the Senator from Nevada [Mr. ODDIE] as a substitute therefor, relating to hides.

The VICE PRESIDENT. The motion will be entered.

Mr. GEORGE. Mr. President, I inquire when the vote was taken on paragraph 1530?

The VICE PRESIDENT. On last Monday.

Mr. GEORGE. I want to make a very brief statement. As I recollect it, upon the lace schedule upon which we have just voted there was a full hearing before the House Ways and Means Committee. There was likewise a full hearing before a subcommittee of the Senate Finance Committee. I want to call the attention of the country to the fact that, as I understood the vote, every member constituting the majority of that committee voted for the rate which has just been inserted by the amendment offered by the Senator from Rhode Island.

Mr. BARKLEY. And that in spite of the fact, so far as we know and so far as the record shows, that there was no justification for the increase which was proposed.

Mr. GEORGE. That is the basis of my statement, that upon the showing made, full and complete, the entire majority membership of the Finance Committee, so far as we know, certainly a majority of the majority, then voted against increasing the rate above 90 per cent ad valorem, but to-night all the members of the majority of that committee who were present and were voting, as I understood the vote, voted for an average ad valorem rate upon laces of 127 per cent.

Mr. SMOOT. Mr. President, I want to say to the Senator from Georgia that those laces are the narrow laces, not to exceed 3 inches in width, and they are also classified by the number of holes to the square inch. That makes a difference.

Mr. GEORGE. They were narrow laces when the showing was made before the Ways and Means Committee and the Finance Committee, and they contain the same number of holes now that they did then.

Mr. WALSH of Montana. Mr. President, I also desire that the RECORD should show that quite a number of Senators, apprehending probably that a further vote would not be taken to-night, it now being 5 minutes after 10 o'clock, left the Chamber and were not present when the last vote was taken. Among them are the Senator from Oklahoma [Mr. THOMAS], the Senator from South Carolina [Mr. BLEASE], the Senator from Missouri [Mr. HAWES], the Senator from Arizona [Mr. HAYDEN], the Senator from Nevada [Mr. PITTMAN], and the Senator from Florida [Mr. TRAMMELL], all on the Democratic side of the Chamber.

Mr. SMOOT. And I suppose they all had pairs.

Mr. WALSH of Montana. Those I named were not paired, I understand.

MARY J. JEFFRESS

Mr. WATSON submitted the following resolution (S. Res. 241), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Mary J. Jeffress, daughter of Ollie Jeffress, late a laborer under the supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

NOMINATIONS REFERRED

The VICE PRESIDENT laid before the Senate nominations of officers in the Diplomatic and Foreign Service and in the Coast Guard, which were referred to the appropriate committees.

RELIEF OF MRS. MERCEDES MARTINEZ VIUDA DE SANCHEZ, A DOMINICAN SUBJECT (H. DOC. NO. 320)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was

LXXII—354

read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report regarding the request of Mrs. Mercedes Martinez Viuda de Sanchez, widow of Emeterio Sanchez, for an award which will enable her to be provided with the necessities of life.

I recommend in accordance with the suggestion of the Acting Secretary of State that the Congress, as an act of grace and without reference to the legal liability of the United States in the matter, authorize an appropriation for \$500, to be paid to Mrs. Sanchez as a recognition of the meritorious services rendered by her deceased husband in rescuing certain American seamen and to relieve to a certain extent her present financial condition.

HERBERT HOOVER.

THE WHITE HOUSE, March 19, 1930.

RECESS

Mr. SMOOT. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and the Senate (at 10 o'clock and 8 minutes p. m.) took a recess until to-morrow, Thursday, March 20, 1930, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate March 19 (legislative day of January 6), 1930

SECRETARY IN THE DIPLOMATIC SERVICE

Edward J. Sparks, of New York, now a Foreign Service officer of class 8 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

COAST GUARD

The following-named officers to be lieutenants (junior grade) (temporary) in the Coast Guard of the United States, to take effect from date of oath:

Ensign (temporary) Roland E. Simpson.

Ensign (temporary) Lester C. Grieser.

Ensign (temporary) Herbert F. Walsh.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 19, 1930

The House met at 12 o'clock noon.

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

O Lord our God, justice and judgment are the habitations of Thy throne; mercy and truth shall go before Thy face. In Thy name may we rejoice, for Thou art our defense and the Holy One of Israel is our King! Be pleased to remember all in authority; may their trusts be administered in the fear of God and with true hearts. We not only pray for our own country but for the lands of the whole earth. So extend our vision that we shall take into our sympathy the welfare of every nation. Bestow upon them the blessings of peace, education, and true religion to inspire them and lead them to discharge their duties toward God and toward their fellow men. Through Jesus Christ our Lord. Amen.

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

STAR-SPANGLED BANNER

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I shall not object to a 3-minute address at this time. We have some important legislation which we desire to finish up this week. I shall object to any more unanimous-consent requests to address the House until we have finished the bus bill.

The SPEAKER. Without objection, the gentleman from Maryland is recognized for three minutes.

There was no objection.

Mr. LINTHICUM. Mr. Speaker, I have obtained this time in order to read to the House a clipping which I cut from the Washington Post of this morning:

KIN OF FRANCIS SCOTT KEY HEARS PERSHING LAUD SONG—GRANDDAUGHTER OF COMPOSER OF "STAR-SPANGLED BANNER" TELLS RADIO AUDIENCE OF CIRCUMSTANCES SURROUNDING NATIONAL ANTHEM'S WRITING

Bristling with pride, and controlling her emotions with difficulty, the granddaughter of Francis Scott Key sat by the side of Gen. John J.

Pershing last night as the commander of the American Expeditionary Forces in the World War broadcast an address on The National Anthem over the coast-to-coast hook up of the National Broadcasting Co. Prior to General Pershing's remarks, Mrs. Arthur Tilghman Brice, 70, told the radio audience something of her grandfather's experiences on the night that he wrote The Star-Spangled Banner.

"Young America," she said, "as the granddaughter of the man who gave this country its national anthem, I extend you patriotic greetings. It is my earnest prayer that you will all grow up to be good, law-abiding citizens who will appreciate the wonderful blessings of this great country of ours, the land of the free and the home of the brave."

With eloquence born of simplicity, Mrs. Brice recounted tales that her mother had told her of the emotions that swayed the great composer during the bombardment of Fort McHenry at Baltimore, and the bloody dawn that found "Old Glory" still above the ramparts.

General Pershing, the last speaker in a series of talks on the flag, exhorted young America to observe strictly the outward forms of honor and devotion to the national emblem. "The Star-Spangled Banner is a battle epic, a song of victory, a thanksgiving prayer, and a patriotic expression," he said.

"The flag is a supreme symbol of that lofty patriotism without which the Republic could not long endure. No one is too young to learn the responsibilities of citizens who live under its protection, and none too old to fulfill the obligation it imposes."

The program was opened and closed with music by the Marine Band, under the direction of Capt. Taylor Branson.

I have read this article from the Post, in order to call particular attention to the expression of Gen. John J. Pershing, commander of the American Expeditionary Forces in the World War. I call particular attention to his expression—

The Star-Spangled Banner is a battle epic, a song of victory, a thanksgiving prayer, and a patriotic expression.

This, coming from the man who commanded 2,000,000 men in France, should answer the criticisms of those who have had no contact with the soldier boys of our country.

I have also read it to call attention to the expression of Mrs. Arthur Tilghman Brice, the elderly granddaughter of Francis Scott Key, composer of the anthem. It must be remembered that 5,000,000 patriotic people of the United States have indorsed my bill to have Congress adopt the Star-Spangled Banner as our national anthem, and that 150 patriotic organizations, 26 governors of our various States, and numerous business organizations have likewise asked for this enactment.

I sincerely trust, Mr. Speaker, that we shall soon be able to have the House act upon this measure. [Applause.]

UNEMPLOYMENT AND MERGERS GO HAND IN HAND

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the railroad merger.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAAS. Mr. Speaker, in this age of labor-saving machinery we are hearing much about the unemployment problem. During recent years many men have been thrown out of work because machinery has been perfected which could do the work formerly accomplished by man power, and for this reason fewer men are needed to-day in industrial enterprises, and still there is a greater production of goods than was possible before labor-saving machinery took the place of labor.

This change has been going on for many years; but for the fact that new industries, such as the automobile industry, have come into existence to create work for men thrown out of other lines of employment this country would be facing a crisis.

Then, during recent years, it has become fashionable to have chain stores, chain banks, and mergers of rival business enterprises. We see this taking place all about us. The little merchant is fast becoming an institution of the past, and the chain store is crowding him out of the local communities. The country and smaller city banks are likewise affected and, with the mergers and consolidations of banking institutions, and the creation of holding companies for the control of our credit are fast passing from the localities where banking is done, and are becoming concentrated and centralized in limited places.

American industrial development has always been based upon the principle of competition. Communities have grown up where they have conducted their own affairs, free from the domination of distant influences. All of this is now threatened by the merger, combination, and consolidation theory which is taking place all over this country.

The merger idea now appears to have become popular among the captains of finance, who are interested in the transportation systems of this country. The Interstate Commerce Commission some time ago announced a general plan for consolidation of the railroads in the United States into 21 systems. I do not now intend to talk about this great general plan that has been pro-

posed. I do, however, want to call attention to a decision of the Interstate Commerce Commission which was made on February 11, 1930, and with which the people of my district are greatly concerned.

This decision permits the consolidation of the Great Northern and Northern Pacific Railway companies under one head. The people who planned this "merger" have organized a Delaware corporation and, if their plans are worked out successfully, my constituents in St. Paul will eventually find two great transportation systems which have important terminals in the city of St. Paul controlled entirely by a foreign corporation. The control of the State of Minnesota over these great railroads will be lost, and the welfare of my people in the transportation problem will become a matter of secondary consideration, while the great eastern bankers will have to have their way about things so that dividends may be paid.

There are many objections to this proposed merger. My principal objection to it, however, is the fact that it enables two competing roads to merge and consolidate, and in this way work to the detriment of the people of St. Paul. If this merger is permitted to be accomplished, those two railroads will then become one in the city of St. Paul. If this merger is perfected, they will be in position to attempt to accomplish their work with a smaller number of men than are employed at the present time. Railroad employees will be thrown out of employment. Their families will suffer. Thousands of men are now employed in the city of St. Paul by these two great competing roads. Not only will these men be thrown out of employment and be forced to seek work elsewhere, to sell their homes at a sacrifice, and to remove their families among strangers and start in to fight the battles of life over again; but, more important than this, the community will suffer because the merchants and business enterprises of St. Paul will find themselves seriously affected by this strange change which will take place. These railroad employees live in St. Paul, spend their money in St. Paul, and the business life of the city is dependent upon them for its existence.

Everyone in this city, moreover, is seriously concerned with this proposed merger because, if this merger is effected, the various communities will suffer from an impairment of service. "Competition is the life of trade" is an old phrase. It is sound. It is just as true to-day as it was years ago.

It is important to remember that where there is no competition not only passenger but freight business will be handled just as the operating road cares to handle it, and as time goes on the splendid service which the people of St. Paul are now receiving from the railroad companies will be diminished and impaired. If there is no competition, there is no object to arrange proper and effective train schedules for passenger service. If there is no competition, there is no object in handling freight rapidly and in the best interests of the shipper. I do not believe that there is any matter which more seriously concerns us now than this proposed merger because of its effect on service to the public by our transportation companies.

If this merger were really in the interests of the shippers of the Northwest, I should not oppose it; but the economies that will be effected by eliminating a great many employees will in fact be at the expense of good service to the public, both in freight and passenger schedules.

It is assumed that these two railroads now competing are being run efficiently and are well managed. If they are not, then the solution is to reorganize each of them and see that they are managed efficiently.

If they are properly run, then reductions to effect additional economies can be only at the expense of the present schedules and service, which have been demonstrated to be essential.

It is not the operating overhead of these two railroads that is preventing reduction of freight rates, for under existing competing conditions these roads have made application for lowered rates. It was denied by the Interstate Commerce Commission under pressure of eastern interests, and had nothing to do with local hauling costs.

The argument for the merger that it would result in lower transportation costs to the Northwest is camouflage and not justified.

So, rather than benefit by the merger, St. Paul and the Northwest would suffer doubly; first, by poorer service resulting from lack of competition, and, second, from a substantial increase in unemployment. This merger distinctly is not only not in the public interest but very much opposed to it.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

The Clerk called the Committee on Coinage, Weights, and Measures.

DISCONTINUANCE OF COINAGE OF \$2.50 GOLD PIECES

Mr. PERKINS. Mr. Speaker, I call up the bill, H. R. 9894, to discontinue the coinage of the \$2.50 gold pieces, which is on the Union Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Jersey calls up the bill H. R. 9894, on the Union Calendar, and asks unanimous consent that it be considered in the House as in Committee of the Whole. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter the two and one-half dollar gold piece shall not be coined or issued by the Treasury.

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

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

COINAGE OF SILVER 50-CENT PIECES IN COMMEMORATION OF GADSDEN PURCHASE

Mr. PERKINS. Mr. Speaker, I call up the bill H. R. 2029, to authorize the coinage of silver 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden purchase, on the House Calendar.

The SPEAKER. The gentleman from New Jersey calls up the bill H. R. 2029, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That in commemoration of the seventy-fifth anniversary of the acquisition by the United States of that certain territory bounded on the north in part by the Gila River, on the east in part by the Rio Grande, on the south by the Republic of Mexico, and on the west by the Colorado River, and known as the Gadsden Purchase, there shall be coined in the mints of the United States silver 50-cent pieces to the number of 10,000, such 50-cent pieces to be of a standard troy weight, composition, diameter, and design as shall be fixed by the Director of the Mint and approved by the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment of their face value.

SEC. 2. The coins herein authorized shall be issued only upon the request of the Gadsden Purchase Coin Committee in such numbers and at such times as they shall request upon payment by such committee to the United States of the par value of such coins.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin or for any other purpose, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparation of this coinage.

Mr. PERKINS. Mr. Speaker, the purpose of this bill is to authorize the Treasury to coin 10,000 50-cent silver pieces in commemoration of the seventy-fifth anniversary of the Gadsden purchase. The Gadsden purchase was an event of international importance. There can be no loss to the Treasury because the entire 10,000 50-cent pieces have been subscribed for, and a guaranty made to the Treasury that there will be no loss by reason of the minting of the coins. There is no opposition except the usual opposition on the part of the Treasury Department, which does not like to have the coinage system used to commemorate occasions of this kind.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

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

COINAGE OF 50-CENT PIECES IN COMMEMORATION OF THE FOUNDING OF THE MASSACHUSETTS BAY COLONY

Mr. PERKINS. Mr. Speaker, I call up the bill H. R. 6846, to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the founding of the Massachusetts Bay Colony.

The SPEAKER. The gentleman from New Jersey calls up the bill H. R. 6846, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That in commemoration of the three hundredth anniversary of the founding of the Massachusetts Bay Colony and

constitutional government authority is hereby granted for the coining at the mints of the United States of 500,000 silver 50-cent pieces of such design as the Director of the Mint, with the approval of the Secretary of the Treasury, may select; but the United States shall not be subject to the expense of making the models or master dies or other preparations for this coinage.

SEC. 2. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage authorized by this act.

SEC. 3. The coins authorized by this act shall be issued only to an authorized agent of the Massachusetts Bay Tercentenary (Inc.) upon payment by such corporation of the face value of such coins.

Mr. PERKINS. Mr. Speaker, this bill is similar to the bill just passed. It authorizes the coinage of 500,000 50-cent silver pieces to commemorate the founding of the Massachusetts Bay Colony in 1630, an event of great importance to our country. The opposition is similar to the opposition mentioned with reference to the last bill. *The founding of the Massachusetts Bay Colony is being celebrated throughout New England by 103 cities and by the State of Massachusetts and is of such a character as to justify its commemoration in our coinage.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

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

EDMUNDO VALDEZ MURILLO

Mr. RANSLEY. Mr. Speaker, owing to an emergency, I ask unanimous consent to take from the Speaker's table and consider at this time Senate Joint Resolution 69, authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Edmundo Valdez Murillo, a citizen of Ecuador.

The SPEAKER. The Chair understands that it will be necessary to have these bills passed before the middle of next month?

Mr. RANSLEY. That is true, Mr. Speaker.

The SPEAKER. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit Edmundo Valdez Murillo to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that Edmundo Valdez Murillo shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that said Edmundo Valdez Murillo shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: *And provided further*, That in the case of said Edmundo Valdez Murillo the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection to the consideration of the Senate joint resolution?

There was no objection.

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

A motion to reconsider the vote whereby the resolution was passed was laid on the table.

VICENTE MEJIA AND ANTONIO INESTROZA

Mr. RANSLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider Senate Joint Resolution 72.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate Joint Resolution 72

Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point two citizens of Honduras, namely, Vicente Mejia and Antonio Inestroza

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit Vicente Mejia and Antonio Inestroza to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that these Honduran subjects shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give

their utmost efforts to accomplish the courses in the various departments of instruction, and that these Honduran subjects shall not be admitted to the academy until they shall have passed the mental and physical examinations prescribed for candidates from the United States, and that they shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: *And provided further*, That in the case of said Vicente Mejia and Antonio Inestroza the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

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

A motion to reconsider the last vote was laid on the table.

GODOFREDO ARRIETA A., JR.

Mr. RANSLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider Senate Joint Resolution 100.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Senate Joint Resolution 100

Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Godofredo Arrieta A., jr., a citizen of Salvador

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit Godofredo Arrieta A., jr., to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that Godofredo Arrieta A., jr., shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that said Godofredo Arrieta A., jr., shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: *Provided further*, That in the case of said Godofredo Arrieta A., jr., the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

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

A motion to reconsider the vote whereby the resolution was passed was laid on the table.

SEÑOR GUILLERMO GOMEZ

Mr. RANSLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider Senate Joint Resolution 107.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Senate Joint Resolution 107

Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Señor Guillermo Gomez, a citizen of Colombia.

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit Señor Guillermo Gomez to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that Señor Guillermo Gomez shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that said Señor Guillermo Gomez shall not be admitted to the academy until he shall have passed the mental and physical examination prescribed for candidates from the United States and that he shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: *Provided further*, That in the case of said Señor Guillermo Gomez the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

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

A motion to reconsider the vote whereby the resolution was passed was laid on the table.

NATIONAL DISABLED SOLDIERS' LEAGUE (INC.)

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from New York [Mr. FISH] for 10 minutes.

Mr. FISH. Mr. Speaker and Members of the House, five years ago the House of Representatives authorized an investigation of the National Disabled Soldiers' League (Inc.), and the Speaker appointed a committee, of which I had the honor of being chairman, to investigate this organization. The committee found that the so-called National Disabled Soldiers' League was not national in any sense. It had only about four or five members, but had raised \$295,000 through a pencil-selling campaign, which funds were located in various banks of the country, of which only about \$2,500 went to aid the disabled veterans.

We helped to secure a fraud order against the National Disabled Soldiers' League (Inc.) from the Post Office Department.

The commander of the organization, Mr. John T. Nolan, is now in jail in the District of Columbia for passing fraudulent checks. The secretary or adjutant of that organization was one Kenneth D. Murphy.

Under the by-laws of the said organization the membership was confined to disabled veterans of the World War. Mr. Murphy was not a veteran of the World War. He never served in any capacity in the World War. He enlisted in the National Guard of the State of New York a few years after the war and fell off a horse and broke his leg. Nevertheless, he posed as a veteran of the World War and was adjutant of the National Disabled Soldiers' League, which raised \$295,000.

I refer to it at the present time for the reason that he was chairman of the organization that arranged for a pontifical requiem mass in honor of the late Marshal Foch. Marshal Foch would have turned over in his grave if he had known that Kenneth D. Murphy was chairman of the Marshal Ferdinand Foch Memorial Committee that had arranged the ceremony in his honor. I do not know of any more contemptible member of the human race than a man who will exploit and commercialize disabled veterans for his own selfish purposes.

This individual was the same one who a year or so ago became an honorary member of a post of the Veterans of Foreign Wars in New York City and went up to my district and made an investigation of the Castle Point Hospital, one of the best Veterans' Bureau hospitals in the country, and came back and gave out a report of dreadful conditions prevailing there, and stated to the New York Times that he was the commander of the local post of the Veterans of Foreign Wars, which organization repudiated him immediately. Next, Mr. Murphy appears as chairman of the Marshal Ferdinand Foch Memorial Committee, purporting to include Cabinet members and Members of the Senate and the House—who may or may not have given their names to Mr. Murphy for the Foch memorial mass—but, as a matter of fact, that organization was dissolved some weeks ago, as I learned through correspondence with officials in New York. Mr. Murphy, disregarding the fact that the Marshal Ferdinand Foch Memorial Committee had been dissolved, came down here to Washington and arranged for this pontifical mass. I think it is only fair to the bona fide organization—the Foch National Memorial—with headquarters at the Hotel Plaza, New York City, with Mrs. Agnes P. Hardman as president, which is trying to raise money for a Foch memorial, to have the facts placed in the CONGRESSIONAL RECORD about Mr. Murphy and his contemptible record in trying to undermine the confidence of the American people toward deserving disabled veterans by raising money fraudulently.

Of course, the Catholic Church is not to blame in the matter at all. When they saw an organization on paper including the names of Senators and Congressmen and Cabinet officers, there is no reason why they should not have authorized the holding of the proposed mass in Washington.

I ask unanimous consent, Mr. Speaker, to incorporate in the RECORD a letter from Archbishop Curley, of Baltimore, explaining how he agreed in the first instance to hold this mass, which was arranged for to-morrow.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

The letter is as follows:

ARCHBISHOP'S HOUSE,
Baltimore, Md., March 18, 1930.

The Hon. HAMILTON FISH, Jr.,

House of Representatives, Washington, D. C.

MY DEAR MR. FISH: I hope that you will not consider it presumption on my part if I give you the facts in the Foch memorial affair as I know them.

(1) About a month ago Monsignor Buckley, pastor of St. Matthew's Church, sent me an invitation to be present at an anniversary requiem mass to be celebrated for Marshal Foch.

(2) I took it for granted at once that arrangements for this service had been made with Monsignor Buckley by the French Embassy as was

done on a previous occasion. I replied to Monsignor Buckey, not only accepting his invitation to be present but, furthermore, agreed to celebrate the mass to signify my regard for the memory of the great French soldier, and at the same time to show my esteem for my good friend the French ambassador.

(3) I had never heard of this man Murphy, nor had I ever heard of any Foch Memorial Committee. About Murphy and his activities, I knew absolutely nothing. In order to correct a statement that appeared in one of the Washington papers, I want it distinctly understood that Murphy never came to me to make arrangements for the mass.

(4) In his letter to me Monsignor Buckey made no mention whatsoever of Murphy. About the first week of March Father Hurney, pastor of the Immaculate Conception Church, Washington, D. C., informed me that arrangements for the mass had been made by this man Murphy, and that on information which he had received from Congressman ROYAL JOHNSON, he had come to the conclusion that there was something irregular about the whole affair. It was sufficient for me to know that the French Embassy was not interested at the time, and at once I called up Monsignor Buckey and ordered him to cancel the celebration once and for all. There was no question of postponing it. It was an emphatic cancellation of the whole business. Even at that time, I had little or no information about any French memorial committee and none whatsoever of Mr. Murphy.

(5) Yesterday I received a long wire from a man named Doctor Blakey, of Jersey City, demanding a reason for my action. Of course I sent him no reply. This morning I received the inclosed copy of a meeting of the Marshal Foch Memorial Committee. As you will see from its perusal, the New York-New Jersey committee was dissolved on February 1, 1930. It states, as you will see, "that conditions have arisen which make it necessary and imperative to dissolve said committee." What those conditions were, of course, I do not know.

(6) When Murphy discovered on Sunday, March 16, that his arrangements with Monsignor Buckey had been canceled by me, he came to see me at Bethesda, where I was administering confirmation. I had no conversation with Murphy beyond telling him that my cancellation order would not be revoked. That was the first and last time I saw Murphy.

(7) Last evening three women came to see me from New York requesting me to recall my order. One of them stated that she was assistant chairman of the committee and the other that she was Murphy's mother. They informed me that they were going to take the matter up with the French Embassy to-day, and furthermore, that they were going to raise \$100,000 in a national drive to erect a monument in Washington to General Foch. I gave them the information that I gave Murphy, namely, that I was not interested in their civic activities, but I would not allow the church to be used in any way in connection with their work.

It was rather an unpleasant thing for me to have to take the action I took, but there was nothing else for me to do in the premises.

With sentiments of highest esteem, I remain yours sincerely,

MICHAEL J. CUBLEY,
Archbishop of Baltimore.

P. S.—You may make whatever use you wish of this letter.

Mr. FISH. Mr. Speaker, I am speaking as a veteran of the World War who desires to help protect the interests of the disabled veterans in the United States, and who desires to do everything he can to prevent public opinion from being alienated, which is being alienated all the time by these imposters, frauds, and swindlers like Murphy, of New Jersey, who go around and get well-known American citizens to serve on their committees simply to raise money to put in their own pockets.

Mr. DALLINGER. Will the gentleman yield?

Mr. FISH. I yield.

Mr. DALLINGER. Is this service going to be held?

Mr. FISH. The service has been canceled. It has not been postponed indefinitely, but it has been canceled by the archbishop.

It is only fair to the bona fide organization in New York to have it go in the RECORD that Mr. Murphy has no connection at all with the Foch National Memorial (Inc.) in New York City, which is about to raise money for that purpose. Kenneth D. Murphy, in my opinion, was an imposter and a swindler when he was connected with the National Disabled Soldiers' League, and has since then been connected with other fraudulent activities. From copies of contracts I have in my possession he worked his rackets on a basis of 50 per cent, taking 50 per cent of all the money raised for his associate or friend, Mr. Stewart Kelly, whose office is in New York.

I hope that in the future Members of the House and Senate who permit the use of their names for these fake veteran organizations will take the trouble to find out something about them.

The Disabled American Veterans, of which Maj. Thomas Kirby is legislative chairman, has done excellent work in fol-

lowing up the record and activities of such men as John T. Nolan and Kenneth D. Murphy. Major Kirby has rendered great public service in protecting the public from such imposters as Kenneth D. Murphy.

Mr. UNDERHILL. Will the gentleman yield?

Mr. FISH. I yield.

Mr. UNDERHILL. The gentleman's committee had this matter under consideration some two years or more ago, and at that time it was hoped that this man could be put behind the bars where he belonged. Will the gentleman state how he happened to escape?

Mr. FISH. I am glad the gentleman asked me that question. When we investigated, we found the National Disabled Soldiers' League to be a fraudulent organization but a very clever organization. Mr. Murphy is a very shrewd young man. They burned all of their papers, destroyed all of their checks and receipts and everything else, so that we were not able to get sufficient information to go to the Department of Justice and have them indicted and put in jail. Since then, however, Commander Nolan has been sent to jail.

Mrs. NORTON. You say the commander is in jail. Which commander?

Mr. FISH. Commander Nolan, of the National Disabled Soldiers' League, is in jail.

Mrs. NORTON. Is Commander Nolan in jail for anything he did in connection with the league?

Mr. FISH. He is in jail for passing numerous bad checks, using the name of the National Disabled Soldiers' League on the checks—checks made out to the order of the National Disabled Soldiers' League.

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

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for three more minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mrs. NORTON. Will the gentleman yield?

Mr. FISH. I yield.

Mrs. NORTON. When hearings were held two years ago and you found that this man—Kenneth D. Murphy—was dishonest, is it not true that his case was presented to the district attorney in New York and that it was thrown out because of insufficient evidence?

Mr. FISH. Well, I do not know whether it was presented to the district attorney in New York or not, but I know that our committee made a thorough examination and we were unanimous that this man Kenneth D. Murphy was a fraud and an imposter, and I am surprised that the lady from New Jersey is attempting to defend such a man who has been commercializing disabled soldiers and undermining the sympathy of the public for the disabled soldiers for the past five years and discrediting the legitimate service organizations, such as the American Legion, Disabled American Veterans, and the Veterans of Foreign Wars.

Mrs. NORTON. The gentleman from New York is presuming a great deal when he attempts to say that I am defending the gentleman, from wherever he comes. I am doing nothing of the kind. I am simply asking a question. It has been my understanding that this case was brought up before four different district attorneys of New York County and that every one of those district attorneys threw out the case because of insufficient evidence.

Mr. FISH. I will say to the lady from New Jersey that I do not know that it ever had been presented to any district attorney in New York City.

Mrs. NORTON. I have been told this was done.

Mr. FISH. I will say to the lady from New Jersey that I called her secretary two weeks ago and gave her secretary the record of Kenneth D. Murphy and suggested that she speak to the lady from New Jersey and ask her to withdraw from the Foch committee, which Murphy was sponsoring.

Mrs. NORTON. I will say to the gentleman that I received the message, but I have never considered that any man should be found guilty on the unsupported evidence of any one particular man. I believe this was a question the court should have decided.

Mr. FISH. A committee of Congress found that this man never served in the war; that he was going around raising money masquerading as a veteran of the World War, was proved to be an imposter, and was using this money for his own selfish and personal purposes.

Mr. Speaker, because of the questions which the lady from New Jersey has just raised, I ask unanimous consent to include in my remarks a letter from Samuel Joseph Reed, a former

friend of Mr. Murphy, who gives Mr. Murphy's entire record, and I think that will be a complete answer to the lady from New Jersey after she reads the record.

The SPEAKER. The gentleman from New York asks unanimous consent to insert in the RECORD a letter. Is there objection?

There was no objection.

The letter is as follows:

NEW YORK CITY, March 5, 1930.

Congressman HAMILTON FISH, Jr.,

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: I have recently learned that my name has been connected again with K. D. Murphy, who has made a practice of getting other people into all kinds of trouble. This would appear to be his hobby. The following data may prove of interest to you.

The writer met Murphy during the time I was a member of the National Disabled Soldiers' League and also an officer (inactive) since I left Washington in 1923. My reason for leaving was that I had paid bills for the organization, being reimbursed only about 50 per cent of the amount due me. I even lent money to one of the officers, i. e., McCann, who still owes me \$50.

I did not see either Murphy or Nolan till the convention during June, 1923.

I left them in Boston. That was the last time I saw them till January, 1924. I met Murphy on the street and he asked me what I was doing. I told him I was out of work and needed a job. He said: "I can give you a job at \$20 a week until you get something better." The job consisted of opening the mail bags. I was there about three weeks. During this time Mrs. Murphy, the mother of Kenneth D. Murphy, seemed to have charge of the office. Nolan came on from Washington and gave orders to let me go, that they could not afford the additional expense (although since I have found out he could afford to pay Mrs. Murphy and her daughter each \$35 weekly and the stenographer the same).

I left. The next time I heard of the organization and saw one of their letterheads I noticed my name was still carried as an officer of the organization. I then sent a typewritten resignation, requesting them to please accept same, and stating that I was about to enter a monastery. In my letter of resignation I complimented them on the good work they were performing, as I had been led to believe.

The next time I knew anything about them was when I had come down from Graymoor to New York to make arrangements to enter the Franciscan Monastery at Washington, D. C. I happened to run into Murphy on Broadway and he asked me how I was. I told him of my plans for transfer to Washington and in the meantime I was trying to get the training board to pay my tuition (which they refused). He then told me that the Legion was using politics, trying to stop the good work they were doing. I told him that if such were the case I felt sorry for him. I always had faith in him, thinking he was above reproach (but since I had a congressional report on the hearings of the investigation and read of his service record, etc.).

The next thing I knew, I received a long-distance telephone call from Washington. Murphy on the wire, stating my name was being dragged through the mud by the committee, and that he knew I was interested in my vocation—hence thought it best for me to come to Washington to testify before the committee as to my connection with the organization. I did not know what was going on until I arrived in Washington and was told of the investigation of the pencil campaign. Not knowing anything about it, I told the organization's lawyer, Slegal, I believed it useless for me to be there. He said, "Oh, no; you are just the man we want." For what reason he said that I do not know to this day unless it might have been politics.

I returned to New York to complete my arrangements to go to Washington and remained there until September, 1925; and during this time on different occasions Mr. McNery, who was assigned to the Veterans' Bureau, was there to see me, which I appreciated. On his last visit I told him I was about to leave, and asked if he knew anything of the organization, explaining to him the moneys due me by the organization—which he advised me to cross off my books and forget, or words to that effect.

It was in the winter of 1927 that I received a letter forwarded to me from different addresses. It was from Murphy, saying he was in the hospital in very bad condition; and as an act of charity I felt it my duty to visit him. During the time I had known Murphy I had been led to believe he was in the federalized National Guard and was about to go overseas when he was hurt, and not receiving any assistance from the Veterans' Bureau this made me feel all the more sorry for him. This was also the impression he had made on everyone with whom he came in contact.

The next time I saw him was in the subway. He told me of his domestic troubles, and said he did not know what to do. I invited him to stay at my apartment, as I was getting a home together for my mother. There was plenty of room and he was welcome to stay until such time as things were better at home. My mother eventually refused to come to New York, so I gave up the apartment.

During the time Murphy had lived with me I had helped him financially as well as giving him his living. I later learned that while he was accepting my hospitality he had stolen money from me, for which I had blamed the superintendent, said money being for rent. While I was at work during the day he made the place a rendezvous of the apartment, bringing in immoral women.

This information came to me from neighbors.

I next saw him on Decoration Day, May 30, 1928, in the parade, and met a friend who served with me overseas, a member of the Veterans of Foreign Wars. He invited me to join his post, which I did. After joining, Murphy approached me on the subject of honorary membership, which was submitted to the post and approved, the name of the post being Pvt. Moe Wolf, No. 113, address being 115 West One hundred and twenty-fifth Street. After his admittance to the post he informed me that the politicians he had met during the campaign of November, 1928, had offered to assist him, also the veterans he knew, such as distributing Christmas baskets, etc. I gave this information to the post, who were very much pleased. Before the next meeting he told me that the politicians had "fallen down" and would be unable to get the Christmas baskets. He then suggested raising money for a building fund, Murphy submitting a contract to the post, signed by himself and officers of same, on the basis of 50 per cent. He then suggested the post have headquarters downtown somewhere. The first thing I knew letterheads were delivered at my house, naming me as chairman of the peace good-will committee. I told Murphy I would rather have him send the mail some place else. On his urging I agreed to permit the mail to come to my address, and suggested that returns be turned over immediately on arrival to the treasurer of the organization.

One Sunday the members of the post were on their way to the hospital at Castle Point to visit my friend who was a patient there. When we arrived it was suggested to take notes as to the condition of the hospital, as there was so much complaint, and in order to see if said charges were true. As I stated in the letter which was sent to you, only three wards were such as stated, but not the whole hospital as was charged. Hearing the papers had already some information, I called up and stated that only the three wards were justified in the complaint and that the rest of the building seemed to be in good condition.

When I returned home from work that day the reporter of the New York Times came to my house. I stated the same to the reporter as contained in your letter of December, 1928. I asked Murphy what he had done, and in reply he entered the room, telling the reporter his story. In the meantime I had to step out and answer the phone. On my return the reporter was getting ready to leave and Murphy gave him his card, which stated "Commander Murphy." I asked him why he did this. His reply was it was an old name card he had left from the organization. I told him it was wrong. That's how it came about in the papers he was called "Commander Murphy." One day I got a hold of him and had him come along with me, wanting him to retract the statement as to the conditions at the hospital, also explaining about the article referring to commander. The Times informed me it was too late; that they had already received different phone calls stating "Commander Murphy speaking," and the story was verified by the reporter. As far as they were concerned, it was closed. I did my best trying to rectify the thing, but it couldn't be done. Just another bit of trouble he succeeded in getting me into. I may state whatever I did was in the interests of disabled comrades. If I had made mistakes, I would have been willing to rectify same.

The next time I heard of him was through Mrs. Agnes P. Hardman, whom I had the pleasure of meeting during the campaign of 1928. She had called me on the phone and asked if I was going to attend a meeting. This was in October, 1929. I told her "No," as I did not know what it was for. She replied, "Commander Murphy has called a meeting of the Marshal Foch Memorial Committee, and you are on the committee." I told her it was news to me, but consented just to find out what Murphy was up to. There was only one meeting of the committee and that was at Lieut. Thomas Denny, jr.'s, home. I consented making Lieutenant Denny treasurer, but refused to sign a contract giving a Mr. Stewart J. Kelly 50 per cent of the profits. This Kelly maintains an office at 55 West Forty-second Street, room 430. On different occasions I went there for the sole purpose of seeing what was going on. Murphy had a desk in his office and was arranging all veteran affairs for this Kelly. It has been said recently that Murphy received 50 per cent from Kelly on all affairs secured from veterans' organizations. I understand now why he has pretended to be so anxious to do something for veterans. After getting this information I reported it to the liaison officer of the Veterans of Foreign Wars at the Veterans' Bureau and told the story. He stated he did not want anything to do with it, but advised me to take up the matter with the department of public welfare, which I did. Also went to the Department of Justice. Before going I was advised to see a Mr. Leslie, and repeated the same story to him, informing him that the department of public welfare was working on the case. He advised me to wait until the local authorities were finished and let him know. On the advice of the commissioner of public welfare, we, the committee, were to have a meeting and to

abolish the said organization, even if we didn't give Murphy permission to use our names. This was done, and said copy of the minutes were forwarded to you, as I understand.

Murphy on hearing this called me on the phone and informed me he was going through with the erecting of the alleged monument and that the unveiling was to take place with Nolan present and himself, Murphy, to unveil this monument as national officers of the National Disabled Soldiers' League. He then told me it was still easy to raise money on the name of the organization. I told him that if he did not refrain I would swear out a warrant for his arrest. Mrs. Hardman informed me on different occasions that Murphy has made appointments with people over the phone and using my name. It was only through the kindness of Mrs. Hardman that I have found out a great deal about Murphy.

Since I have been discharged from the Army and hospitals and also since leaving the monastery I have always worked very hard for my living and never did approve of commercializing the name of the disabled veterans. Not knowing the damage that Murphy has caused me, I may say again it was through the kindness of Mrs. Hardman I found things out. I owe her many thanks. Whatever you may think of me in the future, please do not connect my name with such a damnable skunk, who is not fit to be called an American citizen.

I may state that the work I did with the organization in 1921 and 1922 was in the interests of disabled comrades and has been undone by parasites. Such men who commercialize the names of ex-service men should be driven out of existence, and if I can be of any assistance in doing so please be free to call on me. They have not only hurt the name of the disabled soldiers but are hindering the good work that is being done by the Veterans of Foreign Wars, Disabled American Veterans, and American Legion.

If the occasion ever occurs when you are in New York City, I will be pleased to see you in person.

Sincerely yours,

SAMUEL JOSEPH REED.

ATHLETIC RELATIONS BETWEEN MILITARY AND NAVAL SERVICE SCHOOLS

Mr. FISH. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this time a different matter. It has to do with a resolution that passed the New York State Assembly asking for the resumption of football relations between West Point and Annapolis. It is very brief, and I hope permission will be granted to have it placed in the RECORD.

When we try to bring about agreements between foreign nations for limitations of naval armament we at least ought to remember that charity begins at home and that we should make an effort to settle this childish, puerile disagreement between the Military and Naval Academies. I have reason to believe it will be settled in a short time satisfactorily to all concerned and that a football game will be played between these two great service academies next fall.

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, I think this can be settled without having this put in the RECORD. I object.

NATIONAL DISABLED SOLDIERS' LEAGUE (INC.)

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to reply to the gentleman from New York [Mr. FISH] for three minutes.

The SPEAKER. Is there objection to the request of the lady from New Jersey?

There was no objection.

Mrs. NORTON. Mr. Speaker and Members of the House, I am sorry to have been drawn into this discussion, and I think it is due to the House to explain exactly why I have been drawn into it.

I introduced the bill in commemoration of Marshal Foch because the names of the Marshal Foch Memorial Committee contained some very substantial names from my district in New Jersey.

I was interested in such a bill, as Marshal Foch was one of the outstanding figures of the World War, in charge of all the allied armies, and his great deeds merit such recognition. Monuments have been erected to other heroes, and I considered it a very worthy cause.

I did not have any knowledge of the alleged activities of Mr. Kenneth Murphy in connection with the Disabled Soldiers' League, which Mr. FISH says was investigated; but I do believe that if any of the persons so engaged were guilty of criminal practices that it should have been the duty of the proper officials of this Government to seek indictments and prosecution of such offenders. However, regardless of who Mr. Murphy is or what he has done, I do know that many very representative Americans of unimpeachable character are deeply interested in the proposition that adequate recognition in the form of a memorial at Washington be given to the great generalissimo of the allied armies.

And I am in hearty agreement with their views, and I believe that the gentleman from New York [Mr. FISH], as a former officer, who served indirectly under Marshal Foch, will give us his aid in seeing that a fitting memorial, erected here in Washington, will be a constant reminder to generations to come that America is not ungrateful and deeply cherishes the memory of a man who at an hour when the fate of the world trembled in the balance was selected by the governments of all allied nations to lead their armed forces to victory.

ADDRESS OF HON. ANTHONY J. GRIFFIN

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in to-day's RECORD by inserting a speech delivered by my colleague Hon. ANTHONY J. GRIFFIN on Sunday, March 16, 1930, in New York City.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting some remarks delivered by his colleague Mr. GRIFFIN. Is there objection?

There was no objection.

The speech is as follows:

IRELAND—ITS PRESENT AND FUTURE

Mr. Toastmaster, there lingers in my memory a flash of opinion spontaneously recorded by Lindbergh. When he had nearly reached his journey's end he got a glimpse of Ireland, and it seemed, he said, the most beautiful spot he had ever seen.

A recent visit confirms his estimate of its entrancing beauty. From Mallin Head and Giants Causeway to Glengarriff and the Cove of Cork, the country abounds in a diversity of the beautiful and the picturesque. No scene in the islands of the West Indies seemed more beautiful and inspiring than the turquoise waters of the Atlantic lapping its rugged shores.

Struck by the beauty of the scenery, the question often arose: What perversity in human nature could tempt people to leave scenes so enchanting? At Cairndonagh I asked the question of an old man—an ex-soldier. He shook his head sadly and replied: "Yes, it is beautiful indeed, but there is nothing to do."

In the old days it used to be political and religious persecution. To-day it is economic stress and want of work. At every station, on the road from Dublin to Limerick, Killarney and Cork there was invariably a little family group bidding farewell to some strapping youth or bright colleen. The gentle courage of the old folks, through tear-dimmed eyes, trying to look brave and the half gasped "Good byes" of the children striking out on a great adventure stretched the heartstrings and severely tested the self-mastery of one's emotions.

No gathering of the Friends of Erin upon this anniversary fulfills its mission or justifies the celebration of this day unless we pause to meditate upon the amazing achievement of that saintly scholar who converted a pagan people to Christianity in one generation. Think of it! He was unquestionably the greatest missionary in all history.

Granting this, is there not yet some meed of praise due to the noble character of the people on whom the kindly teachings of the humble Nazarene made so deep an impression?

If they were a cruel race, the doctrine of brotherly love would have fallen on deaf ears.

If they were an inhospitable people, the admonitions to be kind to the stranger, to feed the hungry, to nurse the weak, would have been entirely incomprehensible.

If they were a lustful people, the idea of virtue and respect for womanhood could never have been grasped. And, finally, if they had been a selfish and arrogant people, they would never have understood the simplicity, the democracy, and the spirit of self-sacrifice of Christ's teachings.

Therefore, in paying our tribute to the wonderful character of St. Patrick, let it not be forgotten that the seed of his teaching fell on a soil that was fertile and into hearts that were ready to blossom.

It is no exaggeration to say, and history will bear me out, that the persistent, unconquerable loyalty of the Irish people to the teachings of Christianity is the basic cause of their undoing as a nation. They were always truer to God than to Mammon—their Christian simplicity and want of guile made them the victims of greed and treachery—two wicked traits of an enemy which they could never comprehend. With this great people their yea meant yea; their nay meant nay. Whatever the inducement, they kept their word and were ever true to their faith.

Their very first quarrel with their Saxon neighbors was to uphold the honor of womanhood and defend the sanctity of the home.

Throughout their history the Irish, as a race, never temporized with vice or made a compromise with injustice. The tears, the tolls, and the vicissitudes of 700 years of oppression are, after all, the supreme test of their devotion to the teachings of Christ and the grandest tribute to their glory as a civilized people.

Throughout her sad history Ireland has ever been the land of dreams. Even in her deepest sorrow she has steadfastly held to those noble ideals of life and ethics which have made her heroes admired and her womanhood beloved throughout the world.

The imagination, the sense of humor, and the religious fervor of the people are echoed and reechoed in every theme in the literature, the art, and the music of Irish culture.

No tyranny could ever still the harp or paralyze the tongue of the muses. Throughout the long struggle for liberty the arts flourished—in fact, seemed to be stimulated by the very shackles that bound them.

They had the God-given gifts of endurance, devotion, and fidelity and were blessed with the patience to bide their time. They could be coaxed, but never driven. They could die, but never be conquered. Their banners were often trampled in the dust or drenched with the blood of heroes, but never did they fail to rise again, to wave again, back into battle again, to give heart to their children, and hurl a deathless challenge to their foes.

"God moves in a mysterious way His wonders to perform," and as good men are often tried by trouble to bring out their virtues, so it might be that God in His wisdom has consented to the long travail of the Irish race for the ultimate benefit of mankind, for has it not scattered this virile people all over the globe? And not the least or the last to share in the benefits of this enforced migration has been our own beloved land.

No matter where they have drifted, you will never find the Irish blood false to the ideals of liberty. Their own oppression for long generations has inspired them with an instinctive horror of tyranny, so that throughout history you will always find Irishmen fighting on the side of the oppressed, shoulder to shoulder with those who are struggling to establish liberty or maintain freedom of conscience.

Our American Revolution is a startling revelation of this. There were 56 signers of our Declaration of Independence. Thirteen of these, or nearly one-fourth, were either of Irish birth or of Irish descent (paternal or maternal), and it is claimed that upward of one-third of the Continental Army were of Irish birth or origin.

It is universally admitted that the agitation for liberty in the Colonies was kept alive by the Irish, the Scotch, the German, and the Dutch immigrants—a fact which makes the so-called racial origins law seem so ridiculous to-day.

Perhaps a bare majority of the Colonists were of English origin; but where they were not out-and-out Tories the bulk of that nationality were certainly not very warm adherents of American independence.

But I will not dwell on old sores. Nations, no more than individuals, can long endure on hate. It is an evil thing to encourage, and if we ever are to hope for a world without war we must encourage the spirit of Christian forgiveness.

Ireland has now achieved a measure of independence. She has taken her place among the nations of the world. She is represented by her ambassadors at foreign capitals, and she has the largest measure of autonomy ever enjoyed since the invasion of Henry II.

Still it can not be claimed that Ireland has attained her ultimate destiny. The cutting off of Ulster was a cruel blow to the dreams of Wolfe Tone, of Grattan, of Robert Emmet, and Daniel O'Connell. Nevertheless, it is only a political experiment that will for some time have to be endured.

What the new nation needs to-day is peace—and he is no friend of Erin, who will, at a safe distance of 3,000 miles, encourage discord or foment further trouble.

The present government is doing nobly. It has the confidence of the bulk of the people. It is running true to form in that it respects the minority.

While the Ulster government has gerrymandered the districts so that no Catholic can be elected to office and expelled them by the thousand in certain localities, the Dublin government has never been tempted to indulge in un-Christian reprisals. The districts in the south of Ireland have been so justly apportioned that one-half of the seats in the Irish Senate are held by Protestants.

Due praise must be accorded to British fair play, for in the act of 1922, establishing the Irish Free State and giving constitutions to both sections, there is a just provision securing to minorities in both areas the benefits of proportionate representation. The Dublin government has conscientiously adhered to this guaranty, while Ulster has dishonestly evaded it.

This is a situation which is in the lap of the gods and it is the hope of all true friends of Ireland that a better policy will bring about in time the recognition of the justice of the original contract.

It is purely a question of keeping faith. Sooner or later the great truth of history will be recognized—that magnanimity and justice are paramount requisites of nations as well as of individuals. The words of Daniel O'Connell are recalled: "No political change is worth the spilling of one drop of blood." We may not all agree with that, but it shows that he was true to his Christian teaching. There is one thing with which we will agree, and that is that nothing is politically right which is morally wrong.

The state of Ireland to-day calls for peace. With peace she will prosper. With justice and Christian charity as her guiding stars, the two sections will eventually be restored to mutual confidence, and soon will follow, as the day the night, a reunited Erin which will reestablish her art, her culture, her industry, and her ancient glory.

The prophecy of John Boyle O'Reilly will yet be fulfilled:

"All thy life has been a symbol
We can only read a part;
God will flood thee yet with sunshine
For the woes that drench thy heart."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed a joint resolution and bills of the House of the following titles:

On March 15, 1930:

H. J. Res. 223. Joint resolution to provide for the expenses of participation by the United States in the International Conference for the Codification of International Law in 1930.

On March 17, 1930:

H. R. 4767. An act to authorize sale of iron pier in Delaware Bay near Lewes, Del.;

H. R. 7971. An act to extend the times for commencing and completing the construction of a bridge across the French Broad River on Tennessee Highway No. 9 near the town of Bridgeport in Cocke County, Tenn.;

H. R. 8287. An act granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed across the Shenandoah River in Clarke County, Va., United States route No. 50; and

H. R. 9180. An act to legalize a bridge across the Roanoke River at or near Weldon, N. C.

CONFERENCE REPORT—FIRST DEFICIENCY BILL

Mr. WOOD. Mr. Speaker, I call up the conference report on H. R. 9979, making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Indiana calls up the conference report on the bill H. R. 9979 and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9979) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 25, 26, 35, and 45.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 22, 24, 30, 31, 32, 33, 36, 38, 39, 40, 41, 42, 43, 44, 48, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 82, 83, 84, and 85, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The unexpended balance of the appropriation for miscellaneous items, exclusive of labor, contingent fund of the Senate for the fiscal year 1929, is reappropriated and made available for the fiscal year 1930."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment strike out the numerals "1930" and insert in lieu thereof "1929"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In line 5 of the matter inserted by said amendment strike out "to be immediately available"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the following: "fiscal year 1930"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum of \$7,000,000 named in said amendment insert "\$6,000,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Relief of the State of Alabama: For carrying out the provisions of the act entitled 'An act for the relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929,' approved March 12, 1930, \$1,660,000, to remain available until June 30, 1931."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Support of Indian schools: For support and education of Indian pupils in reservation and nonreservation Indian schools, as follows: For additional subsistence, \$195,000; for subsistence of pupils retained in boarding schools during summer months, \$40,000; for noonday lunches in day schools, \$50,000; for additional clothing, \$50,000; for additional personnel for enlarged program of study, \$200,000; for equipment, \$175,000; for furniture, \$240,000; for livestock, \$150,000; in all, fiscal years 1930 and 1931, \$1,100,000."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Travel expenses: For an additional amount for travel and miscellaneous expenses, office of the Fourth Assistant Postmaster General, fiscal years 1930 and 1931, \$1,000."

And the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "\$65,112.82; Department of the Interior, \$254,632.59; Navy Department, \$584,050.54; Post Office Department, \$44,518.34; Treasury Department, \$8,060.65; War Department, \$1,253,512.23; in all, \$2,456,447.31"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In line 63 of the matter inserted by said amendment strike out "\$2.68" and insert in lieu thereof "268"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 19, 23, 27, 46, 47, 49, and 50.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,

Managers on the part of the House.

W. L. JONES,
FREDERICK HALE,
L. C. PHIPPS,
LEE S. OVERMAN,
CARTER GLASS,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9979) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On Nos. 1 to 11, inclusive, relating to expenses of the Senate: Appropriates the customary year's salary to the beneficiaries

of three deceased Senators; strikes out the paragraph proposing an amendment of the "legislative pay act of 1929"; appropriates \$3,000 for stationery, \$5,000 for folding speeches and pamphlets, and \$25,000 for miscellaneous items of the contingent fund; reappropriates the unexpended balance of the appropriation for miscellaneous items for the fiscal year 1929 and makes it available for the fiscal year 1930; appropriates \$25,000 for Senate kitchens and restaurants; and provides an additional amount of \$4,611.66 for reporting debates of the Senate on account of the special session of the present Congress; all as proposed by the Senate.

On Nos. 12, 13, 14, and 15, relating to the House of Representatives: Appropriates the customary year's salary to the beneficiaries of two members of the House who died after the bill had passed the House and grants \$750 for payment to Frank M. Ramey for expenses incurred in the contested-election case of Major against Ramey.

On No. 16: Appropriates \$74.50 for payment of stenographic reporting services rendered to the Joint Committee on Printing.

On Nos. 17 and 18, relating to the office of the Architect of the Capitol: Appropriates \$2,378 for the installation of traffic lights on the Capitol Grounds and \$60,000 for maintenance and operation of the Senate Office Building.

On No. 20: Appropriates \$100,000,000, as proposed by the Senate, to be added to the revolving fund authorized for use of the Federal Farm Board.

On No. 21: Appropriates \$20,500, as proposed by the Senate, for expenses of the George Washington Bicentennial Commission.

On No. 22: Makes a transfer of \$5,000, as proposed by the Senate, to enable the National Advisory Committee for Aeronautics to carry on necessary printing and binding.

On No. 24: Appropriates \$76,793, as proposed by the Senate, instead of \$55,460, as proposed by the House for general expenses under the Office of Public Buildings and Parks to provide rental of space for the office of Superintendent of Prisons.

On No. 25: Strikes out the appropriation of \$3,500, inserted by the Senate, for certain improvements in connection with the National Museum.

On No. 26: Strikes out the appropriation of \$13,000, inserted by the Senate, for additional equipment and expenses of schools for crippled children in the District of Columbia.

On No. 28: Appropriates \$6,000,000, instead of \$7,000,000, as proposed by the Senate, for seed grain loans under the act approved March 3, 1930.

On No. 29: Appropriates \$1,660,000 for relief of the State of Alabama for damage to and destruction of roads and bridges by floods in 1929 in accordance with the act approved March 12, 1930. The appropriation is made by reference to the law instead of incorporating the law in the appropriation bill as proposed by the Senate.

On Nos. 30, 31, and 32, relating to the Department of Commerce: Appropriates \$174.98, as proposed by the Senate, instead of \$99.98, as proposed by the House, for damage claims under the Lighthouse Service and appropriates \$65,666.67 for salaries in the Patent Office, as proposed by the Senate, instead of \$70,000, as proposed by the House.

On Nos. 33, 34, and 35, relating to the Bureau of Indian Affairs: Appropriates for the maintenance and operation of irrigation systems on the Fort Peck Reservation, Mont., in the language proposed by the Senate, instead of in the phraseology proposed by the House, the amount remaining the same and the change being solely in the interest of clarity of expression; appropriates \$1,100,000, as proposed by the House, instead of \$1,370,000, as proposed by the Senate, for support of Indian schools, the amount of \$1,100,000 to be segregated as follows: Subsistence, \$195,000; subsistence in boarding schools in summer months, \$40,000; noonday lunches in day schools, \$50,000; clothing, \$50,000; personnel for enlarged study program, \$200,000; equipment, \$175,000; furniture, \$240,000; and livestock, \$150,000; and strikes out the legislation providing for the use of \$2,000 of the tribal funds of the Fort Berthold Indians in North Dakota for attorneys and other expenses.

On No. 36: Appropriates \$275,000, as proposed by the Senate, instead of \$175,000, as proposed by the House, for cooperative and general investigations under the Bureau of Reclamation.

On No. 37: Appropriates \$1,000, as proposed by the Senate, for travel and miscellaneous expenses, office of the Fourth Assistant Postmaster General.

On Nos. 38, 39, 40, 41, 42, and 43, relating to the Department of State: Appropriates \$6,600, as proposed by the Senate, for additional expenses of the International Joint Commission, United States and Great Britain; appropriates \$150,000 additional, as proposed by the Senate, for expenses of the naval

conference at London as authorized by law and treaty; appropriates \$50,000, as proposed by the Senate, for expenses of the inquiry into conditions in Haiti authorized by the public resolution approved February 6, 1930; appropriates \$50,000, as proposed by the Senate, for the surveys in connection with an inter-American highway authorized by the public resolution approved March 4, 1929; appropriates \$4,000, as proposed by the Senate, for expenses of the Inter-American Congress of Rectors, Deans, and Educators, authorized by the public resolution approved February 19, 1930; and appropriates \$15,000, as proposed by the Senate, for expenses of delegates to the Fourth World's Poultry Congress, authorized by the public resolution approved March 10, 1930.

On Nos. 44, 45, 48, 51, 52, 53, 54, 55, and 56, relating to the Treasury Department: Transfers, as proposed by the Senate, sums aggregating \$380,000 from the appropriation for "fuel" to the appropriation for "pay and allowances" for the Coast Guard and strikes out the proposal, inserted by the Senate, to designate the station assignments of motor boats to be acquired under an appropriation in the bill; increases, as proposed by the Senate, the limit of cost of the public building at Lynchburg, Va., so as to provide for the enlargement of the site; appropriates \$5,000 for the construction of two silos at the leper hospital at Carville, La.; appropriates \$9,000 for two silos and a bridge at the tuberculosis sanitarium at Fort Stanton, N. Mex.; provides \$30,000 for repairs at the New York quarantine station; and appropriates \$64,400 and \$7,035 for additional clerical and technical personnel in the Office of the Supervising Architect in connection with the public-building program.

On No. 57: Appropriates \$12,000,000, as proposed by the Senate, for additional work in connection with the improvement, maintenance, and preservation of rivers and harbors.

On Nos. 58, 59, 60, 61, 62, 63, and 64, relating to damage claims: Appropriates \$55,306.74, as proposed by the Senate, instead of \$44,500.56, as proposed by the House, for the payment of damage claims settled by the departments and establishments under the act of December 28, 1923, to cover claims certified to Congress after the bill had passed the House.

On Nos. 65 to 77, inclusive: Appropriates for judgments of United States Courts in the amounts proposed by the Senate in order to cover judgments certified to Congress after the bill had passed the House.

On Nos. 78, 79, and 80, relating to judgments of the Court of Claims: Appropriates \$2,456,447.31, as proposed by the Senate, instead of \$2,096,368.89, as proposed by the House, in order to cover judgments certified to Congress after the bill had passed the House and eliminates the proviso inserted by the Senate directing how the judgment in favor of the Iowa Tribe of Indians shall be distributed to the members of such tribe.

On Nos. 81, 82, and 83, relating to audited claims: Appropriates for audited claims allowed by the General Accounting Office in the amounts provided by the Senate amendments to cover claims certified to Congress after the bill had passed the House and modified to correct an error in one of the submitted amounts.

On Nos. 84 and 85: Correct section numbers of the bill.

The managers on the part of the House have agreed to recommend that the House concur in Senate amendment No. 19, providing an additional catalogue under the Joint Committee on Printing for indexing the CONGRESSIONAL RECORD, and Senate amendment No. 27, appropriating \$100,000 and making available certain other funds to satisfy a condemnation award for a school-building site in the District of Columbia.

A general disagreement is reported on the following Senate amendments:

On No. 23, appropriating \$3,000,000 for the Porto Rican Hurricane Relief Commission.

On No. 46, increasing the limit of cost of the Boston, Mass., public building from \$6,000,000 to \$6,750,000.

On No. 47, increasing the limit of cost of the Denver, Colo., public building from \$1,060,000 to \$1,235,000.

On Nos. 49 and 50, changing the arrangement of the limit of cost for the public-building project at Richmond, Va.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,

Managers on the part of the House.

Mr. WOOD. Mr. Speaker, ladies, and gentlemen of the House, I wish very briefly to call your attention to what this first deficiency bill contains. The amount of the bill as passed by the House was \$48,241,562.73. The amount of the bill as

passed by the Senate was \$173,834,414.96. The amount added was \$125,592,852.23.

After the bill passed the Senate there was a conference, and this is the result of the conference: The House agreed to items totaling \$121,206,127.23. The Senate has receded from \$1,286,725. The items in disagreement amount to \$3,100,000.

The bill contains many items based upon Budget estimates transmitted to the Senate after the bill had passed the House, including judgments, audited claims, damage claims, and items based upon new laws. While the amount agreed to by the House in conference, namely, \$121,206,127.23, seems to be very large, it is composed of the following principal items: The Federal Farm Board, additional to revolving fund for loans, \$100,000,000. Seed-grain loans in 15 States, \$6,000,000. Alabama, restoration of Federal-aid roads, destroyed by floods in 1929, \$1,660,000. Rivers and harbors work, \$12,000,000.

The principal items brought back in disagreement are the Porto Rican hurricane relief item of \$3,000,000. Increasing the limit of cost of the Boston public building from \$6,000,000 to \$6,750,000. Increasing the limit of cost of the Denver public building from \$1,060,000 to \$1,235,000. These are the principal items in dispute, and there are some others which I do not think are controversial.

I have stated the result of the conference, upon which there was very little disagreement so far as the items contained in the report are concerned.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. SNELL. I wish the gentleman would explain No. 21, which appropriates \$20,500, as proposed by the Senate, for the expenses of the George Washington Bicentennial Commission.

Mr. WOOD. I will say to the gentleman that in 1924 an act passed this House anticipating the observance of this bicentennial. There was a commission appointed at that time, which served for a considerable length of time and then lapsed. On the 21st day of February, 1930, a bill passed both branches of the Congress, and was signed by the President, authorizing this appropriation and authorizing many other appropriations to be connected with this bicentennial.

Mr. SNELL. Could the gentleman inform the House as to how much money has already been appropriated for this celebration and what the commission intends to ask for in the future?

Mr. WOOD. I will say that, as far as the future is concerned, there are several items in this bill. There is one item of \$157,975, which is to be used for the completion of the plans, and so forth. Then there is an item of \$3,000.

Mr. SNELL. What does the \$157,000 provide for?

Mr. WOOD. It is to carry out the provisions of this paragraph in the act approved February 21, 1930, as follows:

That the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington established by the joint resolution entitled "Joint resolution authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the bicentennial of the birthday of George Washington," approved December 2, 1924 (hereinafter referred to as the "commission"), is authorized and directed to prepare, as a congressional memorial to George Washington, a definitive edition of all his essential writings, public and private (excluding the diaries), including personal letters from the original manuscripts or first prints, and the general orders, at a cost not to exceed \$56,000 for preparation of the manuscript. Such definitive edition shall be printed and bound at the Government Printing Office and shall be in about the same form as the already published diaries of George Washington and shall consist of 25 volumes, more or less. There shall be 3,000 sets of such edition, 2,000 of which shall be sold by the Superintendent of Documents at a cost equal to the total cost under this section of preparing the manuscript and printing and binding the entire edition. The commission shall, upon issue of the final volume, distribute the remaining 1,000 sets as follows: Two each to the President, the library of the Senate, and the library of the House of Representatives; 25 to the Library of Congress; one to each member of the Cabinet; one each to the Vice President and the Speaker of the House of Representatives; one to each Senator, Representative in Congress, Delegate, and Resident Commissioner; one each to the Secretary of the Senate and the Clerk of the House of Representatives; and one to each member and officer of the commission. The remaining sets shall be distributed as the commission directs including such number of sets as may be necessary for foreign exchange. The "usual number" for congressional distribution and for depository libraries shall not be printed. To carry out the purpose of this paragraph there is authorized to be appropriated the sum of \$157,975, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated.

Mr. SNELL. A short time ago we appropriated \$400,000 to take care of this entire proposition, as I remember. Is that correct?

Mr. WOOD. I do not recall how much was appropriated. There was an authorization contained in the bill of 1924, but how much was expended by the commission then appointed I am not able to state.

Mr. SNELL. It seems to me the House should have some information as to the ultimate amount to be used in this celebration.

Mr. WOOD. In the act which was approved February 21, 1930, there is this provision:

Sec. 2. (a) The commission is authorized and directed to—

(1) Prepare, print, bind, and distribute 100,000 copies of a pamphlet entitled "Honor to George Washington," at a cost not to exceed \$3,000; 100,000 copies of a pamphlet entitled "Reading about George Washington," at a cost not to exceed \$10,000; and 2,000 copies of a pamphlet entitled "Directions for Celebration and Pageants," at a cost not to exceed \$4,000;

(2) Prepare 120,000 photolithographic copies of the best approved original portrait of George Washington, and deliver in tubes, ready for mailing, 200 copies to each Senator, Representative in Congress, Delegate, and Resident Commissioner, at a cost not to exceed \$7,000;

(3) Prepare, print, bind, and distribute a George Washington atlas, at a cost not to exceed \$12,000; and

(4) Collaborate with the Library of Congress, State historical societies, authorities concerned with State history, and the National Geographic Society in the preparation of a George Washington map, showing places he visited or of which he was an inhabitant, which map shall bear the names of members of the commission, and shall be issued in a number of the National Geographic Magazine in an edition of about 1,300,000 copies, at a cost to the commission not to exceed \$7,000.

Mr. SNELL. Have all of these things been appropriated for or are they to be cared for in the future?

Mr. WOOD. In the deficiency bill the only amount that has been appropriated or is attempted to be appropriated is the \$20,500 I have already referred to.

Mr. SNELL. What is that for?

Mr. WOOD. As I understand it is to permit Colonel Grant and our colleague, Mr. Bloom, to begin the commencement of a program to carry out this celebration.

Mr. SNELL. Does not the gentleman think that before we make any more appropriations in a piecemeal way like this we should have some definite plan to place before the House, and that we should know something about what the cost of this celebration is going to be?

Mr. WOOD. I think the gentleman is absolutely correct, and I take it for granted that the two gentlemen who have been selected to have charge of the preparation and arrangement of the program, entertainment, pageant, or whatever the arrangements may be, by the time of the next deficiency bill or by the time of the next general appropriation bill will be able to give us some definite idea of the cost.

Mr. SNELL. That is, a complete estimate of the entire program, so that we will not be continually called on to make appropriations of \$20,000 or \$40,000 or \$100,000 and will know exactly what the appropriations are for.

Mr. WOOD. I hope that will be done.

Mr. SNELL. I hope the chairman of the Committee on Appropriations will insist upon that before recommending any further appropriation.

Mr. HOWARD. Will the gentleman yield for a question?

Mr. WOOD. Yes.

Mr. HOWARD. I understood a little item of \$15,000 was inserted by the Senate in an amendment for the construction of an economics building at the Government Indian school at Genoa, Nebr., but I can not find the item here. Does the gentleman know about that?

Mr. WOOD. No; I do not know anything about that. I do not think that was in the bill as it came to us. Perhaps it got lost in the Senate somewhere. [Laughter.]

Mr. HOWARD. Would the gentleman permit me to insert it now?

Mr. WOOD. No; we can not do that. This house is built.

Mr. HOWARD. Yes. [Laughter.]

Mr. WRIGHT. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. WRIGHT. I notice from the report that the conferees reduced the appropriation of \$7,000,000 for fertilizer, seed, and farm loans.

Mr. WOOD. Yes.

Mr. WRIGHT. The discussion about that matter on the floor of the Senate seemed to indicate that the temper of the Senate was that if more funds were needed for this purpose

they were willing to appropriate them. May I inquire what is the attitude of the chairman of the Appropriations Committee of the House about that?

Mr. WOOD. I would say to the gentleman that the attitude of the conferees upon that appropriation was this: The season is now so well advanced that in all probability before proper arrangements can be made whereby the Department of Agriculture can make these loans, it will be too late for many of them. By reason of past experience with respect to what has to be done, we know that they have to get up the proper form of mortgage and the form of the application and all that sort of thing and before that time arrives it will be too late to make many loans that otherwise might be made.

Then there is this further thought. Many of these States do not need this money and will never ask for a dollar of it, I hope.

Mr. WRIGHT. In that connection, the bill as originally passed by the Senate was for \$6,000,000, and as I recall, the Committee on Agriculture of the House first determined to recommend \$6,000,000, but later other States were included and an additional \$1,000,000 was added to the amount carried in the bill.

Mr. WOOD. Yes.

Mr. WRIGHT. In the administration of this fund would not the gentleman think that the \$6,000,000 originally authorized ought to be used in the territory which was first included in the legislation?

Mr. WOOD. I hope there will not any of it be used in Indiana.

Mr. LARSEN. Will the gentleman yield for a question?

Mr. WOOD. I yield.

Mr. LARSEN. I would say to the gentleman that the bill which was passed in the House last year was approved by the President on March 4. This is only March 19. After the bill passed last year it was necessary to set up all the machinery, draw forms, and do everything necessary for the distribution of the five and a half million dollars in the six States involved. All that machinery is now set up. The forms for application have already been drawn, as well as the form of the mortgage, which the gentleman referred to a moment ago; and not only that, but the force necessary for handling of the loan has been assembled. I was in the office at Columbia, S. C., less than 10 days ago, and I saw the force then. There is no further organization work to be done. Everything is ready to function at this time, and not only would it be possible to lend out the \$7,000,000 that is actually needed, but \$20,000,000 could be quickly loaned with the machinery already set up.

Mr. ABERNETHY. That is true with reference to the six original States; but now additional States have been added, and that causes the trouble.

Mr. LARSEN. But these added States create no troublesome situation. I was informed in the office at Columbia, S. C., where Mr. Lynch is in charge, that Mr. L. E. White, an administrative agent of the department handling the fund, is in Washington City, where he will be for a month, and is now engaged in setting up the machinery in the State of the gentleman from Indiana and other States that have been included.

Mr. WOOD. I was not here at the time the bill was passed, but as I understand, they provided originally for these loans to be made in some six Southern States.

Mr. LARSEN. That was the original bill.

Mr. WOOD. Yes; as it came from the Senate. There was \$1,000,000 added on this side, and a number of Representatives from other States thought that while the getting was good they would get in, without any consideration by the proper committee and without any reference to the needs or demands of those several added States. I am only expressing an individual opinion when I say I do not believe in this character of legislation. I do not believe it is for the welfare of this country. If some great holocaust had overtaken these people, if they were in dire distress, then we should be called upon to meet it, but is this Government going to become so paternalistic that every time a small flood or a little too much rain or a little disaster overtakes us, we are going to appeal to the Government? If this be true, the day is not far distant when paternalism will be the rule of the hour, and I am opposed to that.

Mr. LARSEN. The gentleman remembers that Indiana made a special appeal before the Committee on Agriculture. Does the gentleman state at this time that the appeal made by the gentleman from Indiana in behalf of his State was not justified?

Mr. WOOD. I wish to say I do not think there is a farmer in the State of Indiana, though he has suffered by reason of the floods, but what can supply in his own neighborhood and through his own community interests all that is necessary to provide him with seed and fertilizer.

Mr. LARSEN. In other words, there are local sources of credit?

Mr. WOOD. Yes.

Mr. LARSEN. The gentleman was in Florida at the time the matter was before the House. There was a very distressing situation detailed as to the State of Missouri, especially in eight or nine counties. Is the gentleman prepared to speak on that and does the gentleman know whether that appeal was well founded or not?

Mr. WOOD. I know absolutely nothing about the condition out there.

Mr. LARSEN. The statement before the House at that time was to the effect the distress was great and that there were no local sources of credit.

Mr. WOOD. As I say, I am only expressing my opinion; but I think it is about time we stopped appealing to the Government every time there is some little loss or disaster in one of our communities.

Mr. LARSEN. I very much regret that the Senate has already agreed to the six millions appropriation and thereby surrendered the chance of aiding House Members in obtaining the amount necessary to meet the demands of a distressed situation. Was it because of the attitude of the gentleman from Indiana that the appropriation was reduced from \$7,000,000 to \$6,000,000?

Mr. WOOD. I thought possibly that we might save a million dollars to the Treasury of the United States. We have been advised that we are pretty nearly to the bottom of the flour barrel now.

Mr. LARSEN. If the gentleman thought that \$7,000,000 was necessary, would he be in favor of it?

Mr. WOOD. It would have to be a very strong case.

Mr. TUCKER. May I ask the gentleman a question?

Mr. WOOD. I yield.

Mr. TUCKER. I understood the gentleman to say that the item of \$100,000,000 for the Farm Board has not been agreed upon by the conferees.

Mr. WOOD. Oh, yes; that has been agreed upon, and is in this report.

Mr. TUCKER. That I suppose will be used for speculation in grain, as has been done, will it not?

Mr. WOOD. I do not know. I asked a gentleman the other day what was the difference between the operations of this board and the wish of Congress for a general investigation of that same thing in another line.

Mr. TUCKER. Does the gentleman recall the language of the President when we met here a year ago for the purpose of farm relief and the tariff bill, when he said in his message:

No governmental agency should engage in buying and selling and price fixing of a product, for such course can only mean bureaucracy and domination.

I believe it is perfectly well understood that the chairman of the board is doing exactly that thing and has done it with the \$150,000,000 that he has had at his disposal. In other words, are we going to add fuel to the flame and give \$100,000,000 more for the purposes which the President has asked us not to do?

Mr. WOOD. We are giving \$100,000,000 in this bill toward carrying out the direction of Congress heretofore made.

Mr. LAGUARDIA. If the gentleman will yield, I put in the RECORD of last Monday a letter that I wrote to the chairman of the Farm Board and his reply, which will give the gentleman all that information.

Mr. WOOD. Mr. Speaker, I move the previous question on the conference report.

The SPEAKER. The gentleman from Indiana moves the previous question.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the conference report.

The conference report was agreed to.

Mr. ELLIOTT. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Indiana makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and seventy Members present, not a quorum.

Mr. SNELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, the Sergeant at Arms was directed to notify absent Members, the Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Andrew	Bacon	Bell	Boylan
Arentz	Bankhead	Blackburn	Britten
Auf der Heide	Beck	Bolton	Browne

Brunner	Edwards	Kunz	Quayle
Buckbee	Esterly	Lambertson	Sabath
Carley	Freeman	Lampert	Sirovich
Carter, Wyo.	Gambrell	Lanham	Spearing
Chase	Garber, Va.	Lee, Tex.	Sproul, Kans.
Christgau	Gasque	Leech	Stegall
Clark, N. C.	Graham	Lindsay	Stedman
Clarke, N. Y.	Griffin	Luce	Stevenson
Cooke	Hartley	McCormack, Mass.	Strong, Pa.
Culkin	Hickey	McCormick, Ill.	Sullivan, N. Y.
Cullen	Houston, Del.	McDuffie	Summers, Tex.
Curry	Hudson	McSwain	Tilson
Dempsey	Hudspeth	Manlove	Turpin
De Priest	Hull, William E.	Mansfield	Underwood
Dickinson	Igoe	Michaelson	Vestal
Dominick	James	Mouser	Walker
Douglas, Ariz.	Johnson, Ill.	Nelson, Mo.	White
Doutrich	Johnson, Wash.	Nelson, Wis.	Woodrum, Va.
Doyle	Jonas, N. C.	O'Connell, N. Y.	Wurzbach
Drane	Kahn	Oliver, N. Y.	Yates
Drewry	Kless	Owen	Zihlman

The SPEAKER. Three hundred and thirty-two Members have answered to their names. A quorum is present.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

COMMITTEE ON THE POST OFFICE AND POST ROADS

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent that the Committee on the Post Office and Post Roads may sit during the sessions of the House for the next two weeks.

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

There was no objection.

MOUNT VERNON MEMORIAL HIGHWAY

Mr. DOWELL. Mr. Speaker, I present a conference report on the bill (S. 3168) to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9, for printing under the rule.

FIRST DEFICIENCY APPROPRIATION BILL

The SPEAKER. The Clerk will report the first amendment in disagreement:

The Clerk read as follows:

Page 8 of the bill, line 17, insert the following:

"The appropriation, 'Public printing and binding, Government Printing Office, 1930,' is hereby made available for the employment of an additional cataloguer from March 1 to June 30, 1930, both dates inclusive, to index the CONGRESSIONAL RECORD under the direction of the Joint Committee on Printing at the rate of \$2,100 per annum."

Mr. WOOD. Mr. Speaker, I move to recede and concur in Senate amendment No. 19. This amendment was inserted by the Senate to provide for an assistant cataloguer for the Joint Committee on Printing. Inasmuch as it is new matter, we brought it back to the House.

The SPEAKER. The question is on the motion of the gentleman from Indiana to recede and concur in Senate amendment No. 19.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 23: Page 13 of the bill, after line 15 on page 13, insert:

PORTO RICAN HURRICANE RELIEF COMMISSION

For the purpose of making loans to individual coffee planters, coconut planters, fruit growers, and other agriculturists in the island of Porto Rico, \$1,000,000; for the rebuilding and repairing of schoolhouses damaged or destroyed by the hurricane in the small towns and rural districts of Porto Rico, and for the employment of labor on and the purchase of supplies, materials, and equipment for repairing and constructing insular and rural municipal roads, \$2,000,000; in all, \$3,000,000, fiscal year 1930, to remain available until expended, in accordance with the provisions of Public Resolution No. 74, approved December 21, 1928, and Public Resolution No. 33, approved January 22, 1930.

Mr. WOOD. Mr. Speaker, I move to insist on the disagreement of the House to the Senate amendment No. 23.

Mr. McFADDEN. Mr. Speaker, I move to recede and concur in Senate amendment No. 23.

The SPEAKER. The gentleman from Pennsylvania moves to recede and concur in Senate amendment No. 23.

Mr. McFADDEN. Mr. Speaker, I would like to say a word about this.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania.

Mr. McFADDEN. Mr. Speaker, this amendment is recommended by the President of the United States, by the Secretary of War, by the Secretary of the Treasury, and by the Governor of Porto Rico. It is a relief measure and tends to completely rehabilitate Porto Rico. Some objection has been made to it upon the ground that it is to relieve the labor situation. This will be done to some extent, indirectly, but when you consider that the damage done by the hurricane to Porto Rico amounted to \$100,000,000, and that Congress has really only appropriated \$4,000,000, including this provision, for which it will not be reimbursed, I think in consideration of that great damage this appropriation is only right and proper. In that connection I might say that I am more or less familiar with Porto Rico, having traversed the island pretty thoroughly, and I am familiar with conditions there through contact with friends who have at heart the best interest of Porto Rico. The damage is set forth fully in the hearings, particularly in the statement made by the Secretary of War and the Secretary of the Treasury. The Secretary of the Treasury was personally down in the islands, and made a very careful examination. He motored all over the island and unhesitatingly recommends this particular appropriation.

As I say, some objections have been raised on account of the fact that some of this money might be used to relieve unemployment; but that is not the sole purpose. The treasury of the island is practically bankrupt, and the Federal farm-loan banks down there have loaned money freely to the farmers. The farmers are embarrassed on account of the lack of funds to keep up their interest and taxes. I want to read a few extracts from one of the sources of my information down there:

The rehabilitation commission sent representatives to Porto Rico that were here but a few days until they realized that the amount appropriated was not sufficient to take care of the volume of legitimate applications for rehabilitation purposes. It was necessary, therefore, for them to restrict the purposes for which said loans could be made. A farmer could borrow no money to repay a temporary loan which he had secured, although the temporary loan had been used for the purpose of rehabilitation. Neither could he use any portion of the loan to repair his residence on the farm that had been damaged by the storm. Thus you will see that while the loans made by the commission were helpful they were not sufficient for the purposes intended. That is the plain reason why it is necessary for the request to be made of the Congress at this time for additional funds. The pending bill provides for an additional \$1,000,000, to be used for loan purposes, and for \$2,000,000 in public improvements.

Most of the money mentioned is to be used to rehabilitate country schools and roads. The main arteries have been pretty well taken care of but in the rural districts, in the mountains, where the Porto Ricans grow coffee and have diversified agriculture, the money should be used to rehabilitate schools and roads that have been completely demolished.

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

Mr. McFADDEN. Yes.

Mr. CRAMTON. Is it not a fact that these country roads that we are to build are to be new roads; that actually they have never had any roads in that particular section? It is not a case of repairing the result of serious damage to roads but it is a case of building some new roads.

Mr. McFADDEN. The Secretary of the Treasury says in his report that he traveled some 300 miles over the island, and that it is a case of rehabilitating these roads; that several of these roads have been completely destroyed. It may be that there are to be some new roads to connect up these main roads. From my own observation I know that these rural schools should be replaced. The native Porto Ricans live in the rural districts, away from the cities. They are the people who are to receive most of the help from this particular appropriation.

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

Mr. McFADDEN. Yes.

Mr. TUCKER. I understand the gentleman to say that the sole purpose of this appropriation is not to relieve unemployment.

Mr. McFADDEN. No; it is to be used to rehabilitate the farm country. It will result indirectly in relieving unemployment, as all improvements do.

Mr. TUCKER. Then, I understand that this appropriation has for its object the partial relief of unemployment.

Mr. McFADDEN. As an indirect result only.

Mr. TUCKER. Does the gentleman realize that we have a little unemployment in this country?

Mr. McFADDEN. I do; yes.

Mr. TUCKER. Is an amendment to be offered to take care of that unemployment?

Mr. McFADDEN. No. Mr. Speaker, I want now to read another extract from this letter, which is from a man who is, I

think, the best-posted man on the island of Porto Rico. He was here in Washington a few weeks ago and I discussed this matter with him. He went back and made a careful study and has reported to me. He says:

In view of the needs of the farmers to use other funds than the loans from the rehabilitation commission to restore their farms, and in view of the extremely low coffee crop last year, many of our farmers have been unable to pay current taxes. The result has been that the insular treasury has not collected normal taxes, and the indications are that by the end of June of this fiscal year the receipts will be \$1,800,000 below the budget. That is to say, that the insular treasury has not forced the lands of the farmers to sale for taxes but has been standing by and carrying their full share of that burden. If the amount originally requested in December, 1928, had been granted the rehabilitation commission could have extended the purposes for which portions of loans might be so used. With reason they might have regarded the payment of taxes as a legitimate item of rehabilitation, because, certainly, the farmers must continue to own their farms and not be dispossessed of them on account of failure to pay taxes, if they are to restore them. In that event, the insular treasury would be in much better condition to take care of public works, which includes, largely, repairing roads so that the farmers may be able to transport their products to market.

Now, if we do not appropriate this amount of money it will undo practically all that we have done by previous appropriations, because if these people do not receive additional help they will lose control of their farms through inability to keep up their payments, which will interfere with their ability to rehabilitate themselves. I hope the Members of the House will sustain my motion to recede and concur in the amendment.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Porto Rico [Mr. DAVILA].

The SPEAKER pro tempore. The gentleman from Porto Rico is recognized for five minutes.

Mr. DAVILA. Mr. Speaker and Members of the House, I had the opportunity to address the House last Monday in connection with this appropriation of \$3,000,000 for Porto Rico. But in view of the insistent opposition of the conferees to agree to the amendment of the Senate, I wish to explain the matter further.

The original appropriation passed by the Senate one year ago was \$12,000,000. It was reduced by the House to \$8,000,000—six millions for loans to the farmers and \$2,000,000 for repair and rebuilding of schoolhouses and roads. Now, with this additional \$3,000,000 the total appropriation will be \$11,000,000, \$1,000,000 less than what the original appropriation called for. Of this additional fund \$2,000,000 are intended for the rebuilding and repair of schoolhouses and roads and \$1,000,000 for loans.

This appropriation is very badly needed in Porto Rico. It is not, as the gentleman from Michigan [Mr. CRAMTON] has suggested, for the building of new roads and new schools. It is for the repair of roads, principally.

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

Mr. DAVILA. Yes.

Mr. LINTHICUM. May I ask if Porto Rico gets any of the road funds that we are appropriating for in here?

Mr. DAVILA. Not a cent.

The Secretary of the Treasury, Mr. Mellon, visited the island during the holidays, and he has personal information about conditions there. I would like to read his whole statement, because it is very interesting; but I will just read an extract from it. He says:

The roads in those parts of the island where the coffee grows are very bad in some places, and when I was there they seemed almost impassable.

That is the case to-day. We have made very little progress since the time Secretary Mellon was in Porto Rico. I think this statement should be enough to satisfy the House that this money is not for the purpose of building new roads and new schoolhouses.

This appropriation was recommended by the Porto Rican Hurricane Relief Commission, composed of the Secretary of War, the Secretary of the Treasury, and the Secretary of Agriculture, and then by the Budget Bureau, and then by the President of the United States by special message to Congress. The Congress has unanimously authorized this appropriation.

Are you going to vote, Members of the House, against your own act? You authorized this appropriation. To vote against it now would be a reversal of your former attitude. I hope you will be consistent with your former action. It was not supposed that the Congress was going to do a useless thing. The purpose was the rehabilitation of Porto Rico. If you vote against this appropriation now, there is no use in asking the authority of Congress for any appropriation. I hope that the Members of the House have had time to read the letter of

Governor Roosevelt, which I had incorporated in the RECORD day before yesterday. The opposition to this item is based on the statement of Major Eager before the subcommittee of the House Committee on Appropriations, that this money was intended for the relief of unemployment. But we have now before us the statements of the Governor of Porto Rico, the Secretary of War, and the Secretary of the Treasury, who say that the primary consideration is the repair of the roads and rebuilding and repair of schoolhouses destroyed by the hurricane. In short, this appropriation is intended to continue the general plan of rehabilitation, which can not be completed without this additional fund. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Porto Rico has expired.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for five minutes.

Mr. BYRNS. Mr. Speaker and Members of the House, I ask your attention for a moment while I present my reasons for opposing this amendment. It is well known by my friends in the House that I have been opposed consistently to all authorization bills which have been passed for the purpose of making seed loans. I voted against them consistently, both for the Northwest and for the South. I signed the conference report for \$6,000,000 for a seed loan, not as expressing my individual view but because I was a conferee and I was trying to carry out the wishes of the House, and therefore deemed it to be my duty to sign the conference report.

Another authorization bill has been passed making a second authorization for Porto Rico. There were no hearings had on that authorization resolution when it was before a committee of the House. It was first sought to bring it up by unanimous consent without action by the committee. The next day it was brought up by unanimous consent, having been reported by the committee without hearings.

Now, this establishes an entirely new policy, gentlemen, and if we are going to establish such a policy then I predict that there will be many appropriations for much larger amounts by this House in the future for similar purposes.

Mr. GARBBER of Oklahoma. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. GARBBER of Oklahoma. Will the gentleman state whether the Committee on Agriculture reported the bill without a hearing?

Mr. BYRNS. No. This came from the Committee on Insular Affairs.

Now, what are the facts? A destructive hurricane occurred in Porto Rico in January, 1928, more than two years ago. Last year Congress authorized and there has been appropriated \$8,150,000 for the relief of Porto Rico, \$2,000,000 to be used for the building of schools and the repair of roads and \$6,000,000 to be used for the purpose of loans to the farmers of Porto Rico. There are about one and one-half million people on the island of Porto Rico. The \$6,000,000 has been practically all loaned. The gentleman from Pennsylvania, who evidently had not read the hearings, said it would be returned, but I submit to the gentleman that if he will read the hearings he will come to the conclusion that very little, if any, of it will ever be returned.

Mr. DAVILA. Will the gentleman yield?

Mr. BYRNS. No. I have not time now. I will yield in a moment.

Now, why will it not be returned? This money has been loaned on junior mortgages, as they have been called. Some are second mortgages, some are third mortgages. Very few of them are first mortgages on the land. And you know these mortgages are of no value.

Most of the other \$2,000,000 has been used for the purpose of building schools. Both the gentlemen who preceded me said that this is a question of schools and education. I want to read to you just what Major Eager said to show this is not a school proposition. It is a dirt-road proposition, not for the main highways into San Juan, but for the repair of dirt roads out on the island of Porto Rico, as will be shown by the hearings.

What does Major Eager say? He says that the school building program has been practically completed. They have built 735 buildings in Porto Rico out of money heretofore appropriated—some of them concrete and all of them much better buildings than existed there before the hurricane occurred.

Now, how does this second proposition come up? I submit if you will read the hearings you will come to the unquestioned conclusion that it did not arise as the result of any idea of the commission. It came from one gentleman, according to Major Eager, and I will read you the testimony to show you who that was.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. WOOD. I yield five additional minutes to the gentleman from Tennessee.

Mr. BYRNS. The chairman asked Major Eager this question:

Can you tell us how much of this additional \$2,000,000 is going to be for schools and how much for roads?

Major Eager is the officer in charge, who represented the commission before the subcommittee. Major Eager said:

I could not tell you exactly, but a very small amount—and possibly hardly any at all—will be for schools. The bulk of it is going into roads, the repair of roads, and also it has been Senator BINGHAM's idea, in bringing this matter up, that a very large proportion of the expenditures would go for labor rather than for material, since the basic idea of the whole matter is that it is a relief measure rather than a measure to try to improve everything in Porto Rico.

The CHAIRMAN. Out of the first \$2,000,000 you have spent more on the schoolhouses than on the roads?

Major EAGER. Yes. I might read from this memorandum as to how this matter came up. [Reading:]

"Last December Senator BINGHAM, in a letter to the chairman of the Porto Rican Hurricane Relief Commission, stated he had read carefully the annual report of the commission and had noted that it had been necessary for the commission to spend more than anticipated in rebuilding the schoolhouses, and consequently the amount available for roads, especially municipal roads, was apparently considerably curtailed. Senator BINGHAM in his letter added that from what he could hear regarding the suffering in Porto Rico, it might be wise to appropriate additional funds to give employment to some of the unemployed, and suggested that he would like to receive the commission's recommendations in this regard."

As a matter of fact, Major Eager said the whole basis and the primary purpose of this additional appropriation is to provide for unemployment in Porto Rico. I submit to you gentlemen, representing your constituencies as you do, that we have unemployment in this country. Nobody has asked for money to be appropriated for the relief of their unemployment. If you are going to establish that policy, then I submit it ought not to be devoted alone to Porto Rico, but it ought to be given to the unemployed throughout America. Can you vote this additional sum for Porto Rico alone after appropriating more than \$8,000,000 for the million and a half people in Porto Rico?

Its commerce is suffering, no doubt. Commerce is suffering in this country. Its labor is unemployed, no doubt, but labor is unemployed in this country. I submit, in all justice and in all fairness, and in the interest of the Treasury, which the President has warned you will require the imposition of an additional tax of 40 per cent if appropriations are not curtailed, that this amendment should not be adopted or concurred in, and I hope the House will not concur in it.

We have already adopted the policy of loaning money. Now, we are asked to adopt a policy of appropriating out of the Treasury, as a pure gratuity, millions of dollars for the purpose of building dirt roads, as Secretary Mellon said, with the primary purpose of providing for unemployment. It is not for the purpose of building concrete roads or repairing roads of a durable nature, but for the repairing of dirt roads. The policy is wrong. I hope that the House will not set this precedent. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD. I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, this House is the last body in the world to vote down this amendment in view of the record established by this House. We have a long list of appropriations made for relief of every nature and description—north, south, east, and west. A few days ago we had a bill in which we appropriated some \$7,000,000. They were just a few votes short, so a few States were added to the bill and it passed the House.

The gentleman from Tennessee [Mr. BYRNS] referred to Porto Rico as though it were a foreign country. I submit to the gentleman that Porto Rico is just as much a part of the United States as any State in the Union.

Mr. BYRNS. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. BYRNS. The gentleman appreciates the fact that this amendment is not similar to the amendments to which he refers. I will say to the gentleman, in the interest of consistency, that a proposition was made to agree to \$1,000,000 for loans, even though they will never be returned, but it was the \$2,000,000 to which I referred.

Mr. LAGUARDIA. In reply to that I will state that I much prefer the frankness of this appropriation than the camouflage

of some of the appropriations we have made, calling it a loan, when we know we will never get back a cent. At least this is frank legislation.

The gentleman from Tennessee referred to the unemployment situation. I want to say that this has a direct bearing on the unemployment situation. We have now in New York City a very critical condition and unless we can take care of the people of Porto Rico in Porto Rico they will come to the United States and make worse the conditions which exist here to-day.

I can not for the life of me see how anyone, in view of the record and precedents established by this House, can now consistently object to this paltry appropriation, which means nothing to the United States but means the very existence and the salvation of the people of Porto Rico.

Mr. CRAMTON. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. CRAMTON. Inasmuch as there is no precedent for a direct appropriation to provide employment, is it the thought of the gentleman from New York that if this precedent is established for Porto Rico he will be able to secure a liberal appropriation to provide employment in New York?

Mr. LaGUARDIA. I will say this to the gentleman from Michigan, that the unemployment situation in 1930 is not what it was 40 years ago, and that American labor will simply refuse to go hungry. When we have unemployment it affects the retailers, it affects the wholesalers, it affects the farmers, it affects the banks, it affects industry, and it will affect the whole country, and when we arrive at such a condition we will have to do something very constructive and something very material to relieve the situation, and the people will not be satisfied with speeches of good will on the floor of the House.

Mr. McFADDEN. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. McFADDEN. I also call the gentleman's attention to the fact that this policy on the part of the Government is now being carried out in the United States, namely, to erect public buildings for the purpose of taking care of the unemployment situation.

Mr. LaGUARDIA. That is true. The President of the United States made an appeal for employment, and in answer to his appeal we are building roads and we are going on with construction work in every department of Government. I do not think it is fair to economize now on \$3,000,000, which, as I have said, means the very existence and salvation of Porto Rico.

Mr. CRAMTON. It is one thing to make an appropriation which incidentally provides employment and quite another thing to enter upon a policy of making appropriations directly to provide employment.

Mr. LaGUARDIA. No; I do not think there is, I will say to the gentleman, because this will aid the Commonwealth of the Island of Porto Rico, which is a part of the United States. It is for the building of schoolhouses which were destroyed and it is for the repair of roads which were damaged. No; the gentleman can not make that distinction at all.

I appeal to the membership of this House. I appeal to the delegations from every State which has in one way or another benefited by this House when they had a crisis in their State to do the same for Porto Rico.

Mr. WOOD. Mr. Speaker, ladies and gentlemen of the House, I wish to call to the attention of the House the exact situation with reference to this Porto Rican item. We originally authorized a loan of \$6,000,000 to the farmers of Porto Rico. We authorized the giving to Porto Rico the sum of \$2,000,000 for the purpose of rebuilding their roads and their schoolhouses. Now, we have kept the faith. Having kept the faith they are coming back and asking us for \$3,000,000 more.

I wish to say to you ladies and gentlemen that this whole thing may be denominated a gratuity. As already stated to you by the gentleman from Tennessee, with very, very few exceptions, and in small amounts, the money that has been loaned over there has been loaned upon security which the United States can not foreclose. There are mortgages heaped upon mortgages, and we are taking our chances of eventually getting something back. How many men in the United States would loan their own money upon a farm which had a second and third mortgage on it and expect to ever get anything back? That is the situation in Porto Rico. So do not let us delude ourselves into the thought that we are ever going to have any considerable portion of this \$6,000,000 returned.

As I say, we have already advanced \$5,000,000 for these loans, and the independent offices bill which passed this House a few days ago, and is now pending in the Senate, carries an additional \$1,000,000. We have already given them \$2,000,000 with which to rebuild their schoolhouses and their roads, and they have rebuilt their schoolhouses and repaired the roads for

which we gave the \$2,000,000. They now have far better schoolhouses than they ever had in all the existence of Porto Rico, for the Government of the United States builds better than they build in Porto Rico.

According to the testimony of the representative of the War Department who had this expenditure in charge, the schools have been completed and this money is for the purpose of giving employment to the unemployed, and in order to give such employment they are going to have them work upon little by-ways leading to these main trunklines going from one end of the island to the other.

So I say I believe we have done our full part by Porto Rico. It occurs to me that our generosity in this respect has exceeded our better judgment, and, as has already been stated upon the floor here by the gentleman from Tennessee [Mr. BYRNS], we have unemployment in the United States, we have had devastations in the United States, we have, if you please, many opportunities to give at home, and charity should begin at home.

I hope this Congress, mindful of the duty that we are here to perform, mindful of the guardianship of the Treasury of the United States, mindful of the interests of our own people and of our own industries, will not give away \$3,000,000 more.

Mr. RAMSEYER. Will the gentleman yield for a question?

Mr. WOOD. I yield.

Mr. RAMSEYER. Do I understand we have heretofore appropriated \$8,000,000 for Porto Rican relief, \$2,000,000 for schools and roads, and \$6,000,000 to be loaned to the farmers, and that \$5,000,000 of the \$6,000,000 has already been loaned?

Mr. WOOD. We authorized \$8,000,000, \$6,000,000 of which was for loans to farmers and \$2,000,000 was for building roads and schoolhouses. We have given the \$2,000,000, which was an outright gift, and we have also advanced \$5,000,000, and the last \$1,000,000 is included in the independent offices appropriation bill, making in full the \$8,000,000.

Mr. RAMSEYER. The Senate amendment proposes \$3,000,000 additional. What is the attitude of the House committee? Are they against all of it, or do they propose to agree to a part of it? That has not been explained.

Mr. WOOD. No; the whole business is in disagreement. This is the way this \$3,000,000 item occurs in this bill. The \$1,000,000 I have told you about that we are still to advance to Porto Rico is in the independent offices appropriation bill.

Mr. RAMSEYER. And that is for loans to the farmers of Porto Rico?

Mr. WOOD. Yes. Now this \$3,000,000, \$2,000,000 of which is supposed to be for the purpose of building roads and schoolhouses, all of which have been built, and \$1,000,000 is for additional loans. This is an independent item put on the deficiency bill by the Senate, and is in addition to the former appropriation of \$8,000,000.

Mr. RAMSEYER. Are the conferees on the part of the House agreeing to any part of the \$3,000,000 which is carried in the Senate amendment?

Mr. WOOD. We are not.

Mr. RAMSEYER. You are opposed to all of it; is that it?

Mr. WOOD. Yes.

Mr. DAVILA rose.

The SPEAKER pro tempore (Mr. SNELL). For what purpose does the gentleman rise?

Mr. DAVILA. I would like the gentleman to yield me five minutes, because I want to explain some things that have been said here.

Mr. WOOD. I yield the gentleman two minutes.

Mr. DAVILA. Mr. Speaker, it has been stated here by the gentleman from Tennessee [Mr. BYRNS] and the gentleman from Indiana [Mr. WOOD] that the money loaned to the farmers will not be repaid. This is merely the expression of an opinion. Congress should base legislation on actual facts and not on mental speculation which may prove at the end to be without justification. The people of Porto Rico have always paid what they owed, and I wish to assure you that this money will be repaid.

Now, the gentleman from Indiana [Mr. WOOD] says that charity begins at home. Whose home, may I ask? If you are trying to differentiate between the rights and privileges to be enjoyed by American citizens in Porto Rico and American citizens in the mainland, then you are affording the people of Porto Rico reasons for being dissatisfied. Porto Rico is a part of the United States, and if charity begins at home, then you should help Porto Rico in the same way you are helping other communities in the United States.

There should be no discrimination whatever.

Mr. WOOD. Mr. Speaker, I move the previous question on the motion of the gentleman from Pennsylvania.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. McFADDEN] to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 26, noes 155.

So the motion was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Indiana to further insist on the disagreement of the House to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 27: Page 20, after line 7, insert:

"Buildings and grounds: For an additional amount for the purchase of additional school building and playground sites authorized to be acquired in the 5-year school-building program act, \$100,000, which shall be available for expenditure without limitation as to price based on assessed value: *Provided*, That the part of the appropriation of \$517,000 for the purchase of school building and playground sites, contained in the District of Columbia appropriation act for the fiscal year 1930, which may be expended without limitation as to price based on assessed value, is hereby increased from \$165,000 to \$295,000."

Mr. WOOD. Mr. Speaker, I move to recede and concur in the Senate amendment. I will state that this item is for the payment of an additional amount made necessary by reason of condemnation proceedings on a school site.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 75, line 8, strike out the figures "\$6,000,000" and insert "\$6,750,000."

Mr. WOOD. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment, and I yield three minutes to the gentleman from New Hampshire [Mr. WASON].

Mr. WASON. Mr. Speaker, I offer a preferential motion that the House recede and concur in the Senate amendment.

Mr. CRAMTON. Mr. Speaker, the gentleman from Indiana does not lose his control of the time?

The SPEAKER pro tempore. No; the gentleman from New Hampshire is recognized for three minutes.

Mr. WASON. Mr. Speaker, the President of the United States some time ago called the attention of Congress to the advisability of speeding up the public-building program for the purpose of furnishing employment to our people. Unemployment in New England was included in the above statement.

If this post-office building is constructed of granite, it will mean employment of many skilled men in quarries and of men who finish the granite blocks for construction of this building who are now idle or working on part time. The old post-office building is constructed of granite. Many large business blocks in the city of Boston, privately owned, are constructed of granite. The United States buildings in Boston, including the customhouse, are constructed of granite. The people of Boston and New England favor granite construction wherever it is possible, because it is more durable and less hazardous from climatic destruction.

I believe, and almost know, that the citizenship of Boston and the Commonwealth of Massachusetts favor granite construction of this Government building. I ask you, my colleagues, to seriously heed their request and respect their wishes. While legally the building belongs to the United States, in fact it is their building to take care of United States Government activities in their midst, surrounded by their business establishments and their homes.

New England is the home of the early immigrants and settlers of this Nation. I beg of you to carefully consider their wishes in this matter. It is the appeal of the fathers of by-gone days to us, their descendants, which urge you to remember and respect. [Applause.]

Mr. WOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, it is planned to build, and already the site has been cleared for this purpose—it is planned to build in the heart of Boston a Federal building to house the post office, the Federal courts, and other Federal activities not now accommodated in the customhouse.

Should the figures stay at \$6,000,000 the building, which is to be 21 stories in height, will have a granite facing up about 50 feet, leaving more than 300 feet to be faced with Indiana

limestone. We, who are to live with that building, are asking that the whole structure be of granite, for these reasons:

First. The paramount reason springs from the fact that the business depression is affecting New England more than any other section of the country. The delay in the passage of the tariff bill has added to our troubles. Our bigger industries are particularly afflicted and a large number of our people are out of employment.

In accordance with the policy of the administration to meet this emergency as far as possible by the expenditure of public funds for public construction, it is humane that our people in need of employment shall have this additional help, which, it is estimated, will furnish work for a thousand men through a year and so relieve the needs of their families and aid all those with whom they do business.

Shading into the first reason is the second reason—the economic reason—much of the same nature, in that the expenditure of money for public buildings stimulates industry in every direction, with effect that spreads throughout the land.

Thirdly, there is what I admit to be a sentimental reason, in that we of New England wish our monumental edifices erected by the Nation to be built of that material which has been the pride of New England from its earliest days—granite. We yield to other parts of the country if they have similar desires. Let them embody the spirit of their localities in the nature of their buildings. [Applause.]

Next comes the practical reason. We live on a bleak coast. We thrive on the east wind, but the east wind brings to us the damp and the fog and the salt air which attack every kind of building material. They will enter through the pores of limestone, and then, situated as we are on the coast, where the weather fluctuates from day to day—now freezing, now thawing—inevitably the result is that the softer materials will not endure. We have our own soft stones of one kind and another, but never will we use them if we can help it for those structures that are to last through the generations. We want the thing that endures, and that is granite. [Applause.]

There is, next, what I shall call the artistic or esthetic reason. The suggestion may fittingly come, you will say, from that part of the country, and I shall not disclaim the impeachment. Yet in every corner of the land there should never be forgetfulness of the double purpose of great public buildings—the intent to inspire the people with a sense of respect for government and at the same time to arouse a desire for that which is beautiful. Are we to be answered with the demand that economy shall prevail?

Go outside of this very Capitol Building, view the center of it, made of Virginia sandstone, see the paint falling off, and then compare it with the marble of the two wings. Do you think that is the best lesson to teach the countless visitors that come to Washington? Go down and look at the Washington Monument. See where the line of cleavage is between the old work and the new, the blemish that always attracts the eye. It is the flaw in the jewel. To the onlooker it grievously lessens the value of that glorious shaft. In my own Commonwealth we have a statehouse, the front of which we acclaim for its architectural beauty. It is famed as "the Bulfinch front." Through misjudgment more recent builders have added to the original structure wings of different materials, that will always lack in harmony. Always will there be the regret that there is not the unity which ought to characterize every great public building.

I have considered in this matter with two experts in architecture, one a man of long experience and now engaged in teaching architecture, the other the editor of an architectural journal. Each threw up his hands in abhorrence at the idea of putting two kinds of stone in the main walls of such a building as this is to be. One said jocosely that it is like the meringue on top of a lemon pie. You propose to confront the eye of the connoisseur with that incongruity—yes; to disturb as well many a man without training. I myself never had architectural training, but there is some instinct in me which rebels against the theory that for the sake of saving a few dollars you should erect a building which will never fully satisfy even the untrained instinct.

Mr. Speaker, we want this building a thing of beauty, a thing of massive grandeur, a thing which by its unified mass shall impress the people with the majesty and dignity of the American Government, and for this, in addition to the other reasons, we ask that you grant the plea of those who must live with this building. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, ladies and gentlemen of the House, I understand that through his spirit of fairness, the chairman has apportioned 40 minutes to those who are urging

granite and 20 minutes to those who are defending the committee action. Inasmuch as I have so little time I ask that I be not interrupted until I have completed my statement.

First, as to this matter of taste on which many of us are always inclined to follow the gentleman from Massachusetts [Mr. LUCE]. Mr. Wetmore, the Supervising Architect, in the hearings, said that there is nothing inartistic about a combined granite and limestone building; that many buildings are built that way. He says:

It is a matter of taste. Now, the architects in our office who are working on this particular building prefer the design that they have to one of all granite; but the building would look more substantial if it was of granite.

So far as the artistic is concerned, there are many buildings that combine the two stones.

It is to be understood that the issue here is whether this office building in Boston, 21 stories high, shall be entirely of granite, or shall be as the House originally voted, three stories of granite and the balance of limestone. For fear that, after hearing my friend from Massachusetts [Mr. LUCE], you may conclude that limestone is a most unworthy stone, let us remember that the entire building program that we are carrying on now in the Mall in the Capital of the Nation, to challenge the attention of the world, is of limestone.

There is a difference of \$750,000 whether you use granite or limestone in this building. My friends from New England very naturally are in favor of granite, because the granite will be produced in New England, and the labor will be there. But if limestone is to be used, that is not to be imported from abroad. The men who quarry the limestone will need the labor as much as the men who quarry the granite, and they, like those in New England, will be residents of the United States. I see no distinction there. Some will suggest, perhaps, or think it anyway, that my colleague from Indiana is interested in limestone because they quarry that in Indiana. I am sure my friend would have the same right that my friend from New Hampshire [Mr. WASON] has to favor granite or my friend from Massachusetts [Mr. LUCE] has to favor granite, but I know enough about WILL WOOD to know that that is not what actuates him. His duty is to protect the Treasury, and he is trying to do it. Furthermore, limestone does not come from his district. It may come from his State, and if it does it will come from a district represented by a gentleman on the minority side of the House [Mr. GREENWOOD].

Mr. DUNBAR rose.

Mr. CRAMTON. I guess my friend [Mr. DUNBAR] wants to remind me that some of it is in his district. However, the question is, Shall we add another \$750,000 to the appropriation for this post office? The House added \$1,750,000 as I remember it to enlarge the structure, and having secured that, then these gentlemen have gone to the Senate to get another three-quarters of a million dollars to make it all of granite.

Let us remember the condition of the Treasury. Let us remember the industrial conditions that may easily adversely affect the condition of the Treasury. We must continue to do as we are doing this afternoon and consider the effect on the Treasury of these additional appropriations.

Another reason why I oppose this additional \$750,000 is that the old system was changed on the theory that these programs would be arranged, not just on the score of local pride, but in accordance with the needs of the public service. The old "pork barrel" building bills were arranged to meet local pride. We have adopted a different system with these appropriations based on needs of the service. Under the new system these appropriations were not to be based on local pride but on the needs of the public service. The efficiency of the service would be promoted and accomplished by an appropriation of \$6,000,000, but they are not satisfied with that. They must come in for \$750,000 additional on the score of local pride. That was not the idea in the present public-building program. It violates the principle of the existing legislation.

Other Members have the same right as the Members from Massachusetts to speak in behalf of their own districts. If I were to speak of my own district, it would but express the situation that is found in scores of other districts. As authorized by the law to-day, the program does not permit the expenditure of five cents on any post-office building in any community having less than \$40,000 per annum in postal receipts. Here we are trying to get buildings for towns of five or six thousand population, but they can not now be considered—the great cities must be first cared for. Adding \$750,000 to Boston defers seven \$100,000 buildings elsewhere. The new legislation that passed the House and is pending in the Senate will bring it down eventually to offices with receipts of \$25,000 per annum—if we do not keep adding large amounts to the items now on the program.

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

Mr. CRAMTON. I regret I can not yield.

This is a policy which this House has got to determine, whether we shall adhere to a sound and economic building program or whether we are going to go in for local pride throughout the country. If you increase this item, you must increase others, so that they, too, can have marble or granite instead of limestone. Every time you approve such an increase a number of towns and districts represented in this House are going to have their buildings postponed and be compelled to wait a long time before their real need for public buildings can be supplied. It is natural to have sympathy with my friends from New England, but whether it is for New England or Indiana or anywhere else I think our first consideration must be given to the Treasury, without any \$750,000 contributions to local pride. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Maine [Mr. NELSON].

The SPEAKER. The gentleman from Maine is recognized for five minutes.

Mr. NELSON of Maine. Mr. Speaker and Members of the House, my duty to the unemployed granite cutters of Maine and my own sense of justice compel me to speak at least a word here this morning. The principle involved in this discussion is a far broader one than just what Boston is to have for a post office. It concerns not only Boston and the Commonwealth of Massachusetts but all New England, and most vitally affects the State which I represent.

The granite business is one of the oldest in my section of the country. In it millions of dollars are invested and upon it thousands of people are dependent for their livelihood. Of late the industry has been going through a lean period. Business is depressed and unemployment in the industry serious. Our people had been looking forward with hope to the inauguration of the great Federal building program which promised to stimulate business in all parts of the country and to help relieve unemployment everywhere, when they learned, with consternation, that it was proposed to come up among the granite hills of New England and erect, amongst the dignified and beautiful granite municipal buildings of Boston, a post office of limestone from half way across the continent, leaving the idle stonecutters of New England, represented by those of Quincy and Milford and Rockport, to stand around with their hands in their pockets and watch the Federal Government stimulate one of our basic industries with blows and relieve unemployment in New England by sending its pay rolls out into the Middle West.

Nationally, the decision made here to-day marks a crisis in the granite industry of the entire country. It means either a revival of the business or a serious threat to its future. So far as New England is concerned, if the subcontract for the exterior finish of this building goes to Indiana instead of to some New England State or States, it will be a severe economic blow to many a New England community and a severe political blow to many a New England Congressman.

I do not feel that we of New England are selfish in asking that the material for this building come from our own section rather than from the one State that is already assured of furnishing the material for the entire governmental building program of the city of Washington. I do not feel that we of New England are provincial. We have consistently voted for the appropriation of hundreds of millions of dollars for the welfare of the West, including those for flood relief, Boulder Dam, and farm relief. In the latter case we have received much adverse criticism from some constituents, but we still believe that what is best for the country as a whole is best for its individual sections. We have sought to do justice to the West. That is all that we ask for New England.

Our people are deeply concerned in this matter. They feel that the proposed action is a good deal like pushing a man off his own doorstep; that it is fundamentally wrong and antagonistic to the sentiment and to the material well-being of our people. [Applause.]

Mr. WOOD. I yield three minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS. Mr. Speaker, it seems to me that New England is asking very little in requesting this additional \$750,000 appropriation for our own granite. Boston rates a granite post office. Judge Wetmore, the Supervising Architect of the Treasury, stated before the Senate Appropriations Committee:

Well, I will say that if this building had been authorized under the old system, when we made estimates separately for buildings, it would undoubtedly have been estimated a granite building.

The first granite that was ever quarried in the United States was quarried in Massachusetts. We now quarry more granite than any other State in the Union. We have the oldest building of granite in the United States in Boston, Kings Chapel, which was built in 1749 of bowlders from Braintree, which at that time were split by fire. That is still standing and is in fine condition. Every public building in Boston, with but one exception, is built of granite.

This year we celebrate the three hundredth anniversary of the birth of free government in Massachusetts Bay Colony, the birth of free government in this country, and that is the heritage that Massachusetts has given to the United States. I hope you will all come and help us celebrate that anniversary of the birth of free government. We shall give you a very cordial welcome. It will be very humiliating to us if we have to tell the visitors to Massachusetts that we sent to Indiana, over a thousand miles away, for limestone to build our post office, when we have in our own State and in other parts of New England the most beautiful granite in the world.

We have in my own district at Chelmsford, granite, a very beautiful light or white granite, and the people of Lowell have just built a bank of that material.

If you have any doubt as to which is the better stone—limestone or granite—I refer you to two letters that I have just received in answer to some questions I asked—one from the Geological Survey and one from the Bureau of Standards. Here is the letter from the Geological Survey and my questions, also one paragraph from the Bureau of Standards letter.

UNITED STATES DEPARTMENT OF THE INTERIOR,
GEOLOGICAL SURVEY,
Washington, March 18, 1930.

Hon. EDITH NOURSE ROGERS,
House of Representatives.

MY DEAR MRS. ROGERS: In reply to your letter of March 17, I am pleased to send you herewith answers to your questions relative to the durability of granite and limestone. These answers have been prepared by G. F. Loughlin, geologist in charge of stone investigations.

Very cordially yours,

JULIAN D. SMARS, Acting Director.

LIST OF QUESTIONS ABOUT GRANITE AND LIMESTONE

1. Have you any information relative to the durability and weathering of granite in buildings in climate similar to that of Boston?
2. Would granite be as liable to stain and unsightly discoloration as limestone?
3. Which stone, granite or limestone, will withstand the action of frost the longer?
4. Would the effects of frost action on limestone in a climate similar to Boston be serious in 50 years? Granite?
5. Is granite more durable than limestone?
6. Is limestone as uniform in quality as granite as to weathering or discoloration in such a structure as the Boston post office?
7. Will carving and delicate ornament retain its detail in limestone as long as in granite?
8. Is there any evidence of chemical corrosion in granite buildings? In limestone?
9. Which stone is easier to clean, granite or limestone, and which will stay clean longer?
10. Will soot and oil in the atmosphere be more detrimental to limestone or granite in a building?

ANSWERS TO QUESTIONS REGARDING GRANITE AND LIMESTONE SUBMITTED BY EDITH NOURSE ROGERS, MEMBER OF CONGRESS, MARCH 17, 1930

1. A study of building stones used in Boston was made by the undersigned in 1903 and has been renewed at intervals since then. In granite buildings erected at such early dates as 1805 (State prison, Charlestown), 1825 (Bunker Hill Monument), and 1847 (customhouse) the granite shows no perceptible evidence of weathering, in spite of the fact that the granite was cut from bowlders and superficial parts of ledges that have been exposed to weathering for thousands of years. In all other respects the durability of the granites is satisfactory.

In a few old buildings, where soft granite was used, excessive hammering used in obsolete methods of finishing has caused a thin shattered skin to yield to frost action, but after that shattered skin was removed no further change has taken place in 25 years or more (e. g., city hall, erected in 1865, first studied by the writer in 1903 and last seen by him in 1927).

2. Granite would not be as liable to stain and discoloration as limestone. Both the high porosity and the chemical composition render the limestones most commonly used for building stone much more subject to stain and discoloration, both from salts derived by seepage from cement, mortar, backing, etc., and from copper or bronze.

3. Granite will withstand the action of frost much longer than the limestones commonly used for building, especially in a humid climate.

4. This question can not be adequately answered merely by "yes" or "no." Some limestone where most exposed to frost action in a

climate like Boston's would show very conspicuous effects of freezing within a period of 50 years, but the better grades where similarly exposed might show only minor effects. Granite will show no effects of frost action in 50 years, or even a much longer time.

5. Granite is the most durable of all the ordinary building stones, and will retain its surface details long after limestone has been markedly corroded.

6. There is more likely to be marked variation in limestone than in granite as regards weathering and discoloration in such a structure as the Boston post office.

7. Carving and delicate ornament will not retain their detail nearly as long in limestone as in granite.

8. There is no evidence of chemical corrosion in granite buildings, but plenty of evidence of chemical corrosion in limestone buildings.

9. So far as I know there may be little or no difference in the ease of cleaning either granite or limestone, and the period that each will stay clean depends upon local conditions. Sooty dust will fall with equal readiness upon each stone, and its degree of retention will depend upon the roughness and porosity of surface. Corrosion of limestone surfaces by rain water tends to remove in some places, but in others dust continues to collect and retains moisture, thus acting as a poultice and giving moisture a longer opportunity to corrode the limestone. The immunity of granite to such corrosion eliminates both of these possibilities.

If stains are due to seepage of moisture through limestone, the stains will reappear so long as material causing the stain continues to be supplied from mortar or backing.

Cleaning by sand blast does not injure granite surfaces but bruises softer stone like limestone and renders it just so much more subject to corrosion by rain water and to frost action. Steam cleaning is probably satisfactory on both stones, although any slight tendency to corrosion by moisture condensing from the steam will be more effective on limestone than on granite. Acid or alkali preparations for cleaning are not to be recommended on either stone, but on the whole are less likely to bring out subsequent stains on granite than on limestone.

10. Soot and oil will mar the appearance of any stone but, as stated in the third paragraph above, is more detrimental to limestone than to granite.

Respectfully submitted,

G. F. LOUGHLIN,
Geologist in Charge of Stone Investigations,
United States Geological Survey.

DEPARTMENT OF COMMERCE,
BUREAU OF STANDARDS,
Washington, March 18, 1930.

Hon. EDITH NOURSE ROGERS,
House Office Building, Washington, D. C.
Subject: Granite and limestone for building purposes.

MY DEAR CONGRESSWOMAN: First. Answering your letter of March 17 concerning the weathering qualities of granite in Boston and vicinity it may be said that the old buildings and monuments of this material in Boston afford the best information available on the subject. Old King's Chapel was erected in 1749 of granite bowlders which are said to have been split by means of fire. This is probably the oldest stone building in this country, and it has withstood the rigorous climate of Boston remarkably well. A considerable number of old granite structures may be cited in Boston, such as the customhouse, Bunker Hill Monument, post office, Massachusetts General Hospital, Quincy Market, etc. From present appearances it may be judged that any of these structures will stand for several centuries.

I have also the following statement:

RE GRANITE VERSUS LIMESTONE

P. 453: Stones for building and decoration, by late Dr. George P. Merrill, curator of geology, United States National Museum.

Life of various kinds of building stone in New York City. "Life" being understood to mean the number of years that the stones have been found to last without discoloration or disintegration to the extent of necessitating repairs.

(From Report Tenth Census, 1880, vol. 10, p. 391)

	Life in years
Coarse brownstone.....	5 to 15
Fine laminated brownstone.....	20 to 50
Compact brownstone.....	100 to 200
Bluestone (sandstone), untried, probably centuries.	
Nova Scotia sandstone, untried, perhaps.....	50 to 200
Ohio sandstone (best silicious variety), perhaps from one to many centuries.	
Coarse fossiliferous limestone.....	20 to 40
Fine oolitic (French) limestone.....	30 to 40
Marble, coarse, dolomitic.....	40
Marble, fine, dolomitic.....	60 to 80
Marble, fine.....	50 to 100
Granite.....	75 to 200
Gneiss, 50 years to many centuries.	

Both point to the fact that the ordinary life of limestone is about 50 years. That is the best selected limestone. The life

of granite is centuries. It has already been pointed out by Congressman LUCE that in our climate limestone can not stand up as well as it can in other climates, and you know from the buildings we have already built of granite that granite withstands centuries without decay. [Applause.]

The SPEAKER. The time of the lady from Massachusetts has expired.

Mr. WOOD. I yield three minutes to the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Speaker and gentlemen, we have a building program that was adopted at the last Congress. I supported the program, together with my colleague from Indiana [Mr. ELLIOTT]. Certain authorizations have been made to build public buildings throughout all parts of the United States. To increase the authorization or appropriation on any one project now means to cut down the prospect of building public buildings in many States under that former authorization.

To increase this appropriation by \$750,000 will mean to take \$75,000 each from 10 public buildings in other parts of the United States.

Of course the unemployment situation is bad everywhere, but it does not relieve that situation generally to furnish more employment in New England. We have unemployment in Indiana, and at these 10 places where these public buildings will be built there is unemployment to be taken care of.

Of course granite is a great building material, but it is very expensive, and it is an expense that is not needed. The engineers and chemists of our Government have determined that Indiana limestone is the premier building material. So confident are they of the permanent qualities of this stone that they have accepted it and adopted it for the public-building program in the Capital City in the triangle. That should be sufficient recommendation to this House.

Something has been said about the quality of Indiana limestone. Indiana limestone is 97 per cent pure carbonate of lime with a small proportion of silica, magnesia, and oxide of iron. It is a perfect resistant to corrosive gases and acids contained in city smoke-laden air. It is a most valuable quality for permanence.

The pyramids of Egypt, the temples of Karnak, St. Paul's Cathedral in England, were built of limestone, but the English limestone is a poor second to Indiana limestone. The great cathedral of Mount St. Albans, which the specifications say is to stand 10,000 years, is built of Indiana limestone.

On North Sixteenth Street the great Scottish Rite Temple is being built of Indiana limestone. The Grand Central Terminal Station in New York City is built of Indiana limestone. The engineers report that it is thirty-five times as strong as necessary to bear the load. [Applause.]

Mr. WOOD. I yield three minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker and ladies and gentlemen, if all the buildings that are being constructed as enumerated by the gentleman who has just taken his seat are to be built of Indiana limestone it would seem only the part of fairness that they leave a few crumbs for us and erect the Boston building of granite.

Mr. BRIGHAM. Will the gentleman yield for a question?

Mr. KNUTSON. I yield.

Mr. BRIGHAM. Is the State of Indiana the only source of supply of the limestone used so extensively in the building program of the Government?

Mr. KNUTSON. It is. According to the Bureau of Mines, it is the only State in the Union that furnishes limestone suitable for building, and before I finish I will be able to explain the activities of the limestone bloc.

Mr. BRIGHAM. Then the only relief to the stone industry from the great building program we have authorized, aggregating hundreds of millions of dollars, will accrue to the quarry industry of one State, and even though depression and widespread unemployment exists in the quarry industries of the other States of the Union which are being taxed to provide the money to carry out this program, no relief may be expected if the policy advocated by the Appropriations Committee of the House is adopted?

Mr. KNUTSON. Absolutely none.

Mr. Speaker, in a recent issue of the Boston Record I encountered an editorial which spoke of the Indiana "limestone bloc" in the House, and it credited its creation to that astute and master salesman, the chairman of the House Appropriations Committee.

In reading the hearings had on the deficiency appropriation bill, one is struck with admiration by the determined efforts of the gentleman from Indiana, who appears in the rôle of super-salesman for Indiana limestone, and he apparently acts on the

precept of the old lady in the Hoosier Schoolmaster who believed in "gittin' plenty while the gittin' was good." So far as Indiana limestone is concerned, Mr. Speaker, the "gittin'" never was better. The majority leader in another body is a Hoosier, as are the chairman of the Appropriations and Public Buildings and Grounds Committees of the House.

No wonder that so many Government buildings are being built of Indiana limestone. With that combination, they could sell soapstone and get away with it.

In his zealous efforts in behalf of Indiana limestone, the adroit chairman of the Appropriations Committee denominates the Indiana stone "neolithic," which I had always supposed referred to the "stone age." He probably employs the term because his methods savor of that period. [Laughter.]

The hearings disclose that the gentleman from Indiana sought to make a disparaging comparison between the Treasury Building, which is built of granite, and the Treasury Annex Building, the material of which comes from the gentleman's beloved home State. He fails to take note of the fact that the Treasury Building was erected immediately following the Civil War, whereas the annex was completed in 1919. In other words, the granite building is more than 50 years older and is to-day a monument to the enduring qualities of granite, the "rock of ages."

Ladies and gentlemen of the House, I am perfectly willing that the great State of Indiana shall have its fair share of any business that may accrue from the forthcoming public-building program, but I am not willing that the gentleman from Indiana shall recline his manly form full length in the trough to the exclusion of all other sections of the country. The granite interests are willing to go into any sort of legitimate competition to get its share of the business, but it does object most strenuously to playing the game with a "cold deck." [Applause and laughter.]

INDIANA'S MISTAKE—SHE WOULD FORCE US TO USE HER LIMESTONE ON OUR POST OFFICE—WE WANT GRANITE

That New England's campaign for the use of granite in the construction of Boston's new Federal building is a long distance from victory is indicated by dispatches from Washington.

A group of Congressmen known to their colleagues as the Indiana limestone bloc are opposed to an all-granite facing.

If they can, these gentlemen will compel us to take limestone.

Strategically, our friends from the Hoosier State occupy a strong position. WILL R. WOOD, a veteran of their delegation, is chairman of the House Appropriations Committee, and, as such, exercises a good deal of power.

We are both surprised and pained to read that Congressman Wood is "violently opposed" to an all-granite post office for Boston.

As one of the officers of the Republican National Congressional Committee, Chairman Wood has been a frequent visitor to this section. He has been looked upon as one of New England's friends at the Capital.

Congressman Wood ought to realize, and the men of the "limestone bloc" should concede, that it is proper and reasonable for New England to prefer its native granite to a cheaper stone from far away.

Granite is found in each of the six States. Millions of dollars are invested in our quarries and cutting plants. Thousands of workmen, with the members of their families, are dependent upon an industry which, throughout the generations, has contributed to the prosperity of this section.

This fourth largest postal district of the United States wants—demands—a post office built of New England granite!

And if Indiana persists in her opposition to that preference, Indiana, in our opinion, will make a serious mistake.

Mr. WOOD. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, the gentleman from Michigan has emphasized two points in opposing the increase in appropriation which is desired by New England and by the granite industry generally. He has indicated in the first place that he considers the increase requested excessive. My answer is that we are dealing with a \$6,000,000 building and that we are asking only for an increase in the maximum limit of cost amounting to approximately 12 per cent. Having in mind the definite purpose of the administration to relieve prevailing unemployment through the Federal building program, it does not seem to me that it can be justly maintained that an increase of 12 per cent in respect to the outstanding building in the whole of New England is excessive.

In the second place, the gentleman from Michigan suggests that if the desired increase is allowed some of us may lose some of the smaller buildings we might otherwise ultimately obtain under the building program. I submit with all deference to the gentleman from Michigan that this argument, however true in theory, is entirely without value from the prac-

tical standpoint. I am assured by the Treasury Department that the desired increase, if allowed, will be so reflected, if at all, only when the total funds authorized for the general program have been definitely appropriated. The total funds authorized for this purpose, if the Elliott bill is passed by the Senate, will amount to \$363,000,000, to be expended, pursuant to annual appropriation, over a further period of from 8 to 10 years.

I have only time for a word from the standpoint of the granite industry of America—an industry operating in 38 States of the Union, represented in New England by some 500 separate concerns, and affording a means of livelihood for upward of 40,000 American families.

That industry has placed its hopes and its faith in the Federal building program and in the announced program of the administration for the relief of unemployment. It has been confident that the Federal Government would accord it its full share of construction, its full share of unemployment relief.

What, in fact, has happened? Building after building outside New England has been awarded in large measure to limestone, a material believed to be inferior to granite, largely supplied by a single organization within a single State. Under present conditions, I am advised that this organization in this State may well obtain \$100,000,000 worth of business under the Federal program.

Now it is suggested that the most important Federal building in all New England, in the capital of Massachusetts and in the heart of the New England granite industry, shall be similarly constructed—1 story of granite, 20 stories of Indiana limestone. The suggestion has provoked a storm of protest in New England. The Governor of Massachusetts, the Massachusetts House of Representatives, the mayor of Boston, chambers of commerce, labor organizations, and newspapers throughout New England have united in a concerted and earnest appeal for an all-granite Federal building in Boston.

The Boston postal district is the fourth in America, serving some 2,000,000 of people in an area of about 270 square miles, and doing an annual business of over \$18,000,000. The new Federal building, 21 stories in height, will accommodate not only the post office but the Federal courts of the district, 10 major Federal departments, and various independent offices, such as the Veterans' Bureau, the Interstate Commerce Commission, the Shipping Board, and the Civil Service Commission.

Under the regulations of the Treasury Department heretofore in force, as the Supervising Architect has testified, a building of this importance in this locality would clearly call for an all-granite construction. The old post office was made of granite. Most of our public buildings in Boston are made of granite. The customhouse, which will tower over the new building a stone's throw away, is made of granite. Even under the present Federal program granite buildings will be found at Duluth, at New York, and elsewhere. I believe that the new building in Boston should be made of granite.

The granite industry has no desire to ask the unreasonable. It does believe it is entitled to its fair share of Federal construction, to its fair share of unemployment relief under the program of the administration. It believes that it is entitled, with other industry, to a steady hand at this time of depression. It believes that it is entitled to particular consideration in respect to this great Federal building which is to be erected in Boston—the most important piece of construction in all New England under the Federal program.

Mr. WOOD. Mr. Speaker, I yield five minutes to my co-conspirator, the gentleman from Indiana [Mr. ELLIOTT]. [Applause.]

Mr. ELLIOTT. Mr. Speaker, ladies and gentlemen of the House of Representatives, I knew there was a lot of hard work for the chairman of the Committee on Public Buildings and Grounds of the House of Representatives to do, but I never knew before I heard the speech of the gentleman from Minnesota that there was anything disgraceful about it. I want you gentlemen to understand that I am not interested in the fight between granite, marble, and limestone. Personally, I represent that vast body in here who are thankful to get brick in their districts. [Applause.]

A lot has been said to-day about the limestone industry getting the most of the money for these public buildings. The Treasury Department informs me that the amount of money that is given to the granite industry and to the marble industry for inside decorations in these buildings is as great, if not greater, than the money that is going to the limestone industry. [Applause.]

Every building in the country of any character whatsoever gets a granite base. All of these buildings, unless it be some inconsiderable building, get marble decorations on the inside. However, the vast majority of the people of this country are

going to be well satisfied to get a combination of a granite foundation, a brick superstructure, and some marble decorations on the inside. [Applause.]

My principal interest in this matter is this: I have endeavored to bring to you folks a building program that would not only build decent buildings in the great cities of this country but which would enable the patriotic citizens in little county-seat towns to have a chance to look at something that Uncle Sam had put there, recognizing that they were a part of this Republic. [Applause.]

We have authorized at this time \$248,000,000 for public buildings outside of the District of Columbia, which has been allocated by the Treasury and Post Office Departments to various cities throughout the country. If this additional appropriation is added to-day you will be trespassing upon allocations that have been made to some other places in the United States, because there is no other way to do it. The \$248,000,000 is all that has been authorized at this time and it has all been allocated.

The building that has been designed by the Treasury Department for the city of Boston is a magnificent affair. The average fellow could walk along the streets of Boston and look up at that building, with its 300 feet of limestone above the foundation, as they say, and he would never know but what it was all granite, and so far as that is concerned it would stay there so long that even the oldest old-timer in Boston would not be there when it got to be an old building.

I think the amendment carrying the \$750,000 should be cut out in the interest of the rest of the country. [Applause.]

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

Mr. WOOD. Mr. Speaker, I yield one minute to the gentleman from Michigan [Mr. KETCHAM].

Mr. KETCHAM. Mr. Speaker and Members of the House, knowing the interest that all of us have in the public building projects, I have taken the time to run through hurriedly the increases that are provided in this bill over the original authorizations provided when the Elliott bill was first reported, and I find the very interesting information that 15 projects are listed here with total increases of \$3,996,000, which would construct practically 40 new buildings in various parts of the country of the value of \$100,000 per building. My conclusion is that by reason of the fact that we only have a stated sum authorized, if these allowances are granted and we give \$3,820,000 more to the buildings already authorized, this means that 38 of the smaller cities of the United States, under the terms of the authorization, must do without public buildings.

Mr. FORT. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. FORT. Have the balance of the increases been passed by the conferees?

Mr. KETCHAM. I think not all of them have been approved by the conferees.

Mr. WOOD. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I want to say in connection with this matter of the Boston building that I consider the chairman of the Appropriations Committee, Mr. Wood, has acted with eminent fairness. He was willing that there should be two extra conferees added, knowing that at least one of those conferees was favorable to the New England interests, and I therefore deprecate very much any statement on this floor that his position is inspired by the fact that he himself is a citizen of Indiana. [Applause.] He is too big a man to take any such position, and the advocates of this motion from our State certainly do not consider that is the position he is assuming. He is sincere in his opposition to the appropriation exactly as we are sincere in our efforts in its behalf. Whether he favors or opposes an appropriation no selfish motive is involved.

In relation to the increase that has previously been made, I may say that this was not at the solicitation of the citizens of Boston or of New England, but was for the convenience of the department and the interests that will use the building. The gentleman from Michigan [Mr. Cramton] would lead you to think that New England asked for this additional \$1,250,000 in order to change the building from a 10-story to a 21-story building, but this was done by the department, and not by those interested in this additional appropriation now under consideration.

I also call attention to the fact that in the city of Springfield, Mass., limestone was used in the municipal group, and in conversation with the mayor of Springfield on Monday of this week he informed me that limestone is not a satisfactory material in our New England climate. The buildings in Springfield are showing the disintegration of the stone.

Therefore I concur most heartily in what my colleague [Mr. LUCE] has said in reference to the need of a harder stone than Indiana limestone in a building to be located where the new Government building will be in Boston.

Let me read to you two communications. We have had innumerable communications from the various interests in behalf of the labor that is involved in this extra \$750,000, but I am only going to call attention now to two communications.

BOSTON, MASS., March 19, 1930.

Representative ALLEN T. TREADWAY,

House of Representatives:

This commission, deeply interested in bettering employment in Massachusetts, respectfully urges your support of appropriation to provide granite for Federal buildings here, thus affording work for 1,000 men for one year.

MASSACHUSETTS INDUSTRIAL COMMISSION,
By L. M. LAMB, *Executive Secretary.*

This is an official State organization.

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

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a communication from the Governor of Massachusetts in support of this appropriation.

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

There was no objection.

The communication referred to is as follows:

BOSTON, MASS., March 19, 1930.

Hon. ALLEN T. TREADWAY,

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN TREADWAY: Please use your utmost endeavors to have the appropriation for the Boston post office increased three-quarters of a million dollars, so that the building may be constructed of granite, which, in our opinion, is the proper material to use for post offices in this district. Granite will wear enough longer and look enough better to warrant the increased expenditure, which means it is fully as economical for the Government and at the same time will permit the building to be made of local material and furnish work for at least a thousand New England workmen.

Sincerely yours,

FRANK G. ALLEN, *Governor.*

Mr. WOOD. Mr. Speaker, I yield three minutes to the gentleman from Vermont [Mr. GIBSON].

Mr. GIBSON. Mr. Speaker, my colleague and myself represent one of the great granite and marble producing States of the country. The impression should not go abroad that New England is the only section interested in the erection of public buildings of granite, for 31 of the States produce it, notably North Carolina, South Carolina, Georgia, and Minnesota, with productions running in value into millions of dollars annually.

In my State whole communities and thousands of people are dependent upon the prosperity of the granite and marble industry. Throughout the country many, many thousands are dependent upon the prosperity of the granite industry alone. I voice the earnest hope of these thousands of laborers and their families that the industry may have greater recognition in the great public-building program than originally contemplated.

The gentleman from New Hampshire [Mr. WASON] and the gentleman from Maine [Mr. NELSON] have called attention to the fact that President Hoover has recommended a great public building program as a help to business conditions, by taking up the slack of unemployment. In that connection work should be provided for as many different classes of laborers in as many different sections as possible. It does not help the unemployment situation to provide opportunities for one group alone. So something more than an addition to this item of appropriation is before us. The policy of help generally to the laborers of the Nation is involved in the proposition to give work to the employees of the granite industry.

Mr. WYANT. Will the gentleman yield?

Mr. GIBSON. I am very sorry, but I have not the time.

For this building program an appropriation for the use of a reasonable amount of marble and granite should be made. In the construction of the Boston post-office building granite should be used, granite that comes from our hills, rather than limestone that must be transported more than a thousand miles from Indiana. The motion of the gentleman from New Hampshire [Mr. WASON] should prevail.

The gentleman from Massachusetts [Mr. LUCE] has well stated the adaptability of granite for the purposes intended in the Boston construction. Let me say in addition, and generally, that it is an ideal building material and is one of the basic natural resources of New England. An abundant supply can be

obtained in each of the States that belong to that group and near to where it would be used. There well-developed quarries and well-equipped cutting plants would furnish employment to thousands of wage earners and contribute materially to the welfare of New England as a whole.

It is argued that granite would cost so much that some cities and towns would lose post-office buildings, because there would not be enough in the building fund to go around. Congress can take care of such a situation if it arises. In any event, the people of the country should not let cost be the sole determining factor in a permanent building program.

The whole matter of building material, aside from the cheapest in price, is up to Congress. The position taken by the Treasury Department is well set forth in the following letter to Senator GREENE, of Vermont, from the Secretary. I am quoting this not in any critical way but to set forth the policy of the department:

TREASURY DEPARTMENT,

Washington, January 28, 1930.

Hon. FRANK L. GREENE,

United States Senate.

MY DEAR SENATOR: I have your letter of January 23, which also bears the signatures of Senator DALE and other members of the Vermont delegation, stating that this delegation is unanimously of the opinion that granite and marble should, so far as possible, be used in constructing Federal buildings under the public-building program, on account of the merits of these materials as well as on account of the desirability of stimulating these industries.

As you know, granite and marble are considerably more expensive than other stones commonly used in construction work. Buildings can therefore be faced with these materials only where the limits of cost established by Congress are sufficiently high. Limited amounts of granite or marble are, nevertheless, used in nearly all buildings of importance constructed by this department. In the case of the proposed new Boston post office, if the limit of cost is increased by Congress to \$6,000,000, it will be possible to face the building with granite up to the level of the second floor.

It is contrary to the policy of this department to specify materials from particular localities to the exclusion of other similar materials of equal merit. However, in the case of buildings to be constructed in New England, it would seem that local producers of granite or marble should, due to more favorable freight rates, have a decided advantage in competition with outside producers.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

The Union Station, the Congressional Library, the city post office, the Treasury Department Building, the National Museum, and many other notable public buildings here in the Nation's Capital are built of granite. They speak for themselves. They are monuments of beauty and durability. They prove the fact that granite is an ideal building material to stand the test of time. [Applause.]

Mr. WOOD. Mr. Speaker, I yield two minutes to the gentleman from Indiana [Mr. DUNBAR].

Mr. DUNBAR. Mr. Speaker and Members of the House, one can not present in two minutes the claim that the Boston post office should be built of limestone instead of granite. Two-thirds of the time has been awarded to those who favor granite instead of those who favor limestone. The chairman of the committee, from Indiana, has taken no part in advocating that the product of his State be used in the building of the Boston post office.

One gentleman who has presented the claims for granite here to-day has assumed that there is some superior quality associated with granite aside from its tensile strength and monetary value over limestone. The gentleman from Massachusetts stated, among other things, that granite was emblematical of more culture, education, and esthetic attainments than limestone. I wonder if he had in view when he so stated the old verse which I learned some time ago:

Here is to good old Boston town,
The land of the bean and cod;
Where the Cabots speak only to the Lowells
And the Lowells only to God.

[Laughter and applause.]

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

Mr. WOOD. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. DOUGLASS].

Mr. DOUGLASS of Massachusetts. Mr. Speaker, ladies and gentlemen of the House, if I were a Congressman from Indiana, that produces limestone, if I were a Congressman from a State that produces marble, I should deem it my bounden duty to stand before the House and advocate in the interest of what-

ever State I represented that the native product should be used in that State's public buildings. [Applause.]

And so, my friends, while I have not the honor to represent Indiana, I do have the honor to represent the great State of Massachusetts, where is to be built in my district—which, praise Heaven, is a Democratic district—a Federal building. [Applause.]

I may first state that from boyhood I have looked at that old granite post office in Boston, one of the finest Federal buildings in all the country—I was born almost within a stone's throw of the recently demolished fortress-appearing granite structure—I have stood before that building and looked at that massive edifice representing the power, dignity, and majesty of the United States Government, and here to-day in pleading for the retention of granite in the new building I am pleading again that that native product, New England granite, as imperishable as bronze, shall be used in that proposed imposing building of 21 stories, which will be the outstanding Federal structure in New England, and house the fourth largest post office district in the United States in size and in postal revenue.

I see no parallel case to the present that would call for increasing the appropriation for other post offices as has been suggested. I stand here as the Congressman for that district for the rights of my State about to have built under National Government auspices, a structure of native granite that will comport with the dignity, power, and majesty of our great Government, and at the same time prevent the practical extinction of the heretofore very substantial granite industry of New England. [Applause.]

Mr. WOOD. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has nine minutes.

Mr. WOOD. I wish the Speaker would notify me when I have used eight and three-quarters minutes.

Mr. Speaker, and gentlemen of the House, I certainly have tried to be fair in this matter, and I thank the gentleman from Massachusetts [Mr. TREADWAY] for expressing the thought that I have been. I have given two-thirds of the time to the proponents of this amendment. I wanted them to have an opportunity to tell the things they want and what would be essential to their convenience. I want to say to you that I have had no purpose throughout the consideration of this question, and I have no purpose now, but to do exact justice to the people of the United States.

I am opposed to this appropriation for the reasons already stated by others. If it is allowed, we are going to give to the city of Boston not only all its needs, for its needs have been weighed twice, and we have given the full measure of those needs, but in addition \$750,000 more, and for what purpose? For the purpose of their own local pride. Local pride is a fine thing, but it should never be used to the detriment of your neighbor. If this policy is to be adopted, we are going to lessen the possibilities of building post offices throughout this country. If this one amendment be adopted, we are going to make it impossible at least to build seven \$100,000 post offices in the United States. I have no fight to make against the city of Boston; I have no fight to make against anyone, but I do have to buckle up my back to resist the supplications and applications that are coming to me constantly to use my influence as chairman of this committee to get post offices here, there, and yonder.

As has been stated, under the program as it now stands, no town that does not have receipts amounting to \$40,000 a year has a look-in. There are many cities in the United States that are falling a little below that point, that are entitled to as much consideration as the city of Boston, the city of Chicago, the city of Washington, the city of New York, or any other great city. Take these smaller cities, for instance, and the only evidence of government they can hope to have is a post office. It is the only evidence of the United States Government that in all probability they will ever have. You can hardly turn around in Boston, or in New York, or Chicago, or Philadelphia, or in many of the other great cities, that you will not see a monument built by the United States Government out of the United States Treasury; but in these little towns throughout the United States where the population is sparse, where the cities are small, there is not now a single evidence of the United States Government.

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

Mr. WOOD. No; I have not the time to yield. There are many things that are objectionable about this proposition. For the first time during all of the consideration of this building program do we have this spectacle of people coming here and asking us to legislate the plans and specifications of a building. I have thought that is a part and parcel of the business of the Post Office and of the Treasury Department. We are asked to supersede them. We are taking away from them, if we adopt this proposal, the duties that we assigned them under the

original building bill, and taking on ourselves to decide whether the building shall be built of marble, of stone, of granite, or of brick. This would be a bad policy. If we adopt it, it will live to haunt us, as it ought to.

I think the program that we have adopted for the purpose of trying to equalize the expenditure of money in the building of post offices throughout the United States is working well, and that we should stick to it, and if we do, then some of us who would like to get a brick post office may eventually get it, provided we do not spend these large sums of money in addition to the needs already satisfied. It has frequently happened that the Treasury Department has found after they have made an estimate and survey that they have not allocated enough for the reason that they have not provided for sufficient space. It frequently happens that they find that they have not obtained enough ground. In those cases, without exception as far as I know, building for the future as we should build in building these post offices, we have allowed additional sums, but we have never allowed up to this hour, and this committee will never allow unless it be by the sanction of this House, an increase, voluntarily or otherwise, after we have supplied all the needs of a given post office. There is more to it than just giving to Boston \$750,000. This program will continue for five years, and if this precedent is established to-day, be mindful of what may happen to us during the carrying out of the rest of the program. We had better leave the building proposition to the Treasury and the Post Office Departments, and leave to them the determination of these necessities. They are qualified to do that thing and if we did not think they are qualified to do it, they would be roundly condemned. Let us not depart from the policy that we have been pursuing thus far and that is working fairly well.

I hope that within these five years, within which it was announced the program should be completed, we will have so completed it that every section of the country entitled under the regulation to a post office may have it as a monument to the greatest Government that God ever gave men and women. Be a little mindful of the step that we are going to take to-day. I have sympathy with Boston as I have sympathy with every other section of the country where there is unemployment. There is unemployment everywhere, and if it were confined to Boston alone there might be something in the argument put forth here to-day, but it is not peculiar to Boston. I do say, however, that it might be well for gentlemen in Boston who are proud of their city to go down in their own pockets and contribute a little something themselves to the beautification of that building. [Applause.] That has been done in other places. I could mention a half dozen cases throughout the country, some in the South and some in the North, where the citizens themselves in order that they might have a little better-appearing building or a little more ground about it, have raised the money themselves, actuated by their own civic pride. It occurs to me that there is no well-founded argument for us to deviate and go far afield of the program, far afield of the purposes, and far afield of the manner in which we have been administering this building program throughout the United States.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from New Hampshire to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. STOBBS) there were—ayes 96, noes 170.

Mr. STOBBS. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Massachusetts demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Forty-nine Members have risen, not a sufficient number, and the yeas and nays are refused.

So the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from Indiana to further insist on the disagreement of the House to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 47: On page 75, line 14, insert the following: "Denver, Colo., customhouse, etc.: The limit of cost fixed in the act of March 5, 1928, is hereby increased from \$1,060,000 to \$1,235,000, and appropriations heretofore made are hereby made available for the acquisition of additional land and toward the construction of said building."

Mr. WOOD. Mr. Speaker, I move to insist on the disagreement of the House to this amendment.

The SPEAKER. The gentleman from Indiana moves that the House insist on its disagreement to this amendment.

Mr. WOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Colorado [Mr. EATON].

The SPEAKER. The gentleman from Colorado is recognized for 10 minutes.

Mr. EATON of Colorado. Mr. Speaker, I move that the House recede and concur in the Senate amendment increasing the limit of the Denver, Colo., building from \$1,060,000 to \$1,235,000.

Mr. Speaker, I would like to have the attention of those who are actually interested, because this is a different situation in many respects from that of the other public buildings discussed here to-day. In the first place, this building is a customhouse and not a post office; it is also an office building. In the second place, this project has been in operation for about nine years. In the third place, for the last four months I, as a new Congressman from Colorado, with three other men from Colorado who know all the ropes, two of whom are on the Committee on Appropriations, have followed every step in regard to the approval of the site and the material and the plans and specifications and the contract and the letting of the contract in every single detail.

As I understand it, the only reason why we were turned down at the last minute is because the figures and the recommendations did not come in until the deficiency bill had been passed by the House.

As a matter of fact, the approval of the Budget and the ratification by the President were secured the very afternoon this bill was passed in the House.

By the last published directory of the United States Government offices and officials you will see that in Denver there are more than 2,400 officials and employees of the United States, operating 51 departments under 181 officials and their immediate subordinates. Understand, these are not all Colorado citizens. They are employees of the Government and come from all over the United States under civil service and other distributions.

Of these there are 1,006 working in the post office and running in and out of Denver in the Railway Mail Service.

Two hundred and eighty-one officials and employees of 25 departments fill the rest of the Denver post office and the United States courts building, which was built of Colorado yule marble, and is situated at Eighteenth and Stout Streets, just two blocks from the very center of the city of Denver.

At the United States mint the number of officers and employees is 72.

At the Fitzsimons General Hospital the number of officers and employees is 351.

In the old customhouse less than 30,000 square feet of floor space is furnished for and used by 307 officers and employees of 12 departments.

These buildings at Denver are all owned by the United States Government, and furnish the offices and places of employees for 2,017 persons in 41 departments of the Government.

In 15 office and other buildings of Denver, 384 officers and employees of 15 different departments are crowded into and do their work in 172 rooms of less than 57,000 square feet of floor space.

The proposed new customhouse and office building is to furnish proper office and other facilities for the 27 departments and 691 employees who are now crowded into the old customhouse and 15 other buildings, for which, I am told, the Government pays over \$100,000 annual rent.

There is a salvage value in this old customhouse of half a million dollars.

Nine years ago the inadequacy of the Government-owned buildings was so apparent that a movement was then commenced by the Government to acquire property and erect a suitable building to take care of the Government's business in the Rocky Mountain region.

A suitable building site of an entire city block was diagonally across the street from the present post office, upon which there was an old high-school building. My Republican predecessor, the late William N. Vaile, and our Colorado Senators commenced negotiations with the school board for this property, and then it was found that a special act of Congress was necessary to clear the title to the site. This was done during Mr. Vaile's lifetime. Then ensued the usual period of competition with offers of other properties, during which time the school board was prevailed upon to place a price on this block which would be an inducement for the Government to provide a suitable office building in keeping with the magnificent post-office building, which was built of Colorado yule marble, across the corner, a number of years ago. The Denver post office, with the possible exception of some of the buildings in Washington, is

the most beautiful structure owned by the United States. It is so conceded and made famous by artists and architects.

And when the gentleman from Indiana [Mr. Wood] mentions the fact that this is a matter of local pride, I am glad to admit that it is indeed a matter of local pride, not only in the State of Colorado but in the entire Rocky Mountain region; pride in the fact that there is in the State of Colorado a marble so white and pure that it will outlive all the ravages of time.

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

Mr. EATON of Colorado. Yes.

Mr. BRIGHAM. How far is this quarry from Denver?

Mr. EATON of Colorado. About 230 miles.

Mr. BRIGHAM. What is the condition of the quarry there?

Mr. EATON of Colorado. As a quarry town it is almost destitute.

Mr. BRIGHAM. And you need this contract to provide against unemployment?

Mr. EATON of Colorado. We certainly do.

To facilitate the purchase of a site, an original estimate of \$2,000,000 was made as the cost of the entire project, and during the years the negotiations continued, this was cut in half as an estimate, in round figures, to \$1,000,000. A portion of the property was purchased, then preliminary plans were commenced. Later an additional parcel of the land was obtained and an additional \$60,000 added to the estimate. Mr. Vaile died almost three years ago, and since that date plans have been prepared, specifications made, bids received, and a contract let for the erection of the building, with a rider upon the contract that work shall not be started on the outside walls for 90 days, or until this question of obtaining the additional funds is settled by a sufficient appropriation.

Never has the Committee on Appropriations or the subcommittee on the deficiency bill or anyone connected with the Committee on Appropriations ever heard or given either to me or any other Representative of the State of Colorado an opportunity to present this matter except the chairman of that committee. I wish to have proper consideration given to these facts.

Let me remind you that this building site is just three blocks from the very center of Denver; compared with Washington property it is in practically the position of Fifteenth and H Streets. When I tell you that the price of this entire block is only \$450 per front foot you will understand how much value the Government has been given by the people of Denver by its school board. In any other direction three blocks from the center of the city of Denver you can not buy an entire city block for a million dollars, and you would have to pay in addition thereto the value of the structures upon it.

As a matter of appraisement by your own people, the additional value we have given you is more than \$250,000 and up to \$350,000, which the city of Denver has given you in the site.

I have heard on this floor from time to time the question asked, "Have you a definite plan or something definite?" I am following that indication. Each one of these details has been taken care of, and yet when we come here they say, "The bill is just about to be passed," and they will not listen. We get the approval of the Budget, but the committee now says "No." We get the ratification of the President, but the committee says "No."

The Denver proposition is not a matter of mere estimates to-day. The contract price is fixed. The price of the balance of the site is covered by a firm option of \$100,000. The additional amount for the marble facing has been fixed at \$75,000.

The amount that was added by the Senate to this item was just \$175,000, raising the figures in the bill as passed by the House from \$1,060,000 to \$1,235,000. (Item 47.)

One of the reasons for this situation coming up at this time was the delay in obtaining a definite price upon the Colorado Yule marble so that there would be an actual, instead of an estimated, cost to be considered with and attached to the contract for the erection of this building.

The bids were opened January 7, 1930. It is surprising to me, and I think it is surprising to you, that it is possible to erect a building in Denver as large as this one for \$841,900, whether the exterior is of marble or any other stone, or brick.

This building will be five stories high, with basement and subbasement. It will contain a total of 212 rooms, of which 145 will be office rooms, 5 drafting rooms, and 62 other rooms will be used for other purposes. Its area is 228 by 156 feet. Its floor area is 132,300 square feet.

Since the date the bids were advertised for last November, until the day this bill passed the House, I was present at interview after interview for the purpose of getting the final word authorizing this building to be made of Colorado yule marble, which is the most beautiful, lustrous, white marble that can be found any place in the world.

The quarries are in western Colorado. In our city of Denver the building of the State Historical Society, an office building, is of this marble. So is the United States post office, as I have already reminded you. So is the Colorado National Bank, the Federal reserve bank, and other large buildings. Right here in Washington, any morning, take a look from the other side of the Potomac toward Washington, or go down through the park and see the Lincoln Memorial. You do not have to be told that it is of marble. Its daily appearance is sufficient answer to every story of filth, grime, or dirt which attaches to and covers up the outside of any building material. You do not have to make any guess about the Lincoln Memorial. Even the guard speaks with pride when you ask what kind of marble it is; he answers, "Colorado yule."

The final selection of the Colorado yule marble for that majestic memorial is credited to the late ex-President and Chief Justice Taft, who was the chairman of the committee which built that monument. My colleague, Mr. TAYLOR, Representative from the fourth congressional district of Colorado, was present at that meeting. As you all know, he has been very ill for a number of months, but he is here to-day for the second time during this session to tell you about the Colorado yule marble and the selection of it for the Lincoln Memorial, as well as for our United States post office in Denver. And it is this same marble that the people of the entire Rocky Mountain region would be pleased to see in this new customhouse, and which all the Representatives of Colorado have requested.

It is this same marble that is used in the erection of the beautiful Denver post office and United States courts building, which is now known throughout the world for its architectural beauty and majestic colonnade.

When I came back here last fall I talked with the Colorado and other members of the Appropriations Committee and House. I wanted to know what was necessary to get proper consideration of a sufficient amount for the erection of this building. The records were examined and I was shown that \$1,060,000 was included in a table upon which the committee was working. Everyone without exception advised that it was best to let all questions of appropriation wait until the bids were opened, and then if any additional funds were required, I would have a definite figure to submit to the proper subcommittee. On this floor I have heard the gentleman from California [Mr. BARBOUR] time and again ask the question if an estimate of the cost of a building was based upon a definite plan for building, and actual estimate based thereon. It seemed to me to be proper practice to do this.

And so it was done. As soon as the bids were received, it then took a month's time to obtain a firm bid upon Colorado yule marble due to the absence of different people from Washington. The firm option for the additional price of the land was received in a shorter time.

In the meantime I was asked to and did attend a conference with the committee of Cabinet officers, who are the last word in the present building program. After presentation of the situation, much as I have outlined it here, they approved this Denver customhouse to be erected of Colorado yule marble and set in this city block. A few days afterward I attended a meeting at the office of the Budget commission, where the entire matter was again presented, and the Senators from my State and I were examined at length on details.

Within a day or two I was informed that the Budget commissioner had approved the additional amount of \$175,000 and that this approval had been ratified by the President.

As stated before, this information came on the very day that the deficiency bill was up for final passage in the House, and therefore too late to be presented to the subcommittee for inclusion in the bill before us.

Now, here are two or three other things I want to make plain:

This new Denver customhouse presents several situations that are different from those connected with any other proposed building.

In the first place, this building is a real necessity to put under one roof 691 officers and employees of 27 different Federal activities who are scattered all over the business district of Denver.

Second, The Government is getting over half a million dollars' worth of land for \$360,000, due to the generosity of the people of Denver. This item alone more than compensates for the amount requested.

We have done that for the purpose of having our building material recognized, for we know it costs a little more money than some of the other building materials.

While, of course, this subject comes up here as if it were a request for more money, in reality it is just our report of what is

the real, actual cost of the kind and type of building which the United States needs and wants at Denver, of the very building and site specified and approved by all Federal officials who pass upon such subjects, including the Budget and the President, and of the savings we have been able to make on construction figures, and of the liberality of the local people. These actual figures and the designation of Colorado yule marble have been ratified, approved, and passed upon favorably, without a dissenting vote by anyone except the conference committee on this bill. And I am informed that there was only 1 voice and 2 votes out of the 10 against this appropriation.

Third, The Government can erect a 5-story building 228 feet by 156 feet with marble facing upon a whole block, just three blocks from the very center of the city of Denver, at a cost of only \$841,900. Can you imagine any kind of a building of that size, marble or otherwise, being erected at any other place in the entire United States than out there at the foot of the Rocky Mountains at such a low cost? And at a total cost for a 212-room office building and building site for only \$1,235,000?

Fourth, Please remember that the labor and industries which will benefit from the erection of this building are 1,800 miles from Washington, and that a large part of the additional cost for marble is a labor cost.

Fifth, If it is a mere question of dollars and cents, let me tell you further: The salvage value of the old customhouse is half a million dollars or more. While these negotiations have been pending a request was made by responsible people to purchase the old customhouse, but probably for the same reasons that there have been other delays, those in authority would not consider either a sale at the present time for future delivery after the completion of the new building or a price as a minimum in advertised sale. As a matter of the dollars and cents, the Government is getting this building and site at an outside cost of less than \$750,000 in money expended, with an additional value of \$250,000 more thrown in as a bonus.

Therefore I ask again that you support my motion that the House recede from its position and concur in the Senate amendment.

The SPEAKER. The time of the gentleman has expired.

Mr. WOOD. Mr. Speaker, I wish to say in answer to the gentlemen who have spoken in behalf of Colorado that it would be a very great pleasure, indeed, for me to accede to their desires. Personally it would have been a very great pleasure if I could have acceded to the desires of the New England people, whose item we have just considered. Exactly the same principle is involved in this item that was involved in the item with reference to the Boston public building. It is not so much a question about the \$75,000 that is involved, and I will say that in this item \$175,000 is involved, \$100,000 being an increase put in by the Senate for the purpose of purchasing additional ground. Whether they made a sufficient showing for additional ground I do not know, for I did not read the hearings. But they were so insistent upon the \$75,000 for the marble that there was no use of trying to talk about a compromise and giving them the \$100,000 increase for their ground. However, as I have stated, the same principle is involved that was involved in the Boston proposition, and the Boston proposition having been defeated we would place ourselves in a very ludicrous position if we allowed this.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. EATON of Colorado. May I call the gentleman's attention to the fact that there was no showing by the Boston people that they had given \$250,000 in money or value or anything, having in mind the very proposition of local pride or local material.

Mr. WOOD. Well, I do not know what the Boston people might have done about that, but even if they did, we are here to-day setting a principle and adopting a policy for the future.

If we have said to Boston that this Congress is against that city having \$750,000 more than is needed for the construction of the building in that city, and have refused to permit that appropriation to go to them, how could we explain to anybody the position we would occupy when the same proposition is involved and when the same example would be set if we adopted this proposal, the only difference between the two propositions being a difference in amount.

Mr. ALLGOOD. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. ALLGOOD. If they would take off one or two stories of the building, they could stay within their appropriation and could use their marble, could they not?

Mr. WOOD. Yes; they could do that.

Mr. EATON of Colorado. May I say to the gentleman that the plans and specifications have been completed and the contract let, so that those things can not be changed.

Mr. WOOD. I do not wish to take any further time, but I wish to say we should not undo what we have already done. I dare say that two-thirds of the votes in the negative were cast not because they had anything against Boston or against Boston having the kind of a building it wanted, but they voted as they did for the reason that they did not care to set a precedent and establish a principle that would live to haunt us throughout this entire proposition. So having defeated the other item, by the same logic we should defeat this item. Not to do so would make us the laughing stock of the country.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Colorado to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. EATON of Colorado) there were—ayes 11, noes 39.

So the motion was rejected.

The SPEAKER. The question now recurs on the motion of the gentleman from Indiana to further insist on the House disagreement to the Senate amendment.

The motion was agreed to.

Mr. BRIGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Boston post-office building.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRIGHAM. Mr. Speaker, in asking for the allowance of this item we can appeal to the sense of fair play and to good business judgment of the Members of this House.

Last autumn following the crash in the stock market we entered a period of depression in this country, which has been attended with unemployment and consequent hardship. The President acted promptly to relieve the situation and called into council the leaders in agriculture, industry, and transportation. As a measure to shorten the period of depression and to create employment for those who are out of work a policy was adopted which contemplated that the industries of the country would make necessary improvements and that the Governments—Federal, State, and local—would undertake an enlarged program of public improvements. This House acted promptly, and on the 16th of December passed an authorization bill providing for \$230,000,000 in addition to sums already authorized to increase the public-buildings program.

Some of us who come from regions where the marble and granite industries are very important and have been developed with large investments of capital have looked forward to some business to come to these industries from this enlarged building program of the Federal Government but it seems practically none has come nor will come if the arguments of the chairman of the House Appropriations Committee should prevail here.

This enlarged program will result in great prosperity for one stone industry located in one State because the greater part of the hundreds of millions of dollars we have appropriated for new buildings will flow into that one industry in that one State, and that one alone. We shall build all our new public buildings where stone is used of limestone and for the sole reason that it is a few dollars cheaper.

We are asking members of the House to concur in the Senate amendment to increase the limit of cost of the Boston post office and also to concur in the next item for the Denver post office so granite and marble can be used in the construction of these buildings and some relief be given to the unemployment conditions in these two industries.

I would appeal further to the good business judgment of the House that first cost alone should not be the only consideration. Attention should be paid to durability as well as to cheapness. In going through New England you have seen that our best buildings are made of marble and granite materials which have stood the test of exposure to our severe climate for more than 100 years. In asking for this extra appropriation to use stone of local origin we are asking the Federal Government to use materials which we have used and are using in our best buildings, materials which will be in keeping with the buildings which surround them and will endure for centuries.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. WOOD. Mr. Speaker, in this next item there are two sets of figures involved. I refer to amendments Nos. 49 and 50, and I ask unanimous consent that the two items may be considered together.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the two items referred to be considered together. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendments in disagreement.

The Clerk read as follows:

Page 79, line 10, strike out the figures "\$550,000" and insert in lieu thereof the figures "\$900,000."

Page 79, line 15, strike out the figures "\$950,000" and insert in lieu thereof the figures "\$600,000."

Mr. WOOD. Mr. Speaker, I move to recede and concur in the Senate amendments. I desire to say that an additional amount is not involved. Nine hundred and fifty thousand dollars was appropriated for the construction of a new parcel-post building and \$650,000 was appropriated for an addition to the old Federal building. The Senate, on the motion of Senator SWANSON, took \$300,000 off of the appropriation that was made for the parcel-post building and added it to the Federal building, so no additional amount of money is involved. However, the supervising architect is not clear with reference to the possibility of building the parcel-post building within the amount that remains. The gentlemen who are interested think it can be done, and Mr. Wetmore does not say it can not be done. They are of the further opinion that there may be a reduction, and should be a reduction, in the amount for the erection of the Federal building. They asked for bids, and the lowest bid they received was about \$300,000 above the amount of the allocation for the erection of that building.

So it is perfectly patent that it is going to take more money to complete this building, and we are hopeful it will not take more money to build the other one.

Mr. MONTAGUE. I understood the gentleman to move to recede and concur in the Senate amendment?

Mr. WOOD. Yes.

Mr. MONTAGUE. That meets my purposes and I thank the gentleman for his argument. I can assure the gentleman that so far as I am individually concerned I shall do my very best to keep the total appropriations within the amounts named in the pending measure.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. O'CONNOR of Louisiana. I understand there are about 20 cities in the United States asking through their Representatives to have an appropriation made to cover the expense of sand-blasting the outside of Federal public buildings in these 20 cities. I have a very pressing request from the city of New Orleans to have something done with reference to sand-blasting the old New Orleans customhouse, one of the oldest buildings, I suppose, on the continent, which has become very unsightly as a result of the years having passed bringing stains and all that sort of thing. Age, wind, and weather, and the grime and dust of many days suggest that the old buildings need a cleaning. I want to ask the gentleman if there is any hope of an appropriation being made that will permit the Treasury Department to clean all of these buildings throughout the country, and I make this request for the purpose of conveying the information his reply will give to my constituents who have been very pressing with reference to the matter.

Mr. WOOD. I will say to the gentleman that the Treasury Department has never brought that matter to the attention of the Committee on Appropriations, and there never has been any estimate submitted for such work. The Treasury Department will have to move first in the matter.

Mr. STAFFORD. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. STAFFORD. Is there any authorization of law permitting the Treasury Department to sand-blast and clean the exterior of these public buildings?

Mr. WOOD. None that I know of.

Mr. STAFFORD. There has been sand-blasting done on the exterior of some of the public buildings in Washington—the old Post Office Building and the Land Office Building, on F Street. Was special authorization of law provided for that work?

Mr. WOOD. I do not think there is any special authorization, and I do not know that that is required. They may do it out of their maintenance fund. I do not know of any provision of law that authorizes it otherwise.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. COCHRAN of Missouri. I may say to the gentleman that the same question has arisen with reference to sand-blasting the Federal building in St. Louis, and the answer received from

the Supervising Architect has been that it is against the policy of the Treasury Department to sand-blast public buildings of that character, because it opens the pores in the stone, and in the end is detrimental to the stone and shortens the life of the building.

Mr. O'CONNOR of Louisiana. I may say, before the gentleman takes his seat, I was informed through the office to which the gentleman from Missouri [Mr. COCHRAN] refers, they did not have an appropriation even to paint the inside of the Federal buildings throughout the country, and this is certainly very poor economy, because the extreme of economy is the extreme of extravagance. The interior of the buildings, in the interest of economy, I think, ought to be painted now and then, and the outside, because, to use a now trite expression but a good one nevertheless, cleanliness is next to godliness.

The SPEAKER. The question is on the motion of the gentleman from Indiana to recede and concur in the Senate amendment.

The motion was agreed to.

ANDREW JACKSON

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting an address I delivered on Andrew Jackson Lodge, No. 120, A. F. & A. M., Alexandria, Va., last Saturday evening.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAVIS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an address delivered by me before Andrew Jackson Lodge, No. 120, A. F. & A. M., Alexandria, Va., on the evening of March 15, 1930. This lodge was organized and named for Andrew Jackson in 1854. This lodge meets in the same hall as Alexandria-Washington Lodge, No. 22, of which George Washington was a member and a master. This lodge room, in which the address was delivered, contains the famous collection of Washington Masonic and other relics, portraits, and so forth, known as "The Washingtonia"; the lodge has a standing offer of \$100,000 for its Williams's Portrait of Washington.

The address is as follows:

Your lodge is named for the most colorful, the most picturesque, the most dynamic figure in American history.

Commonwealth builder, soldier, jurist, statesman, diplomat, President, he was preeminent in them all.

I esteem it an honor to be invited by your historic lodge to talk to you in this hallowed hall and amidst these sacred relics, on this, the one hundred and sixty-third anniversary of the birth of that great American, Andrew Jackson.

PRESENTATION OF PICTURE AND CHECK OF ANDREW JACKSON

When your committee called and invited me to address you on this occasion, they admired a picture of General Andrew Jackson in my office, which had been presented to me by Mrs. Bettie M. Donelson, a grand niece of General Jackson, and president of the Andrew Jackson Society; and they expressed a wish for a similar picture to hang in this lodge room. Thereupon, I wrote Mrs. Donelson inquiring whether she could send me another copy of the picture for presentation to your lodge. I received a prompt reply from her, advising that she was sending the picture, and inclosing a message to you in part as follows:

"I appreciate your desire for the picture, since it increases interest in and respect for the benefactor of my father, Major Andrew Jackson Donelson, who was reared and educated by General Jackson as his ward and nephew, was on his staff in Florida, his private secretary during his two presidential administrations, his confidential friend and counselor until the old hero's death."

Mrs. Donelson also sent to me for presentation to your lodge a check for \$50 given by General Jackson to her father, the check being entirely in the handwriting of Andrew Jackson. Mrs. Donelson facetiously suggests that, if the lodge is ever in need of funds, you can recash the check, i. e., can sell it.

Wherefore, upon behalf of Mrs. Bettie M. Donelson, grandniece of the great hero whose memory we are to-night commemorating, I take pleasure in presenting to Andrew Jackson Lodge, No. 120, this picture of Maj. Gen. Andrew Jackson and this check.

JACKSON'S ANCESTRY

Andrew Jackson's ancestry on both sides ran back to the old kings of Scotland; however, this royal blood in his veins did not prevent him from having a contempt for all things pertaining to royalty; he was always a democrat in thought and action, not only politically, but in the broadest sense of the term.

His ancestors for several generations resided in Carrickfergus, county of Antrim, on the northern coast of Ireland, to which place some of his early ancestors had moved from Scotland. His father, likewise named Andrew Jackson, and wife, Elizabeth Hutchinson, and two small sons, Hugh and Robert, migrated to America in 1765, landing at Charleston, S. C. They went by stagecoach about 160 miles

northwest to Waxhaw settlement, on the North Carolina and South Carolina borders. Many of their relatives and countrymen had previously settled there. They went several miles farther, made a clearing in the virgin forest and built a log house, on the banks of Twelve Mile Creek, a branch of the Catawba River.

JACKSON'S BIRTH

Two years after he settled in his frontier home Andrew Jackson, the elder, passed away, a victim of overwork and pneumonia. Betty Jackson did not have the heart to return to their little home in the wilderness with her two small boys, and daily expecting the birth of a third child. She put her boys and her meager personal belongings in a single wagon and started to the home of her sister, Jane Hutchinson Crawford, 12 miles away, near the old Waxhaw Church in South Carolina. She was taken ill before reaching her destination and stopped at the cabin of another sister, Peggy Hutchinson McKemey, just over on the North Carolina side, where Andrew Jackson was born on the night of March 15, 1767.

Ever since Andrew Jackson rose to fame there has been a controversy among historians, and many debates in Congress, as to whether he was born in North Carolina or South Carolina, each of those States having claimed his birthplace. Regardless of whether he was born in the one State or the other, what is more important, as soon as he reached the age of discretion, he displayed the good judgment to move to Tennessee, which appreciated and honored him in a manner seldom if ever equaled.

JACKSON'S BOYHOOD

After three weeks spent in the McKemey home, Betty Jackson, with her three little sons, proceeded to the home of her sister, Jane Hutchinson Crawford, and her husband, James Crawford, where they lived for 10 or 12 years.

Frontier life was hard at best. It was especially so for this penniless widow and three small children. However, Betty Jackson was ambitious, energetic, and thrifty, and did the best she could for her boys. Andrew Jackson received meager training in the crude schools of Waxhaw settlement. The educational opportunities in pioneer settlements of that day were scant, indeed, especially for a poor boy who had to assist a widowed mother to keep the wolf from the door.

By 1780 the Revolutionary War was raging in the Carolinas, which were pretty well under the domination of the British and the hated Tories. Andrew's oldest brother Hugh had joined Colonel Davie's famous regiment the year previous and had given his life for American freedom.

The relentless British commander, Tarleton, and his dragoons descended upon the peaceful Waxhaw settlement and massacred a large number and ravaged the homes of the settlers. Betty Jackson and her sons, Andrew and Robert, ministered to the wounded.

British troops soon returned to demand a promise from everyone to take no part in the war thereafter. The Jacksons and Crawfords, not desiring to make such a promise, took refuge in the hills.

REVOLUTIONARY SERVICE

Thereafter Andrew and Robert Jackson frequently accompanied bands of patriots who would attack and harass the British troops. After one heated engagement these boys of tender years spent the night in a forest alone, and early next morning repaired to the home of a cousin for food. A Tory informed the dragoons, who surrounded the house and captured Robert and Andrew. The redcoats proceeded to wreck everything in the home, and a browbeating Hessian officer ordered Andrew to clean his boots. Andy refused. "Sir, I am a prisoner of war, and claim to be treated as such," he said. The officer's sword descended upon Andrew's head, when he parried the blow with his left hand, receiving a deep gash, the ugly scar of which he carried to his grave. The brutal officer next turned on Robert and ordered him to clean his boots. Robert likewise refused. The officer struck Robert upon the head with full force, cutting a deep gash. The boys were then thrown in a crowded prison, where they and the other prisoners were cruelly treated, were furnished no beds or medical attention, and given but a scant supply of miserable food. Smallpox broke out among the prisoners and, being unchecked by medical attention, spread rapidly. Both Robert and Andrew fell victims to this dread disease. In addition Robert's wound, having never been dressed, had become infected.

JACKSON'S MOTHER

In the meantime the mother worked tirelessly to effect the release of her sons and finally succeeded in arranging for an exchange of prisoners. Betty Jackson carried her disease-racked and emaciated boys back home and labored day and night to save them. Her efforts were of no avail as to Robert. In two days she buried him in the Waxhaw churchyard beside his father. Andrew hovered between life and death for weeks—in a state of delirium. He finally began to improve under the faithful ministrations of his devoted mother, although he was an invalid for many months.

The following summer a cry for help came from the prison ships at Charleston. Many of the prisoners were the kindred and neighbors of Betty Jackson. Andrew now on the road to recovery, she went with other Waxhaw women on this mission of mercy. After a tiresome and perilous journey of 160 miles they reached their destination. In a

few weeks Betty Jackson joined her husband and two sons, a victim of the ship fever which she contracted while ministering to the sick and wounded men on the British prison ship. She was buried in an unmarked grave in an open field. Years later Andrew Jackson instituted a special inquiry to locate the spot where his heroic mother was buried, but to no avail.

We catch but a fleeting glimpse of his mother, but enough that we can easily surmise the source of Andrew Jackson's devotion to duty, his fidelity to purpose, his superb courage, his patriotism, and many other traits that characterized him. Betty Jackson's nobility of character left a deep impress on her illustrious son, who often spoke of her in terms of tenderness and reverence.

Reverting to our narrative, we thus find Jackson facing the world alone at the age of 14.

What hardships, what cruelties, what suffering, what sorrows, what nerve-racking, soul-stirring experiences have been crowded into that short span of years for Andrew Jackson!

TEACHES SCHOOL, STUDIES LAW

However, Jackson was never known to give up. He never surrendered to obstacles, however great. After his mother's death he worked for six months in a saddler's shop, but this gave no outlet for his ambitions. Besides, it was not in Andrew Jackson's make-up "to play second fiddle." He was a born leader and was never satisfied to follow or to take orders from others. He next taught a "field school" in the Waxhaws for two years. He then studied law in the office of Spence McCay, a lawyer of Salisbury, N. C. According to reports he spent a portion of his time in horse racing, cock fighting, card playing, and rollicking. Despite these diversions, he applied himself assiduously to the law books and was an apt student. He completed his preparations for admission to the bar in the office of Col. Spence Stokes.

In the spring of 1787, at the age of 20 years, young Jackson obtained his law license.

Even at this age he bore unmistakable evidences of leadership. Tall, erect, graceful, dashing, with a strong personality, supreme courage, and a high sense of justice, he was a recognized leader of the young men among whom he moved. He was likewise very popular with the ladies, toward whom he was always courteous and chivalrous.

APPOINTED PUBLIC PROSECUTOR—GOES TO NASHVILLE

In 1788, John McNairy, a friend of Jackson, was appointed judge of the Superior Court for the Western District of North Carolina, which embraced that vast wilderness between the Alleghenies and the Mississippi River, which later became the State of Tennessee. The office of solicitor or public prosecutor, was offered to Jackson, and he accepted. The courts for this district were to be held at Jonesboro and Nashville.

The judicial party, Judge McNairy, Solicitor Jackson, and a few lawyers made the long and hazardous trip to Jonesboro. After remaining there for several weeks, they, together with a crowd of emigrants, made the long and dangerous trip to Nashville, through trackless forests infested with hostile Indians. By common consent young Jackson took command of the party. About the time of their arrival in Nashville news reached there that a majority of the States had adopted the Federal Constitution.

At this time Nashville was a rather important frontier settlement. That country, embracing what later became the State of Tennessee, was inhabited by various tribes of Indians, including the Cherokees, Choctaws, Shawnees, Chickasaws, and Creeks. There had been many clashes between the white settlers and the Indians with the result that much hostility existed. From the year 1780 to 1794 the Indians killed an average of one white person in every 10 days within 5 miles of Nashville. In 1787, the year before Jackson's arrival, 33 white men had been slain by the Indians within the immediate vicinity of Nashville. Of course, conditions were still more perilous in sections more sparsely settled by the whites.

Jackson applied himself assiduously to his duties as public prosecutor, and also built up a large private law practice. He made a reputation as an able, fearless, and successful prosecutor and general practitioner.

APPOINTED FEDERAL ATTORNEY GENERAL

On May 26, 1790, Congress organized the country between the Ohio River and the present States of Alabama and Mississippi and bounded on the west by the Mississippi River, as "the Territory of the United States southwest of the Ohio River." John McNairy was continued in office as Territorial judge and Andrew Jackson was appointed Federal attorney general of the Mero district.

RACHEL DONELSON

Eight years before Jackson's arrival at Nashville a company of settlers, led by Col. John Donelson, a Virginia surveyor, had arrived there. Rather than hazard the dangers and hardships of traveling through the wilderness, this company had made the trip by water in flatboats, floating down the River Holston to the Tennessee, down the Tennessee to the Ohio, up the Ohio to the Cumberland, and up the Cumberland to Nashville, a distance of more than 2,000 miles. I shall not take time to narrate the hardships endured on this perilous 4-month voyage.

In this party was the daughter of Colonel Donelson, black-eyed, black-haired, vivacious Rachel. At an early age she married Lewis Robards, of Kentucky. All did not go well with them. While handsome, Robards was overbearing and brutal. They separated, Robards returning to Kentucky. After a time word came direct from him that he had obtained a divorce from Rachel. This news was accepted as the truth by everybody. Andrew Jackson and Rachel Donelson Robards fell in love with each other and were in time married—in November, 1791; Jackson was then 24 years of age and Rachel 4 years younger. After they had been happily married for two years it developed that, while proceedings had been instituted, yet Robards had not obtained a decree of divorce at the time Jackson and Rachel were married, although a final decree had subsequently been entered. While Andrew Jackson and Rachel had undoubtedly married in perfect good faith, yet, upon receipt of this news, they were promptly remarried. However, the fact that they had lived together as man and wife for a time prior to an actual divorce between Robards and Rachel furnished a sweet morsel for the enemies of Jackson, and this circumstance played a conspicuous part in the subsequent lives of both Andrew Jackson and his wife.

In passing it may be of interest to note that Col. John Donelson had been killed by the Indians prior to Jackson's arrival at Nashville.

The greatest tragedy in the life of Old Hickory was that his beloved wife, the sweet, pious Rachel, than whom a more chaste woman never lived, should be cruelly and unjustly branded with the scarlet letter. However, the good women and men of Nashville understood and Rachel Jackson was invariably received and welcomed into the very best circles without question. There was only an intermittent remark by some enemy or scandal monger, until the circumstance referred to was revived during Jackson's candidacy for the Presidency, to which reference will later be made.

MEMBER OF CONSTITUTIONAL CONVENTION

The Territorial legislature ordered the census to be taken in 1795, when it developed that the Territory contained 77,262 inhabitants, more than the 60,000 inhabitants required for admission of the Territory into the Union as a State. Governor Blount called a constitutional convention to assemble January 11, 1796, at Knoxville, "for the purpose of forming a constitution or permanent form of government," the Territorial governor and the inhabitants proceeding upon the basis that they were entitled to statehood, although Congress had not enacted legislation providing for the admission of the Territory to statehood. Andrew Jackson was one of the five delegates from Davidson County elected to this convention.

The convention completed its labors, leaving to the assembly, which it created, the task of putting the new State government into operation, and fixed March 28, 1796, as the time when the Territorial government should expire. It declared, moreover, that if Congress should fail to admit Tennessee to statehood, the Commonwealth would continue to exist as an independent State.

This defiant attitude was not received with entire favor by President Washington or the Federalists. However, Thomas Jefferson, after studying this constitution, praised it as the most republican one of all the State constitutions.

At any rate, after considerable debate, Congress admitted the State of Tennessee into the Union on June 1, 1796.

JACKSON FIRST MEMBER UNITED STATES HOUSE OF REPRESENTATIVES FROM TENNESSEE

Tennessee was entitled to but one Representative in the House of Representatives, and Andrew Jackson was elected to this post in the fall of 1796. In the latter part of October he bade Rachel good-bye and set off on horseback for Philadelphia, a distance of 800 miles, and served in Congress until the 3d of March following. During this brief period he manifested that deep conviction and independence of spirit which always characterized him. He also succeeded in obtaining the passage of two measures of particular interest to Tennesseans, which increased his popularity at home. Upon his return home he was enthusiastically received at Nashville, as his service at the National Capital had in every way been satisfactory to his constituents.

UNITED STATES SENATOR

On November 22, 1797, Jackson was elected United States Senator by the Legislature of Tennessee. However, senatorial work and Philadelphia life were distasteful to Jackson. He longed for his devoted wife, his beloved Tennessee, and the great outdoors. In April, 1798, he took leave of the Senate, returned home, and resigned from the Senate in June.

JUDGE OF STATE SUPREME COURT

Jackson was now 31 years of age. Having divested himself of public office, he made up his mind to devote the rest of his life to managing his plantation and keeping a general store; but without any suggestion from him, the legislature elected him a judge of the State supreme court. He reluctantly accepted the office and served in that capacity for six years. Jackson was not very learned in the law, but he had a profound sense of justice, and consequently made a splendid judge. He maintained the dignity and the authority of the position at all times.

MAJOR GENERAL OF TENNESSEE MILITIA

In 1801 Jackson was elected major general of Tennessee Militia. This was an important office in that day, as the Indian menace in Tennessee was serious.

In 1804 Jackson resigned from the supreme court.

JACKSON NOT AN OFFICE SEEKER

It could not be said that Jackson was politically ambitious. I do not recall that he ever sought any office save one, and he failed to obtain that. When Jefferson was President, Jackson applied to him for appointment as Governor of the Territory of Louisiana, but Jefferson turned him down. This was in 1803, soon after the purchase of the Territory of Louisiana. It is singular that the founder of the Democratic Party and the greatest exponent of Democratic principles should have denied a relatively unimportant appointment to that other great Democrat, who subsequently, more than any man in the history of this Republic, injected breathing, throbbing life into the principles enunciated by Jefferson.

HOME LIFE

Jackson spent the next few years at The Hermitage, devoting his time and efforts to his plantations and stores. He was a progressive, successful planter. He had as many as 150 slaves at a time; he was very kind to them and they loved him. His name signed to paper made it good as legal tender anywhere in Tennessee.

Andrew and Rachel Jackson were not blessed with any children of their own. However, he adopted a son of one of Mrs. Jackson's brothers and named him Andrew Jackson, jr. Another nephew of Mrs. Jackson was named Andrew Jackson Donelson. Jackson would fondle and play with these boys by the hour. He was very hospitable and frequently had other children, relatives, and friends in his home.

Having heard so much of his turbulent, fiery spirit, even of him being a man-killer, visitors to The Hermitage and later the White House marveled at the extraordinary patience of General Jackson in his home. He was never even cross with the children, his wife, or the servants. Relentless and ruthless as he was toward his adversaries, Jackson was tender, gentle, and affectionate in his own home. Tempestuous as was his life elsewhere there was always peace and quietude around his own fireside. However much his grim and austere demeanor may have held others in awe the members of his own household regarded him with tenderest affection and treated him with utmost familiarity.

However, this peaceful and happy existence at The Hermitage was not to continue indefinitely. Jackson was born under a star that presaged action. To be precise, he was born under the sign of the planet Mars—the God of War.

WAR OF 1812

War clouds were rapidly gathering, due to the controversies between the United States and Great Britain. War was declared on June 12, 1812. Led by Henry Clay and John C. Calhoun, the war fever ran high in the West and South. New England was decidedly hostile to the war. To quote the language of David Karsner in his biography of Andrew Jackson, "Daniel Webster led a strong antiwar contingent which skated mighty close to the brink of sedition." He succeeded in defeating the conscription bill in Congress, leaving this country entirely dependent upon volunteers. The standing Army of the United States consisted of about 7,000 men. The American Navy consisted of a dozen fighting ships, while England possessed nearly a thousand.

New England remained hostile to the war and refused to send their quota of soldiers to the front. As late as 1814 a convention representing five New England States was held at Hartford and expressed its opposition to the war in which we were then engaged.

Within a few days after the declaration of war General Jackson, through Governor Blount, tendered to President Madison his services and those of the 2,500 militiamen under his command. The offer was promptly accepted, but no funds for the equipment and support of the command were furnished by the Federal Government. However, Jackson proceeded with preparations, advising the soldiers that they should furnish their own arms, ammunition, and campaign equipment, for which it was confidently expected that the Government would later compensate them. On January 7, 1813, two months after President Madison had requested Tennessee to move the army to the Gulf, Jackson's army started for that point, the cavalry going through the country and the infantry on boats down the Cumberland into the Mississippi. General Wilkinson, who was in command at New Orleans, sent a courier informing Jackson to halt his troops at Natchez, as neither quarters nor provisions were ready for them at New Orleans. On February 6 Jackson received orders from the War Department to dismiss his troops and deliver to Wilkinson all articles of public property in his possession, "as the cause of embodying and marching to New Orleans the corps under your command has ceased to exist."

Jackson's soldiers had no Government property, had not received a penny of pay, were 500 miles from home, many of them sick, and the order was that they be dismissed—without means of transport back to their homes. Jackson very properly ignored the order from the War Department, resolving to personally conduct his men back to their

homes. He purchased supplies in Natchez for the march homeward, giving the merchants drafts for the amounts, advising them that if the Government failed to honor the drafts, he would make them good out of his own pocket. One hundred and fifty of his men were sick as they commenced the long, cold, arduous march of 500 miles through the wilderness to Tennessee. Means for the transportation of the sick were very meager, and General Jackson himself gave up his three mounts to the sick men, and marched afoot with his ragged army, although then 46 years old. Jackson's conduct toward his men during this trying ordeal won him their everlasting affection and reverence, and they bestowed upon him the affectionate nickname, "Old Hickory." On May 22, 1813, his army was dismissed. However, as will be later seen, this mistreatment of Jackson by the War Department did not cool his ardor or dampen his patriotism.

Affairs had been going badly for American arms, with the single exception of the notable victory of Commodore Perry on Lake Erie.

CONQUERS CREEK INDIANS

Incited, armed, and aided by the British, the Creek Indians were overrunning the southern country, marauding, pillaging, burning, and butchering the whites and friendly Indians. They had massacred the garrison and inmates of Fort Mims, on August 30, 1813. The Governor of Tennessee and others repaired to The Hermitage to consult General Jackson, who was in bed from serious wounds recently received in an altercation with the Bentons. His wife propped Jackson up in bed for the council of war. He assured the governor and committee that he would lead the army if he had to be borne on a stretcher. Governor Blount called for 3,500 volunteers and selected Andrew Jackson to lead them. Jackson at once assumed direction of the movement for defense, calling the volunteers to assemble at Camp Blount, Fayetteville, Tenn., on October 4; he arranged for supplies of food and ammunition and looked after other details. The army assembled at the time and place appointed, Jackson conducted a vigorous campaign against the Creek Indians, completely routing them in five important battles, and effecting a binding treaty of peace. This was one of the bloodiest and most important wars ever waged against the Indians on this continent. It had an electrifying effect throughout the Nation and did much to improve American morale, and to lessen British arrogance.

Many have felt that one of Jackson's faults was that he was too relentless toward the Indians. If he was, he viewed it as a matter of military strategy and necessity. As evidence of the personal side of his nature an incident is given. In the battle at Tallushatchee all of the Indian warriors were killed. An Indian papoose was found on the battle field. Jackson asked first one squaw and then another to care for the infant, but each refused. Whereupon Jackson took charge of the papoose, tenderly cared for it temporarily, sent him to Huntsville to be cared for until the end of the war, and then took him to The Hermitage where he became the playmate of little Andy. General Jackson reared and educated him, and this body reposes in the garden of The Hermitage.

Camp Blount was used as a place of rendezvous during this campaign, and when the Creek War was ended the army was there discharged from further service. Camp Blount is in the district which I have the honor to represent.

MAJOR GENERAL OF UNITED STATES ARMY

After he had conquered the Creek Indians Andrew Jackson was appointed major general of the United States Army. Having learned that the Spaniards were harboring Creek Indians and also allowing the British to occupy the town and forts at Pensacola, Jackson came to the conclusion that the British had designs on Pensacola or New Orleans. He again called for volunteers. General Coffee raised about 2,500 cavalrymen and occupied Camp Blount, and moved from there on October 5, 1814, and marched to Fort Montgomery, near Mobile, where he joined General Jackson's army.

General Jackson took command and marched to Pensacola, where he conquered the Spaniards, blew up the Spanish forts, and drove the British out of town. After this Jackson and his army marched to New Orleans for the defense of that city.

BATTLE OF NEW ORLEANS

General Jackson with his army arrived in New Orleans December 2, 1814. The people of New Orleans were disappointed in the appearance of General Jackson. They expected to see a robust, pompous general arrayed in all the gay panoply of war. Instead they beheld a spare, gaunt frontiersman, his garb simple and badly worn from the campaigns through which he had passed. However, they were glad to welcome any defender, and gave a banquet, at which local orators indulged in much fervent patriotic appeal. Jackson replied in a brief, simple talk, but to the point. He declared that he had come to protect the city and to drive the enemy into the sea, or perish in the attempt. He called upon all citizens to bury their differences and rally to the defense of their country. He made it clear that his word would be law and must be respected and obeyed.

The facts relating to the Battle of New Orleans are so well known that I shall but briefly describe them. However, such a description would be incomplete without reference to the conditions leading up to that famous victory. During the first two years of the War of 1812

the British victories over our Armies had not only been complete but disastrous and humiliating—we had not won a single land battle.

The enemy had captured and burned the city of Baltimore and in turn had captured and partially burned the National Capital. Our President and the seat of government had been driven from Washington. The martial spirit of the Nation seemed to have been largely broken; our morale was at a low ebb. England was in a state of glorification. Many sections of our country were demanding peace at any price. The President had sent a commission of five notable men to Europe to seek peace. They had been haughtily received, and the British demanded most unreasonable terms, including a cession of that territory now comprising the great Middle West. These were the conditions when Andrew Jackson was commissioned a major general and authorized to appoint his subordinate officers and mobilize an army, but the Federal Government provided no means with which to do it. It is with pride that I point to the fact that the old Volunteer State of Tennessee met the emergency, and through its legislature appropriated \$300,000 for the equipment and expenses of an army to be raised by Jackson. So far as I am aware, this is the only instance since the establishment of our Government that a State has made an appropriation for the national defense. Whereupon, General Jackson quickly mobilized an army of 5,300 men at Fayetteville, Tenn.

Jackson had about 6,000 troops at New Orleans, sturdy frontiersmen, wearing coonskin caps, hunting shirts, and armed chiefly with squirrel rifles. He was confronted by General Pakenham, with over 12,000 trained and seasoned British troops, who had fought under Wellington and many of whom later covered themselves with glory at Waterloo in combat with Napoleon's legions; many of whom had recently participated in the capture of Baltimore and Washington. Jackson began attacking the British at night on December 23, 1814, and kept it up until the final, decisive battle on January 8, 1815, when he and his troops won their miraculous victory, killing and wounding a large number of British troops and driving the remainder in disorder from the field. The deadly aim of the Tennessee frontiersmen was evidenced by the fact that General Pakenham was killed; Gibbs, who succeeded him, was killed; and many other high officers in the British ranks met a similar fate. The most remarkable feature of this wonderful victory was that the Americans sustained a loss of only 8 killed and 13 wounded. This most marvelous and glorious victory ever won by American arms was acclaimed with wildest joy throughout the Nation from President Madison down to the humblest citizen. Jackson was the great national hero. His name was on every tongue. As expressed by Bowers, this victory had "brilliantly avenged the humiliations of an unhappy war."

While it is true that this great victory was won after the signing of the treaty at Ghent, yet in the light of subsequent events we know that it was one of the most important and far-reaching events in our history; among other things it assured to us the preservation and possession of the Louisiana Purchase, comprising 14 of our great States.

DECLINES APPOINTMENT AS SECRETARY OF WAR

Upon his election in 1816, President Monroe tendered to Jackson the position of Secretary of War, but he promptly declined it.

GOVERNOR OF FLORIDA

However, December 26, 1817, General Jackson entered upon his second Florida campaign. In February, 1819, Spain ceded Florida to the United States. In 1821 President Monroe appointed Jackson Governor of Florida, which he reluctantly accepted. He resigned as major general in the Army and on July 17, 1821, took possession of Florida as governor, it becoming a Territory of the United States. In October following, Jackson resigned as Governor of Florida.

AGAIN UNITED STATES SENATOR

However, Old Hickory is to again be pulled from his peaceful lair at The Hermitage. In October, 1823, without solicitation on his part, he was elected United States Senator by the Tennessee Legislature. He resigned from this position in October, 1825.

FIRST RACE FOR PRESIDENT

On July 20, 1822, Jackson had been placed in nomination for the Presidency by the Legislature of Tennessee. On March 4, 1824, he was nominated for President by the Philadelphia convention. In the ensuing election Jackson received a plurality of both the popular and electoral votes for President over his three opponents, Adams, Clay, and Crawford, but, not having received a majority of all the electoral votes, the election was thrown into the House of Representatives, which elected John Quincy Adams.

ELECTED PRESIDENT

In October, 1825, the Tennessee Legislature again placed Jackson in nomination for the Presidency.

He was again nominated as the Democratic standard bearer for the Presidency in 1828. After the most bitter and scurrilous campaign this country has ever known he was triumphantly elected. In view of the powerful interests arrayed against him and the character of the campaign waged against him, he achieved a remarkable victory, secur-

ing 178 electoral votes, while John Quincy Adams received but 83. It is needless to state that he had the loyal support of the masses of the people.

OVERWHELMINGLY REELECTED PRESIDENT

The popularity of his first administration was attested by the fact that he was triumphantly reelected in 1832, receiving 219 electoral votes against 67 for all of his opponents.

JACKSON THE MASON

General Jackson had been grand master of the Masonic fraternity of Tennessee. During his first term as President the head of his Cabinet was Secretary of State Edward Livingston, who was the highest-ranking Mason in America. In 1832 William Work was nominated for President by the anti-Masons and Henry Clay was nominated by the Whigs. The anti-Masons and Whigs worked in close cooperation and with complete understanding. During the campaign ex-President John Quincy Adams made a bitter attack on Masonry and Edward Livingston. It is needless to relate that Jackson went on record against this anti-Mason hysteria and that the Masons rallied to Jackson's banner. The campaign against Jackson in 1832 was quite as bitter and scurrilous as that waged against him in 1828, but with even more disastrous results to the opposition. In discussing this campaign in his admirable work, the Party Battles of the Jackson Period, Claude G. Bowers says in part:

"Thus the Whigs used every weapon that came into their hands—money, subsidized and bought papers, the hostility of Masonry, the hate of the nullifiers, the fear of Van Buren, intimidation, coercion, and slander. And something comparatively new to politics—the cartoon—soon became a feature of the fight. Here the Democrats were at a disadvantage and the pictorial editorials that have come down to us are largely anti-Jackson. Here we find the President pictured as a raving maniac, as Don Quixote tilting at the pillars of the splendid marble bank building in Philadelphia, as a burglar attempting to force the bank doors with a battering ram, while the most popular cartoon among the friends of Clay pictured Jackson receiving a crown from Van Buren and a scepter from the devil."

When Jackson entered the White House he had about \$5,000 in money. After his eight years' distinguished and triumphant service as Chief Executive he left Washington for The Hermitage with \$90 in money, with Rachel's picture and her Bible, from which he had read every night. The Presidency had cost him all of his savings, and he was in debt. He once more settled down to the quiet life of a farmer and spent the rest of his days. He paid all of his debts, for he was a good farmer, but died comparatively a poor man.

I am discussing rather the personal side of Andrew Jackson. Time forbids a detailed narrative of his many and valuable achievements while an occupant of the White House.

MOST POPULAR AMERICAN—ACHIEVEMENTS

When Jackson entered the White House he was the most popular of all Americans. After eight years of the most bitter and turbulent administrations in the Nation's history he retired to private life stronger than ever in the affections of the people. Throughout his presidential career he was constantly harassed by a hostile Senate; he had pitted against him those able and astute statesmen, Clay, Webster, and Calhoun. The battle between the hostile Senate on the one hand and President Jackson on the other raged with unremitting fury and bitterness. Jackson asked no quarter and gave none. He always came out victor. He was invincible. He never lost the confidence and support of the people.

From his quiet retreat at The Hermitage, which by the way is quite as attractive and interesting as Mount Vernon, Jackson caused the nomination and his influence effected the election of his two successors in the presidential chair, Van Buren and Polk. For a quarter of a century he controlled the political destinies of this Nation and for a century his achievements and influence have colored the affairs of our country.

In accepting upon behalf of the United States the splendid bronze statue of Andrew Jackson presented by the State of Tennessee, to be placed in Statuary Hall, President Coolidge said of him:

"History accords him one of the high positions among the great names of our country. He gave to the nationalist spirit through loyalty to the Union a new strength which was decisive for many years. His management of our foreign affairs was such as to secure a wholesome respect for our Government and the rights of its citizens. He left the Treasury without obligations and with a surplus. Coming up from the people, he demonstrated that there is sufficient substance in self-government to solve important public questions and rise superior to a perplexing crisis. Like a true pioneer, he broke through all the restraints and impediments into which he was born and, leaving behind the provincialisms and prejudices of his day, pushed out toward a larger freedom and a sounder Government, carrying the country with him."

As before shown, Jackson's scholastic training was very meager; but he had such a splendid natural intellect and acquired such an excellent education in the school of experience, by keen observation and intelligent reading, that one of his biographers expressed his opinion

that Jackson was the finest letter writer this country had produced, and the late Congressman James D. Richardson, who compiled the Messages and Papers of the Presidents, gave it as his mature judgment that Jackson's state papers were the greatest of all our Presidents. Jackson was not cultured; he did not have a literary education. He did not know the difference between a ballad and a sonnet, and probably cared less. He made mistakes in orthography, but, after all, spelled better than the Father of Our Country; even as late a President and as learned a scholar as Theodore Roosevelt indulged in phonetic spelling. Yet Jackson's head was chuck-full of wisdom such as is seldom possessed even by perfect grammarians and spellers. His superior intelligence, his iron will, his dauntless courage overcame all deficiencies of scholastic training; and the latter are overlooked except by those puny, contemptible minds which grovel on the floor looking for specks.

By sheer force of intellect, unadulterated patriotism, indomitable will, and invincible courage, he displayed qualities of extraordinary versatility. By his thirty-third birthday he had served as public prosecutor, Federal attorney general, Representative in Congress, United States Senator, supreme court judge, and major general. He had sought none of these offices, and resigned from all of them before his terms expired.

Like all great men of positive character and fearless action, he had many bitter foes and was the victim of much unjust slander. Only recently we are getting histories and biographies which do justice to Andrew Jackson and his great achievements; even some of the recent writers still give currency to slanders which have long since been thoroughly discredited.

Jackson is now generally recognized as having been truly a great President. He so impressed himself upon the history of our country that we speak of the "Jackson period." One of his greatest contributions was to make our Government responsive to the will of the people. As has been aptly said, Jefferson enunciated the principles of a government of the people and for the people, and Jackson completed the process by making it a government of the people, for the people, and by the people.

To again quote that trenchant biographer, Claude G. Bowers:

"Andrew Jackson was the organizer of democracy. He found the masses helpless and futile in the midst of their tools, and he taught them how to use them. He mobilized the scattered forces of ordinary men; vitalized them with energy, fired them with his faith, and made sharpshooters of them, every one. He made the trapper in the wilderness, the worker on the wharf, the toiler in the factory, and the farmer in the field realize that the Government is his Government in days of peace as well as when he is solemnly reminded of it in days of battle.

"When they reminded him that these men of the masses were untrained in government, he answered that in a democracy it was high time to train them. When the timid cringed at the thought of these crude folk being awakened to a realization of their civic power, he consoled himself with the reflection that they were the same crude folk who battled behind him at New Orleans. He knew that men good enough to die for the Republic are good enough to have a voice in the determination of its destiny; and he knew that a nation that will exact a life and withhold a civic right is not fit to live."

Without previous training, Jackson demonstrated his ability to cope with every situation in any field of endeavor. He even demonstrated the fact that he was a diplomat and capable of successfully coping with grave international problems. When he became President many old and vexatious questions with foreign countries were pending, all of which he soon satisfactorily adjusted, and when he retired from the Presidency he did not bequeath to his successor a single pending controversy with a foreign nation.

His sterling party service has furnished us the descriptive term, "Jacksonian Democracy," and Democrats throughout the Nation assemble on "Jackson Day," to pay him homage.

It was Jackson who established the custom of party platforms, his purpose being to take the people into the counsel and confidence of party leaders.

CHARACTER SKETCH

Andrew Jackson had many faults, it is true, but absolutely none that compromised honor, integrity, justice, or patriotism. Generally his faults were merely the excesses of the very virtues which made him great.

His sensitive, high-strung nature, his impetuous will, his readiness to resent an insult, his determination to redress a wrong, his utter fearlessness naturally led him into paths that more phlegmatic and timid souls would dare not tread. However, a remarkable feature of Jackson's complex nature was that he was always calm and collected in every crisis.

Jackson was not sly or subtle. He never resorted to artifice, deceit, or even tact. He was blunt and straightforward. He always spoke in unmistakable terms. He never equivocated. He never "trimmed his sails." He always struck straight from the shoulder.

No obstacle discouraged, no danger deterred Andrew Jackson. Both his moral and physical courage was supreme under all circumstances. He feared no mortal man; he feared no aggregation of men. No power,

no influence could turn him away from the path of duty as he saw it. His lion heart never quailed; his iron will never wavered. He was superlatively a real man.

Commodore Elliott brought from Palestine, in the U. S. S. *Constitution*, a magnificent sarcophagus believed to have contained the body of the Roman emperor, Alexander Severus. A short time before Jackson's death the commodore wrote to him telling about the sarcophagus, saying, "I pray you to live on in fear of the Lord, dying the death of a Roman soldier; an emperor's coffin awaits you."

General Jackson promptly replied as follows:

"I must decline accepting the honor intended to be bestowed. I can not consent that my mortal body shall be laid in a repository prepared for an emperor or a king. My republican feelings and principles forbid it; the simplicity of our system of government forbids it. True virtue can not exist where pomp and parade are the governing passions; it can only dwell with the people—the great laboring and producing classes that form the bone and sinew of our confederacy. I have prepared an humble depository for my mortal body beside that wherein lies my beloved wife."

Jackson spent the last 17 years of his life without his beloved Rachel, who passed away shortly after his first triumphant election to the Presidency. Rachel had pined away with a broken heart as a result of cruel slanders before mentioned, which were revived and embellished in that campaign.

A short time before his death, General Jackson's pastor went to his bedside and said:

"General, the doctor informs me that you have but a short time to live. You must remember that if you expect forgiveness you yourself must forgive all your enemies."

The old fellow turned his eyes to the wall where hung Rachel's portrait, with trembling fingers pointed to it, and said:

"I forgive them all—except her traducers."

For many years before his death General Jackson was afflicted with tuberculosis, and finally dropsy developed. He suffered the most excruciating agony, but he never flinched nor complained.

THE END

During his last hours Jackson manifested his greatness and patriotism when he said:

"May my enemies find peace; may the liberties of my country endure forever."

The end came on Sunday, June 8, 1845. The members of his household, and even his faithful slaves, were admitted into his presence. General Jackson heard them sobbing and said: "Do not cry, dear children, we all will meet in heaven—all—white and black." And then in a voice so weak that it was scarcely audible, he uttered his last words: "Heaven will be no heaven to me if I do not meet my wife there."

The Grim Reaper mercifully ended his sufferings and sent his proud spirit to join his Rachel. His mortal body was laid to rest beside that of his beloved wife in the garden of The Hermitage.

In the graphic words of Gerald W. Johnson:

"The wilderness which had slain his father yielded to Andrew Jackson. The war which destroyed his mother and his brothers he survived. The wild frontier to which they dispatched him on a dangerous mission he subdued. The enemies that rose against him he struck down. He swept the red man beyond the great river. He swept the British into the sea. The country thundered his acclaim and showered honors upon him. It gave him the Presidency, and he made the Presidency such a power as it never had been before. The immigrant linen draper's son touched the height of human glory and his renown echoed throughout the world."

As his handsome bronze statue graces the National Hall of Fame, so his character and achievements place Andrew Jackson among the immortals.

The message from Mrs. Donelson to the lodge, referred to in the foregoing address, is as follows:

NASHVILLE, TENN., March 8, 1830.

HON. E. L. DAVIS.

DEAR SIR: I am just in receipt of yours of the 6th and hasten to reply since the time is short to the 15th, the birthday of our great hero. The message I send to the lodge:

ANDREW JACKSON, THE GUARDIAN

I appreciate your desire for the picture, since it increases interest in and respect for the benefactor of my father, Maj. Andrew Jackson Donelson, who was reared and educated by General Jackson as his ward and nephew, was on his staff in Florida, his private secretary during his two presidential administrations, his confidential friend, and counselor until the old hero's death.

There never was such a guardian as General Jackson. Major Donelson lived with him all his life. General Jackson sent him to West Point, where he made the 4-year course in three, graduating second in his class (the first student from Tennessee), to University of Tennessee next, then next to Lexington, without one cent of expense for clothes, tuition, etc.; built him a fine home on Donelson's 2,000 acres, adjoining Hermitage; helped to furnish it with all its rich silver, etc.; so increased

his estate as to almost equal his own, and at his death apologized for not leaving any more of his worldly goods save his handsomest gold sword presented to him by Tennessee. Can such a guardian be equaled? Thus I have devoted my life to the preservation of his home, and have succeeded in getting a bill passed in the last legislature to perpetuate his noble character and deeds. Rather than a holiday it calls for a "Jackson Day" in all Tennessee schools on January 8.

Sincerely,

BETTIE M. DONELSON.

Andrew Jackson's check and Mrs. Donelson's comment thereon are copied, as follows:

Mr. John Sommerville, Cashier of the Branch Bank of the State of Tennessee at Nashville will please pay to Capt. A. J. Donelson Fifty Dollars in U. States notes & charge the same to his friend

ANDREW JACKSON

JULY 19, 1827.

P. S.—If convenient in a \$50 U. S. note. A. J.

Mr. DAVIS, I am inclosing a check for you to present to the Andrew Jackson Lodge. I choose this one because it is made out in its entirety by General Jackson. I gave one recently to the Masonic lodge at St. Louis; they framed it and seemed appreciative of same. Thus hope the Virginia people will, too.

I gave one to John Trotwood Moore and he had it mounted on glass, for a paper weight, and presented it to John W. Davis while a candidate for President of the United States when in Nashville. Tell the lodge members if they are ever in need of funds, can recash the check, i. e., can sell it.

BETTIE M. DONELSON.

RESTORATION OF THE FRIGATE "CONSTITUTION"

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to take from the Union Calendar the joint resolution (H. J. Res. 264) making an appropriation to complete the restoration of the frigate *Constitution*, and to consider the same at this time.

The SPEAKER. The gentleman from Idaho asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$300,000, to remain available until June 30, 1931, for completing the repair, equipment, and restoration of the frigate *Constitution*, as authorized by the act approved March 4, 1925 (43 Stat. L. 1278).

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object. What is the nature of the emergency that we should follow this unusual procedure to take \$300,000 of the taxpayers' money out of the Federal Treasury?

Mr. FRENCH. If the gentleman will withhold his objection—

Mr. SCHAFER of Wisconsin. I reserve it.

Mr. FRENCH. I think he will be agreeable to the program. The act of Congress of March 4, 1925, provided for the restoration, equipment, and repair of the old frigate, the *Constitution*. It was also provided in the act that the Navy Department might receive public contributions for the work.

Up to this time the Government has received something more than \$600,000 to carry forward the work and, apparently, we are at the end practically of our opportunity for public receipts.

The work has been progressing and is practically two-thirds completed. May I say that the work is of a peculiar character, because it is work that is being performed upon an old wooden type of ship, a ship that originally was authorized by the Congress in 1794. In order to assemble the force to carry on this work it was necessary to comb, you might say, the New England States to obtain workmen who are familiar with construction work of this kind. The force has been assembled, it has been carrying forward the work until now the funds collected have been well nigh exhausted. All the members of the committee felt that the balance of the funds should be appropriated by the Federal Government.

More small contributions will be made from now on, and to the extent that they are made they will reduce the amount carried in the appropriation.

If we do not make the appropriation now—if we permit the matter to drag along until it may be carried in the regular appropriation bill, or if we pass this resolution some weeks hence—it will mean expense through the disassembling of the force now gathered together. In the interest of economy the members of the committee are unanimous in the thought that the work ought to go forward at this time.

Mr. OLIVER of Alabama. Mr. Speaker, I think the gentlemen will be interested in this fact: That the Congress did encourage the donation by the act to which the gentleman from

Idaho has referred, and that a very large part of the donation came from school children.

Mr. FRENCH. The school children of the country have contributed more than \$150,000 in what has been called penny contributions.

Mr. SCHAFER of Wisconsin. Was the work let on a contract and did they not know what the cost would be?

Mr. FRENCH. No; the work is being done in the Government navy yard.

Mr. SCHAFER of Wisconsin. One further question: We have heard the same old swan song raised here by the distinguished gentleman from Alabama about Congress encouraging the collection of these contributions. I believe that if you go back to the debates you will find that Congress was told that if the bill passed there would be no expense to the Treasury. Having railroaded the bill through Congress, telling the Congress there would be no expense to the Federal Treasury, they now refer back to the passage of the act and say that Congress is responsible and should appropriate. I would like to ask whether the Bureau of the Budget has approved this appropriation?

Mr. FRENCH. This matter has not come from the Bureau of the Budget. We are lifting this out of the consideration of many items that the Naval Appropriations Subcommittee is handling because of its emergent character. It is in the interest of economy that we do so.

Mr. SCHAFER of Wisconsin. I believe in economy. However, it would be better economy, if we have \$300,000 extra kicking around the Treasury, to appropriate it for the erection of much-needed Federal buildings, such as post offices and additions to the national homes and Veterans' Bureau hospitals.

Mr. UNDERHILL. Will the gentleman yield? These men who have been at work on the *Constitution* have been drawn from every section of the country—from Wisconsin, from Washington, from Oregon, from Maine. For the last two weeks they have been held in Charleston or Boston without pay on a furlough in the hopes that Congress might supplement the efforts of the people of the United States, largely school children, in raising a fund to preserve this great naval relic.

Congress took action, in the first place, on the universal demand from all over the country that the *Constitution*, which will forever live in song and story, as a representation of the valor of American seamanship, which put the American Navy on a plane second to no other nation in the world—that the *Constitution*, about which Oliver Wendell Holmes wrote when it was at one time threatened with destruction:

Tear her tattered ensign down.

And the people of the United States at that time rose up and saved the *Constitution*.

Now she is a relic of the past, she is a naval museum; an effort is made to supplement the voluntary donations of the public by an appropriation of the Nation.

The United States Government is not going to let this old hulk remain as it is.

Mr. SCHAFER of Wisconsin. This might have interested the Governor of Massachusetts, who is a wealthy gentleman.

Mr. UNDERHILL. The duty of the Governor of Massachusetts is no less and no more than the duty of the Governor of Wisconsin or any other State when it comes to a question of great national interest. Are you going to let this vessel remain without a mast, without a spar, without a rope, without a sail? It is a disgrace to the American public, a disgrace to the American Government. Surely the gentleman is not going to let these skilled workmen, some ninety-odd, the only men in the United States and perhaps in the world who are competent to work on this old type of vessel, be dispersed and sent back to their homes? If the gentleman is going to refuse to let this go through by unanimous consent, these men will not remain in the navy yard any longer.

They have to pay their living expenses while there, and they will be compelled to go back to their homes in Wisconsin and Washington and in Oregon and other States.

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

Mr. UNDERHILL. Yes.

Mr. CRAMTON. Then, is it not a fact, since we all know that ultimately Congress will do this thing, that the only ones who will be affected by the objection now will be those men who are up there at their own expense, waiting for a resumption of the work.

Mr. UNDERHILL. Those are the only ones.

Mr. FRENCH. More than that, the fund itself will necessarily suffer, whether a public fund or a Government appropriation, through having to reassemble those who can carry forward the work.

Mr. SCHAFER of Wisconsin. Mr. Speaker, this bill should have the approval of the Director of the Budget. There are

many people suffering in this country to-day by reason of the failure of appropriations. Veterans' hospitals have not been completed, and in the National Home for Disabled Volunteer Soldiers, 11 of them scattered throughout the country, many of the men who fought during the Nation's wars, who are sick and disabled, can not receive care because of failure of the building program. Until such time as the Director of the Budget approves this \$300,000 expenditure I shall oppose it. I am not going to let the policy of economy enter into consideration, whereby we will be denied appropriations for national military homes, and hospitals for the Veterans' Bureau because of insufficient funds through taking this \$300,000 out of the Treasury of the United States.

Mr. UNDERHILL. This is not going to take a dollar from the veterans, it is not going to take a dollar from the hospitals, and in no way, shape, or manner is it going to affect other appropriations.

Mr. SCHAFER of Wisconsin. It certainly will. When the appropriation estimates for new buildings for national homes and hospitals comes before the Director of the Budget he considers the financial condition of the Treasury, and when reductions or deductions are made, they are made due to the balancing of the account, based on the financial condition of the Treasury. The Director of the Budget will ultimately pass on these necessary appropriations for hospital buildings, and so forth. We should also pass on the appropriation of \$300,000 contained in this bill.

Mr. UNDERHILL. Is the gentleman going to hold him superior to the Congress of the United States?

Mr. SCHAFER of Wisconsin. Since the Congress under the law has created the Director of the Budget, and since under the law created by Congress the appropriation estimates necessarily go through the Director of the Budget, and since he will have a great deal to say about recommending appropriations for national home and veteran bureau hospital additions, I believe it is only fair that the Congress should ask the Director of the Budget for his opinion about this \$300,000 appropriation.

Mr. UNDERHILL. If he has made one error, if he has been unfair about some things, does the gentleman wish to take a similar position on this matter?

Mr. SCHAFER of Wisconsin. I am not talking about his being unfair, but a matter of policy, and there is no reason why the Committee on Appropriations should not have asked the Director of the Budget whether he approves this legislation which the gentleman from Idaho is asking to take up out of order under unanimous consent. I appreciate that there may be a great deal of merit in the proposition, but I believe a day or so will not interfere, and if the Director of the Budget within the next day or so approves of this appropriation, I shall not interpose an objection. Until the matter has been presented to him I shall object, and I do object.

The SPEAKER. Objection is heard.

MRS. MERCEDES MARTINEZ VIUDA DE SANCHEZ (H. DOC. NO. 320)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I transmit herewith a report regarding the request of Mrs. Mercedes Martinez Viuda de Sanchez, widow of Emeterio Sanchez, for an award which will enable her to be provided with the necessities of life.

I recommend in accordance with the suggestion of the Acting Secretary of State that the Congress, as an act of grace and without reference to the legal liability of the United States in the matter, authorize an appropriation for \$500, to be paid to Mrs. Sanchez as a recognition of the meritorious services rendered by her deceased husband in rescuing certain American seamen, and to relieve to a certain extent her present financial condition.

HERBERT HOOVER.

THE WHITE HOUSE, March 19, 1930.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. CHASE, at the request of Mr. KURTZ, indefinitely, on account of illness in his family.

GANGSTERS

Mr. BLACK. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLACK. Mr. Speaker and gentlemen of the House, the press of the country within the last few days has been filled with stories concerning the whereabouts of a notorious gangster

and criminal. Some people are prone to idealize this convict. What does it signify that so much space is taken up in the public press about a low character. It tends to point out the national significance and proportion of the gangster problem, and should make the Congress pause to think what we should do to help put down the organized criminal element. It is time society joined forces to break down the merged forces of the underworld. It is time we tried to do something to exterminate these cattle. I suggest that it would be wise for the Attorney General to invite to a conference in the city of Washington the enforcement officers of the large cities, State, and county, together with the Federal supervising agents and district attorneys from the large cities, so that they can form a cooperative movement to break up the gangs that are threatening the peace and security of this country.

They can arrive at a clearing house of information. For instance, the Department of Justice might have some information concerning a group of gangsters, and the district attorney of my city might have further information concerning them, and the district attorney of Chicago might have more information. The complete information might work out as a mosaic charge as a means of enforcing the criminal laws of one jurisdiction. The gangster resorts to all kinds of inhuman acts in order to terrorize the people. He commits arson, he commits robbery, he commits murder.

These people should not be held up as being anything romantic. The leaders of these gangs are nothing but cowardly arch criminals. They employ assassins and outlaws to execute their plans. There should be some means of effecting the extermination of these people. These gang leaders are responsible for the murders committed here and elsewhere. They do not seem to fear such a thing as capital punishment. It is time for a parade of these murder mobs to the electric chairs. There should be an end to this lawlessness and anarchy in the various cities of the country. I do not think that there is any law-enforcement officer who alone could take up the challenge of these lawless gangs. The way to do it is to build up a structure of cooperation between the faithful law officers throughout the country, so that these people can be done away with and no longer terrorize decent people and the Government of the United States. It is a serious problem, particularly in our big cities, and we need unified cooperation to solve it. [Applause.]

HYDRAULIC LABORATORY

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to speak for one minute.

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

There was no objection.

Mr. O'CONNOR of Louisiana. At the conclusion of my remarks I will ask unanimous consent to extend my remarks on the bill I have introduced and which was reported by the Committee on Rivers and Harbors, the purpose of which is to establish a hydraulic laboratory in the Bureau of Standards. I wish every Member would read the extension which I will put in the RECORD in regard to this great hydraulic laboratory project. In that extension I have endeavored to convey to my fellow Members a wealth of information which was supplied by the civil engineers of the United States at the hearing before the Committee on Rivers and Harbors. I hope that some method will be adopted to bring this bill before the House on account of its importance. The President of the United States, then Secretary of Commerce, indorsed unqualifiedly and enthusiastically a similar bill considered during the Seventieth Congress by the Committee on Rivers and Harbors, and I understand from the chairman of that committee that, as President, Mr. Hoover has not changed his viewpoint in regard to the blessings that will flow from this bill if enacted into law.

Mr. Speaker, I ask unanimous consent to extend my remarks as indicated.

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

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, the Committee on Rivers and Harbors hearings on the bill to create a hydraulic laboratory in the Bureau of Standards and the Senate committee hearings on the same subject should be made a single public document and sent to every library, high school, college, and university in the United States. Those hearings contain a wealth of information in regard to hydraulics that ought to be made available to the engineering profession and to students in our higher educational institutions. Most of that information has never appeared before in print.

The House committee in its endeavor to investigate the proposition from every imaginable slant and angle were carried into

hitherto unknown seas. Explorations were made that will be of the greatest value to students of hydraulics and add immeasurably to the knowledge of a subject which ranges over such a vast field. No bill in recent years has aroused such intense interest among the members of any profession as the proposed hydraulic laboratory in the Bureau of Standards has created in the membership of the engineering councils, associations, and societies of this country. The American Engineering Council, the membership of which is made up of 24 engineering and allied technical professions of the United States, numbering 43,000 engineers, have unqualifiedly indorsed the bill.

Representatives from that council in conjunction with eminent engineers from many parts of the United States have appeared before the Committee on Rivers and Harbors and have submitted testimony showing the desirability and need for establishing a national hydraulic laboratory under the Bureau of Standards. They hold that a national hydraulic research laboratory is needed not only for the purpose of conducting experiments for river and harbor projects but also for the purpose of conducting scientific hydraulic experiments for any citizen who submits a plausible problem and is willing to pay for the work involved in conducting the experiments. They further hold that such a laboratory is needed for the purpose of aiding in the solution of hydraulic problems of such Federal agencies as the Geological Survey, Federal Power Commission, Reclamation Service, and others.

The council maintain that the hydraulic laboratory should be under the direction and control of the Bureau of Standards, because through the years it has developed a scientific attitude and technique for the handling of such problems that may be undertaken in such laboratories; and has on its staff men trained in the several sciences, knowledge of which would be required of the staff of such a laboratory if it is to function with efficiency and effectiveness. They do not desire to take from the Corps of Engineers any authority to conduct whatever researches it may deem necessary in prosecuting its work of flood control.

Nor do I wish in any way to dim the glory or blur the prestige of the Army Engineers, whose great services to the Nation reflect magnificently the discipline, courage, loyalty, patriotism, intellectuality, and training imparted and developed by the Military Academy at West Point, which sent them out into the world to overcome obstacles and to conquer the forces of nature in order that civilization might blaze along the way that destiny evidently marked for it. No one has a greater esteem, affection, and loyalty to Annapolis and West Point than myself. Our country could not separate itself from the history of those two great institutions without dimming its own glory. May they last and go out only when the Republic itself expires, which we all hope is in the never to be. If they are jealous of their accomplishments, their privileges, and the trust confined to them, we should be proud of them for that attitude. A man who is careless of his rights can not be expected to protect the rights of others. While those who jealously guard what they deem to be a sacred trust can be depended upon to fight upon land and sea for the maintenance of the Republic from which flow our rights and privileges and to which we all owe the solemn duty of so living our lives that the Nation will be stronger and farther along the road of a mighty civilization on the day we go westward forever than on the day through the miracle of birth we became a part of our country's life.

But I can not blind my eyes to the fact that a national hydraulic laboratory such as is planned by H. R. 8299 will prove a great auxiliary to the force of Army engineers in solving the as yet unconquered difficulties and problems involved in flood control and related hydraulic subjects. The hydraulic laboratory would not be an antagonistic or hostile body but a friendly agency whose findings would be persuasive and not arbitrarily binding upon the Army engineers. The reports of the Army engineers show that that great body of men have written into the history of our country some of its most brilliant chapters; not flamboyantly but with the steady courage of men whose education at our great Military Academy has fitted them to fight and do noble things in every field to which they may be assigned. But with all the deference that we may show to men whose careers we admire and whose exploits we proudly acknowledge, we can not but see that there are many new things that may come into the life of the world through the aid and assistance of the civil engineers that will "broaden the vision and make golden the hearthstone where we with loved ones dwell." We can not ignore the fact that the engineering profession as a whole is largely responsible for the civilization which we enjoy, though many of its victims, for it has its victims, in accordance with the law of compensation, assert that it will not be an unmixed blessing until its

benefits are more wisely distributed so that those who are doomed to play the part of hewers of wood and drawers of water may become in some measure its beneficiaries and enjoy its opulence in a small way with those who by birth and fortune are in control of the great movement.

Mr. Speaker, I repeat, a wealth of information has been brought to light and may be discovered by reading these hearings on H. R. 8299 held by the Committee on Rivers and Harbors during the Seventieth Congress. We have acquired more information than we originally sought and are perhaps building more wisely than we know. Those who went in search of the Golden Fleece brought back something more valuable than the mythical raiment. They brought back knowledge as a result of their romantic journey. Even the obvious becomes tinted with an appealing color when brought to light into such a trip as the committee has made in search of truth.

Transportation, the foundation of the world order, takes on a new interest when we trace our highways, over which move millions of automobiles, and our railways, that carry such a stupendous commerce, to the path through the wilderness made by animals in quest of water with which to slake their thirst. The Brooklyn Bridge is seen in a new perspective when we see its genesis in the tree trunk thrown across the stream as a dam. The wonder grows as we see the dug and hollowed tree developing by the magical touch of the engineering wand into the leviathan that races through the storm and the night across the broad expanse of the Atlantic or the Pacific. From Franklin's kite and key have evolved the electrical titanic that light and rule the world to-day. The fabulous stories of the Arabian Nights pale into insignificance when contrasted with the actual accomplishments and intellectual triumphs of the great engineers of the world. Let us have the hydraulic laboratory. It will be the scientific university of the United States and will radiate that knowledge and wisdom which will enlighten the world. And God said: "Let there be light and there was light," should be our inspiration. The future beckons to us to establish this beacon. Build the laboratory; unshackle knowledge; untie the hands of inquiry. Give wisdom winged feet so that the glories of the coming day may be hastened.

The virtue, the wisdom, the necessity of proposed legislation may be seen frequently from the high character of its indorsement. Read them. I am sure they will impress upon the Congress and our countrymen the importance of this proposed measure, whose far-reaching consequences no man can fathom, as its ramifications may lead to the knowledge as yet locked securely in the undiscovered caverns and bowels of the earth, and carry us to those heights which will give us a clearer view of that celestial splendor which the lighthouses of astronomy of to-day but obscurely and darkly disclose.

I hope that the following remarks will be read from Maine to California, as they convey of themselves the basis of a liberal education. "Ye shall know the truth and the truth will make you free." I can make this statement, vain as it might imply I am, with great modesty, for I am but singing a song and telling a story imparted to me by those who appeared before the committee, notable among them being B. R. Van Leer, assistant secretary of the American Engineering Council. Ye who have a curiosity to know how man conquers the forces of nature and makes them render him service such as will be given to a great part of the golden West by the construction of Boulder Dam, read and you will see that man has indeed put all things under his feet.

Hydraulics, although one of the most ancient of the branches of engineering, is not an exact science. The correct solution of every hydraulic problem is dependent upon the correct use of coefficients which have been obtained through experimentation, and most of these experiments have been performed in hydraulic laboratories. The vast bulk of our experimental knowledge of hydraulics has been supplied by hydraulic laboratories which were a part of some educational institution, although in recent years corporations manufacturing hydraulic machinery have found it necessary to build hydraulic laboratories for their own particular needs. The 63 institutions which attempt in some way or other to carry on hydraulic laboratory experimentation in the United States are as follows:

- Allis-Chalmers Co., Milwaukee, Wis.
- Armour Institute of Technology, Chicago, Ill.
- Associated Factory Mutual Fire Insurance Co.'s, Boston, Mass.
- Brooklyn Polytechnic Institute, Brooklyn, N. Y.
- Brown University, Providence, R. I.
- Bureau of Standards, Washington, D. C.
- California Institute of Technology, Pasadena, Calif.
- California, University of, Berkeley, Calif.
- Carnegie Institute of Technology, Pittsburgh, Pa.
- Case School of Applied Science, Cleveland, Ohio.

Cochrane Meter Testing Laboratory, Philadelphia, Pa.
 Colorado College, Colorado Springs, Colo.
 Colorado Experiment Station, Fort Collins, Colo.
 Columbia University, New York City.
 Cornell University (Sibley College of Mechanical Engineering), Ithaca, N. Y.

Cramp, William & Sons, Ship & Engine Building Co. See I. P. Morris Hydraulic Laboratory.

Dartmouth College (Thayer School of Engineering), Hanover, N. H.
 Harrison Safety Boiler Works. See Cochrane Meter Testing Laboratory.

Harvard Engineering School, Cambridge, Mass.
 Holyoke Water Power Co., Holyoke, Mass.
 Horton Hydrological Laboratory, Voorheesville, N. Y.
 Illinois, University of, Urbana, Ill.
 Iowa State University, Iowa City, Iowa.
 Johns Hopkins University, Baltimore, Md.
 Lafayette College, Easton, Pa.
 Lehigh University, Bethlehem, Pa.
 Leland Stanford University, Stanford University, Calif.
 Lowell Locks & Canals, Lowell, Mass.
 Mason Laboratory. See Yale University.
 Massachusetts Institute of Technology, Cambridge, Mass.
 Michigan, University of, Ann Arbor, Mich.
 Midwest Engine Co., Anderson, Ind.
 Minnesota, University of, Minneapolis, Minn.
 Morris, I. P., Hydraulic Laboratory, Philadelphia, Pa.
 National Board of Fire Underwriters, Chicago, Ill.
 Naval Academy. See United States Naval Academy.
 North Carolina, University of, Chapel Hill, N. C.
 Ohio State University, Columbus, Ohio.
 Pennsylvania State College, State College, Pa.
 Pennsylvania, University of, Philadelphia, Pa.
 Pittsburgh, University of, Hydraulic Laboratory, Pittsburgh, Pa.
 Polytechnic Institute of Brooklyn. See Brooklyn Polytechnic Institute.

Princeton University, Princeton, N. J.
 Proprietors of the locks and canals on Merrimac River, Lowell, Mass.
 See Lowell Locks and Canals.

Purdue University, Lafayette, Ind.
 Rensselaer Polytechnic Institute, Troy, N. Y.
 Rochester, University of, Rochester, N. Y.
 Rose Polytechnic Institute, Terre Haute, Ind.
 Sheffield Scientific School. See Yale University.
 Sibley College. See Cornell University.
 Smith, S. Morgan Co., York, Pa.
 Stanford University. See Leland Stanford University.
 Stevens Institute of Technology, Hoboken, N. J.
 Syracuse University, Syracuse, N. Y.
 Texas, University of, Austin, Tex.
 Thayer School of Engineering. See Dartmouth College.
 Throop College of Technology. See California Institute of Technology.

United States Naval Academy, Annapolis, Md.
 Washington University, St. Louis, Mo.
 Winchester Hall. See Yale University.
 Wisconsin, University of, Madison, Wis.
 Worcester Polytechnic Institute, Worcester, Mass.
 Yale University, New Haven, Conn.

Many of these have performed notable work and some are in the forefront of scientific advances along hydraulic lines.

As an outstanding example of the present work carried on by these laboratories the work of the laboratory at the State University of Iowa for 1929 may be cited. Report of this work was prepared by Mr. Floyd A. Nagler, professor of hydraulic engineering. It is as follows:

This past year (1929) has witnessed the completion of the new river laboratory of the University of Iowa, and the demand for its facilities has been so great that the projects which have been under investigation in the laboratory during the past year seem worthy of mention. Throughout the year it has been necessary to carefully schedule all experimental projects in order to avoid interference, and on some days the laboratory has been operated continuously for 24 hours when graduate students and others have been forced to perform their investigations during night hours because of lack of space and water during the daytime.

(1) The laboratory opened in April, 1929, with the United States Bureau of Public Roads continuing investigations started during the previous year on the flow of water around bridge piers of various shapes. This work was conducted in the large testing canal, using as much as 200 cubic feet per second of water in the 10-foot canal. The water was made to flow around piers of various shapes, which were larger than any used by previous investigators. These could be lowered or raised out of the water at will in measuring the backwater effect.

(2) A study of the effect of cut-off channels across bends in the Des Moines River at Ottumwa was undertaken in the river model flume upon its completion in March. This investigation was conducted for the city of Ottumwa by the Bureau of Public Roads in cooperation with the State University of Iowa. A model of a section of the river approximately 10 miles long was constructed to a scale of 1 foot=800 feet, and the beneficial effects which were produced by straightening the river channel were accurately measured at various points along the stream.

(3) The next investigation to come into the laboratory was undertaken by the Management and Engineering Corporation of Chicago in order to determine remedial measures needed for the protection of the power dam on the Upper Iowa River at Decorah. Serious erosion had taken place below the dam during the 1929 spring flood, and in the past a great amount of money had been expended in the maintenance of the structure. A model of this dam on a scale of 1 foot equals 25 feet was constructed on the second floor of the laboratory. The experiments determined the type of abutment and toe which would eliminate the present difficulty, and the construction recommended was started during the fall of 1929, immediately following the investigation.

(4) In August a problem was brought to the laboratory by Robert E. Horton, consulting engineer of Albany, N. Y., from a power development in Richmond, Va. This involved the accurate calibration of head gates, duplicating those which had been installed in former years at an old mill, in order to determine the amount of present water rights. The amount of water used by these gates involved the determination of orifice coefficients under rather unusual conditions on a full-scale model of the gates which was installed in the river canal.

(5) In August the Management and Engineering Corporation of Chicago brought another problem to the laboratory involving the design of a dam which is now under construction at Lebanon, Mo., on the Nangua River. In a model flume made of glass a type of stepped apron was developed which appeared to effectively prevent damaging erosion below the dam. The model was built to a scale of 1 foot equals 25 feet.

(6) The question of the amount of flood water which flowed over single and double track railway embankments was brought to the laboratory by the United States Bureau of Public Roads from Texas. A full scale model of a single and double track railway with embankments was constructed across the 10-foot canal and discharge coefficients determined for various conditions and depths of flow.

(7) In September, a problem involving the solution of a flood-control situation at Milan, Ill., was solved in the laboratory for the United States District Engineer, Rock Island, Ill. A model of the critical location along Mill Creek, the Illinois-Mississippi River Canal, and Rock River was constructed to a scale of 1 foot=80 feet. The inadequacy of certain structures was determined, and a type of flood-relief spillway was developed which allowed the waters of Mill Creek to pass through the Illinois and Mississippi River Canal into the Rock River with the minimum deposition of sediment in the canal.

(8) In September, the Management and Engineering Corporation of Chicago undertook another investigation on a laboratory model of their power plant on the Kickapoo River at Gays Mills, Wis., in order to determine measures that might be undertaken to prevent the continual silting of the river bed upstream from the power-house intake during periods of high water. The first model was constructed on a scale of 1 foot=40 feet.

(9) The last problem to be undertaken in the large river canal was the determination of the obstruction of pile trestle bents to the flow of water. This investigation was conducted in cooperation with the United States Bureau of Public Roads on full and reduced scale models of standard bridge trestles. This problem arose in connection with the construction of a Texas flood way.

(10) In November the St. Paul office of the United States Engineer Department began investigations on the hydraulic characteristics of the \$3,000,000 navigation dam now under construction on the Mississippi River at Hastings, Minn. A model of the entire dam to a scale of 1 foot equals 100 feet was constructed in the river model flume, and other larger models of special sections of the dam were investigated in the glass model flume. This investigation resulted in the development of a superior type of stilling bay and making certain modifications in the apron of the dam already under construction.

Aside from the above projects, graduate students were also engaged in the study of more academic problems involving the pressure and velocity distribution at conduit outlets, the velocity and pressure adjustments at sudden expansions in conduits, and the mixing of streams of different velocities. The laboratory also had under its supervision for the fifth consecutive year the detailed hydrologic investigation of the rainfall and run-off characteristics of a small watershed of 3 square miles at Iowa City.

Work along these lines has also been engaged in extensively in foreign countries and a complete description of the laboratories and their contributions to experimental research will be found in the book edited by John R. Freeman, published by the American Society of Mechanical Engineers (1929), entitled "Hydraulic Laboratory Practice." (Each member of the Rivers and Harbors Committee was given a copy of this book.)

The modern problems which the hydraulic engineer has been called upon to solve require more accurate information than is now available. Even in the case of a simple phenomena of friction flow in hydraulic pipes some 10 or 12 different formulæ with different coefficients are found in current use.

A complete treatise and description of these formulæ is found in the 1929 edition of King's Handbook on Hydraulics, McGraw-Hill Publishing Co. There is considerable discrepancy in computing the head loss due to friction in pipes from these formulæ, and this discrepancy can not be attributed to carelessness and incompetency on the part of the men who have obtained the experimental data upon which the formulæ were based. Therefore there is great need for additional knowledge, even upon this old, comparatively simple problem.

Many of the hydraulic laboratories mentioned above are and will continue to make available contributions to experimental research in hydraulics. However, the development has reached such a state that the cost of equipment and the actual work of carrying on the experiments are of such a nature that the institutions have not funds with which to conduct the more expensive work. The leading hydraulic engineers and those in charge of the hydraulic laboratories have indorsed the need of a national hydraulic laboratory. This is borne out by the following list of distinguished engineers who have indorsed the proposal for a national hydraulic research laboratory:

- L. P. Alford, vice president Ronald Press Co., New York City.
- L. E. Ayres, hydraulic and electrical engineer (Ayres, Lewis, Norris & May), Ann Arbor, Mich.
- J. B. Babcock, professor railway engineering, Massachusetts Institute of Technology, Cambridge.
- Morris Bien, former assistant director, United States Reclamation Service, Washington, D. C.
- C. E. Billin, secretary Engineers' Club of Philadelphia, Pa.
- B. L. Brown, consulting engineer, Merchants' Laclede Building, St. Louis, Mo.
- George K. Burgess, Director Bureau of Standards, Washington, D. C.
- G. C. Dillman, deputy commissioner chief engineer State highway, department, Lansing, Mich.
- A. B. Domonoske, head School of Mechanical Engineering, Stanford University, California.
- Gano Dunn, president J. G. White Engineering Corporation, New York City.
- H. F. Dunham, civil and hydraulic engineer, 32 West Fortieth Street, New York City.
- W. F. Durand, professor emeritus, M. E., Stanford University, California.
- Hubert Engels, professor of hydraulic engineering, Technische Hochschule, Dresden, Germany.
- A. D. Flinn, secretary Engineering Foundation, 29 West Thirty-ninth Street, New York City.
- John R. Freeman, consulting engineer and president Manufacturers' Mutual Fire Insurance Co., Providence, R. I.
- J. D. Galloway, consulting engineer First National Bank Building, San Francisco, Calif.
- B. F. Groat, consulting engineer, 137 Audubon Road, Boston, Mass.
- N. C. Grover, chief hydraulic engineer, United States Geological Survey, Washington, D. C.
- C. E. Grunsky, consulting engineer (C. E. Grunsky Co.), 57 Post Street, San Francisco, Calif.
- J. L. Hamilton, chief engineer Century Electric Co., 1806 Pine Street, St. Louis, Mo.
- J. L. Harrington, consulting engineer (Harrington & Cortelyou), 1004 Baltimore Avenue, Kansas City, Mo.
- Hon. Herbert Hoover.
- H. E. Howe, editor, Industrial and Engineering Chemistry, Washington, D. C.
- E. C. Hutchinson, editor, Power, Tenth Avenue at Thirty-sixth, New York City.
- R. D. Johnson, hydraulic engineer, 67 Wall Street, New York City.
- D. S. Kimball, dean College of Engineering, Cornell University, Ithaca, N. Y.
- R. A. Kingsland, former president, Engineers Club of San Francisco, Calif.
- W. H. Kirkbride, engineer, M. of W., S. P. Co., 65 Market Street, San Francisco, Calif.
- Morris Knowles, president and chief engineer Morris Knowles (Inc.), Westinghouse Building, Pittsburgh, Pa.
- O. H. Koch, consulting engineer. (Koch & Fowler), Central Bank Building, Dallas, Tex.
- Walter G. Lineberger, former member Rivers and Harbors Committee, House of Representatives.
- F. H. Low, McGraw Hill Publishing Co., Chicago, Ill.
- W. T. Lyle, professor, civil engineering, Washington and Lee University, Lexington, Va.
- F. E. Matthes, geologist, United States Geological Survey, Washington, D. C.

Elwood Mead, Director United States Bureau of Reclamation, Washington, D. C.

Thaddeus Merriman, chief engineer Board of Water Supply, city of New York.

John Millis, colonel, United States Army, 3250 Euclid Avenue, Cleveland, Ohio.

L. F. Moody, construction engineer, Cramp Morris Industrials (Inc.), Philadelphia, Pa.

Arthur E. Morgan, president Antioch College, Yellow Springs, Ohio.

H. B. Muckleston, construction engineer, 901 Rogers Building, Vancouver, British Columbia, Canada.

A. W. Newton, chief engineer Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill.

M. P. O'Brien, assistant professor, mechanical engineering, University of California, Berkeley, Calif.

Farley Osgood, consulting engineer, 31 Nassau Street, New York City.

M. M. O'Shaughnessy, city engineer, San Francisco, Calif.

Charles J. Peck, former president, Detroit Engineering Society, Michigan.

W. B. Powell, treasurer Consolidated Packaging Machinery Corporation, 1400 Western Avenue, Buffalo, N. Y.

G. W. Pracy, superintendent Spring Valley Water Co., San Francisco, Calif.

Hon. JOSEPH E. RANDELL, Louisiana.

Calvin W. Rice, secretary American Society of Mechanical Engineers, 29 West Thirty-ninth Street, New York City.

A. T. Safford, engineer, Proprietors of Locks and Canals; construction hydraulic engineer, Lowell, Mass.

Thorndike Saville, professor of hydraulics and sanitary engineering, University of North Carolina; chief hydraulic engineer North Carolina department of conservation and development, Chapel Hill, N. C.

G. T. Seabury, secretary American Society of Civil Engineers, 33 West Thirty-ninth Street, New York City.

F. C. Shenehon, construction engineer, Metropolitan Bank Building, Minneapolis, Minn.

L. K. Sherman, president Randolph-Perkins Co., 33 South Clark Street, Chicago, Ill.

S. W. Stratton, president Massachusetts Institute of Technology, Cambridge.

F. H. Stephenson, engineer, water system, department of water supply, Detroit, Mich.

Francis Lee Stuart, consulting engineer, 949 Broadway, New York City.

T. U. Taylor, dean of engineering, University of Texas, Austin.

Max Toltz, consulting engineer, Builders Exchange Building, St. Paul, Minn.

Calvert, Townley, assistant to president, Westinghouse Electric & Manufacturing Co., New York City.

K. T. Treschow, secretary Engineers' Society of Western Pennsylvania, Pittsburgh, Pa.

L. W. Wallace, executive secretary, American Engineering Council, Washington, D. C.

G. S. Williams, consulting engineer, Cornwell Building, Ann Arbor, Mich.

James R. Withrow, head of department of chemical engineering, Ohio State University, Columbus.

Dennistoun Wood, engineering tests, Southern Pacific Railroad Co., San Francisco, Calif.

The organized elements of the engineering profession are supporting the movement to secure a national hydraulic research laboratory. This is borne out by the indorsement of the project by the following engineering societies:

American Engineering Council; American Institute of Chemical Engineers; American Institute of Consulting Engineers; American Institute of Electrical Engineers; American Society of Agricultural Engineers; American Society of Civil Engineers; American Society of Mechanical Engineers; Detroit Engineering Society; Duluth Engineers' Club; Engineers and Architects Club of Louisville; Engineering Society of New York; Engineers' Club of Cincinnati; Engineers' Club of Columbus; Engineers' Club of Philadelphia; Engineers' Club of St. Louis; Engineers' Club of San Francisco; Engineers' Society of Milwaukee; Engineers' Society of St. Paul; Grand Rapids Engineers' Club; Indiana Engineering Society; Iowa Engineering Society; Kansas Engineering Society; Little Rock Engineers' Club; Michigan Engineering Society; Mohawk Valley Engineers' Club; New Orleans Chapter, American Association of Engineers; Society of Industrial Engineers; Technical Club of Dallas; Topeka Engineers' Club; Vermont Society of Engineers; Washington Society of Engineers; Western Society of Engineers.

Many of the university hydraulic laboratories were established and are operated primarily for the purpose of giving instruction, and research is only a minor and secondary consideration. Practically all of them are so crowded with work that there is little time available for research.

The hydraulic problems of to-day entail the expenditure of large sums of money even when they are performed with models and there is practically no hope for financial remuneration for these experiments because they apply to projects under the control of National, State, or municipal governments. There is not the spur of private gain that comes from carrying on research and making discoveries as in the case of other lines of endeavor. There are four national governmental agencies which are greatly concerned with hydraulic problems. These are the War Department, through its Corps of Engineers; Interior Department, through the Bureau of Reclamation and water branch of the United States Geological Survey; Department of Agriculture, through its engineering branch, Bureau of Public Roads; and the Department of Commerce, through the Bureau of Standards. All of these departments have testified through their representatives of the need of a national hydraulic research laboratory. One of the most recent statements of the need for a national hydraulic laboratory is that prepared by Mr. R. F. Waite, chief engineer, who will have charge of the construction of the Boulder Canyon Dam project. His statement is as follows:

The Bureau of Reclamation respectfully urges the passage of the bill providing for the construction of a national hydraulic laboratory in the Bureau of Standards at Washington, because of the great value the work done at the laboratory would be to the Government in reducing the cost of the works constructed by the Bureau of Reclamation and by other organizations of the Federal Government as well as because of its great economic value to other interests.

The Bureau of Reclamation has charge of the construction of most of the irrigation work carried on by the Federal Government. Up to June 30, 1929, it had constructed over 16,000 miles of irrigation ditches and drains, nearly 100 dams, reservoirs having a capacity of nearly 13,000,000 acre-feet, many miles of tunnels and pipe lines, 35 electric power plants, and nearly 150,000 canal structures. In securing the most efficient design of these works the bureau has been handicapped by the lack of an adequate laboratory.

The design of hydraulic structures until recent years has been almost entirely a matter of trial and error. New structures have been largely copies of successful ones already built, with perhaps a few new features. If the new features were successful they were copied in succeeding structures; if not, they were taken out and a new trial made. This is a very expensive method of design, but nevertheless, progress has been made. The application of the hydraulic laboratory to the solution of design problems during recent years has greatly accelerated the evolution of hydraulic structures and reduced the number of expensive mistakes. Hydraulic science has been almost entirely built on experimental evidence. The observation of the actual physical phenomena has preceded the development of the laws controlling them. For many years hydraulic science was confined to the development of the elementary principles of hydraulics, and laboratories were used to determine the coefficients for the fundamental laws.

Many of the problems of hydraulics, however, are so complicated that they can not be solved by simple applications of elementary laws. It gradually came to be realized that experiments on small models would give results comparable with those on full-sized structures, and in recent years this has developed into a wonderful tool for the use of the engineer. No longer must the engineer slavishly follow the precedents of past structures, making only minor changes in order to avoid the risk of a serious failure. In the laboratory he can try out his ideas and know that they will work before the expensive work of construction is undertaken. As a result of this method of analysis great strides are being made in the hydraulic engineering field comparable with the remarkable development made in the field of the radio and airplane, as the result of the application of similar research methods.

The Bureau of Reclamation has many problems on which it would like to make tests by hydraulic laboratory methods. For some of these no hydraulic laboratory in the country is suitable; but a properly equipped laboratory in Washington, such as that proposed, would be ideal for the purpose. The great dam on the Colorado River popularly known as the Boulder Dam, will be designed and constructed by this bureau. It will be the highest dam in the world, and its design involves many problems, which will require careful investigation, as there are no other similar structures to be guided by. One of the features which will require extensive hydraulic laboratory studies is the spillway. It is expected that this will be of what is known as the shaft type. These spillways are like large funnels with long discharge tubes, the water spilling from the reservoir over the rim of the funnel falling down into the tubes. The rim of the funnels will probably be about 150 feet in diameter and the shaft, or tubes, 50 feet in diameter. In these tubes the water will fall about 525 feet, and the energy which will have to be absorbed in case they are ever used to their capacity will be about seven times the total power in the falls at Niagara.

The serious consequences of a mistake in handling this water will be readily appreciated. Every effort must be made to solve the problem

correctly. An hydraulic laboratory is the only means of obtaining a reliable solution and therefore an hydraulic laboratory study must be made. Since the laboratory at the Bureau of Standards has not been approved, and no other suitable laboratory exists, it will be necessary for the Bureau of Reclamation to construct a temporary laboratory large enough to work out this and the many other complicated hydraulic problems involved in the design of the immense Boulder Dam. When the experiments for this one project are finished, so large and complete a laboratory will not be needed for the sole use of the Bureau of Reclamation. Moreover, for this special work, the bureau will have to select from its personnel such men as it can spare for the work at a time when there is more than enough for every man to do in the preparation of plans for the gigantic task of building the great dam and canal, and hire such additional help as can be secured on a short-time engagement. If the laboratory in the Bureau of Standards were in existence, this work could be done there, in a building that was already fully equipped and staffed with a complete quota of highly skilled laboratory men. In connection with the Boulder Dam project there are a number of other hydraulic laboratory studies which must be made in order to insure safety. Among these are a study of the effect on the water levels at the power house of the high velocity flow from the spillway tunnels and of the discharge from the gates which deliver the surplus water from the great reservoir. Another problem on which laboratory studies would aid is the design of the intake dam for the All-American Canal to prevent the floods flowing over it from scouring the bottom below and endangering the structure.

There are many other hydraulic studies which the Bureau of Reclamation would like to undertake but which have so far been prevented by lack of funds. Among these are the following:

A determination of the rating curve and necessary losses on a control section weir for measuring the flow in irrigation canals.

A study of the losses and disturbances caused by curves in both open and closed channels of various designs.

A study of the losses due to bridge piers and abutments, check bents and abutments, and headworks, piers, and abutments.

Establishing the rating curve and determining the necessary loss through outflow control gates of different types.

Determining the flow of water over dams, including the shape of the nappe and the effect of the velocity of approach.

A study of the flow in spillway channels parallel to the crest, including a determination of the surface curve, the air content, and the area necessary for letting the air under the nappe.

A study of chutes to determine the effect of the angle of entrance to the basin, the effect of basin length, and of baffles.

An investigation of the hydraulic jump, to determine the conditions under which it will take place and the most feasible methods of controlling its occurrence.

The determination of nonsilting and nonscouring velocities in irrigation canals.

The determination of the effect of turbidity and silt content on friction losses in conduits.

The determination of the hydraulic principles involved in the design of siphon spillways.

A study of disturbances below transitions or other structures and determination of methods of controlling such disturbances.

A study of problems of entrained air in closed conduits.

Another benefit which the Bureau of Reclamation hopes to receive from the establishment of the proposed laboratory is the availability of the results of experiments carried on for other parties. Under present conditions the results of much of the experimental hydraulic work that is carried on is never published, not because of any desire to keep the results secret but because the experiments have served their purpose and the sponsors would derive no benefit from the publication of the results which would justify the necessary expenditure. The results of such investigations become available to the bureau only if the engineers in charge of the work undertake on their own time to prepare an article describing them for some engineering society. Many experiments which would be valuable to the bureau are no doubt performed of which it never hears. If only a part of these experiments were performed by the Bureau of Standards, the results would be available for the use of our organization and material reductions would be made possible in the cost of Government works.

A number of arguments have been advanced against the proposed laboratory; none of these seems to have any justification in fact. Most of them result from an entirely erroneous idea of the function and methods of a hydraulic laboratory. Some seem to think that a model of a whole river or irrigation system would be built, and when water was turned on all the problems of the system could be solved. This is not the case. A laboratory is used to solve a particular problem at a particular locality. It has a particular function, and if used outside of that field it will not give successful results, but within that field it is indispensable; nothing else can take its place. No laboratory could solve all the problems of a river improvement or an irrigation system, but it could solve many of the problems of both; and because it will not solve them all is not a justification of not using it on those problems which it will solve.

The argument has been advanced that the laboratory should be near to the work under construction. This argument is in direct conflict with the experience of this bureau. Take, for example, the proposed experimental work for the design of the Boulder Dam. This work will have to be undertaken in the near future, possibly before there is even a railroad to the dam site. It is obvious that no one would install a laboratory in a remote, inaccessible desert district, such as that surrounding the Boulder Dam site, where there would be dozens of drawbacks, in order that the experimenters might go out occasionally and see the site of the work to get information which they could more easily and accurately obtain from looking at a topographic map. It is highly probable that the experimental work for this dam will be completed before the construction work is well started.

It is obviously true that if a well-equipped laboratory with a highly trained staff of engineers could be made available near at hand at the same cost as one at a distant point, the former would be better. If that result can not be obtained, however, and it is necessary to choose between a makeshift laboratory with unskilled observers on the ground and a well-equipped one with highly trained men at a distance, there can be no question which is preferable. The expenses of travel and the disadvantages of distance are of small moment as compared with the advantages of good equipment and skilled personnel, and there can be no doubt that a complete laboratory in Washington, with a staff of highly trained scientists, would be much preferable to having work done locally.

A hydraulic laboratory study is required for the Boulder Dam design. Since the proposed laboratory has not been approved, no adequate facilities are available. Does this bureau expect to build a laboratory at the site of the work? No, indeed! Does it expect to build one in Denver, where the design office is located and where nearly all of the planning is being done? No; it expects to build a temporary laboratory on one of the Federal irrigation projects, far from both the site of the work and the Denver office, at a point with only a single advantage: That there is an ample supply of water available and therefore a laboratory can be set up at an expense within the reach of the bureau. If it is advantageous to build a laboratory at a remote point, far away from the site of the work and the planning organization, because a part of the facilities for the laboratory are available there, how much more advantageous it would be to have a laboratory fully equipped with apparatus and instruments, staffed with a group of skilled men, and surrounded by specialists in every field of science, even if it were as far from the scene of action as Washington, D. C.

The arguments in favor of a laboratory near the site of the work where one can see the local conditions, apply with equal force to the design of the structures such as dams, power houses, etc., locally. It is the experience of the bureau, however, that this advantage is not as great as that of having a centralized designing office where a force of specialists can work, each man in his own particular field, and thus bring out a plan, every detail of which is designed by men of wide experience in the working out of that detail. When this organization was first established much of the design was done locally, but experience has taught that a central organization is better, in spite of the disadvantage of not being near to the work. As a result of this experience, practically all the design work on the great Boulder Dam project will be carried on in the office of the Bureau of Reclamation in Denver, over a thousand miles by railroad away from the Boulder Dam. That the advantage of a central designing office is not confined to this bureau is shown by the fact that practically all of the large engineering organizations working on widely scattered work have central designing offices where all their plans are worked out. So great is the advantage of this system that large construction projects in foreign countries are frequently designed entirely in this country, largely by men who never see the site of the work.

The impression seems to be held by some that parties desiring the solution of hydraulic problems would bring their problems to the laboratory and turn them over to the Bureau of Standards and let them work out the problem and bring in a complete engineering design for the construction of the proposition under investigation. We do not believe that a hydraulic laboratory has any such function. It is expected that the work for the Bureau of Reclamation will be done in constant touch with its own engineers, who will supply the viewpoint of the designer and constructor of engineering works, while the men of the Bureau of Standards will supply the expert knowledge of hydraulics and the action of flowing water. This will not involve a subordination of the Bureau of Standards men to the direction of the Bureau of Reclamation, or vice versa, but rather a cooperation of the two groups to bring out results which are sound both from the hydraulic, the structural design, and the construction standpoints.

The Bureau of Standards is already cooperating with this bureau in its work on the Boulder Dam. This structure, which will be nearly twice as high as any dam now in existence, will contain over three times the volume of concrete in the immense Muscle Shoals Dam and power house. On account of the great height of the Boulder Dam and the vast volume of water stored in the reservoir formed by it, the concrete used in its construction must be sound beyond the shadow of

a doubt. In securing such a material, the Bureau of Standards is cooperating with the Bureau of Reclamation in conducting the necessary concrete experiments and tests. The problem is not simply being turned over to them with instructions to tell us what kind of concrete to use. They are supplying the testing facilities and the knowledge of laboratory technique and cement, and the engineers of this bureau are supplying the engineering viewpoint and showing its bearing on the problem. Between the two organizations a better solution will undoubtedly be arrived at than either one alone could evolve with its personnel and equipment. Similar cooperation between the Bureau of Standards and the Bureau of Reclamation, in solving concrete problems for other important dams, has frequently been made in the past, and the results have always been satisfactory.

The impression seems to be held by some that the men who would have charge of the hydraulic laboratory proposed in the bill would not be experienced in the construction of engineering works and, therefore, would not get the best results. It is the belief of this bureau that such is not the case. In the early stages of engineering the knowledge regarding it was so limited that one man could cover the whole field.

That time has long since passed. Just as one would not hire a criminal lawyer to draw up for him a highly technical paper involving corporation law, or engage a specialist in digestive disorders to perform a delicate operation on his eye, so one would not engage a construction specialist to perform his hydraulic experiments. That does not mean that the hydraulic experiments should be carried on without the advice which the construction man might give, especially on how the designs of the structures might be modified to improve the construction conditions, but with very rare exceptions it would be equally as fatal to the best results to turn a laboratory job over to the construction man as to turn a construction job over to a laboratory man. The proper form of organization is to have one group of skilled specialists to design the works and another group of men experienced in construction to build them, with executives over these groups with broad knowledge of both to coordinate the two points of view and bring the experience of each group to bear on the work of the other in so far as it is pertinent. This is the form of organization into which the Bureau of Reclamation has evolved. For the proper performance of the work of this bureau on the Boulder Canyon and its other projects it will be necessary to have hydraulic experimental work done. If the proposed laboratory is not built, the bureau will have to build temporary laboratories and staff them with the best men which it can secure for work under such conditions. For these positions men with experience in experimental hydraulic work will be secured, if possible; not experienced construction men. These laboratory men will have the general direction and advice of the skilled specialists of the Bureau of Reclamation and also of the experienced construction men on points which may bear on their side of the work. This work will, therefore, be carried on, in case no national laboratory is established, in the same general manner as it would be carried with the proposed laboratory. The only difference will be that, unless the proposed bill is passed, the bureau will not have the advantage of so complete a laboratory or so skilled a personnel, which is a much greater disadvantage than not having the laboratory near at hand.

To recapitulate: As the result of its wide experience with hydraulic engineering work, the Bureau of Reclamation is convinced that laboratory work should be done by laboratory specialists, and to combine such work with work of a construction organization would be fatal to good results; that such work done under the conditions outlined in the proposed bill will produce a much better result than can be secured with an equal expenditure for locally constructed hydraulic laboratories.

The Bureau of Reclamation does not fear that work undertaken at the proposed laboratory would be used in criticism of plans it may make or works it may construct. If the experimental work is carried out under the Bureau of Standards the results of the studies will be correctly reported. The Bureau of Reclamation always welcomes constructive criticism of its work. If experiments made by any persons, corporations, or other divisions of the Federal Government show where the Bureau of Reclamation can improve its plans, the Bureau of Reclamation is anxious that the results of such experiments be made available.

For the reasons herein stated, the Bureau of Reclamation again respectfully urges the passage of the bill for a national hydraulic laboratory.

There is hardly a man, woman, or child in the United States who is not concerned with the increase in knowledge of hydraulics. Industry desires additional fundamental knowledge upon this subject. This demand comes from such industrial corporations as pump manufacturers, hydraulic turbine manufacturers, water-works supply manufacturers, hydraulic instrument manufacturers, hydroelectric power and utility companies. All of these will be benefited by any additional light which will be thrown upon their problems by researches to be carried on in the National Hydraulic Research Laboratory.

THE VALUE OF UNITY

There is great value in having the efforts of the Federal Government along hydraulic research lines unified. Not that the various governmental agencies named above will cease their efforts to increase their knowledge and carry on experiments of their own in the field. This should and will continue, but there will be one central agency which will act as a storehouse of knowledge upon the subject of experimental researches. Here every governmental agency interested may go and ascertain the very latest upon the subject of hydraulics, and the hundreds of special problems which are adaptable to a laboratory study may be brought to a specially trained and qualified personnel for assistance.

There is definite evidence that (see Ways to National Prosperity, by C. E. Grunsky, W. Neale, New York, 1929) many of our leaders are convinced that to expend money from the National Treasury for scientific research is a great boon to the country. It provides work for men and these workers are not placed in competition with those already producing. Instead it offers an additional means for securing further information, further discoveries which will lighten the burdens of the human race and lift our civilization.

ENROLLED BILLS SIGNED

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

H. J. Res. 205. Joint resolution to provide for the expenses of participation by the United States in the International Fur Trade Exhibition and Congress to be held in Germany in 1930.

The SPEAKER also announced his signature to an enrolled bill of the Senate of the following title:

S. 3579. An act authorizing a per capita payment to the Shoshone and Arapahoe Indians.

ADJOURNMENT

Mr. SNELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 19 minutes p. m.) the House adjourned until to-morrow, Thursday, March 20, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, March 20, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Legislative appropriation bill.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To consider proposals concerning legislation on Muscle Shoals.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

EXECUTIVE COMMUNICATIONS, ETC.

873. Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 3246. A bill to authorize the sale of the Government

property acquired for a post-office site in Akron, Ohio; without amendment (Rept. No. 932). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 10416. A bill to provide better facilities for the enforcement of the customs and immigration laws; without amendment (Rept. No. 933). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 10652. A bill to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations; without amendment (Rept. No. 934). Referred to the Committee of the Whole House on the state of the Union.

Mr. CLARKE of New York: Committee on Agriculture. H. R. 10877. A bill authorizing appropriations to be expended under the provisions of sections 4 to 14 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended; without amendment (Rept. No. 939). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on Roads. H. R. 7585. A bill to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; without amendment (Rept. No. 940). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICHENER: Committee on the Judiciary. S. 3371. An act to amend section 88 of the Judicial Code, as amended; without amendment (Rept. No. 941). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 5410. A bill authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests of the Rocky Mountains, and for other purposes; with amendment (Rept. No. 942). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 10879. A bill directing the Secretary of the Interior to investigate reimbursable charges against Indian tribes, and for other purposes; without amendment (Rept. No. 943). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. H. R. 3764. A bill for the relief of Ruban W. Riley; with amendment (Rept. No. 935). Referred to the Committee of the Whole House.

Mr. HARE: Committee on the Public Lands. H. R. 9198. A bill to remove cloud as to title of lands at Fort Lytleton, S. C.; without amendment (Rept. No. 937). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on the Public Lands. H. R. 10174. A bill authorizing the sale of a certain tract of land in the State of Oregon to the Klamath irrigation district; with amendment (Rept. No. 938). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 3022. A bill to provide for the advancement on the retired list of the Navy of George Dewey Hilding; without amendment (Rept. No. 944). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 3610. A bill for the relief of William Geravis Hill; with amendment (Rept. No. 945). Referred to the Committee of the Whole House.

Mr. LINTHICUM: Committee on Foreign Affairs. H. R. 10865. A bill to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor; without amendment (Rept. No. 946). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 10931) to amend the act entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating per-

sonnel in connection therewith," approved June 24, 1926, with reference to the number of enlisted pilots in the Navy; to the Committee on Naval Affairs.

By Mr. SCHNEIDER: A bill (H. R. 10932) for the relief of homeless and destitute Chippewa Indians in Forest, Langlade, and Oneida Counties, Wis.; to the Committee on Indian Affairs.

By Mr. GREEN: A bill (H. R. 10933) authorizing and directing the Secretary of Agriculture to establish and maintain a naval-stores station in Florida; to the Committee on Agriculture.

By Mr. JOHNSON of Washington: A bill (H. R. 10934) to amend the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1917, and prior fiscal years, and for other purposes," approved April 17, 1917; to the Committee on the District of Columbia.

By Mr. HILL of Alabama: A bill (H. R. 10935) to provide for students' collections in the libraries for the blind and authorizing appropriations therefor; to the Committee on Education.

By Mr. PURNELL: A bill (H. R. 10936) to incorporate the National Society—Army of the Philippines as a body corporate and politic of the District of Columbia; to the Committee on the District of Columbia.

By Mr. BLACK: A resolution (H. Res. 189) to investigate the Narcotic Bureau; to the Committee on Rules.

By Mr. WOOD: Joint resolution (H. J. Res. 274) making an appropriation for participation by the United States in the International Conference for the Codification of International Law to be held at The Hague in 1930; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 10937) for the relief of William G. Leach; to the Committee on Claims.

By Mr. CLAGUE: A bill (H. R. 10938) for the relief of Harry W. Ward; to the Committee on Claims.

By Mr. CORNING: A bill (H. R. 10939) for the relief of Mary A. Ford; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 10940) for the relief of Thomas F. McVeigh; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 10941) for the relief of Joseph B. Lynch; to the Committee on Naval Affairs.

By Mr. EVANS of California: A bill (H. R. 10942) for the relief of Joe Andrews Co.; to the Committee on Claims.

By Mr. FINLEY: A bill (H. R. 10943) granting an increase of pension to Arlenia Wester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10944) granting a pension to Mary Booher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10945) granting a pension to Nancy Dean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10946) granting a pension to Moses Wilson; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 10947) granting a pension to Ada E. Milroy; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 10948) granting an increase of pension to Rozella J. Lloyd; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 10949) granting an increase of pension to Minnie B. Sherman; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 10950) granting an increase of pension to Cora B. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10951) granting an increase of pension to Eve M. Dibert; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 10952) granting an increase of pension to Sarriha J. Raborn; to the Committee on Invalid Pensions.

By Mr. RAGON: A bill (H. R. 10953) for the relief of Robert B. Duffey; to the Committee on Military Affairs.

Also, a bill (H. R. 10954) for the relief of Mabel Williams; to the Committee on Claims.

By Mr. REED of New York: A bill (H. R. 10955) granting an increase of pension to Clara Crandall; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 10956) granting a pension to Emily J. Foust; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 10957) granting an increase of pension to Mary E. Paige; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 10958) granting an increase of pension to Mary S. Weekley; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 10959) granting an increase of pension to Ella E. Tasker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5845. By Mr. ALLEN: Petition of 24 residents of Industry, Ill., urging support of the Stalker House Joint Resolution 20, providing for an amendment to the United States Constitution to cut out the approximately 7,500,000 unnaturalized aliens from the count of the population of the Nation for apportionment of Congressmen; to the Committee on the Judiciary.

5846. By Mr. BAIRD: Petition of Bellevue Aerie, No. 490, Fraternal Order of Eagles, in favor of Senate bill 3257; to the Committee on Labor.

5847. By Mr. BLOOM: Petition of citizens of New York (not members of the United Spanish War Veterans or allied organizations), to grant increase of pension as provided in House bill 2562 to veterans who fought against Spain in 1898 and to those who engaged in the Philippine insurrection and the China relief expedition in 1900; to the Committee on Pensions.

5848. By Mr. BOYLAN: Letter from the president of the Visigraphic Pictures (Inc.), New York City, protesting against the Hudson bill (H. R. 9986); to the Committee on Interstate and Foreign Commerce.

5849. By Mr. BURTNESS: Petition of Acacia Lodge, No. 4, Ancient Free and Accepted Masons, of Grand Forks, N. Dak., urging the passage of legislation for the creation of a Federal department of education; to the Committee on Education.

5850. By Mr. CRAMTON: Petition signed by Duncan Battel and 81 other residents of the county of Tuscola, Mich., urging the rate of 3 cents on beans as recently passed by the Senate in the pending tariff bill; to the Committee on Ways and Means.

5851. Also, petition of Akron Grange, Tuscola County, Mich., in favor of the export debenture amendment to the pending tariff bill; to the Committee on Ways and Means.

5852. By Mr. GARBER of Oklahoma: Petition of Oklahoma Retail Merchants' Furniture Association, Oklahoma City, Okla., making protest against Ransdell Senate resolution raising import duty on African palm fiber to 4 cents per pound; to the Committee on Ways and Means.

5853. Also, petition of Muskogee Mill & Elevator Co., Muskogee, Okla., urging support of Strong bill, H. R. 5634; to the Committee on Banking and Currency.

5854. Also, petition of J. C. Wolke, Fitzsimons General Hospital, Denver, Colo., urging Rankin bill, H. R. 7825, be released from committee for consideration; to the Committee on World War Veterans' Legislation.

5855. Also, petition of Brazos River conservation and reclamation district, Austin, Tex., in support of flood control; to the Committee on Flood Control.

5856. Also, petition of president, Eagle Motor Tours (Inc.), Boston, Mass., urging change in House bill 10288; to the Committee on Interstate and Foreign Commerce.

5857. Also, petition of members of Otoe and Missouri Tribe of Indians, Red Rock, Okla., requesting Government appropriation be made to repair Indian farmer's residence, etc.; to the Committee on Indian Affairs.

5858. Also, petition of Rev. W. Voogden, protesting against suggested duty on crude beeswax; to the Committee on Ways and Means.

5859. By Mr. HOCH: Petition of sundry citizens of Olpe, Kans., and vicinity, urging speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to Spanish-American War veterans; to the Committee on Pensions.

5860. By Mr. HOOPER: Petition of Samuel Milbourn and 58 other residents of Eaton County, Mich., for increase of pensions of Spanish War veterans; to the Committee on Pensions.

5861. By Mr. HUDSON: Petition of members of the Sixteenth Engineers' Post, No. 582, Veterans of Foreign Wars of the United States, Detroit, Mich., urging that House bill 7389 be enacted to immediately pay the face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

5862. Also, petition of the Baptist Ministers' Conference of Chicago, Ill., urging the early and favorable consideration of House bill 9986, which bill would establish Federal supervision of the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

5863. By Mr. KURTZ: Petition of citizens of Altoona, Blair County, Pa., urging speedy action and favorable consideration of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5864. Also, petition of citizens of Hollidaysburg, Pa., and vicinity, urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5865. By Mrs. LANGLEY: Petition of John W. Ross, Elzy Hart, B. F. Collins, and 59 other citizens of Letcher County, urging the speedy consideration and early passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5866. By Mr. LINDSAY: Petition of the United Retail Grocers' Association, Brooklyn, N. Y., expressing itself as unanimously in favor of House bill 11, known as the price maintenance bill. This organization further declares that it will benefit individual storekeepers and eliminate ruinous competition; to the Committee on Interstate and Foreign Commerce.

5867. By Mr. McKEOWN: Petition of James W. McCutcheon and other citizens of Pontotoc County, Okla., urging immediate action on House bill 2562 providing for increased rates of pension for veterans of Spanish War period; to the Committee on Pensions.

5868. By Mr. MOORE of Ohio: Petition of the First National Bank of Chesterhill, Ohio; the First National Bank of McConelsville, Ohio; and the Malta National Bank of Malta, Ohio, favoring the amendment of the Federal reserve bank act in order that a more equitable distribution of the Federal reserve banks may be secured; to the Committee on Banking and Currency.

5869. By Mr. NIEDRINGHAUS: Petition of Jesse H. Cox and 115 registered voters of St. Louis County, Mo., urging speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the Spanish-American War; to the Committee on Pensions.

5870. By Mr. OLIVER, of Alabama: Petition of citizens of Sumter County, sixth district, Ala., favoring Senate bill 476 and House bill 2562, granting increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5871. By Mr. QUAYLE: Petition of the Fourteenth New York Infantry Post, No. 857, American Legion, Brooklyn, N. Y., favoring the passage of the Rankin bill, (H. R. 7825); to the Committee on World War Veterans' Legislation.

5872. Also, petition of the United Retail Grocers' Association of Brooklyn, N. Y., favoring the passage of House bill 11, the price maintenance bill; to the Committee on Interstate and Foreign Commerce.

5873. Also, petition of National Bridge Works, Long Island City, N. Y., favoring the passage of the Capper-Kelly bill, H. R. 11; to the Committee on Interstate and Foreign Commerce.

5874. By Mr. ROWBOTTOM: Petition of Charles H. Schimmell and others, of Evansville, Ind., that Congress enact into law at this session legislation providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5875. By Mr. SEGER: Memorial of W. H. Gould and eight other residents of Clifton, N. J., urging further restriction of immigration; to the Committee on Immigration and Naturalization.

5876. By Mr. SELVIG: Petition of Warren Women's Club of Warren, Minn., unanimously in favor of Federal supervision of motion pictures to establish higher standards in that industry; to the Committee on Interstate and Foreign Commerce.

5877. Also, petition of city of St. Paul, Minn., urging favorable consideration of House bill 8976, to give veterans of Indian wars benefit of Indian pension act; to the Committee on Pensions.

5878. By Mr. SPEAKS: Petition signed by 36 citizens of Columbus, Ohio, urging passage of House bill 2562, proposing increased allowances for veterans of the Spanish War; to the Committee on Pensions.

5879. By Mr. SWING: Petition of Daniel A. Oldhem and 62 citizens of Elsinore, Calif., urging the adoption of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5880. By Mr. WALKER: Petition of 70 citizens of Mercer County, Ky., urging Congress to pass Senate bill 476 and House bill 2562, providing for increased pension for Spanish War veterans; to the Committee on Pensions.

5881. By Mr. WHITLEY: Petition of citizens of Rochester, N. Y., indorsing House Concurrent Resolution 20, protesting against religious persecution in Soviet Russia; to the Committee on Foreign Affairs.

5882. Also, petition of citizens of Rochester, N. Y., urging passage of legislation to prohibit vivisection of dogs in the District of Columbia; to the Committee on the District of Columbia.

5883. Also, petition of citizens of Rochester, N. Y., urging passage of House bill 7884 to prohibit vivisection of dogs in the District of Columbia; to the Committee on the District of Columbia.

5884. Also, petition of citizens of Rochester, N. Y., indorsing House bill 7884 to prohibit vivisection of dogs in the District of Columbia; to the Committee on the District of Columbia.

5885. Also, petition of citizens of Rochester, N. Y., urging passage of House bill 7884 to prohibit vivisection of dogs in the District of Columbia; to the Committee on the District of Columbia.

5886. Also, petition of citizens of Rochester, N. Y., indorsing House bill 7884, to prohibit vivisection of dogs in the District of Columbia; to the Committee on the District of Columbia.

5887. Also, petition of citizens of Rochester, N. Y., urging passage of House bill 2562, to provide increased pensions for veterans of the Spanish-American War; to the Committee on Pensions.

5888. By Mr. WOLFENDEN: Petition signed by residents of Phoenixville, Pa., urging the passage of House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

5889. By Mr. WOLVERTON of West Virginia: Petition of the Lewis County (W. Va.) Woman's Christian Temperance Union, urging, through resolutions adopted in a county meeting held at Weston, signed by Daisy Reger, president, and Margaret Jackson, secretary, Congress to enact a law providing for the Federal supervision of motion pictures to insure higher standards of pictures before production; to the Committee on Interstate and Foreign Commerce.

5890. By Mr. YON: Petition of Mrs. P. F. Robbins, Mrs. W. A. Erwin, Mrs. T. E. Hendrix, Mrs. E. G. Hernandez, Mrs. S. E. Lallan, Miss Wilbern Fallow, and others, of Pensacola, Escambia County, Fla., urging the passage of the Robison-Capper free public school bill; to the Committee on Education.