SENATE

MONDAY, *April 28, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and the Chief Clerk read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., April 28, 1930.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SIMEON D. FESS, a Senator from the State of Ohio, to perform the duties of the Chair this legislative day.

GEO. H. MOSES,
President pro tempore.

Mr. FESS thereupon took the chair as Presiding Officer and said: In view of the fact that a recess was taken on last Friday without a quorum, the first business in order is a call of the roll. The clerk will call the roll to ascertain the presence of a quorum.

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

Allen	Dill	Jones	Shipstead
Ashurst	Fess	Kean	Shortridge
Baird	Frazier	Kendrick	Smoot
Barkley	George	Keyes	Steck
Bingham	Gillett	La Follette	Steiwer
Black	Glass	McKellar	Stephens
Blaine	Glenn	McNary	Sullivan
Blease	Goldsborough	Norris	Swanson
Borah	Gould	Nye	Thomas, Idaho
Bratton	Greene	Oddie	Thomas, Okla.
Brock	Hale	Overman	Townsend
Broussard	Harris	Patterson	Trammell
Capper	Harrison	Phipps	Vandenberg
Caraway	Hastings	Pine	Wagner
Connally	Hatfield	Pittman	Walcott
Copeland	Hawes	Ransdell	Walsh, Mass.
Couzens	Hayden	Robinson, Ind.	Walsh, Mont.
Cutting	Hebert	Robsion, Ky.	Waterman
Dale	Howell	Schall	Watson
Deneen	Johnson	Sheppard	Wheeler

Mr. SHEPPARD. I announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are returning from the London Naval Conference.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. BLACK. I desire to announce that my colleague the senior Senator from Alabama [Mr. HEFLIN] is necessarily detained in his home State on matters of public importance.

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOODRUFF, Mr. DARROW, and Mr. VINSON of Georgia were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 11704) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation, and it was signed by the Presiding Officer [Mr. FESS] as Acting President pro tempore.

TURKEY THICKET PLAYGROUND

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3441) to effect the consolidation of the Turkey Thicket playground, recreation and athletic field, which was, on page 1, to strike out all after the word "That," in line 3, down to and including the word "purpose," in line 10.

Mr. CAPPER. Mr. President, the amendment of the House of Representatives merely improves the language of the bill, and does not in any way affect its terms. I move that the Senate concur in the House amendment.

The motion was agreed to.

PETITIONS AND MEMORIALS

The PRESIDING OFFICER laid before the Senate a resolution adopted by the Committee of Fifty, Florida Citrus Growers' Clearing House Association, at Winter Haven, Fla., relative to the inspection and eradication work and quarantine regulations in connection with the Mediterranean fruit-fly campaign, which was referred to the Committee on Appropriations.

Mr. PATTERSON presented petitions of 211 citizens of Springfield, Kansas City, and St. Louis, all in the State of Missouri, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

Mr. WALCOTT presented a resolution adopted by the Board of Aldermen of the City of Derby, Conn., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

He also presented papers in the nature of petitions from Milardo Wilcox Unit, No. 75, the American Legion Auxiliary, Department of Connecticut, of Middletown, and Local Union No. 11, Bakery and Confectionery Workers' International Union of America, at New Haven, both in the State of Connecticut, favoring the passage of the so-called Johnson bill, for the restriction of immigration from Mexico, Latin America, and the Western Hemisphere, which were referred to the Committee on Immigration.

He also presented papers in the nature of petitions from Franz Daniel Pastorius Unit, No. 122, Steuben Society of America, of New Britain, and the unit of the Steuben Society of America, at Stamford, in the State of Connecticut, favoring the passage of the joint resolution (S. J. Res. 3) proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress, which were ordered to lie on the table.

He also presented telegrams and letters in the nature of petitions from Lodge No. 332, Brotherhood of Railroad Trainmen, of Norwalk; Hartford Lodge, No. 186, Brotherhood of Railway and Steamship Clerks, of Hartford; Lodge No. 2126, of Bridgeport, and Lodge No. 224, of New Haven, both of the Order of Railroad Telegraphers and the Brotherhood of Railway Clerks, of New Haven, all in the State of Connecticut, praying for the passage of Senate Joint Resolution 161, suspending the authority of the Interstate Commerce Commission to approve of any consolidation or unification of railroads until further action is taken by Congress to protect the interest of the public and the employees, which were referred to the Committee on Interstate Commerce.

He also presented papers in the nature of petitions from Franz Daniel Pastorius Unit, No. 122, the Steuben Society of America, at New Britain, and the Stamford unit of the Steuben Society of America, at Stamford, both in the State of Connecticut, favoring the passage of legislation authorizing the Postmaster General to design and issue a special postage stamp commemorating the two hundredth anniversary of the birth of Baron von Steuben, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by Court No. 799, Catholic Daughters of America, of Fairfield, Conn., protesting against the passage of legislation creating a Federal department of education, which was referred to the Committee on Education and Labor.

He also presented letters in the nature of petitions from Local Union No. 39, Sheet Metal Workers' International Association, of Fairfield County, and Local Union No. 12, United Slate, Tile, and Composition Roofers, Damp and Waterproof Workers' Association, of West Cheshire, both in the State of Connecticut, favoring the passage of House bill 9232, to regulate the rates of wages to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia, which were referred to the Committee on Education and Labor.

He also presented papers in the nature of petitions from Franz Daniel Pastorius Unit, No. 122, of New Britain, and the Stamford unit of the Steuben Society of America, both in the State of Connecticut, favoring the passage of legislation providing for the erection of a memorial to commemorate the services of Col. Conrad Weiser, which were referred to the Committee on Military Affairs.

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He also presented a telegram and letters in the nature of petitions from the American Legion Auxiliary, of New Haven; the American Legion, of Hartford; and Rau-Locke Post, No. 8 and the American Legion Auxiliary, of Hartford, all in the State of Connecticut, praying for the passage of the so-called Reed-Snell universal service resolution, which were referred to the Committee on Military Affairs.

REPORT OF PUBLIC BUILDINGS COMMISSION

Mr. SMOOT presented the annual report of the Public Buildings Commission for the calendar year 1929, which was ordered to be printed as a Senate document, with illustrations.

REPORTS OF COMMITTEES

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the joint resolution (H. J. Res. 181) to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922, reported it with amendments and submitted a report (No. 544) thereon.

He also, from the same committee, to which was referred the bill (S. 196) to provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes, reported it with an amendment and submitted a report (No. 545) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 8713) granting land in Wrangell, Alaska, to the town of Wrangell, Alaska (Rept. No. 546);

A bill (H. R. 8763) to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes (Rept. No. 547); and

A bill (H. R. 10581) to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes (Rept. No. 548).

Mr. McNARY, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 4057) authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain revested and reconveyed lands in the State of Oregon (Rept. No. 552); and

A bill (H. R. 8052) authorizing the heirs of Elijah D. Myers to purchase land in section 7, township 28 south, range 11 west, Willamette meridian, county of Coos, State of Oregon (Rept. No. 553).

Mr. McNARY also, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2043) to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes, reported it without amendment and submitted a report (No. 551) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4227) to authorize the Board of Education of the District of Columbia to make certain provisions for the relief of congestion in the public schools of the District of Columbia, reported it without amendment and submitted a report (No. 549) thereon.

Mr. WALSH of Massachusetts, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 2161) to convey to the city of Waltham, Mass., certain Government land for street purposes, reported it without amendment and submitted a report (No. 555) thereon.

Mr. GOULD, from the Committee on Immigration, to which was referred the bill (S. 2836) to admit to the United States Chinese wives of certain American citizens, reported it without amendment and submitted a report (No. 556) thereon.

Mr. STEPHENS, from the Committee on Immigration, to which was referred the bill (S. 226) authorizing the issuing of certificates of arrival to persons born in the United States who are now aliens, reported it without amendment and submitted a report (No. 557) thereon.

Mr. ALLEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor, reported it without amendment and submitted a report (No. 550) thereon.

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3276) to enable the postmaster to designate employees to act for him, including the signing of checks in his name, reported it without amendment and submitted a report (No. 554) thereon.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3272) to authorize the dispatch from the mailing post office of metered permit matter of the first class prepaid at least 2 cents but not fully prepaid and to authorize the acceptance of third-class matter without stamps affixed in such quantities as may be prescribed, reported it without amendment and submitted a report (No. 558) thereon.

Mr. STECK, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3277) to provide against the withholding of pay when employees are removed for breach of contract to render faithful service, reported it with amendments and submitted a report (No. 559) thereon.

Mr. BINGHAM, from the Committee on Appropriations, to which was referred the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, reported it with amendments and submitted a report (No. 560) thereon.

Mr. KEYES, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7768) to provide for the sale of the old post office and courthouse building and site at Syracuse, N. Y., reported it with an amendment and submitted a report (No. 561) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 2902) to authorize the sale of the Government property acquired for a post-office site in Binghamton, N. Y. (Rept. No. 562);

A bill (H. R. 3246) to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio (Rept. No. 563);

A bill (H. R. 8578) to sell the present post-office site and building at Dover, Del. (Rept. No. 564);

A bill (H. R. 8918) authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city (Rept. No. 565);

A bill (H. R. 9324) to dedicate for street purposes a portion of the old post-office site at Wichita, Kans. (Rept. No. 566);

A bill (H. R. 9407) to amend the act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians (Rept. No. 567);

A bill (H. R. 9437) to authorize a necessary increase in the White House police force (Rept. No. 568); and

A bill (H. R. 9845) to authorize the transfer of Government-owned land at Dodge City, Kans., for public-building purposes (Rept. No. 569).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. FESS:

A bill (S. 4299) granting a pension to Maude Thurman (with accompanying papers); to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 4300) granting an increase of pension to Edna L. Jackson; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 4301) granting an increase of pension to Aileen Oakley Griffith; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 4302) for the relief of Davis, Howe & Co.; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 4303) authorizing the head of any executive department or officer to furnish copies of books, records, and papers within his custody, and permit the admission in evidence of such copies; to the Committee on Commerce.

By Mr. OVERMAN:

A bill (S. 4304) amending chapter 209, Thirty-seventh Statutes, page 189, approved July 6, 1912, being an act entitled "An act for the transfer of the so-called Olmstead lands in the State of North Carolina from the Solicitor of the Treasury to the Secretary of Agriculture"; to the Committee on Agriculture and Forestry.

By Mr. WHEELER:

A bill (S. 4305) granting compensation to Joseph C. Eastland; and

A bill (S. 4306) for the relief of Clarence G. Young; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 4307) to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; to the Committee on the District of Columbia.

By Mr. BRATTON:

A bill (S. 4308) to authorize the Secretary of the Interior to issue patents for lands held under color of title; to the Committee on Public Lands and Surveys.

By Mr. HARRIS:

A bill (S. 4309) to provide for the appointment of an additional district judge for the northern district of Georgia; to the Committee on the Judiciary.

By Mr. HAYDEN:

A bill (S. 4310) making an additional grant of lands for the benefit of schools and asylums for the deaf, dumb, and blind of the State of Arizona; to the Committee on Public Lands and Surveys.

By Mr. JONES (by request):

A bill (S. 4311) amending the interstate commerce act by adding a new section as section 28; to the Committee on Interstate Commerce.

By Mr. PATTERSON (by request):

A joint resolution (S. J. Res. 168) declaring the transfer of he St. Charles Bridge over the Missouri River on National Highway No. 40 not a sale; to the Committee on Commerce.

By Mr. BLEASE:

A joint resolution (S. J. Res. 169) authorizing an appropriation of $25,000 to assist in the construction of a highway leading to the Kings Mountain battle field, South Carolina; to the Committee on Agriculture and Forestry.

CHANGE OF REFERENCE

On motion of Mr. KEYES, the Committee on Commerce was discharged from the further consideration of the bill (H. R. 10652) to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations, and it was referred to the Committee on Public Buildings and Grounds.

HOUSE BILL REFERRED

The bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

AMENDMENTS TO THE RIVER AND HARBOR BILL

COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW PORTLAND, OREG.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

BRUNSWICK HARBOR, GA., AND INTRACOASTAL WATERWAY FROM PENSACOLA BAY, FLA., TO MOBILE BAY, ALA.

Mr. HARRIS submitted amendments intended to be proposed by him to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

JAMES RIVER, VA., IMPROVEMENT

Mr. SWANSON. I submit an amendment intended to be proposed to the river and harbor bill. This amendment has reference to the James River, Va., improvement. It proposes to strike out the provision of limitation put on the bill as passed by the House in reference to this improvement and allows the improvement to be made, if the amendment is adopted, as reported by the Board of Engineers. I will not discuss this matter at this time, but when it comes before the committee and the Senate I shall furnish ample and convincing proof that the recommendation of the Board of Engineers should be followed and that it can not be altered as proposed by the House without an impairment of the good to be accomplished by the improvement. I move that the proposed amendment be printed and referred to the Committee on Commerce.

The motion was agreed to.

BRIEF RELATIVE TO TRANSPORTATION CHARGES

Mr. McNARY submitted the following resolution (S. Res. 254), which was referred to the Committee on Interstate Commerce:

Resolved, That the Committee on Interstate Commerce is hereby authorized to have prepared for the use of the Senate, at a cost not to exceed $5,000, to be paid out of the contingent fund of the Senate, a brief in reply to the brief of the American Association of Railway Executives relating to transportation charges in the United States and Canada (S. Doc. 219, 70th Cong., 2d sess.). Upon the receipt of the manuscript of such brief it is authorized to be printed as a Senate document.

NATIONAL APPROPRIATIONS AND EXPENDITURES

Mr. McKELLAR submitted the following resolution (S. Res. 255), which was ordered to lie on the table:

Whereas under date of April 18, 1930, the President, in a letter to the Hon. WESLEY L. JONES, chairman of the Senate Committee on Appropriations, states that "a reexamination of our fiscal situation for the next year by the Director of the Budget shows * * * we are faced with a deficit of some twenty or thirty millions of dollars"; and

Whereas the President further states in said letter: "Something over 125 acts have been passed by either the Senate or the House or favorably reported by different committees, which would authorize an additional expenditure of three hundred or three hundred fifty million dollars next year"; and

Whereas the President further states in said letter: "* * * I know you will agree with me that there is cause for real alarm in the situation * * *"; and

Whereas it is exceedingly important that Congress and especially the Appropriations Committees of the Senate and the House be advised as to just what the acts referred to in such letter are: Therefore be it

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to furnish to the Senate a list of the "something over 125 acts" in order that they may be examined to the end that the facts in the possession of the President may be had by the Appropriations Committee of the Senate for use by it in the consideration of appropriation measures, and which of such appropriation measures providing for expenditures that he approves and those which he disapproves, in order that improper, wasteful, or improvident expenditures may be better prevented.

EXECUTIVE MESSAGES AND APPROVALS

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 the President had approved and signed the following joint resolution and bill:

On April 24, 1930:

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

On April 25, 1930:

S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

CLAIM BY COMMUNITY AUTHORITIES OF RZECZYCZANY, POLAND (S. DOC. NO. 137)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was 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 from the Acting Secretary of State in regard to a claim presented by the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyczany, Poland, to which place an insane alien was erroneously deported. The conclusion reached by the Acting Secretary of State has my approval, and I recommend that the Congress authorize an appropriation of $152.35 to be paid to the Polish Government.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1930.*

(Inclosure as above.)

CRIMINAL LAW ENFORCEMENT (S. DOC. NO. 136)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on the Judiciary, and ordered to be printed:

To the Congress of the United States:

In my messages of June 6 and December 3, 1929, I placed before Congress the urgency of certain improvements necessary to effective criminal law enforcement. Substantial progress has been made upon some of the measures proposed, yet we are nearing the end of the present session, and I can not too strongly urge the necessity of action upon all these recommendations before adjournment.

The most important recommendations made by me were five in number:

1. There should be a transfer of the functions of detection and prosecution of prohibition cases from the Treasury Department to the Department of Justice, and thus an ending of divided responsibility and effort. An act providing for this transfer was passed by the House of Representatives and has now been reported to the Senate by its Judiciary Committee.

2. There must be relief afforded from congestion in the courts. While this congestion is evidenced by the dockets in many courts, its full implications are not shown by them. The so-called bargain days, when light fines are imposed as the result of pleas of guilty, clear the docket but the result distinctly undermines respect for law. No conclusion appears to have been reached as to the method of accomplishing this either by the Judiciary Committee of the Senate or by the Judiciary Committee of the House of Representatives.

3. There must be extension of Federal prisons with more adequate parole system and other modern treatment of prisoners. We have already 11,985 prisoners in Federal establishments built for 6,946. The number of Federal prisoners in Federal and State institutions increased 6,277 in the nine months from June 30, 1929, to April 1, 1930. The Attorney General has stated that we can not hope to enforce the laws unless we can have some point of reception for convicted persons. The overcrowding of the prisons themselves is inhumane and accentuates criminal tendencies. Bills providing for this relief were passed by the House and are now, I understand, in course of being reported to the Senate by the Judiciary Committee.

4. We are in need of vigorous reorganization of the border patrol in order to consolidate various agencies so as effectually to prevent illegal entry of both aliens and goods. Proposals to bring about such reorganization are before the committees of Congress.

5. The District of Columbia is without an adequate prohibition enforcement law. A bill for that purpose has been introduced and hearings have been held before the Senate District Committee. It should contain the safeguards recommended by the Attorney General.

We have within the limits of existing legislation improved the personnel and greatly increased the efficiency of the existing Federal machinery in criminal law enforcement during the past year. The above reforms are necessary, however, if I am to perform the high duty which falls upon the Executive of enforcement of the Federal laws.

While a considerable part of this condition arises from the laws relating to intoxicating liquors, yet the laws relating to narcotics, automobile thefts, and so forth, which have been enacted by the Congress during recent years, also contribute to create the present conditions. This is well indicated by the fact that less than one-third of Federal prisoners are due to prohibition.

Our obedience to law, our law enforcement and judicial organization, our judicial procedure, our care and methods of handling prisoners, in relation to not only Federal Government but also to the State and municipal governments, are far from the standards that must be secured. These proposals, while they do not comprehend the whole which remains to be done in the Nation, are a step toward lifting the Federal standards which must have a general beneficial influence.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1930.*

RELIEF OF UNEMPLOYMENT

The PRESIDING OFFICER. The Chair lays before the Senate the special order for this hour, Senate bill 3059.

The CHIEF CLERK. A bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression.

Mr. WAGNER obtained the floor.

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

Mr. WAGNER. I yield to the Senator from North Carolina.

NOMINATION OF JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I was chairman of the subcommittee of the Committee on the Judiciary to consider the nomination of Judge John J. Parker. We closed the hearings and they are printed and on the desks of Senators. However, on Saturday last and this morning I have received certain letters which I deem it my duty to have read to the Senate. It will take a little time to read them. I ask the Senator from New York if he will yield to me that they may be read.

Mr. WAGNER. I yield to the Senator from North Carolina for that purpose.

Mr. OVERMAN. I send forward a letter which I received on Saturday evening from Judge Parker, which I ask to have read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

UNITED STATES CIRCUIT COURT OF APPEALS,
FOURTH JUDICIAL CIRCUIT,
Richmond, Va., April 24, 1930.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: I have received the copy of the record of the hearing on the charges or grounds of opposition to my confirmation as justice of the Supreme Court which you so kindly sent me. From a reading of the record there seem to be only two protests—one by the American Federation of Labor criticizing my decision in the Red Jacket Coal case (18 Fed. (2d) 839), and the other by the National Association for the Advancement of Colored People criticizing statements made in my campaign for Governor of North Carolina 10 years ago, and expressing the fear that I might not enforce the provisions of the Constitution guaranteeing the rights of colored people.

My answer to the charge of the labor people is that I followed the law laid down by the Supreme Court. This, I think, has been demonstrated in memoranda filed with the Judiciary Committee, and I shall not elaborate upon it. It is, of course, the duty of the judges of the lower Federal courts to follow the decisions of the Supreme Court. Any other course would result in chaos.

Much has been said as to the so-called "yellow dog" contract under which an employee agrees not to join the union while remaining in the service of his employer. This form of contract was directly upheld in 1914 in the case of Coppage *v.* Kansas (236 U. S. 1), in which the Supreme Court held void a State statute making it unlawful for a corporation to require the execution of such a contract as a condition of employment. It was again directly upheld in the Hitchman case, which, like the Red Jacket case, came from West Virginia and went from the Circuit Court of Appeals of the Fourth Circuit to the Supreme Court of the United States. In view of this it must be obvious to anyone that as a member of the court in the Red Jacket case I had no latitude or discretion in expressing any opinion or views of my own, but was bound by these decisions to reach the conclusion and to render the decision that I did.

On the appeal in the Red Jacket case the validity of the contracts and the scope of the injunction, as a matter of fact, were not seriously contested, as counsel doubtless realized that we were bound by the Supreme Court's decision in the Hitchman case. The principal point pressed before us related to the jurisdiction of the court; but this was clearly controlled by the decision in the second Coronado case (268 U. S. 295).

In passing, I would call attention to the fact that the Red Jacket case seems to be much misunderstood. The injunction therein did not prevent employees from quitting work or joining a union. In fact, it was not a suit between employers and employees at all, but between mine owners, on the one hand, who had made contracts with their employees not to join the union and the union, on the other, which sought not only by inducement and persuasion, but also by violence and intimidation, to induce the employees, in violation of their contracts, to join the union and go on a strike. The Supreme Court had held in the Hitchman case that this might not lawfully be done, and reversed the circuit court of appeals of this circuit for not enjoining under similar circumstances peaceful persuasion as well as violence and intimidation.

The protest of the colored people seems to be based upon the fear that I might not enforce the provisions of the Constitution in so far as same guarantees their rights. Needless to say such fear is entirely groundless. I regard the Constitution and all of its amendments as the fundamental and supreme law of the land, and I deem it the first duty of a judge to give full scope and effect to all of their provisions. In the discharge of my duties as circuit judge I have never hesitated, I hope and believe, to meet this obligation in the fullest degree.

The effort to interpret some statements alleged to have been made 10 years ago in a speech in a political campaign as indicating a contrary disposition is wholly unjustified. My effort then was to answer those who were seeking to inject the race issue into the campaign under a charge that the Republican Party of North Carolina intended to organize the colored people and restore the conditions of the reconstruction era. I knew the baneful effect of such a campaign and sought to avoid it. For years the best men of both races in the State had been seeking to create friendly sentiments and peaceful relation between the races; and I did not want their efforts to be sacrificed or the party whose nominee I was to be embarrassed by the raising of a false issue of this character.

I understand that a number of reports, not contained in the record nor supported by the statement of any person, have been circulated against me. Those of which I have heard are so obviously absurd and untrue that it would seem that no answer to them would be necessary, and I shall not dignify them by notice here other than to say that they

are untrue and entirely misrepresent my attitude. I endeavored to conduct my campaign for governor on a high plane and with fairness to all classes of the people; and, while I made it clear that my party was not seeking to organize the colored people of the State as a class, I at no time advocated denying them the right to participate in the election in cases where they were qualified to do so, nor did I advocate denying them any other of their rights under the Constitution and laws of the United States. Any charge or intimation that I appealed to race prejudice is most unjust. I deplored the appeal to race prejudice and did my utmost to eliminate it from the campaign.

In conclusion, let me say that I have no prejudice whatever against the colored people and no disposition to deny them any of their rights or privileges under the Constitution and the laws. I think that my record as a judge of the United States circuit court of appeals, in a circuit where many of them reside, shows that I have no such prejudice or disposition.

I have written you this letter because I desire that you, as one of the Senators from my State and a member of the Judiciary Committee of the Senate, understand my position with respect to the protests filed against me. You may make such use of the letter as you deem proper.

With great respect, I am, sincerely yours,

JOHN J. PARKER.

Mr. OVERMAN. I present certain telegrams sent to me by United States judges of the fourth circuit and ask that they may be read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

RICHMOND, VA., *April 28, 1930.*

Senator LEE S. OVERMAN,
Senate Office Building:

Since some statements have been made reflecting upon the qualifications of Judge Parker, common fairness impels me to say that in an experience of 35 years, of which 15 have been spent on the State and Federal benches, I have met no man who surpassed him in natural fitness for judicial position. His knowledge of the law, his even and unprejudiced temperament, his untiring industry, and his genuine enthusiasm for the work, place him in the front rank and fit him for the Supreme Court of the United States.

MORRIS A. SOPER,
United States District Judge, Maryland.

ELKINS, W. VA., *April 28, 1930.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

It has come to my attention that a question has been raised as to the ability of Judge John J. Parker to perform the duties of Associate Justice of the Supreme Court of the United States. Judge Parker appeared before my court as special counsel for the United States in some very important litigation and as such acquitted himself in a most commendable manner. Since his elevation to the Circuit Court of Appeals of the Fourth Circuit I have had occasion to sit with him on that court. I have followed his opinions very carefully and have no hesitancy in saying, in my opinion, he is eminently fitted for the position of Associate Justice on the Supreme Court of the United States.

W. E. BAKER,
United States Judge Northern District of West Virginia.

SHELBY, N. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senator:

I regard Judge Parker as one of the ablest lawyers of my acquaintance. He is a great student of the law and a very hard worker. He brushes aside technicalities and looks to the justice and merits of a cause. I speak with intimate knowledge of his outstanding ability. He practiced before me before he was appointed a circuit judge and I have sat with him often in the circuit court. An impartial examination of his many splendid opinions will readily disclose his ability and fitness for a place on the Supreme Court bench.

E. Y. WEBB.

RICHMOND, VA., *April 27, 1930.*

Senator LEE S. OVERMAN,
Washington, D. C.:

Knowing your interest in the confirmation of Judge John J. Parker for the position of justice of the Supreme Court, I thought you might be interested to know how he is regarded by his associates on the circuit court of appeals. It gives me great pleasure to indorse him, having served with him for five years. He is an able lawyer, excellent judge, and eminently qualified to fill this high position.

EDMUND WADDILL, Jr.,
Senior Circuit Judge.

LYNCHBURG, VA., *April 27, 1930.*

Senator LEE S. OVERMAN,
Senate Office Building, Washington, D. C.:

Continually since his appointment to bench, I have had every reason to critically appraise Judge Parker's character—learning, fairness, breadth of view, and power to think clearly—with the result that I regard him as preeminently fitted for Supreme Court.

HENRY C. MCDOWELL,
United States District Judge.

Mr. OVERMAN. I also present a telegram from the president and members of the faculty of the University of North Carolina indorsing Judge Parker, which I ask may be read.

There being no objection, the telegram was read, as follows:

CHAPEL HILL, N. C., *April 27, 1930.*

Senator LEE S. OVERMAN,
Chairman Senate Sub Judiciary Committee, Washington, D. C.:

We, the undersigned members of the faculty of the University of North Carolina, heartily indorse Judge John J. Parker and urge his confirmation as justice of the Supreme Court of the United States, because we believe him to be open-minded on all questions and a jurist of distinguished ability. We are confident that in any decision that he may be called on to make he will be fair to all classes.

H. W. Chase, president; C. T. Woollen, business manager; T. J. Wilson, jr.; R. R. Potter; Addison Hibbard; A. C. McIntosh; N. W. Walker; I. H. Manning; W. Deb MacNider; D. D. Carroll; M. C. S. Noble; C. T. McCormick; M. S. Brickenridge; F. B. McCall; G. M. Braune; J. M. Bell; A. W. Hobbs; W. C. Coker; R. J. M. Hobbs; I. C. Griffin; R. D. W. Connor; Archibald Henderson; R. B. House; F. F. Bradshaw; H. H. Williams; M. T. Van Hecke; F. P. Graham; E. G. Hoeger; W. E. Caldwell; W. M. Dey; E. W. Knight; W. W. Pierson; C. T. Murchison; W. S. Bernhard; R. H. Wettach; Albert Coates; P. H. Winston; George Howe; N. W. Walker; English Bagby; Minor Gwynn; A. K. King; R. P. Bond; N. B. Adams; H. Baity; J. B. Bullitt; F. K. Cameron; F. H. Edmister; M. B. Garrett; J. W. Lasley, E. R. Rankin; Clarence Heer.

Mr. OVERMAN. I present a letter from Mr. William P. MacCracken, jr., of Washington, D. C., inclosing a statement signed by past and present officers of the American Bar Association, indorsing Judge Parker, and also inclosing a telegram from Mr. Henry Upson Sims, president of the American Bar Association, favoring the confirmation of Judge Parker. As the letter is rather long, I ask that it may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, the letter and inclosures will be printed in the RECORD.

The letter and inclosures are as follows:

WASHINGTON, *April 26, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR MR. SENATOR: Inclosed you will find a copy of a telegram which Mr. Henry Upson Sims, of Birmingham, Ala., president of the American Bar Association, has requested me to hand to you.

There is also inclosed a statement which represents the sentiments, as individuals, of the gentlemen whose names appear thereon.

You may desire in calling this joint statement to the attention of your colleagues in the Senate to have the following information with regard to these individuals:

Frank B. Kellogg, formerly Secretary of State, Member of the Senate, and president of the American Bar Association; R. E. L. Saner, past president of the American Bar Association; Chester I. Long, former Member of the United States Senate and past president of the American Bar Association; Silas Strawn, past president of the American Bar Association; Gurney E. Newlin, past president of American Bar Association and present member of executive committee of the association; John H. Voorhees, treasurer of the American Bar Association and member of the executive committee of the association; William P. MacCracken, jr., secretary of the American Bar Association and member of the executive committee of the association; Earle W. Evans, chairman general council of the American Bar Association and member of the executive committee; Edgar B. Tolman, editor of the American Bar Association Journal and member of the executive committee; Province M. Pogue, member of the executive committee American Bar Association; Thomas W. Davis, member of the executive committee American Bar Association; Bruce W. Sanborn, member of the executive committee American Bar Association; R. A. Van Orsdel, member of the executive committee American Bar Association; Guy A. Thompson, member of the executive committee American Bar Association, St. Louis, Mo.; William B. Greenough, member of the executive committee American Bar Association; Clarence E. Martin, member of the executive committee American Bar Association; Orie L. Phillips, member of the executive committee American Bar Association.

Faithfully yours,

WILLIAM P. MACCRACKEN, Jr.

Dissatisfaction of certain groups with decisions of Circuit Judge Parker, in which he followed rulings of the Supreme Court of the United States, has been brought forward as an argument against his confirmation as a justice of the Supreme Court.

The undersigned believe that to reject his nomination under these circumstances would be most regrettable, and desire to call to the attention of the United States Senate the importance of confirming Judge Parker's nomination, so as to demonstrate that a judge of an inferior court, who in the performance of his sworn duty follows the law as declared by the Supreme Court of the United States, will not thereby imperil the possibility of his being promoted to a higher judicial office.

Frank B. Kellogg, St. Paul, Minn.; R. E. L. Saner, Dallas, Tex.; Chester I. Long, Wichita, Kans.; Silas H. Strawn, Chicago, Ill.; Gurney E. Newlin, Los Angeles, Calif.; John H. Voorhees, Sioux Falls, S. Dak.; Earle W. Evans, Wichita, Kans.; R. A. Van Orsdel, Omaha, Nebr.; Edgar B. Tolman, Chicago, Ill.; Province M. Pogue, Cincinnati, Ohio; Thomas W. Davis, Wilmington, N. C.; Bruce W. Sanborn, St. Paul, Minn.; William B. Greenough, Providence, R. I.; Clarence E. Martin, Martinsburg, W. Va.; Orie L. Phillips, Albequerque, N. Mex.; Wm. P. MacCracken, jr., Washington, D. C.

BIRMINGHAM, ALA.

WILLIAM P. MACCRACKEN, Jr.,

National Press Building, Washington, D. C.:

It would be most regrettable for Judge Parker to fail of confirmation because of dissatisfaction on the part of certain groups with his decisions following ruling of the Supreme Court. It would mean that an inferior judge by following his duty as he reads the law would imperil his chance of promotion to a higher position. Please present this for me personally to Senators OVERMAN, HARRISON, STEPHENS, HEBERT, BLACK, and others interested in Judge Parker's confirmation.

HENRY UPSON SIMS.

Mr. OVERMAN. Mr. President, as the Senate knows, by unanimous consent the consideration of the nomination of Judge Parker was set down for 3 o'clock this afternoon. Instead of waiting until that time, I am now going to make a request for unanimous consent that the consideration of the nomination of Judge Parker be postponed until 3 o'clock Thursday. I have a letter from my colleague [Mr. SIMMONS] stating that he will not be able to be present until that time, and that is the reason why I make the request.

Mr. NORRIS. Mr. President, I wish the Senator would wait until 3 o'clock before he makes that request, because we have agreed to take up the nomination of Judge Parker at 3 o'clock this afternoon; everyone knows that it is coming up at that time, and those interested on either side will be here.

Mr. OVERMAN. I thought it would be advisable to make the request now so that Senators would know of my desire to have the consideration of the nomination postponed for the reason stated, but if the Senator from Nebraska desires, of course, I will defer making the request.

Mr. NORRIS. There may be Senators who are not now present and who expect the nomination to come up regularly at 3 o'clock. At least the Senator suggests a change in the program, and, so far as I am concerned, I would want to consult with other Senators before agreeing to it. There may be no objection to the request when the time comes.

Mr. OVERMAN. Very well; I am glad to defer to the Senator's wishes.

PROHIBITION POLLS—"WHAT PRICE LIQUOR?"

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "What Price Liquor?" by J. W. H. de Belleville, of the Country Editor Publishing Co. (Inc.), of Port Richmond, N. Y. I wish to call attention particularly to the closing paragraph. In answer to the claim that there is such a tremendous revolt on in this country against prohibition, the statement calls attention to the fact that 20,000,000 ballots have been sent out to Americans and only 7½ per cent have taken trouble enough to vote against prohibition.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The article is as follows:

WHAT PRICE LIQUOR?

By J. W. H. de Belleville

NEW YORK, April 26.—To the long list of crimes committed in the name of liberty, a few groups, because of the inconveniences and dangers of the bootleg-liquor market, would like to add the destruction of prohibition, not only as a national but as a State policy. The principle being wrong, the dry law is equally indefensible whether applied by the National or by the State Government. The wet in a dry State is as much entitled to protection as any other. His liberty is as dear to him, his inherent rights as precious, wherever he may happen to reside and whether it is the National or the State Government that attacks them.

In a recent address, Representative JAMES M. BECK points with pride to the drinking propensities of the founders of the Republic. He tells us that Washington "not only enjoyed a glass of wine but he brewed his own beer, fermented his own wine, and distilled his own brandies and whiskies." This Congressman is not hypocritical about it. He frankly rests his case on the virtues of strong drink. And he adds that "all of the great men who founded this Government did not regard it as a crime to take a glass of wine." He forgets to remind us that they also did not regard it as a crime to possess slaves, to traffic in human beings, and in that traffic to use cruel and inhuman punishments, to separate the husband from his wife and the mother from her child. They were inured to that sort of thing. Liquor with all its demoniacal brood was no worse than slavery, slavery no worse than liquor. But we are not shackled irremediably to the past, and already we have witnessed the disappearance of one of these curses while the doom of the other is written so plainly that no intelligent person can fail to understand it.

At the same time Congressman BECK, in a spirit of derision, compares the prohibition leaders with those founders of our Government, who he says were so addicted to liquor. Instead of George Washington, he finds the name of Wayne B. Wheeler; instead of Alexander Hamilton, he finds "Pussyfoot" Johnson; and so on. But he forgets to mention the name of William Howard Taft. Notwithstanding his original prejudice against it, this distinguished jurist and statesman is forced to the conclusion, after 10 years of practical application of the law, that the result of prohibition is nothing less than "glorious." In the face of this testimony, will Mr. BECK say that George Washington himself, brewer and distiller of liquors for his own use though he may have been, would not, in the light of the same experience, have sided with William Howard Taft rather than with Al Smith, Jimmie Walker, and J. J. Raskob?

"For 10 years the American people have been in revolt against the eighteenth amendment," shouts Mr. BECK. But listen to our late beloved ex-President and Chief Justice, like a voice from the grave in answer to the voice of treason: "The reform and the adaptation of society to that at which the amendment aims must be gradual." Again the Congressman rails at his opponents: "The black night of fanaticism and hypocrisy is breaking and we can clearly see the first indications of the dawn." And once more the voice from the grave admonishes him: "I see that the wets claim that the election was not a prohibition victory. Well, one can not argue with that view and can only let those who believe it continue to believe it." "Prohibition," the late Chief Justice says in his letter to Mr. Fisher, "points the only way we have to work out the problem presented."

It is not strange that the wets are in a desperate mood, for the evidence that their cause is crumbling is everywhere to be seen. The association formed by them to destroy prohibition is able to function only because of the contributions of a small group of millionaires. Out of 35,000,000 voters they have been able to secure only a few hundred thousand members, and in order to persuade even this small number to join, it has been necessary to waive the payment of all dues. If there were any political revolution in this country and the masses of the people were in revolt, as Mr. BECK and other wet enthusiasts are claiming, would there not be at least 25 per cent of the electorate clamoring for membership in their proliquor association? Instead of this, about 1 per cent of the voters have joined. Ninety-nine out of a hundred registered voters do not think enough of the wet crusade to lend their names to it, though it costs them not even a red cent. And the enterprise would die to-morrow if it were not underwritten and completely financed by a small syndicate of millionaires. Political revolution? If this is a political revolution then the recent red demonstration in Union Square was another World War.

But the most convincing proof of the utter futility of the wet cause is furnished by the widely advertised Literary Digest straw vote. In this case more than 20,000,000 ballots are mailed to more than 20,000,000 red-blooded Americans, representing a cross section of the great mass of the people who are supposed to be in revolt—in the throes of a political revolution that has had no equal since the Civil War. And what happens? About 7½ per cent of them take the trouble to vote wet and thus indicate a desire to repeal prohibition. It doesn't cost them a cent to mail the ballot. All they have to do is to mark it with a cross and drop it in a mail box. Yet 92½ per cent of them refuse even to do this in the interest of repeal. Political revolution! Why, this isn't a revolution. It's ping-pong.

CONSIDERATION OF ARMY APPROPRIATION BILL

Mr. JONES. Mr. President, I announced the other day that I would ask for the consideration of the Army appropriation bill to-day, the Senator from New York [Mr. WAGNER] having kindly agreed that when he had made his opening address the unfinished business might be temporarily laid aside for that purpose.

The Senator from Wisconsin [Mr. BLAINE], however, is working on a proposition which he feels he should present in connection with the Army appropriation bill; he will not have it ready at to-day's session; so I will not ask for the considera-

tion of the bill to-day, but I am hoping that he will have the matter in shape so that we may consider the bill to-morrow afternoon some time.

RELIEF OF UNEMPLOYMENT

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during the periods of business depression, which had been reported from the Committee on Commerce with amendments.

Mr. WAGNER. Mr. President, although but one of the three bills which I have introduced is now technically before the Senate, in view of the fact that the three bills upon the calendar constitute together a program which I have advocated to prevent unemployment, I will take the liberty of giving briefly an explanation of all three. Then, of course, when the time comes we will vote upon them separately.

Mr. President, I fully appreciate the value of optimism in bringing about business recovery, and I take no pleasure whatever in painting a dark picture of economic conditions. However, if we are going to contribute to the prevention of the recurrence of so vicious an attack of unemployment as the one through which we are now passing—and which, by the way, is the worst in a generation according to the testimony of all careful observers—then at least those in responsible position must be willing to face the true facts, no matter how unpleasant they may be.

We were supposed to have turned the corner away back in the early days of January, according to a statement from the White House. More recently the newspapers were again filled with cheerful reports that the peak of unemployment had been passed. I wish it were true. But as I look at the meager figures made available by the Federal Reserve Board, and also by the Bureau of Labor Statistics of the Department of Labor, I notice that January was worse than December, that February was worse than January, and that March has continued the steady and downward decline.

The full significance of these figures I do not know. No one knows. We have not sufficient current information; we have not sufficiently extensive information; we have not sufficiently detailed information to tell us precisely what it is that we are suffering from at the present time.

Is this vast unemployment the result of the accumulated displacement brought about through the advance in technology? Is this alarming lay-off of men in factories and other lines of employment brought about by the fact that we are going through the trough of a business cycle? Surely the failure of business to recover in March is a signal that the present situation is more serious than the normal seasonal slack. In previous years March has always shown an improvement over February, both in good times and in bad times. The coming of fair weather in March has always resulted in increased opportunities for employment. This year March showed a further decline. Conditions of employment in March, 1930, stand at a worse level than any previous month of March in the presently published records of the Department of Labor. Would that indicate that we have begun to suffer from chronic unemployment, a permanent, inseparable drag upon our economic machinery, a permanent and ever-present threat to the economic security of every person in the United States?

May I interpolate right here that there are, I may say, three forms of unemployment with which we are suffering. Two are characterized now as chronic unemployment. There is the technological unemployment which is of a chronic nature, the displacement of labor by machines. Then we have the seasonal unemployment, which has been regarded up to the present time as inevitable, although I think it can easily enough be solved if we address ourselves to the problem. The third is the cyclical unemployment, which is usually temporary in its nature.

The reason why we are suffering from this acute unemployment situation at the present time is that upon this chronic unemployment, technological and seasonal, is superimposed this cyclical unemployment which has brought us down so deeply. Strange, though it may seem, while we are confronted with the seriousness of technological unemployment our Government has never even begun to study the question of technological unemployment.

Where are these men who are being replaced by machines? What is happening to them? Are they being sacrificed upon the altar of progress? Are they starving? Are they hungry? Where are they now, and who are they? We do not know anything about them. We have collected statistics upon almost every other economic fact except the most important and the most fundamental, that of unemployment.

I would not express these fears if I were for one moment doubtful of the capacity of American statesmanship and business leadership to solve this problem. It is for the very reason that I have implicit confidence in our ability to do so that I do not hesitate to voice my apprehension and to appraise the present situation realistically.

In order to solve the problem, however, we must have available information. We must build the machinery of stabilization and we must create the channels for the free flow of labor from the place of surplus to the place of need. These three things we now utterly and absolutely lack.

The bills which are now before the Senate have been pending in this body for two years. Since the introduction of that legislation a very able investigation has been conducted into unemployment by the Committee on Education and Labor, under the chairmanship of Senator COUZENS. The mature and deliberate conclusions of that committee are favorable to this legislation. Since the introduction of these bills President Hoover has made his position unmistakably clear, both in his own campaign speeches and through his communication to the Conference of Governors in New Orleans, through Governor Brewster, in the fall of 1928, in favor of the principle of this legislation. Since the introduction of these bills the President has attempted to alleviate the present unemployment situation by calling a conference of business men and has found that, unfortunately, very little could be done without advance preparation, without adequate information, and without adequate machinery.

May I say that while I commend the President for having called that conference—because perhaps it did stay mass hysteria, so far as staying unemployment was concerned, preventing a further decline in employment—it was absolutely without effect; and the reason was that there was no information on the subject of unemployment. There had been no advance planning so that in a crisis the industries as well as the Government could step in and take up this slack of employment.

In the fall of 1928 the President, through Governor Brewster, stated to the conference of governors that one of the first problems that he would attack would be that of unemployment, and gave as his program the principles incorporated in the three bills which at that time were already pending in the Senate, and which are now before the Senate. To me it is inexplicable that after the President in his speech in the campaign in the city of Newark, addressing a large gathering of labor men, gave this program as his program for the solution of unemployment, and then again to the conference of governors after he was elected, we should since then not have heard a word from the White House either of approval or of recantation of the bills which are now before the Senate. I do not know what took place to change his attitude or whether his silence is to be interpreted as acquiescence.

Mr. SHORTRIDGE. Mr. President——

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

Mr. WAGNER. I yield.

Mr. SHORTRIDGE. I do not wish to break in upon the continuity of the Senator's address.

Mr. WAGNER. I do not mind at all, sir.

Mr. SHORTRIDGE. I presume the Senator will proceed to make clear the principles involved in the pending bill?

Mr. WAGNER. I hope to; yes.

Mr. SHORTRIDGE. If it will not divert the Senator from the plan outlined for the presentation of his views to-day, if he can do so in a word, will he be good enough to state the cardinal or fundamental principle of the pending bill?

Mr. WAGNER. I can do that very briefly, though I propose to cover it in detail.

One bill, in a word, is for the collection of accurate information of our economic condition each month, of the unemployment situation, information which we now lack, and which is fundamental. It is the basis of all efforts to solve this problem. We must have this precise information; and I may say to the Senator that every conference that has been had for the past 20 years on the subject of unemployment has failed, admittedly failed, and in each case the conferees attributed their failure to the fact that they had no precise information.

That is the first thing, a very important thing; and I will give the Senator the details a little later.

The second is advance planning by the Federal Government; in other words, that the Federal Government in the construction of its public works be prepared to go in and take up the slack when an economic depression is on the way. With precise information, we can well-nigh prophesy that an economic depression is coming, and before it proceeds too far we can enter with our public construction and take up that slack in employment That is the second—advance planning.

The third is the establishment of employment exchanges throughout the country, so that there may be absolute cooperation between the States, not only in the collection of economic statistics, but in the placement of workers. There may be a surplus of labor in one State and a need for labor in another. To-day there is no way in which the labor from the place of surplus can be directed into the place of shortage.

Mr. SHORTRIDGE. I thank the Senator. If I am called from the Chamber it will not be attributed to any lack of interest in the subject he is discussing.

Mr. WAGNER. Of course not.

Since these bills were introduced the Committee on Commerce has held hearings on this legislation and it is the deliberate judgment of that committee, expressed in its reports, that these bills should be passed.

The ideas embodied in the proposed legislation have met very little articulate opposition. The obstacles in the way of its more rapid adoption has been rather the inertia of an old-time attitude now no longer justified—the attitude expressed in the beliefs that unemployment was a personal affair brought about by individual incompetence or indolence, resulting in a problem which it was for the individual working man or working woman to solve in his or her own way.

There may have been a time in the past of long ago when that represented the true conditions. To-day it must be universally realized that unemployment is a problem for the Government to solve, a condition for which no individual or group of individuals can be held directly responsible, a condition which it is away beyond the power of the individual workingman to remedy.

Unemployment to-day is a Government problem because it has economic aspects, social aspects, political aspects of such an overwhelming importance that the Government must take a hand in its eradication in order to insure its own stability and the continuity of the institutions under which it exists.

On the economic side, unemployment is a form of gross waste. Idle time means the loss of an asset which can never be recovered. The idle hands of the unemployed are ready, willing, and able to create untold wealth, to increase the well-being of the American people. Unemployment means the denial of the opportunity to do so. Idle men invariably mean idle machines, closed factories, overhead accumulating unproductively, savings used up, and capital assets consumed. The extent of the money losses of unemployment has been variously estimated. One estimate is that the usual seasonal unemployment costs the United States $2,000,000,000 per year. The depression of 1921 has been estimated to have cost the United States $9,000,000,000. During the hearings on the present bills President Green, of the American Federation of Labor, calculated that in the first three months of 1930 wage earners alone lost a billion dollars in wages.

I have myself computed on the basis of the meager figures of the Bureau of Labor Statistics, that there was a difference in wages paid to factory workers alone, who constitute only a fraction of all of the workers of our country, between September, 1929, and January, 1930, of $200,000,000. In other words, $200,000,000 in wages which were available in the markets of our country in September of last year were withdrawn because of unemployment in January, 1930, a sufficient withdrawal in itself to cause an economic depression.

On the social side—on that side of human affairs in which the Government is only just beginning to take an interest—we find that unemployment makes for child labor. When the father of the family loses his job and the principal economic pillar of the family crumbles we invariably find that, first, the wife and then the minor children go out to hunt for sustenance. It is unnecessary to elaborate on the effect of such a situation upon the future generations of Americans.

Unemployment makes for disrupted family life. The records of social agencies are replete with evidence of that disheartening fact.

On the political side we find that unemployment makes for bad citizenship because it breaks the morale of those who suffer its hardships, because it brings about the compulsory acceptance of charity with its devastating effects upon character; because if prolonged it involves the loss of the habit of work, one of the greatest assets of the American people. Finally, unemployment breeds discontent with government.

For the reasons enumerated and for many other reasons that might be cited it is no longer open to question that unemployment is a problem of the Government. Neither can there be any valid doubt that unemployment is properly a problem for the Federal Government. I do not mean thereby that it is exclusively a Federal problem. The solution of unemployment is no one's exclusive problem. Organized effort, cooperation of all possible agencies, private industry, municipalities, States, all must contribute to the final elimination of the scourge of enforced idleness. And the Federal Government must do its share. No political theory can discharge the Federal Government of its responsibility to do its part. No mere doctrinary dogmas can exonerate the Federal Government of its failure to discharge those responsibilities.

Unemployment is the product of nation-wide economic causes. Weather conditions, fiscal policies, tariff changes, inventions, all may have their effect on unemployment.

Unemployment has nation-wide effects. The shut-down of an automobile plant in Detroit directly produces unemployment in other parts of the country. It affects the farmers, the canners, the clothiers, the shoe manufacturers, the house builders. When purchasing power is curtailed at one point it is at once translated into unemployment at some other point. Unemployment is a plague which can not be quarantined.

Unemployment is primarily a problem in economics. State lines do not constitute economic barriers. As an economic problem the solution of unemployment fits into the same category of national affairs as the tariff, immigration, or Federal reserve banking.

The Federal Government is itself a large employer of labor. It is therefore concerned with unemployment at least for the some reason that every employer of labor is concerned with it. The Federal Government, however, has a peculiar opportunity to contribute to business stability, because it is not in business for profit and can, therefore, more easily time its work so as to contribute to stability.

Finally, unemployment lies within the sphere of Federal action because many of the remedies to be applied can be applied only by national agencies. This is particularly true of the collection of nation-wide statistics, the creation of channels to facilitate the flow of labor to the job, and the timing of the Federal program of public works.

It is these three specific functions which the three pending bills seek to have the Federal Government exercise.

An analysis of S. 3059, providing for advance planning of public works and the timing of the construction of public works so as to stabilize employment and prevent unemployment, is as follows:

S. 3059—ADVANCE PLANNING (ANALYSIS)

1. Object: The judicious timing of public construction so as to take up slack at the beginning of an impending recession in private employment, in order to prevent periods of depression.

2. Federal instrumentality created: (a) A board to be known as the Federal employment stabilization board is created, to be composed of the Secretaries of the Treasury, Commerce, and Labor.

(b) The chief executive officer of the board is to be a director. All other experts and assistants are to be appointed under the civil service laws.

3. Methods of operation: (a) The advance planning of public projects.

(b) Acceleration by the Government of all public works under its control when business recession is imminent.

(c) The inauguration of emergency projects.

4. Advance planning: (a) Advance planning is accepted as the policy of Congress.

(b) It is to be accomplished by preliminary reports; by excess authorization of projects beyond annual appropriations, and by the preparation of detailed construction plans in advance.

5. Acceleration: (a) The President directs the Secretaries of War, Treasury, and Agriculture, which Secretaries are in charge of the public construction of the Government, to accelerate public works when necessary to forestall business recession.

(b) This method is of special utility when Congress is not in session.

(c) This alone may be sufficient for minor depressions.

6. Emergency projects: (a) When the board finds on the basis of construction contracts the index of employment and other statistical information, that business activities are likely to decline it recommends action to the President.

(b) Upon such recommendation the President transmits to Congress supplemental estimates for additional appropriations for the construction of public works, plans for which had been made as provided under 4 above.

(c) The projects for which such appropriation may be made are:

1. Highways.
2. Rivers and harbor works.
3. Flood-control projects.
4. Public buildings.

7. Special features: In order to make the highway and public buildings program more effective to prevent unemployment, a few minor adjustments are made in the allocation of moneys under the highway act and the public buildings act.

8. Authorized appropriation: One hundred and fifty million dollars.

The second bill, to which I think primarily, because of an understanding of its provisions, there seems to be some opposition in the Senate and which makes provision for a system of employment exchanges by cooperation between the Federal Government and States, may be analyzed as follows:

S. 3060—EMPLOYMENT EXCHANGES (ANALYSIS)

1. Object: (a) The provision of a really adequate, free employment service nation-wide in scope.

(b) Retention of local responsibility and management in the conduct of same.

That seems to be a complete answer to those Senators who are now harping upon the principle of State rights as the basis of their opposition to this legislation. As a matter of fact, this bill provides for the retention of the control and management of these employment agencies by the State itself.

(c) The maximum amount of uniformity, efficiency, and cooperation between offices.

(d) Information as to unemployment.

2. Federal instrumentality created: The United States Employment Service is created as a bureau in the Department of Labor; the chief officer is to be a director general with a salary of $10,000 per year. He is to have an assistant woman director in charge of women's work, and all officers, employees, and assistants, including the woman director, shall be appointed under civil service laws and paid under the classification act.

3. Method of operation: (a) Federal aid to States. Seventy-five per cent of the amount appropriated under the bill is made available for apportionment to the various States in proportion to population. In order to secure moneys so made available a State must match the Federal contribution.

(b) Federal offices: Where States refuse to cooperate with the Federal Government the employment service may operate Federal employment exchanges without State cooperation.

(c) Central office activities: (1) Make available information gathered from the system of offices as to work opportunities and persons unemployed.

(2) Clearance of unemployed workers between offices.

(3) The establishment of uniform procedure and standards.

(4) Assistance in transportation of workers.

4. Methods of securing effective State cooperation: (a) A State must accept by an act of its legislature the provisions of this act before it can participate in the benefits under this act.

(b) The State must submit its plans for the public employment system to the director general and secure his approval.

(c) It must submit periodic reports on the basis of which the director general may determine whether the system is operating up to standard.

(d) To secure the benefits of the act it must secure a certificate from the director general which may be revoked for cause.

5. Methods of securing industrial cooperation: (a) Through advisory councils, both Federal and State, composed of equal numbers of employers and employees.

(b) By adhering to a policy of neutrality in labor disputes, impartiality, and freedom from politics.

(c) Applicants for work must be given notice of strikes or lockouts, if any, in the work places to which they are referred.

6. Benefits to a cooperating State: (a) Grants in aid apportioned on the basis of population, which grants must be matched by an equal State appropriation.

(b) Information collected from all cooperating offices.

(c) Clearance service for workers.

(d) Free mail privilege.

7. Temporary provisions: Section 10 makes possible several temporary adjustments for a period of three years until such time as this system can get under way.

8. Specialization offices: Provision is made for authority to operate offices for individual occupations and trades.

9. Appropriations authorized: $4,000,000.

I am sorry that some of the Senators who I know intend to oppose this legislation are not present in the Senate, first, because I might clear up any misunderstanding they have as to the provisions of the bill; and, secondly, I would like to call their attention to the message of the President, the last message to the present Congress, in which he asked for a further appropriation to the already established Federal employment exchange, so that it may better cooperate with the States in the development of employment exchanges. While we have not heard from the President since in his annual message he expressed approval of the principle and of the legislation now before the Senate, which, I think is more scientifically worked out than the present law.

The third of the bills, S. 3061, makes provision for the effective gathering of nation-wide statistics of employment in all lines of economic effort. This bill, to my mind, holds the key to the prevention of the unemployment of the future. It will make available information the full value of which no one can possibly foresee. It will enable the business men of the United States to conduct their affairs with a view to stability and continued prosperity.

Since these bills were first introduced in the United States Senate public opinion has gradually crystallized in favor of their enactment by the Congress during the present session. Economists have unanimously given the legislation the stamp of their approval as sound and feasible and well conceived to attain their stated objects.

I might say right here that I took the pains to send a copy of this legislation to every well-known economist in the whole country, with a request that he give to me the benefit of his views as to whether the legislation is feasible or not as a step in the prevention of a recurrence of unemployment. Without exception from all over this country have come letters of hearty approval, heralding this legislation as a very important step forward. Many of them characterize it as the most important contribution to the solution of the outstanding problem before the country to-day. There was not a dissenter among all the great professors of economics in the entire country. Employers have indorsed the bills. Labor has put behind them the full force of its organized opinion.

As I have said, large industrialists all through the country have approved it. I should like to have Mr. Emery know that. He is the one who has stirred up the opposition, single-handed and alone, against the employment exchange bill. What his real reason is I do not know. The ostensible reasons which are given in his letter can not be the actual reasons, because they are so unfounded as to be ridiculous. Organized labor has put its stamp of approval upon this legislation and has appealed to Congress to enact the bills into law. The newspapers of the country, without regard to political division, whether Republican or Democratic, whether conservative or liberal, have joined in a single expression that Congress should pass the bills.

Mr. President, in conclusion there is one final argument that I desire to offer in behalf of this legislation, an argument which makes its appeal not only to the mind but to the heart. I am thinking of American mothers going out to work at night because their husbands can not find work to do. I have in mind wan, half-starved children, pale and thin from undernourishment. I recall the 15,000 families in Detroit who in a single day stooped to receive charitable relief.

I visualize thousands of men in New York, Pittsburgh, Cleveland, and every large center of population, shuffling in line to beg for a "spot" to sleep on. These men, these women and children, humans all, with the divine spark in every one of them, constitute my clinching argument. Human life in all its courage and dignity, in all its beauty, rebels against the fate which drags it into the gutter of want and poverty with growing frequency.

American wage earners raise their eyes to the great and powerful Government they have founded and cry out in desperation, "Lift us out of this mire of unemployment."

In the course of my remarks I spoke of the waste of billions of dollars which unemployment entails. I mentioned the efficiency which the proposed legislation would make possible. These are valid considerations. But the primary considerations are the waste of human life which is the price of demoralizing unemployment, and in contrast thereto the fuller, richer, and better lives which steady employment and income make possible.

Year after year, decade after decade, we have yearned and hoped and prayed to be relieved of the recurrent onslaught of unemployment. Here is a program of action, not perfect but the best that the present state of our knowledge makes possible; not complete but having within it the seeds of further development; not a panacea for all our ailments but bound to contribute to the solution of unemployment. Here is the program: Three bills, constituting the first three steps on the road to stabilized prosperity.

The PRESIDING OFFICER (Mr. ROBSION of Kentucky in the chair). The question is on the first committee amendment, which the clerk will report.

The LEGISLATIVE CLERK. On page 2, line 20, the Committee on Commerce reports to strike out the word "secretary" and insert the word "director," so as to read:

The board is authorized to appoint, in accordance with the civil service laws, a director and such experts, and clerical and other assistants, etc.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The next amendment will be stated.

The LEGISLATIVE CLERK. The next amendment of the Committee on Commerce is, on page 3, line 3, to strike out the word "secretary" and insert the word "director."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. The next amendment is, on page 5, line 24, after the word "periods," to insert the words "the President is requested to direct," and on page 6, line 1, after the word "Agriculture," to strike out the words "are directed," so as to make the section read:

SEC. 9. For the purpose of preventing unemployment during periods of business depression and of permitting the Government to avail itself of opportunity for speedy, efficient, and economical construction during such periods, the President is requested to direct the Secretary of War, the Secretary of the Treasury, and the Secretary of Agriculture to accelerate during such periods, to such extent as is deemed practicable, the prosecution of all public works within their control.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The LEGISLATIVE CLERK. The next amendments are, on page 6, line 10, to strike out the words "and detailed preparation"; in line 15, to strike out the word "and"; in line 20, after the word "made," to insert the words "and (3) of advance preparation of detailed construction plans"; and in line 25, after the word "act," to insert the words "and (2) advance preparation of detailed construction plans," so as to make the section read:

SEC. 10. It is hereby declared to be the policy of Congress to arrange the construction of public works, so far as practicable, in such manner as will assist in the stabilization of industry and employment through the proper timing of such construction, and that to further this object there shall be advance planning of public works to be accomplished (a) in the case of river and harbor and flood-control works and projects and public-building projects by means (1) of preliminary reports, made under the subsequent provisions of this act or existing law, as to the desirability of the project; (2) of annual authorizations of projects, the total estimates for which are sufficiently in excess of the annual appropriations made for the work thereon to result in uncompleted projects being available for the expenditure of public works emergency appropriations when made; and (3) of advance preparation of detailed construction plans and (b) in the case of public-roads projects by means (1) of advance approval of projects in accordance with the provisions of the Federal highway act, and amendments and supplements thereof, and of this act, and (2) advance preparation of detailed construction plans.

The PRESIDING OFFICER. Without objection, the amendments are agreed to. This concludes the committee amendments. The bill is in Committee of the Whole and open to further amendment.

Mr. VANDENBERG. Mr. President, I desire to congratulate the Senator from New York [Mr. WAGNER] for his very interesting presentation of the pending measures. I heartily sympathize not only with his objective but in the main with at least two of the measures which he has offered in connection therewith.

I want to address a very brief observation to the particular pending measure, S. 3059. This, as the Senator from New York has indicated with great force, contemplates the long-range planning of public works by way of providing unemployment in the slack periods of our economic experience. I think he is wholly justified in stating that the principle involved has the complete approval of the economists of the country. As a matter of fact, we are already proceeding in the paraphrase of long-range planning in our program for the expanded construction of our public buildings. The same principle was approved by the Committee on Commerce two years ago when the so-called Jones prosperity reserve bill was favorably reported to the Senate and, to the disappointment of many of us, not passed. The same principle has been indorsed by President Hoover. We are now brought up to date with the proposal submitted by the Senator from New York.

I intend to vote for the proposal submitted by the Senator from New York. In my judgment, it is a step in advance. I want to express the hope, however, that the plan may be still further refined in the future and may be protected in its development against what to me is its one chief weakness. I shall be very happy to have the attention of the Senator from New York to this suggestion.

Under the terms of the plan as it now impends, an authorization of $150,000,000 is made against which the ultimate appropriations shall come for the purpose of carrying on the public works which may be lifted out of the long-range plan and made immediately available for employment in slack periods. The weakness in that plan to me is in the fact that an increased tax burden necessarily occurs—and simultaneously—as the result of the operation of the system and occurs at the precise moment when an increased tax burden will be one of the factors to further discourage that economic recovery which in turn will cure permanently the unemployment cycle. In other words, we partially defeat our own purposes. Therefore, to me it is a weakness in the plan that a tax increase is the concomitant of the application of the long-range plan itself.

I have wondered for at least two years, since the study of the plan first came to the attention of the Senate, whether there is not a constructive answer to that possible weakness in the plan. This is my thought. We are reducing the public debt at the rate of from $300,000,000 to $700,000,000 or $800,000,000 a year. In periods of economic difficulty which are sufficiently disturbing to warrant the application of the long-range plan for unemployment, if the country is in that condition at any time, it seems to me that we are warranted in suspending $150,000,000 of our annual contribution to the sinking fund.

In other words, if the country reaches that economic position where emergency measures of this nature are necessary by way of recovery, it seems to me that if we continue to pay the interest on the public debt and continue to sustain more than one-half of the annual contribution to the sinking fund toward its retirement we have done all that anybody could be expected to do under such circumstances, and then it is logical to use the other one-half of the annual contribution to the sinking fund for the purpose of relieving these economic necessities.

There is an economic consistency in such a contemplation, because the use of the sinking-fund contribution, since it saves an increased tax rate, will in that degree encourage the renewal of sound economic conditions which in turn will help permanently to cure unemployment. I submitted this suggestion relative to the use of a portion of the annual contribution to the sinking fund to a number of the witnesses who appeared before the Commerce Committee two years ago when we were discussing the general long-range plan of legislation. I want to indicate for the RECORD the reaction of a few of them.

The Senator from New York will understand that I am speaking in no sense in controversy but entirely in the hope that we may ultimately go even farther than he proposes in the development of an automatic system to cure unemployment so far as it may be done by legislative contribution.

Mr. HAYDEN. Mr. President——

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

Mr. VANDENBERG. I yield.

Mr. HAYDEN. The Senator will remember that when legislation was proposed to authorize the construction of Boulder Dam on the Colorado River the bill originally contemplated a bond issue of $165,000,000, a sum comparable to the amount fixed by this bill. It developed that the Treasury Department did not favor the issuance of bonds for that specific purpose, because the Secretary of the Treasury has authority, whenever Congress makes appropriations and there is not money in the Treasury to meet the same, to issue obligations of the United States in such amounts as may be necessary.

What I wanted to develop, however, from the Senator was whether he felt that it was necessary by law to direct that payments into the sinking fund be suspended during the period of unemployment or whether existing law would care for the situation by allowing the Treasury Department to pay off such bonds as may come due with funds available and to borrow other money to carry on the work authorized by this bill. The net amount of the public debt would thereby remain the same. I should like to inquire of the Senator whether he believes it necessary to amend the pending legislation or whether there is now authority of law for the Secretary of the Treasury to proceed as I have indicated.

Mr. VANDENBERG. Mr. President, I am not familiar with any such authority, and at the moment I am not suggesting an amendment of the pending legislation. I am merely suggesting the general philosophy that if we build relief work out of extra appropriations it would increase the tax rate at a time when this of itself would be a harmful influence and tend to intensify the difficulties of the precise situations which we are undertaking to cure.

Mr. HAYDEN. My recollection, Mr. President, is that the Treasury Department has authority of law to issue at any time United States bonds or other obligations of the United States, to borrow money in any form that the Secretary of the Treasury sees fit, with which to pay the current expenses of the Government. It does not necessarily follow that were the bill sponsored by the Senator from New York enacted into law it would result in an increase in the tax rate during the time the law is in operation as a means of providing work for the unemployed.

Mr. VANDENBERG. Be that as it may, Mr. President, it seems to me that the program reaches its maximum possibilities of economic contribution if we can escape the concurrent necessity either of increasing the tax levy or the bonded debt. It

equally occurs to me that we are reducing the bonded debt at such a spectacular rate, anyway, that there could be no possible economic objection if a portion of the annual reduction were suspended for a single year, in order to accomplish the constructive end described in the measure submitted by the Senator from New York. After all, the first business of the Nation in times of economic depression is the business of restoring the economic equilibrium. Long-range planning will help restore the equilibrium, but I fear an increased tax burden, incident to the long-range planning, might disturb the equilibrium and thus rob the pending plan of a substantial measure of its utility.

Mr. WAGNER. Mr. President——

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

Mr. VANDENBERG. I yield.

Mr. WAGNER. I am very happy that the Senator has made the contribution he has to this discussion; he always contributes to any discussion in which he may enter; but I do not think that any amendment of the kind indicated is necessary. I am in sympathy with the thought of the Senator, but we have two forms of relief under this bill. As the Senator knows, first is the acceleration of public works. That, of course, does not require any additional appropriation; that merely moves the time up. For instance, if an appropriation were to be expended over a period of 12 months and the construction work were to be done at the rate of so much per month, if we should have a depression, say, in January or February, under this bill the stabilization board might accelerate that work and advance it so that that which was to be done in May would be done in February, and so that a greater proportion of the work would be performed during the period of depression, thus taking up the slack; and then, of course, the amount of work to be done at times when, as experience shows, there is a betterment of economic conditions would be lessened.

The bill provides, of course, only for an authorization of $150,000,000, and therefore when the actual time comes for making the appropriation the Congress will be free to adopt either the policy which the Senator proposes or make a direct appropriation. There is sufficient elasticity in this bill so that either method may be adopted; and if there should be at a given time a very serious depression, I do not doubt that perhaps the Senator's method of securing the necessary funds would be adopted.

Mr. VANDENBERG. Mr. President, I think the Senator's description of the prospective operation of the plan is entirely correct. The only thought I have in mind is that, in the last analysis, if we can make the operation of this long-range planning as automatic and as self-contained as possible in all respects, we have, just by that degree, perfected it and served its objective.

Mr. President, in conclusion, I merely want to note for the RECORD that Prof. Gardner S. Williams, of the American Engineering Council, which is one of the units heartily in favor of the Senator's bill, wrote to me under date of April 16, 1928, as follows:

> I personally am prepared to indorse your proposition without reserve—namely, the temporary diversion of sinking funds to finance enhanced public works which are undertaken as an offset to emergency periods of unemployment and depression.

I want to say also that Mr. Henry S. Dennison, of Framingham, Mass., who is one of the most far-seeing industrialists in American life, similarly found in the suggestion a sound economic development of the ultimate idea.

Another witness who appeared before our committee two years ago on the same proposition was ex-Senator George Wharton Pepper, of Pennsylvania. I quote from Senator Pepper as follows:

> I can not think of any objection that is sound in theory to the proposal that you make respecting the suspension of payment into the sinking fund simultaneously with and to an extent equal to emergency appropriations to avert unemployment. I agree with you that it is economically sound to say that when we are making appropriations for such a purpose we are not in shape to indulge in the luxury of debt reduction. I am quite sure that all of us who have been interested in this legislation would heartily approve of a modification of the bill on the lines which you suggest—

And so forth.

Many such letters are available. But it will suffice in conclusion to make one final reference. I want to quote finally from Mr. John B. Andrews, secretary of the American Association for Labor Legislation, another unit which is heartily in favor of the bill of the Senator from New York. Responding to my inquiry relative to the temporary diversion of annual payments into the sinking fund, Mr. Andrews says:

> I do not think your suggestion is visionary. On the contrary, I believe it is economically sound and, subject to the everlasting necessity of also being "expedient" in legislation, it is worthy of the most serious consideration whenever this question of financing the long-range planning of public works is up for discussion. We want the principle adopted now without fail, and any incidental improvement is highly desirable where practicable.

It is on the basis of that final sentence that I am submitting these observations.

I join the Senator from New York in wanting the principle established now, and I do not propose to complicate those possibilities by attempting from the floor to develop an amplification of the plan; but in the ultimate, Mr. President, I feel that if this long-range planning of public works is to be brought into maximum utility for the correction of unemployment, or at least to exert a helpful influence upon economic conditions during unemployment periods, it must become automatic in its processes of self-financing; and I submit that in that development, when we shall come to it, the finest, the soundest, the safest, and the surest opportunity to finance emergency works is through a temporary partial diversion of the annual payments into the sinking fund.

With these observations I take my seat, renewing the hope that the bill of the Senator from New York will be passed as submitted.

Mr. WALSH of Massachusetts. Mr. President, I should like to inquire of the Senator from New York what assistance, if any, he has received from the administrative departments of the Government in his endeavors to work out a plan of unemployment relief?

Mr. WAGNER. None that I am conscious of, I may say to the Senator, unless this may be interpreted as assistance: Originally the Secretary of Labor disapproved, I think, of all legislation proposed by me as either unnecessary or inadvisable—I have forgotten the exact basis of his objection. However, since that time the Secretary of Labor has been converted into support and approval of this proposed legislation. Other than that I have heard of no assistance from the source indicated by the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, now that we are considering certain proposals to relieve unemployment, I do not want the occasion to pass without a word of criticism with respect to the attitude of administrative leaders toward this problem. For weeks we have been devoting our thought and attention to the question of world naval disarmament—a very commendable undertaking; we have been giving a good deal of thought and consideration to the question of our relationship to and association with the World Court; we have been conducting extensive investigations, originated by the Chief Executive, into various aspects of law enforcement and its relationship to the prohibition question. I can not help but feel that more important than the enforcement of prohibition laws or the repeal of the prohibition amendment, more important than seeking to bring about a reduction of armaments in the world, more important than the question of our foreign relationship, is the question of taking care of, assisting, and helping the tens of thousands, if not millions, of human beings in America who are on the verge of much suffering and possible starvation because of their inability to obtain employment. I do not believe it is possible to exaggerate the want, the hunger, and the distress which exist in this country to-day among our own working people as a result of the prolonged period of unemployment which has occurred in this country during recent months. I protest the disregard of and indifference toward this question, the most important of all our many serious problems, upon the part of the administration.

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

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

Mr. WALSH of Massachusetts. I yield.

Mr. WAGNER. If the Senator does not mind the interruption, I think I have a statement to make that will be of interest to him.

Mr. WALSH of Massachusetts. I am glad to yield to the Senator for that purpose.

Mr. WAGNER. I stated in my original presentation of this subject that the unemployment statistics of even a meager character which have been collected by the Department of Labor show that during the month of March, which is usually a time when good weather comes and unemployment recedes, there was a further decline of employment for the first time in our history and that, too, in spite of statements to the effect that we had turned the corner in January and February. I received this morning the figures for Massachusetts, and they show—and this is something new in the experience of Massachusetts—

that employment further decreased 1 per cent during the month of March.

Mr. WALSH of Massachusetts. I thank the Senator. I have similar confirmatory information that unemployment during the month of March has been worse than during any other month; that instead of an improved condition, the condition in many localities is the reverse.

Mr. WAGNER. I would rather give more optimistic news; but I think we must look at this problem realistically if we are ever going to solve it.

Mr. WALSH of Massachusetts. Mr. President, it ought not to be left to an individual Senator, busy with many duties here, to try to work out a sound and sane solution of a problem of this magnitude and this importance. I can not help but feel that there has been a lack of sympathy, that there has been an absence of interest, that there has been a failure to appreciate the real condition that exists in this country to-day, upon the part of administration leaders.

The program of unemployment relief ought to originate in the heart and head of the Chief Executive of this country. It is more worthy of a special message, a special study, and a special solution than any other question before the American people to-day. It is a sad plight that the American people find themselves in, without an expression even of the realization of the existence of the present regrettable conditions, to say nothing of any attempt to provide a remedy.

A special board was created months ago, and an exceedingly large sum of money authorized, to regulate the marketing of our agricultural products. The purpose of that legislation—unusual, far-reaching, and somewhat revolutionary in character—was to bring relief to the depressed agricultural industry in this country. An army of distressed people among the toilers of the Nation, an army who want employment and can not find it exists to-day and has existed for months. Conditions have gone from bad to worse, and little indeed has been done by the administration to bring relief.

I ought to modify that to the extent of saying that when the business depression commenced last fall, the President did call together groups of the leading industrialists of the country, and pleaded with them to try to stem the threatened depression in business that was then apparent, and did urge upon them, and I think successfully, to prevent any reduction in wages, or any widespread reduction in wages, upon the part of the employers. To the extent that he succeeded in encouraging the business interests of this country to carry on, to the extent that he prevented reduction in wages, I give him full credit, and perhaps I ought to give him credit for preventing a possible increase in unemployment; but he has done nothing whatever to relieve the general unemployment conditions that have prevailed for months in this country. He may have prevented a business panic that would have swelled the tide of idle workers, but those who have been without employment have apparently been unhelped.

I inquire, Is the question of prohibition or its repeal, is the question of disarmament, is the question of our adherence to the World Court, momentous as they are, comparable with the question of preventing poverty and misery and starvation among millions of our own people? That it exists everyone admits, except administration leaders. It is the first and most general topic of discussion wherever men and women meet, except in the public life of Washington.

I say, Mr. President, with regret, that I feel it my duty to call public attention to the failure to suggest some such relief for the millions of unemployed as was attempted to be extended by the appropriation of large sums of money to those who have been depressed for a long period of time in the agricultural industry.

If it is important to give relief to the agriculturist by marketing his products so that he will get a better financial return than he would without the intervention and assistance of the Government, I submit that we might well turn our attention to devising some means of relief for those who are out of employment, those who are face to face with poverty, those who are walking the streets without proper nourishment for themselves and their children; that we could well turn our attention to finding some way of marketing these agricultural products to the consumer without the awful waste of money and unreasonable enhancement of price between the producer and the consumer.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Massachusetts yield to the Senator from Idaho?

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

Mr. BORAH. I have here some telegrams which I understand were sent us, news items; and I should like, if it would not interrupt the Senator, to read them, in order to get his views on them.

Mr. WALSH of Massachusetts. Are they with reference to the question under discussion?

Mr. BORAH. They are.

Mr. WALSH of Massachusetts. I shall be glad to have the Senator read them.

Mr. BORAH. This is a telegram to a Chicago paper:

> In the last few years American corporations, financed by American capital, have acquired factories in Europe, and have become the strongest factors in driving American commerce from foreign markets by restricting the output of industry in the United States. It is not an ordinary fight or competition, since the controlling corporation merely withdraws its American-made product from the market and substitutes the output of its European factories.
>
> Even more widespread is the preference of many American corporations to employ citizens of foreign countries instead of citizens of the United States whenever possible in their offices, salesrooms, and factories abroad.

Again:

> This undermining of American commerce and industry by American corporations, with the attendant decrease of employment and consumption of raw materials at home, is noticeable in South America, but it is even more conspicuous in Mexico and Central America, at the very borders of the United States. Here one can see the novel spectacle of representatives of the American State and Commerce Departments using their official influence with these Governments to secure big concessions for American corporations, though the equipment they will install is manufactured in Europe, while factories in the United States manufacturing the same equipment are discharging workmen because they lack orders.

Again:

> Most of the countries require that 75 per cent of the employees of any corporation be citizens of the country where it is operating. English, French, and German corporations operating in these countries fill the remaining 25 per cent as far as possible with their own nationals. American corporations manufacturing their equipment in Europe, where wages, materials, and operation are cheaper than in the United States, bring European experts to install and maintain the equipment, while out of several hundred executives and office employees, frequently not a half dozen are citizens of the United States—

And so forth.

Mr. President, what is going on constantly is the employment of foreign labor to the exclusion of American labor, closing down the factories in this country, and carrying on the trade by foreign labor. I do not know how we can reach it; I am not clear upon that; but I do know that it is a very important element in this question of unemployment. Vast corporations and financial interests are going abroad, purchasing manufacturing plants, using European labor, declining to use American labor, and causing the shut-down of American factories where American labor would be employed.

Mr. WALSH of Massachusetts. Mr. President, I will say to the Senator that I introduced in the Senate several months ago a resolution, which was adopted by the Senate, calling upon the Department of Commerce and the Tariff Commission to investigate fully into the question of the investment of American capital abroad in industry; that that resolution was adopted months ago, and that I assume both those departments of the Federal Government are diligently trying to obtain for us all the facts and all the information available. I was moved to introduce that resolution because of similar facts being brought to my attention that the Senator has presented to the Senate at this moment. The one factor that startled me and stood boldly forth in the early days of the proceedings before the Finance Committee in relation to the revision of the tariff was the assertion, made frequently, that American capital was investing abroad and doing just what the Senator says—employing cheap labor there to produce products to compete with the well-paid labor of America—and it was the information that came to me at that time that led to the presentation of the resolution which was then adopted by the Senate.

I agree with the Senator that it may be difficult to know just how to handle this movement of American investments abroad; but at least we are on the way to get the information and learn the extent of it. The Senator and I are in accord upon the suggestion that any red-blooded American knowing conditions in America as they are now ought not to be encouraging the employment of foreigners and displacing the employment of Americans in official or semiofficial capacities abroad. It shows a lack of sympathy with an understanding of the real conditions in this country to-day.

I am surprised at some of the facts the Senator has brought to our attention in reference to the departments of our Government being indifferent—to put it mildly—to the importance of employing our own citizens to represent our own Government and represent the business agencies of our own country as far as possible abroad. Let us hope some of the statements are exaggerated as to the conditions described.

Mr. WAGNER. Mr. President——

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

Mr. WALSH of Massachusetts. The Senator from Illinois [Mr. GLENN] has been on his feet for some time. I yield first to him, and then I will yield to my friend from New York.

Mr. GLENN. Mr. President, I was just going to suggest that some of the rates of the tariff bill that we are considering putting into effect probably will have an influence to keep out some of those goods.

Mr. WALSH of Massachusetts. I should hope that the effect of the revision of the tariff would be helpful in keeping out of this country all goods made abroad which are imported into this country and come in competition with American-made goods, resulting in removing the domestic market from our own producers. I have no quarrel with the Senator about the importance, in connection with unemployment and our other economic problems, of preserving the domestic market for the American producer. I want it preserved, however, for the American producer who is in competition with other American producers. I do not want it preserved for the American producer who has a monopoly and can control prices and can thereby unduly extort from our people. I am not unmindful, however, that excessive protection may be worse than too little protection. I fear we are reaching a policy of extreme protection that is going to be harmful rather than helpful to our industries.

Mr. GLENN. There is no controversy between us on that point or upon the point upon which the Senator from Massachusetts made to the Senator from Idaho, that this practice, which is growing very rapidly, to which the Senator from Idaho has called attention, is really not followed by those imbued with the highest type of American patriotism.

Mr. WALSH of Massachusetts. I think both Senators will recall one of the subjects I discussed before the Senate in connection with the tariff, when I called attention to the disadvantages suffered by one particular industry with which I was familiar, in my own State, owing to the fact that modern machinery and mass production and American capital were being employed abroad in competition with domestic industry.

Mr. BORAH. Mr. President, there is one feature which the tariff bill would not affect, it seems to me, although it would have some effect, undoubtedly, as suggested by the Senator from Illinois. American manufacturers must necessarily have a market abroad for their products or they can not do business; that is, it is not sufficient that they simply supply the home market. That will not insure them prosperity or success. If American capital goes abroad and engages in manufacture abroad, and, through foreign labor, supplies the foreign market, it has practically the same effect ultimately upon the home situation as if the goods were being shipped in.

Mr. WALSH of Massachusetts. The Senator has very properly called attention to that additional situation resulting from American capital investing abroad. It is bound to result in a curtailment of domestic production and domestic employment.

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

Mr. WALSH of Massachusetts. I yield.

Mr. WAGNER. I am only asking the Senator to yield because it gives me an opportunity again to emphasize the importance of one of the three bills on the program, namely, that providing for the accumulation of accurate information as to unemployment conditions. The telegrams transmitted to the Senator are from private sources. Yet the Government ought to be absolutely in a position to know all about the causes. If that situation exists, and it has caused unemployment, we ought to know it, just as we ought to know how much chronic unemployment results from the substitution of machines for men. But we are without that information now, and we will have it if this legislation is enacted and properly administered.

Mr. BORAH. Mr. President, will the Senator from Massachusetts yield again?

Mr. WALSH of Massachusetts. I yield.

Mr. BORAH. Anything I say is not to be construed as in opposition to the measures which the Senator from New York has proposed. I think they all have merit. But there is one proposition which nothing he is proposing will reach, it seems to me. That is the question of giving employment. We will ascertain that so many people are out of employment. We know now that a vast number are out of employment. What are we going to do with those now out of employment and who we know are out of employment? We have sufficient information now to know what the situation is. We do not know all the causes which lead to the unemployment, but by the time we have ascertained the number of men out of employment and ascertain the causes of all the unemployment, many of those people will have starved, unless somebody feeds them. The question is, What are we going to do to take care of the situation as we know it to exist at this time? I would like for us to consider that question.

Mr. WAGNER. The difficulty is that we do not know what the exact situation is. We can not solve a problem until we know what it is.

Mr. WALSH of Massachusetts. I agree immediate relief is needed. Many remedies can not become operative till suffering and want has done its damage. I would like to have the reaction of the Senator from Idaho to the suggestion I made a moment ago. I called attention to the efforts being made by the Federal Farm Board to relieve distress in agriculture by attempting to market agricultural products in such way as ultimately to lead to a little more profit, a little more money to the farmers.

To my mind the most serious and the gravest economic question in the United States to-day, one in which the farmer and the consumer of the necessities of life are alike interested, is the awful waste and extensive spread between the producer and the consumer. I know the Senator will agree with me that that is a problem we ought to take hold of, that we ought to go to the bottom of it, that we ought to study it, and that we should try to find some way of breaking down this tremendous economic waste, which is so well exemplified in the case of potatoes from the Senator's own State, when one compares the small, miserable sum the farmers in Idaho receive with the very excessive prices the consumers in Chicago and New York must pay.

We are now dealing with an emergency. Unemployment of the general and widespread extent now with us is a grave and serious emergency. Economic waste that increases the cost of the necessities of life is much more serious in time of unemployment, it is much more serious to-day because these unemployed people, these people who are suffering by reason of their inability to receive enough money with which to find a comfortable place to sleep and sufficient food to eat, to say nothing of clothing, should not be obliged to pay the exorbitant prices, and pay tribute to an economic system which makes them pay three and four and five times more than the food, the very necessities of life, brings to the producer or the farmer. Does the Senator approve my suggestion?

Mr. BORAH. I agree with the Senator.

Mr. WALSH of Massachusetts. It seems to me that while we are talking about disarmament, while we are talking about world peace, while we are talking about modification of the Volstead law, all of them problems of magnitude and importance, we ought to be giving even more thought to relieving distress and misery and poverty and suffering right here at home, in the United States, due to something wrong in our economic system. Yet there is not a single agency of the Government studying it, there is not a single agency of the Government trying to find a solution of it, there is not a single agency of the Government, apparently, cognizant of the conditions which prevail throughout this country to the appalling extent I sincerely believe exists. I would be glad to have the Senator's reaction.

Mr. BORAH. Mr. President, I have seen the statement that the American producer gets about 30 or 33 cents on the dollar, on an average, of that which the consumer pays in this country, while abroad, in other countries, the producer gets about 80 cents on the dollar. If that is true, that is a fearful indictment of our marketing system.

Mr. WALSH of Massachusetts. I think the Senator has been very moderate in his percentages. It is my opinion that the spread with respect to food products is even greater and wider than that indicated by the Senator. I think he has been very conservative in his statement that it is claimed that the American producer receives only about 33⅓ per cent. I think in many instances he does not receive 10 per cent.

Mr. BORAH. I was speaking of the average.

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

Mr. WALSH of Massachusetts. I yield.

Mr. GLENN. I do not understand the situation as the Senator from Massachusetts does when he says that no one connected with the Government or any department of the Government is giving this situation any study and any thought and making any effort to solve it. I hardly think that statement is warranted. I recall distinctly the apparently intense interest taken in these great marketing problems and the great spread between the amount received by the producer and the amount paid by the ultimate consumer, by the President of the United States in his campaign, I think this matter is being studied by the

Department of Commerce and the Department of Agriculture, and that certainly the head of the Government is in sympathy with the views expressed by the Senator from Massachusetts when he says that there is too great a spread. I do not think I can be wrong about that.

Mr. WALSH of Massachusetts. We have a very active press in this country, and I am sure if a study along that line were being made by any of the departments of the Government, we would hear of it. I have heard of no such study being made. I did hear, and I recall very distinctly, a very popular phrase used by the President in his campaign, that it was an important function of government to lessen and to reduce poverty.

I would like to see as much time and as much energy and as much enthusiasm and as much labor devoted by an American commission to this problem, to find a solution for it, as has been spent during the last three months in trying, commendably, I say, to reduce armaments. In other words, I think we are spending our time upon issues and giving study and thought to issues, important in themselves, but none of them so vital to the health and the life and the welfare of America as this human issue of providing employment and providing food at reasonable prices for our people. I say again, I know of no board, no agency of this Government, that is to-day seeking to find a solution for the economic waste between the producer and the consumer or to relieve unemployment.

Mr. BORAH. Mr. President, the Farm Board made some effort along that line, did it not?

Mr. WALSH of Massachusetts. Yes; I agree with the Senator; they made some effort.

Mr. GLENN. Mr. President, I think the Senator from Massachusetts will agree that the President, when the economic smash up came some time ago, took some rather active steps.

Mr. WALSH of Massachusetts. I do not think the Senator was in the Chamber at the time, but when, at the outset of my observations, I was critical of the President's lack of sympathy with this problem, I was generous enough to point out what he did, and I say I believed that the action he took at that time did prevent a further expansion of unemployment and did, possibly, prevent a cutting of wages. The Senator was not in the Chamber at the time I referred to that. I wanted to be fair enough to give the President credit for that.

Mr. President, I did not intend to keep the floor so long, but I felt that this occasion should not pass without my calling attention to the fact that, where we ought to have leadership, where we ought to have sympathy, where we ought to have a strong-arm policy, in dealing with this problem, we have not found it. There has, apparently, been a disposition to push it aside, to minimize it, to hope and pray—and that is commendable—that it would pass away without the need of any vigorous action. I said before, and I say now, that the American people are conscious of the difficulties in solving a problem like this. The American people know how difficult it is to find a sane and a sound solution of many of our great economic questions.

But the American people have a right to know that their public officials know of the existence of these difficult problems, that they sympathize with them, that they feel for them, that they are striving to find a solution, though one may not be readily realized.

My criticism is that there has been hope, only hope, that a different situation would develop in time, rather than real sympathy expressed in an endeavor to find some permanent, lasting, helpful solution. The administration policy has been one of drifting. If something more helpful is not proposed, I intend to suggest calling upon the Farm Board to make provision for marketing of the necessities of life to the poor unemployed of the country at first cost. That is something constructive we can try to do in addition to the very excellent legislative proposals which have been presented by the Senator from New York. I desire to commend him for his diligence, his perseverance, and the able manner in which he has pursued his interest in the question and which is resulting to-day in the first step toward some relief. It may not be as large or beneficial as desired, but it will be moving in the direction of relief. The big relief that this problem requires must originate with and be sponsored by the Chief Executive. He alone can direct and lead our people in emergencies in war and peace. Here is an emergency for executive leadership and statesmanship.

Mr. BORAH. Mr. President, I wish to ask the Senator from New York a question. Do any of the bills which he has been discussing create a commission?

Mr. WAGNER. No. A stabilization board is created, but the members of it are those who are already in office, namely, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Labor. There is no new commission created under the proposed legislation.

The PRESIDING OFFICER (Mr. FESS in the chair). The bill is as in Committee of the Whole and open to amendment. If there is no further amendment to be proposed, the bill will be reported to the Senate.

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

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

The PRESIDING OFFICER. The Chair lays before the Senate the next special order, Calendar No. 312.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3061) to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, which had been reported from the Committee on Commerce with amendments, on page 1, line 10, after the word "employment," to insert the words "in the service of the Federal Government, the States and political subdivisions thereof, and," and on page 2, line 5, to strike out the words "transportation and communication and insert in lieu thereof the words "transportation, communication, and other public utilities," so as to make the bill read:

Be it enacted, etc., That section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, is amended by adding at the end thereof the following new paragraph:

"The Bureau of Labor Statistics shall also collect, collate, report, and publish at least once each month full and complete statistics of the volume of and changes in employment, as indicated by the number of persons employed, the total wages paid, and the total hours of employment, in the service of the Federal Government, the States and political subdivisions thereof, and in the following industries and their principal branches: (1) Manufacturing; (2) mining, quarrying, and crude petroleum production; (3) building construction; (4) agriculture and lumbering; (5) transportation, communication, and other public utilities; (6) the retail and wholesale trades; and such other industries as the Secretary of Labor may deem it in the public interest to include. Such statistics shall be reported for all such industries and their principal branches throughout the United States and also by States and/or Federal reserve districts and by such smaller geographical subdivisions as the said Secretary may from time to time prescribe. The said Secretary is authorized to arrange with any Federal, State, or municipal bureau or other governmental agency for the collection of such statistics in such manner as he may deem satisfactory, and may assign special agents of the Department of Labor to any such bureau or agency to assist in such collection."

The amendments were agreed to.

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

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

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 10379) 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, and it was signed by the Presiding Officer (Mr. FESS) as Acting President pro tempore.

NATIONAL EMPLOYMENT SYSTEM

Mr. McNARY obtained the floor.

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

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

Mr. McNARY. I yield.

Mr. WAGNER. As the Senate knows, one of the bills discussed by me and which I regard as a part of the program for the stabilization of employment, is upon the calendar and would have been made a part of the special order but for the objection of the Senator from Connecticut [Mr. BINGHAM]. I refer to the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes. I propose now to move that that bill be taken up for consideration and that we have a vote upon it. We have already had a discussion of it. I do not know that there is any further discussion needed, but I want to have a vote upon whether the Senate approves the measure or not.

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

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. Is a motion of that kind in order at this time? The Senator from New York proposes to move to proceed to the consideration of the bill to which he has referred, which is not included in the special order.

The PRESIDING OFFICER. There being no unfinished business before the Senate, the motion is in order.

Mr. McNARY. Personally, I have no objection to the present consideration of the bill. I could not give my approval to unanimous consent for its present consideration and the Senator from New York is not asking it, but inasmuch as there is opposition and the Senator objecting is not present, before the motion is made and in order that we may have a more full attendance, 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	Dill	Jones	Shipstead
Ashurst	Fess	Kean	Shortridge
Baird	Frazier	Kendrick	Smoot
Barkley	George	Keyes	Steck
Bingham	Gillett	La Follette	Stelwer
Black	Glass	McKellar	Stephens
Blaine	Glenn	McNary	Sullivan
Blease	Goldsborough	Norris	Swanson
Borah	Gould	Nye	Thomas, Idaho
Bratton	Greene	Oddie	Thomas, Okla.
Brock	Hale	Overman	Townsend
Broussard	Harris	Patterson	Trammell
Capper	Harrison	Phipps	Vandenberg
Caraway	Hastings	Pine	Wagner
Connally	Hatfield	Pittman	Walcott
Copeland	Hawes	Ransdell	Walsh, Mass.
Couzens	Hayden	Robinson, Ind.	Walsh, Mont.
Cutting	Hebert	Robsion, Ky.	Waterman
Dale	Howell	Schall	Watson
Deneen	Johnson	Sheppard	Wheeler

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

Mr. McNARY. Mr. President, I understand the question before the Senate is the motion made by the Senator from New York [Mr. WAGNER] to take up Senate bill 3060.

The PRESIDING OFFICER. The motion has not yet been made.

Mr. WAGNER. I now move that the Senate proceed to the consideration of Senate bill 3060.

Mr. WALSH of Massachusetts. Let the bill be stated.

The PRESIDING OFFICER. The Secretary will read the bill by its title.

The CHIEF CLERK. A bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York [Mr. WAGNER] to proceed to the consideration of the bill.

Mr. JONES. Mr. President, as I understand, this bill constitutes another proposal for the relief of unemployment. I did not think about the bill coming up to-day. I know there is great opposition to the proposed legislation in my State, and a hasty reading of the bill leads me to think that should it be enacted into law it would embark the National Government upon an activity into which it ought not to enter, and one which is not necessary. However, I am not myself prepared to discuss the measure at this time. I did not suppose the bill was likely to come up; after the other two bills were disposed of, I supposed there would be other legislative business which it would be desired to consider, especially in view of the agreement to take up another matter at 3 o'clock.

Mr. JOHNSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. I do.

Mr. JOHNSON. There were a series of three bills pending before the Commerce Committee presented by the Senator from New York [Mr. WAGNER]. They related to a single subject, and all should have been considered together had it been possible thus to consider them. In the Commerce Committee, when the three bills were before that committee, two of them were reported; the third was favorably acted on, but just as it was about to be reported with the other two bills some organization desired to be heard upon the third bill. In a spirit of fairness the Committee on Commerce accorded that organization the right to present its objections to the third bill, but it was subsequently reported. It is the third in a series of three. In the interim the two bills first reported were fixed as special orders; the third was not fixed as a special order at that particular time; but in the consideration of the measures—I am not speaking of their merits at all—all three should be heard practically together as part of a continuous and comprehensive program of relief for unemployment. So I hope, no matter what may be the views of individual Senators upon Senate bill 3060, that the Senate will permit it to be now made the unfinished business so that it may be considered.

Mr. WATSON. Mr. President, after I had the privilege of naming the steering committee, I met with them, and the question came up as to what legislation should be considered. At that time, as I recall, it was agreed that two of these bills should be considered at once, and, so far as those present at the meeting had anything to do with it, or were concerned, that both those bills should be passed. So far as we then could ascertain, there was no particular or serious objection to either bill. There were, however, grave objections presented to the third bill by various individuals present. Therefore we thought that more time should be given for the consideration of that bill; that before it should be considered Senators should have an opportunity to study it and learn about it; and that they should be informed as to when it would come up. The other two bills were on the program, so that as to them everybody was notified, but at that time there was at least an understanding that the third bill would not be considered until some further time had been given for its study.

This morning I spoke to the Senator from New York and suggested that he call up the two bills which were on the regular program. He said that he intended to do that. I got from him the impression—perhaps it was an erroneous one—that he did not intend to press the third bill for consideration this afternoon.

Mr. WAGNER. The Senator certainly got a wrong impression if he thought I entertained any such idea as he has stated.

Mr. WATSON. I at least got that impression. I never dreamed that the Senator intended to ask for the consideration of the third bill this afternoon.

Mr. JOHNSON. Let me recall to my friend from Indiana that——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from California?

Mr. WATSON. Certainly.

Mr. JOHNSON. The two bills that have been passed were made special orders by unanimous consent. The third bill, as I have just recounted, was reported by the Commerce Committee as a part of the comprehensive scheme for the relief of unemployment presented by the Senator from New York. When that bill was reported some weeks ago the Senator from New York on the floor stated that he desired it to be made a special order with the two bills that had already been made special orders. Then and there, because some Senators are opposed to it, objection was interposed to making the third bill a special order with the other two that thus had been made a special order; and then and there the Senator from New York stated that he would move to take it up immediately upon the other two bills being acted upon by the Senate. So everybody has been given most full and complete notice. I am making these remarks solely because I think as a matter of justice and fair play the facts should be stated. Under the circumstances the Senator from New York is entitled, I think, to have the question determined by the Senate as to whether or not his bill shall be made the unfinished business and be before the Senate.

Mr. WATSON. Mr. President, in response to my friend from California, I desire to state that I was not on the floor at the time of the remarks made by the Senator from New York to which the Senator from California refers; in fact, having been detained for something over three weeks as a member of the conference committee on the tariff bill, I have hardly been on the floor of the Senate at all during that time. However, I had a distinct impression from Senators here with whom I had talked that the two measures which have been acted upon by the Senate were to be brought up and passed this morning; that is to say, if the Senate were willing to pass them; at least, that they should be considered; but at no time have I gotten from anybody the impression that the third bill was to be brought up to-day. I had not read the third bill and have not read it as yet; I do not know what is in it and have had no opportunity to consider it; and, so far as I know, other Senators have not had an opportunity to consider it and did not know it was coming up.

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

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

Mr. WATSON. I am glad to yield to the Senator.

Mr. WAGNER. Did the Senator read the two bills which were considered and passed this morning?

Mr. WATSON. I certainly did read them both, and I went over and spoke to the Senator about them. I sent for them this morning; I had them brought to my room by Mr. Loeffler and I read them both. I did not read the third one, because I did not apprehend it was coming up to-day. When I went over and spoke to the Senator I supposed, of course, the two bills were to come up, as I spoke to him about the two; but I did

not know that the Senator was going to press the other bill to-day, and I am very sorry if that is his purpose.

Mr. WAGNER. I think I stated to the Senator that I proposed to make a motion for the consideration of the third bill just as soon as the other two had been disposed of. That has been my intention right along, and, as the distinguished Senator from California has said, I made the statement, at the time unanimous consent was refused me because of the objection of the senior Senator from Connecticut [Mr. BINGHAM], that I would move to take up for consideration the third bill at the time when the two other bills were under consideration.

Mr. WATSON. Mr. President, I am told that a request will be made at 3 o'clock to postpone, by unanimous consent, the consideration of the Parker nomination set for that time until Thursday. As to whether or not that will be done I do not know. If it be done—and I apprehend it will be, because, I am told, it is on the personal request of the Senator from North Carolina [Mr. SIMMONS], who wants to be present when the nomination shall be taken up, and can not be here before Thursday—if the consideration of the nomination shall be postponed, I think we might go on with something else for a little while, until some of us may have an opportunity to study this bill and see what is in it. I do not know of a Senator on this side who has read it, and I do not think, under the misapprehension which prevails, that the Senator ought to seek to crowd that bill on the Senate at this time. I may favor it when I read it, but I do not know as to that.

Mr. JOHNSON. Mr. President, I am perfectly certain the Senator from Indiana will very enthusiastically favor it, because it deals with one of the most important subjects which is now before the Nation—the subject of unemployment—and the only bills which have been presented on that subject upon which the Congress may act are the bills which have been introduced and pressed by the Senator from New York.

Mr. President, if the Senator from Indiana will permit me for an instant further——

Mr. WATSON. Certainly.

Mr. JOHNSON. At 3 o'clock, it is true, under a unanimous-consent agreement, the Senate is to consider a nomination. My information may be at fault, but it is that the consideration of the confirmation of the nomination of Judge Parker will proceed at that time. I do not speak advisedly; I do not speak, of course, with the authority with which the Senator from Indiana can speak, but I believe at that time the Senate will proceed with the consideration of the nomination.

Mr. WATSON. One objection, of course, will force its consideration.

Mr. JOHNSON. All that is asked by the Senator from New York is that the bill introduced by him, Senate bill 3060, shall be made the unfinished business. It can be made the unfinished business, and then can be laid aside, if the Senator from Indiana has some legislative business which he wishes to have considered between now and 3 o'clock. Then, of course, it will be superseded temporarily under the unanimous-consent agreement by the consideration of the Parker nomination. I trust that the Senator from New York will insist upon his motion that the Senate proceed to the consideration of Senate bill 3060.

Mr. JONES. Mr. President, will the Senator from Indiana yield to me?

Mr. WATSON. I yield the floor to the Senator.

Mr. JONES. I do not care to take the floor particularly, except I wish to call the Senator's attention to the fact that I received a notice a few days ago from the steering committee setting out the order in which they would ask that bills be considered. This was not one of those bills.

Mr. President, I have had an opportunity merely to go over the bill hurriedly. I did not object to the Senator's request the other day, but I find this bill starts out by creating a new bureau with a director at its head, at $10,000 a year, to serve whether we need him or not. The bill will also provide for a large number of Federal employees. I do not think this bill is necessary by reason of the passage of the other two measures. I think the other two measures will meet the situation, and I think they are all we should pass, so far as I have made any study of this bill. I think it was very well for us to have passed the other two bills, but I do not think, from what little study I have been able to give this measure, that it is necessary at all. It seems to me that the only way it will help the unemployment situation will be to provide for additional Federal employees with good salaries.

Mr. WAGNER. Mr. President, it was the general view of those familiar with this subject and who have given it considerable study that the third proposal is more important than the other two bills which have been passed to-day by the Senate. I have been trying to find out what is the actual basis of the opposition to this bill.

The Senator says we are creating a new department. We are not doing anything of the kind.

Mr. JONES. No; I said "a new bureau."

Mr. WAGNER. We now have a Federal Employment Bureau, with a Mr. Jones at the head of it, but it does not function. It does not do anything. I am trying by this legislation, as a part of this general scheme, to do something toward preventing a recurrence of the acute unemployment situation through which we are now passing.

What is the objection? Do you not want to stop unemployment? Do you not want to solve the problem? The only objection so far——

Mr. JONES. The objection is that we are creating a new bureau.

Mr. WAGNER. I might say to the Senator that the bill does not create a new bureau. We now have an Employment Bureau.

Mr. JONES. This bill creates a new bureau.

Mr. WAGNER. This is to take the place of the one that is now in existence——

Mr. JONES. It does not say so.

Mr. WAGNER. Which does nothing except, at the behest of some governmental official, to promulgate optimistic reports based upon nothing but speculation.

Mr. WATSON. Mr. President, will my friend permit me to interrupt him?

Mr. WAGNER. Yes.

Mr. WATSON. I have just been glancing over the bill. Here is an appropriation of $4,000,000 per year to employ new men, to put them on the pay roll.

Mr. WAGNER. No; it is not for the purpose of putting them upon the pay roll. It is a function which we have not yet performed, just such as was incorporated in the other two bills. It is necessary to have employees. I am safeguarding against taking mere political hacks for these places by providing that they must be appointed under civil-service regulations; but if we are to assume a new function to do something upon this question of unemployment—upon which the Federal Government never has done anything, which it has never attempted even to solve, though I regard it as the most important subject before the American people to-day—of course we need a new bureau; of course we need employees in order to function. Is that the sole reason for opposition?

Mr. JOHNSON. Mr. President, may I soothe the perturbed spirit of my friend from Indiana by saying to him that as the watchdog of the Treasury and the exemplar of economy on this side of the Chamber, it is my intention to present an amendment reducing this appropriation; but let us not discuss the merits of the question. The question is whether the Senator from New York shall have an opportunity to be heard upon his bill; and I submit he ought to have that right.

Mr. WAGNER. May I suggest to the Senator from Indiana that I am quite willing to accept the proposal of the Senator from California that the bill be made the unfinished business, and then be laid aside until such time, within reason, as the Senator has the opportunity to examine its provisions and determine whether he intends to oppose or approve the legislation. I will predict that after the Senator has examined it, and has looked into the subject, he will approve the legislation.

Mr. JOHNSON. I have no doubt of that, too.

Mr. WATSON. The only thing I care to say on that subject at this time is this: A program has been made up by the steering committee, and printed. I hold in my hand a copy of it. It says:

> I am instructed by the committee on order of business of the Republican conference to inform you that the committee, at a meeting held on Friday, April 11, 1930, made a careful examination of the bills now pending upon the Senate Calendar, or which have been ordered reported, and suggest that the following bills be made the unfinished business of the Senate, in the order listed, after disposal of the pending immigration bill:
>
> Calendar No. 316. S. Res. 227, by Mr. SWANSON: Resolution to amend the Senate rules so as to abolish proceedings in Committee of the Whole on bills, joint resolutions, and treaties.
>
> Calendar No. 378. S. 3619, by Mr. COUZENS: A bill to reorganize the Federal Power Commission.
>
> Calendar No. 282. S. 3901, by Mr. BINGHAM: A bill to establish a commercial airport for the District of Columbia.
>
> H. R. 10288, an act to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

Calendar No. 193. H. R. 6: An act to amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended.

That was the program outlined by the committee. A copy of that was sent to every Senator; and every Senator was put on notice as to the measures that would be taken up, and the order in which they were to be taken up. When the committee met, I did recommend to the committee that the two measures of the Senator from New York be included in the program.

Mr. WAGNER. Mr. President, may I ask the Senator whether all our rights in this body are subject to the direction of a few gentlemen who constitute the steering committee?

Mr. WATSON. Not at all.

Mr. WAGNER. May we not change the order as proposed by this committee of regulars?

Mr. WATSON. The Senator answers his own question when he asks that. He knows very well that a majority can change anything.

Mr. WAGNER. The Senator makes that statement as if it is inexorable.

Mr. WATSON. I make the statement in this way—that always the majority has the right to fix the order of business, unless otherwise ordered. The majority is responsible for the legislation that occurs here, in so far as the order in which it is taken up is concerned. To carry that out with some degree of system, some method of order, always a steering committee is appointed; always that committee makes a report; and in the absence of some special reason to the contrary, the report of that committee is adopted, and that order of procedure is carried out.

At the time it was agreed that the two bills offered by the Senator from New York might be considered. There is no objection to that. Nothing was said about the third bill, however; and at that time it did not occur to me—and I want my friend from California to know that I am very sincere about this—it did not occur to me, I will say to my friend, that this bill was to be taken up. For that reason I have not read it. I do not know what is in it.

I have asked a number of Senators on this side if they have read this bill and are prepared to discuss it, and not one of them is ready to do so. That is why I think the Senator ought to be in no hurry about discussing it.

Mr. WAGNER. That is so not only about this bill but about a great many other bills on the calendar. We are not prepared to discuss them.

Mr. WATSON. No; not that. I assume that Senators are familiar with the bills that are to come up here in their order. That is what this program is for—to put Senators on notice, so that they will read these bills and be prepared, when they come up, to give legitimate discussion to these measures in order. An outside measure, suddenly coming in to disrupt the regular program, injects into the Senate measures which should not be the subject of consideration by individual Senators.

Mr. WAGNER. Mr. President, these bills, if I may say so to the Senator, have been pending for two years. We had hearings two years ago before the Committee on Education and Labor on the subject matter involved in this legislation. All of those who appeared—public-spirited citizens interested in the solution of this problem—favored this legislation. We had hearings before the committee of which the Senator from California [Mr. JOHNSON] is the head, and all those who appeared before that committee heartily approved this legislation. Only in the closing hours—I have not the Senator's attention.

Mr. WATSON. I was just making a private speech here.

Mr. WAGNER. If it will facilitate matters, I am quite agreeable.

Mr. JOHNSON. Mr. President, it has been suggested that this bill might be made the unfinished business immediately after the disposition of the question of confirmation of Judge Parker, and were I in charge of the measure, as the Senator from New York is, I would accept that.

Mr. WAGNER. I do accept it.

Mr. WATSON. I am quite content with that.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent to make Senate bill 3060 the unfinished business——

Mr. SWANSON. Mr. President, I have not agreed yet. I want to know what it is proposed to do. Ninety-six Senators, not two, constitute this body.

Mr. WATSON. I sent for the Senator to come in in order that he might be informed.

Mr. SWANSON. Before I could get in this proposal was made, and I want to find out what is going on.

The PRESIDING OFFICER. The Chair was stating the unanimous-consent proposal so that the Senator might object if he desired.

Mr. SWANSON. What is the unanimous-consent proposal?

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that immediately upon the conclusion of the consideration of the confirmation of Judge Parker, Senate bill 3060 be made the unfinished business.

Mr. SWANSON. I thought the Senator from New York had finished his two bills.

Mr. WAGNER. This is the third.

Mr. SWANSON. This is the third one?

Mr. WAGNER. Yes.

Mr. SWANSON. Can the Senator never be satisfied with legislation? He has had two bills passed to-day. Is he not all through?

Mr. WAGNER. This bill is an integral part of the whole program.

Mr. SWANSON. What part of it is it?

Mr. WAGNER. This bill provides for Federal aid to the State employment agencies.

Mr. SWANSON. I will tell the Senator what we will do——

Mr. WAGNER. I hope the Senator will not object. He has ample time in which to read the provisions of the bill if he has not already done so. I am sure I will persuade the Senator of the meritorious quality of the legislation.

Mr. SWANSON. Has the Senator persuaded himself conclusively that the bill is all right?

Mr. WAGNER. Yes.

Mr. SWANSON. That will go a long way, then, to convince me. I will agree to that, Mr. President, provided this resolution of mine then be made the unfinished business.

Mr. WATSON. I shall not agree to that. We can not parcel out the time of the Senate for the next week or 10 days between these different bills. The thing that ought to be done, and the Senator ought to agree to that, is to make his bill the unfinished business after the regular program has gone through, which will take only a little time. That is what really ought to be done.

Mr. WAGNER. I hope the Senator from Virginia will agree. I am sure but little of the time of the Senate will be required for the consideration of this bill.

Mr. SWANSON. How much time does the Senator think it will take? This is the program that everybody has agreed to. I consented to this program. It was understood that this was to be the program of business. To come in here now and try to change it with another agreement does not seem to me to be carrying out what it was understood for the last 10 days would be the program.

Mr. WAGNER. If it were a separate proposition, I would not insist upon this at all; but this bill is really a part of the program of an effort to solve the question of unemployment, and really it is a very important part, and it ought to have been considered with the other two bills. I am going to make an appeal to the Senator that he do not object to making this bill the unfinished business, to follow immediately the consideration of the Parker nomination. It will take but little of the time of the Senate, I am sure.

Mr. SWANSON. The question now is about making a bill the unfinished business. The Parker nomination is to be considered in executive session of the Senate, and that will be the unfinished business in executive session. This is a proposal to make this bill the unfinished business in the legislative session of the Senate.

Mr. WAGNER. Yes; exactly.

Mr. SWANSON. Then it does not follow the Parker nomination. We are not discussing the Parker nomination. These are two separate matters, and neither one interferes with the other.

Mr. WAGNER. It will not delay the Senate at all. It is a matter about which I am sure there will not be any protracted discussion.

Mr. SWANSON. What is the objection, then, to making my resolution the unfinished business?

The PRESIDING OFFICER. Is there objection?

Mr. SWANSON. Wait a minute.

Mr. GLASS. Mr. President, on the question of the merits of the bill, will the Senator from New York tell me where the Federal Government is going to get the money with which to aid the States?

Mr. WAGNER. It is to be appropriated, I assume.

Mr. GLASS. But where is the Federal Government going to get it? In other words, it is another scheme to tax the people of the various States and then dole the money back to them as the Federal Government pleases to do, is it not?

Mr. WAGNER. I do not so regard it.

Mr. GLASS. Where is the Federal Treasury going to get the money with which to aid the States?

Mr. WAGNER. Out of the Federal Treasury.

Mr. GLASS. It is a misnomer to talk about the Federal Government aiding the States. In order to get any money into the Treasury, the Federal Government has to tax the taxpayers of the various States and then dole the money back to them as some officials here in Washington may be pleased to do.

Mr. WAGNER. Of course, that is a criticism that can be made against any appropriation.

Mr. GLASS. No; not against any appropriation; but these appropriations that affect to aid the States with the money that has been previously taken away from the States and doled back, instead of letting the States take care of themselves. After a while we will not have any States.

Mr. WAGNER. All I can say is that this policy has been pursued by the Federal Government for some time.

The PRESIDING OFFICER. Is there objection?

Mr. JONES. Mr. President, from what little I have seen of the bill, and the impression I have of it, I can not give my consent to take it up.

The PRESIDING OFFICER. Objection is heard.

Mr. JONES. If it is taken up by motion, that is a different proposition.

Mr. JOHNSON. Now a motion is pending.

The PRESIDING OFFICER. The question is, Shall the Senate proceed to the consideration of Senate bill 3060?

Mr. SWANSON. Mr. President, am I recognized?

The PRESIDING OFFICER. The Senator from Virginia has the floor.

Mr. SWANSON. I move that the Senate proceed to the consideration of Order of Business No. 316, S. Res. 227, as the unfinished business.

The PRESIDING OFFICER. Possibly the Senator did not understand that there was a motion before the Senate.

Mr. SWANSON. Is there a motion pending?

The PRESIDING OFFICER. There is.

Mr. SWANSON. Then my motion is not in order, because there can be pending only one motion to make a matter the unfinished business.

The PRESIDING OFFICER. The question is on the motion submitted by the Senator from New York that the Senate proceed to the consideration of Senate bill 3060.

Mr. WAGNER. I ask 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 senior Senator from West Virginia [Mr. GOFF]. I transfer that pair to the senior Senator from Georgia [Mr. HARRIS] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH], and I do not know how he would vote. Therefore I take the liberty of transferring that pair to the junior Senator from Ohio [Mr. MCCULLOCH], and I vote "nay."

The roll call was concluded.

Mr. MCNARY. On this vote I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I am advised that he would vote as I am about to vote. I vote "yea."

Mr. GILLETT. I transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the Senator from Maine [Mr. GOULD] and vote "nay."

Mr. BLEASE (after having voted in the affirmative). The Senator from Georgia [Mr. HARRIS] having voted, I transfer my pair to the Senator from Alabama [Mr. HEFLIN] and will allow my vote to stand.

Mr. SHEPPARD. I desire to announce that the Senator from Florida [Mr. FLETCHER], the Senator from South Carolina [Mr. SMITH], and the Senator from Utah [Mr. KING] are detained from the Senate by illness.

I also desire to announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Arkansas [Mr. ROBINSON] are detained in connection with the London Naval Conference.

I also wish to announce that the junior Senator from Arkansas [Mr. CARAWAY] is detained from the Senate on official business.

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

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING]; and

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

I am not advised how any of these Senators would vote on this question if present and voting.

The result was announced—yeas 37, nays 32, as follows:

YEAS—37

Ashurst	Copeland	Johnson	Steck
Barkley	Couzens	La Follette	Steiwer
Black	Cutting	McKellar	Trammell
Blaine	Dill	McNary	Wagner
Blease	George	Norris	Walsh, Mass.
Borah	Harris	Nye	Walsh, Mont.
Bratton	Hatfield	Pittman	Wheeler
Brock	Hawes	Schall	
Broussard	Hayden	Sheppard	
Connally	Howell	Shipstead	

NAYS—32

Baird	Glenn	Oddie	Sullivan
Bingham	Goldsborough	Overman	Swanson
Dale	Greene	Patterson	Thomas, Idaho
Deneen	Hale	Phipps	Townsend
Fess	Hastings	Pine	Vandenberg
Frazier	Jones	Ransdell	Walcott
Gillett	Kean	Robinson, Ind.	Waterman
Glass	Keyes	Robsion, Ky.	Watson

NOT VOTING—27

Allen	Grundy	McMaster	Simmons
Brookhart	Harrison	Metcalf	Smith
Capper	Hebert	Moses	Smoot
Caraway	Heflin	Norbeck	Stephens
Fletcher	Kendrick	Reed	Thomas, Okla.
Goff	King	Robinson, Ark.	Tydings
Gould	McCulloch	Shortridge	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. WAGNER. Mr. President, in view of the fact that the Senate will go into executive session within three minutes, may I suggest that the unfinished business be temporarily laid aside?

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

EXECUTIVE SESSION

Mr. MCNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The first business in order is reports of committees. If there be no reports, the Senate will proceed with the calendar, other than the Parker nomination, up to 3 o'clock.

WAR DEPARTMENT

The Chief Clerk proceeded to read the nomination of Frederick Huff Payne to be Assistant Secretary of War.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

COAST GUARD

The Chief Clerk read sundry nominations for appointments in the Coast Guard.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read the nominations of sundry postmasters.

Mr. MCKELLAR. Mr. President, in the absence of the chairman of the Committee on Post Offices and Post Roads, I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

NOMINATION OF JUDGE JOHN J. PARKER

The PRESIDING OFFICER. The hour of 3 o'clock having arrived, the Senate, under the order previously entered, will proceed to the consideration of the nomination of John J. Parker, which will be stated.

The CHIEF CLERK. To be an Associate Justice of the Supreme Court of the United States, John J. Parker, of North Carolina, reported adversely.

Mr. OVERMAN. Mr. President, as I said this morning I would do, I now ask unanimous consent, at the request of my colleague [Mr. SIMMONS], who has been called home on account of important business, that this matter be postponed until Thursday, to be taken up at 3 o'clock p. m. on that day. Of course I know it has been set for this hour by unanimous consent, and it would take unanimous consent to postpone it. I send to the desk a letter which I have received from my colleague, which I ask to have read.

The PRESIDING OFFICER. Without objection, the clerk will read the letter, as requested.

The Chief Clerk read as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
Washington, D. C., April 26, 1930.

Hon. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: As I told you in our phone conversation this morning, I have not been able to get away from Washington for quite a long while, and certain matters of vital importance make it necessary for me to go to North Carolina for a few days. I do not think I will be able to return before Thursday morning of next week. I am exceedingly anxious that final action should not be taken on the Parker nomination until I return, and I hope you will see that none is taken until then.

I am quite sure if you will suggest to the Senate, in case the matter is about to be acted upon in my absence, that I am deeply interested by reason of the fact that Judge Parker is a citizen of our State and that I had asked you to ask for postponement until my return, your request will be granted.

Senator GILLETT informed me to-day that he intended to vote for Judge Parker. In view of that fact, I would be glad if you would have me, if the Senate determines to act in my absence, paired with some one who would vote against Judge Parker's confirmation. If you will call this to the attention of Mr. Halsey, I am sure he will be able to find a pair in case it becomes necessary, or some Senator friendly to Judge Parker could transfer his pair to me and vote.

I would be glad also if you would wire me at Raleigh, care of Mrs. L. A. Mahler, on Monday what the prospects are, and also wire me at New Bern, care of Dr. J. F. Patterson, on Tuesday or Wednesday, as the case may be, what the situation is. I would like to remain in North Carolina until Friday, but, as I said before, I will return Wednesday night if necessary to do so.

Your attention to these matters will be greatly appreciated.

Very cordially yours,

F. M. SIMMONS.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. BORAH. Mr. President, I had a talk with the senior Senator from North Carolina [Mr. SIMMONS] before he left for North Carolina. I have, of course, no desire to discommode that Senator. I am perfectly sure if we proceed with the consideration of the matter as provided in the unanimous-consent agreement it will not discommode him. All that he desires is to be here when the vote is taken. I am quite sure the discussion will not be concluded prior to Wednesday evening or Thursday morning. Under those circumstances I feel that I can not consent to the matter going over.

The PRESIDING OFFICER. Objection is made.

Mr. OVERMAN. Of course, the objection of one Senator will keep my request from being granted.

Mr. President, the laboring oar in this contest is upon my able, eloquent, and distinguished friend, the Senator from Idaho [Mr. BORAH], as he made the report adversely to the confirmation. But I feel it my duty, before the debate begins, to make a statement in regard to Judge Parker the man and Judge Parker the lawyer as I consider him to be.

When a vacancy occurred by reason of the death of the late lamented Justice Sanford I called upon the President and urged him to appoint a Democrat from the South to the position. I reminded him that President Taft had appointed a Chief Justice from the South; that Justice Lurton and Justice Lamar had been appointed from the South to positions upon the court and that they had filled those positions with great ability and with entire satisfaction to everybody. I told him I thought the Supreme Court ought to be a well-balanced court, a nonpartisan court, and that the South, a great territory, should have representation on the court.

I also told him that in my opinion the fathers, in writing the Constitution, had a particular thought in mind in establishing nine circuits in that they provided that there should be nine Supreme Court judges, and that evidently the intention of the fathers was that there should be one justice of the Supreme Court from each of the nine circuits. I also told him that the fourth circuit in which I lived had not had a member of the court in 100 years, not since Iredell and Moore were on that great bench, and I thought we ought to have a man from that circuit upon the bench.

I then recommended and urged the appointment of an illustrious Democrat from my State, Chief Justice Stacy, of that State. I told the President of his great legal ability and great character and fitness for the position. But knowing that the Republicans of my State were urging Judge Parker for the position, I said, "Mr. President, if you are determined in your own mind to appoint a Republican to this position, I cheerfully say to you that I do not believe you could find a better man among the Republicans of the South than Judge Parker. If he is to be appointed, I shall give him my support." Here I am, Mr. President, giving him my support as I promised. I am not going to make an argument in the case, but simply a statement as to the character of the man and his judicial ability.

Because of the fact that the nominee is from my State, I was appointed by the honorable chairman of the Committee on the Judiciary [Mr. NORRIS], as is his universal practice, as chairman of a subcommittee to investigate and hold hearings. He always follows that practice when there is a contest in a case requiring hearings. We held extensive hearings upon the matter. The hearings are printed and are now in the hands of Senators. Each Senator has a copy of the hearings upon his desk this morning.

Since that time, it being known throughout the country that I was chairman of that subcommittee, I have been simply overwhelmed with letters, communications, and telegrams from the American Federation of Labor, and I believe from every State in the Union, from every leading city and town in the country, protesting against Judge Parker's confirmation. I have also received letters and communications from socialists, communists, and a large number from the colored population of the country. Among them were some 200 affidavits from my own State protesting against Judge Parker's confirmation.

In addition to that I have received many letters, telegrams, and communications from leading colored men, the most intelligent men in my State, to wit, Col. James E. Shepard, president of one of the leading colored institutions of the State; from Doctor Tyson, Mr. Wooten, and Mr. Epps; a letter from the president of Shaw University, a great colored institution established by northern people after the war for the education of the colored people; all strongly advocating Judge Parker's confirmation. These letters, communications, and telegrams are in the files of the Committee on the Judiciary and can be seen there by Senators.

On the other hand, I have received letters, telegrams, and communications from lawyers all over the country, distinguished lawyers, presidents of colleges, universities, and chambers of commerce, especially in the fourth circuit where Judge Parker presides and where he has presided over the court for four long years. I believe I can state without fear of successful contradiction that the lawyers and the courts and the people of the fourth circuit are almost unanimous in favor of the confirmation of Judge Parker. The people among whom he has lived and grown up know him. The lawyers and judges know him as a lawyer and as a judge, and they heartily commend him to the favorable consideration of the Senate. I have letters from every Federal judge and circuit judge and from the judges of the supreme courts of South Carolina, Virginia, Maryland, North Carolina, and West Virginia, comprising the Fourth Circuit.

Mr. President, Judge Parker was born in a little town in my State, grew up there, and got his early education at the high school. He was a member of a plain family, but of distinguished ancestry. He worked his way up and finally went to the University of North Carolina. I have a splendid indorsement from the president of that university and the whole faculty of the institution recommending him. He worked his way through the university. He was a leader among the boys of that institution. He led in all his studies and finally graduated with distinction. He is a man of courage, a man of character, a man of supreme ability.

He went back to his little home town and began the practice of law. I have a letter from the attorney with whom he went into partnership when he went back home, commending him in the highest terms. That lawyer is Judge Stack, one of the distinguished jurists of North Carolina. Judge Parker practiced law there four years. He was nominated for Congress and was defeated by an eminent Congressman whom many of our Senators know, Hon. Robert N. Page, one of the leaders in the House of Representatives when he was here. Judge Parker was then nominated by his party for attorney general of the State and again was defeated. He was then nominated for the high office of governor and in that election received 60,000 more votes than any Republican ever received in that State for that office. I have a letter from his opponent, who has been working for and advocating the confirmation of Judge Parker, to wit, Hon. Cameron Morrison. Hon. Robert N. Page, who defeated him for Congress, also has written a strong letter advocating his confirmation. Such is the character of the man. He was raised among the plain people, lived among the plain people.

Four years later Judge Parker moved to Charlotte, N. C., and entered into partnership with one of the leading firms of that city. The leading member of that firm is a man of great ability, has a great practice there, and says that Judge Parker

is worthy of the favorable consideration of the Senate and should be confirmed.

Judge Parker lived in Charlotte about 8 or 10 years. Then he was elected as national committeeman, and as such named those who should fill all the great offices in the State where his party, of course, is in the minority. He was then appointed by the Attorney General of the United States as special assistant in the war-fraud cases which he tried with great ability here in Washington, as Mr. Justice Bailey, who tried the cases, has written me. That letter I have previously placed in the RECORD.

How could the trend of this man's mind be in favor of the corporations and against humanity? The whole life and environment of the man has been among the plain people.

Judge Parker loves the plain people; he has worked for them; his practice has been among them; and he has never represented any of the great corporations. The whole trend of his mind is, therefore, bound to be in favor of humanity and against the corporations, if there be any such distinction. He is a fair man; he is a just man; he is a courageous man. He has held various positions with honor; he has commended himself to all the lawyers of the fourth circuit and to all the people of my State and that circuit. Why should it be said that he is not competent to sit on the bench of the Supreme Court of the United States when lawyers, the judges, and everyone else in the fourth circuit who knows anything about him—and there are many of them who do—say that he is fit for the position? Why would the bar associations of the States in which he is known commend him in the highest terms if he were not worthy of the office?

As to Judge Parker's standing in North Carolina, I send forward to the desk and ask to have read a letter from the governor of the State, which, I think, reflects the sentiments of the State of North Carolina without regard to party, either the Republicans or the Democrats.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, April 4, 1930.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: Judge Parker and I, as you know, do not subscribe to the same political faith. He is a Republican, and I am a Democrat. Yet as Governor of North Carolina and as a citizen of the State, and also as one who has the most implicit faith in his character as a man of integrity and ability as a judge, I do have a tremendous interest in the controversy that is now being waged over his fitness to serve on the Supreme Bench of the United States. It will not, I trust, therefore, appear presumptuous if I venture, for such consideration as you and your committee may think it worth, my own opinion of the qualifications of this distinguished North Carolinian for this high place.

I have known Judge Parker since we were in college together at the University of North Carolina, and I unhesitatingly say, and you are authorized to quote me as saying, that I have never known any man who possessed a higher or a finer sense of righteousness and justice than Judge Parker. I have absolute confidence in the integrity and essential soundness of his intellectual processes, and I can not believe for an instant that he would be unfair either to the most powerful or the most humble citizen of this country. His whole outlook and philosophy as a man and as a judge could not, in my opinion, be more accurately epitomized than by the inscription over the entrance of the chapel at the University of North Carolina:

"What doth the Lord require of thee but to do justice and love mercy and walk humbly with thy God."

In my opinion Judge Parker enjoys the confidence and esteem of an overwhelming majority of the people of this State, irrespective of party affiliations. They respect him as a man, admire him as a judge, and that he would some day be elevated to the Supreme Bench had become a sort of general hope and expectancy. This was amply attested by the practically universal enthusiasm and approval with which the news of his appointment by President Hoover was received.

There is not, in my judgment, as I have already suggested, the slightest basis in reality for the fear expressed by one group of our citizens that he would not, as a judge of the Supreme Court, be absolutely fair and impartial in any case or controversy which might arise. I have never known any man whose concern for the upholding and protection of what we know in a democracy as human rights, as distinguished from property rights, excelled Judge Parker's.

Sincerely yours,

O. MAX GARDNER.

Mr. OVERMAN. Mr. President, the gentleman who signs the letter just read is the present Governor of the State of North Carolina, and he knows the sentiment of the people of the State. Could a man receive a higher indorsement than is given to Judge Parker by the letter which has just been read? The letter shows the way in which our people, without regard to party, esteem Judge Parker.

I send to the desk a clipping taken from the hearings, being a letter from a man who grew up with Judge Parker, and who is a member of the Federation of Labor in the State of North Carolina. The letter is addressed to me. I have received many resolutions and letters from members of the American Federation of Labor in my State protesting against the appointment of Judge Parker; but sentiment to that effect is not unanimous. Mr. Bundy who writes the letter which I ask to have read, Mr. Barrett, and others have sent me letters commending him. I ask the Senate to listen to the letter written by Mr. Bundy, who grew up with Judge Parker, and is a prominent member of the American Federation of Labor in my State.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

MONROE, N. C., *April 7, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I see in the press where a few leaders in organized labor are fighting John J. Parker, trying to keep him from being confirmed Associate Justice of the Supreme Court.

I have been a member of the Brotherhood of Railway Trainmen for 22 years, and if you will pardon the length of this letter I wish to tell you about John J. Parker and will appreciate it if you will read this letter before the honorable committee appointed to investigate his record.

I was raised with John J. Parker, have known him from birth, attended school with him, and will say as a labor voter there isn't a more sincere honorable Christian man in the United States. All the money in the United States Treasury couldn't buy him. He is competent, capable, and a scholar. There isn't a more fitted man in the United States for this high honor given him by President Hoover.

If the rank and file in labor fraternities in North Carolina could vote for John J. Parker to be confirmed, 90 per cent would vote in his favor.

Our little city is a railroad division point for the Seaboard Air Line Railway Co., where several different labor crafts have unions, and I don't believe I would say wrong when I say he would get a vote of 100 per cent.

I have never agreed with John Parker in politics, but the Republican Party should feel highly honored in having such a man as he is in their party. He is an able jurist and will always be a student. John Parker always remembers his friends whether in overalls or in the highest executive of the largest corporations.

I can not conceive the idea of labor leaders fighting a man as honest as John J. Parker is.

Wish I was financially able to come to Washington and look you gentlemen in the eyes, also the labor leaders fighting him, and tell you about this capable, self-made man.

I sincerely hope you and the other two honorable Senators will unanimously indorse him, and every honorable Senator in the Senate will vote for him to be confirmed.

In years to come these honorable Senators will smile with pride because of their voting for him to be confirmed and the honorable President, Mr. Herbert Hoover, will feel proud of this appointment, because he will prove to be one of the greatest associate judges of the Supreme Court that ever lived.

I am writing you this letter, Mr. Overman, without the knowledge of a living soul, but I was anxious to try and tell you the truth about one of the fairest, squarest-minded men that ever lived, and I want you and the other members of the committee to know that John J. Parker has the indorsement of the rank and file of members of labor organizations in North Carolina, where he was born and reared.

With highest personal regards, cordially yours,

JOHN DUNHAM BUNDY.

Mr. OVERMAN. Mr. President, Mr. Bundy, whose letter has just been read, is one of the leading members in my State of the Brotherhood of Railway Trainmen, which is affiliated with the American Federation of Labor.

I also have a letter from another member of the federation in Raleigh, N. C., who writes in about the same vein as has Mr. Bundy his estimate of Judge Parker, and who states that members of the union there favor his confirmation. I am bound to state, however, that nearly all the labor unions in my State have sent letters protesting against his confirmation.

Mr. President, as bearing upon the legal ability of Judge Parker, I send to the desk a letter from the gentleman with whom he entered into partnership in Charlotte after having practiced at Monroe for a number of years. The letter is from

the head of the firm and one of the leading practitioners of my State. I ask that the letter may be read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

STEWART, MCRAE & BOBBITT,
ATTORNEYS AT LAW,
Charlotte, N. C., April 4, 1930.

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: I am inclosing to you herein a clipping from one of the Charlotte papers under date of April 3, 1930. I thought that you would be interested in reading it. It appears from this article that an effort is being made by the national organization to whip into line local organizations. I unqualifiedly say to you that the laboring people of North Carolina, those who belong to unions and those who do not belong, are practically unanimous in their support of Judge Parker. They have absolute confidence in his fairness and impartiality as well as his ability. All classes and conditions of people in North Carolina, regardless of party affiliations, are most enthusiastically, and I might say passionately, anxious to see Judge Parker on the Supreme Court. Our people know him.

Personally, I feel that it is a serious matter when a judge is to be opposed on the ground that he wrote an opinion which he honestly believed to be in conformity to the decisions of the Supreme Court of the United States. I read the opinion immediately after it was rendered and I am also familiar with the Hichman opinion. I can not see how the Parker opinion could be different from what it is without overruling the opinions of the Supreme Court of the United States.

I am not impressed with this protest against his confirmation. I have, myself, been properly classed as strongly in sympathy with the laboring people and their organizations, except communism, all these years; but I must confess that I am somewhat impatient with the protests which have been made.

If the Senators could only know Judge Parker as I know him, there would not be a single opposition vote, and I make this statement knowing whereof I speak.

With my very best wishes, I beg to remain, yours very truly,

PLUMMER STEWART.

Mr. OVERMAN. Mr. President, further as to the legal ability of Judge Parker, I also send forward and ask to have read a letter from Mr. Hayden Clement, a prominent and able lawyer in my home town, who knows Judge Parker, and who has practiced law with him.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

SALISBURY, N. C., *April 14, 1930.*

Hon. GEORGE W. NORRIS,
United States Senate, Washington, D. C.

MY DEAR SENATOR NORRIS: Please pardon this unsolicited letter from a stranger who has always held you in high esteem and admired your ability and high ideals.

I desire to express my personal opinion of the qualifications of Judge John J. Parker for the Supreme Court. Differing from him politically, as I do, I know him to be a fine example of the new progressive South. A judge of incorruptible integrity and high ideals, he has always looked to the interests of the people, with the idea that the corporations can take care of themselves.

Living as I do in the heart of unionism in North Carolina, with many of the laboring people my clients and personal friends, I would argue their cause before Judge Parker in perfect confidence of a sympathetic understanding and fair determination of their rights. I have appeared in court with him and against him, and I never knew him to stoop to little things but to always conduct himself on a high plane, faithfully serving his clients, with fairness to his opponents.

I am afraid that the opposition to Judge Parker is the backwash of the righteous opposition to Justice Hughes from those who do not appreciate the real worth of the man.

Trusting you will give serious consideration to this matter, I beg to remain,

Very truly yours,

HAYDEN CLEMENT.

Mr. OVERMAN. Mr. President, some time ago there appeared in the northern papers the statement that there was an effort among the citizens of North Carolina to mob and drive out of the State those negroes favoring Judge Parker. There is not a word of truth in it—not a scintilla of truth. I have letters and telegrams from the governor of the State and the mayors of towns and judges—Judge Hayes of the Federal court—and others.

I ask to have read Governor Gardner's telegram.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Chief Clerk read as follows:

RALEIGH, N. C., *April 25, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

Referring telegram received by me yesterday from National Association for Advancement Colored People, I wish to state I have investigated situation and find charges intimidation North Carolina negroes totally unfounded. Relations between races continues peaceful, harmonious, and most cordial.

O. MAX GARDNER.

Mr. OVERMAN. I also ask to have read Judge Hayes's telegram.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Chief Clerk read as follows:

SALISBURY, N. C., *April 26, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

The press throughout this State asserts there is no evidence of threats or violence in any locality against negroes here over opposition to Judge Parker. The charge is groundless, so far as I hear. The association's last accusation, apparently primed for the occasion, evinces its lack of good faith in the first, and acknowledges the necessity to strengthen it. Surely Senators will see the animosity and motives behind these attacks and observe the manifest distinction between alleged political pronouncements and judicial acts under oath. Judge Parker is free from bias and will be impartial toward all races and classes. The bench and bar universally recognize his ability, willingness, and capacity for work, courage, judicial mind, and poise which preeminently fit him for membership of Supreme Court. If he is defeated now, the victory will be credited to the Association for the Advancement of Colored People on extraneous issues despite all the solemn declarations of Senators to the contrary. Is it wise to require the advice and consent of any class. Our people are deeply concerned and anxious for confirmation. Men of all classes inquire if there is anything they can do. Prompt confirmation will promote the general welfare of the State, the Union, and the Supreme Court. He will maintain the Constitution with its guaranties for our lives, liberties, and possessions.

JOHNSON J. HAYES,
United States Judge.

Mr. OVERMAN. Mr. President, there are several letters from mayors of towns in North Carolina who say there is no such thing as intimidation in our whole State.

I want to say that I asked the secretary of the Association for the Advancement of Colored People what was the condition in North Carolina in regard to the colored people. He replied that North Carolina was ahead of every other State in the Union in their advancement and progress, and the peace and quiet prevailing there among the people. There is no better feeling in any State. There is no trouble, no intimidation, no strained feeling between the white people and the colored people of our State.

I want to say that it has been whispered around here, as I understand, that Judge Parker took part in framing the "grandfather clause" in 1900. He was only 14 years old then. The "grandfather clause" expired in 1908 by limitation. There is no "grandfather clause" there now. The only test for voting is an intellectual test. A man who can read and write the constitution, be he black or white, can vote without any trouble; and they do vote, the most intelligent of them.

I believe, notwithstanding these protests that six or eight hundred men have sent up here, through affidavits, that a large majority of the colored people are heartily in favor of Judge Parker. He could not have gotton 60,000 more votes than any other Republican received in a gubernatorial contest unless the colored people had voted for him. Many of them voted for him. They must have voted for him; and there is nothing whatever in that plea.

I think the association in Philadelphia of Quakers who protest against Judge Parker are mistaken, and do not know the man, do not know his record. He has never shown any feeling against the colored men that anybody can cite except in one speech—a political speech that he made 10 years ago. He ought not to be held accountable for that. He expressed the sentiment that every other man in the State really entertains, and he was trying to carry his party to success. A man ought not be held responsible for what he said in a political speech.

I remember, Mr. President, that at one time I made a political speech in which I made severe castigation of the President then running; and a Republican came to Washington and told the President what I had said. He said, "Why, I don't care a damn what OVERMAN said in a political speech"; and I never had a better friend than that President. So men frequently say

things in their political speeches that they would not say if they sat down to write them and think about them.

Judge Parker was running for the head of his ticket. He was trying to carry the State, and doing the best he could to lead his party to victory. He ought not to be held accountable for it; and, judging from the indorsements I have received from the most intelligent colored men in the State, most of them have indorsed him heartily notwithstanding that speech.

Mr. WALSH of Massachusetts. Mr. President, will the Senator permit an inqury?

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

Mr. OVERMAN. Yes, sir.

Mr. WALSH of Massachusetts. How many public offices has Judge Parker occupied?

Mr. OVERMAN. He has never occupied any office except the position he holds at present.

Mr. WALSH of Massachusetts. How many times has he been a candidate for public office?

Mr. OVERMAN. He was a candidate for Congress, and, being a Republican, of course, was defeated. He was a candidate for Attorney General, and, of course, he was defeated. He was a candidate for governor, and, of course, he was defeated. He was then elected by his party national committeeman.

Mr. WALSH of Massachusetts. In what year?

Mr. OVERMAN. I have forgotten the year.

Mr. WALSH of Massachusetts. When was he appointed Federal judge?

Mr. OVERMAN. About five years ago.

Mr. WALSH of Massachusetts. What is his age?

Mr. OVERMAN. His age is 44 years. He was selected by the Attorney General after he had tried this war-fraud case here in Washington for 10 weeks, and so ably conducted the case that the Attorney General recommended him for a position on the circuit court of appeals.

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

Mr. OVERMAN. Yes, sir.

Mr. WHEELER. What was the result of the war-fraud case? Did he win the case?

Mr. OVERMAN. No, sir; he did not. Judge Bailey has written a letter, which the Senator probably has seen, saying that Judge Parker conducted the trial with great ability; that he massed his facts well; it took 10 weeks to try the case, but the jury found in favor of the defendants.

Mr. WHEELER. By whom was he appointed to the bench originally? What Attorney General selected him for appointment on the bench?

Mr. OVERMAN. I do not know who was Attorney General then. It is said that Daugherty was, but I do not think he was. I think that is a mistake.

Mr. NORRIS. Mr. President, if the Senator will permit a correction, he was appointed as one of the Assistant Attorneys General by Daugherty; but he was appointed to the bench by President Coolidge when Sargent was Attorney General.

Mr. OVERMAN. Yes; Sargent was Attorney General.

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

Mr. OVERMAN. Yes, sir.

Mr. BLACK. I am interested in the statement that Judge Parker conducted a case in Washington by reason of an editorial which has appeared throughout the country in the Scripps-Howard papers, as I understand, in which certain statements are made which I think should be answered in some way before the vote is taken in this matter. May I read part of the editorial to the Senator, in order that I may understand whether or not that is the case?

Mr. OVERMAN. Yes; I shall be glad to have the Senator do so.

Mr. BLACK. The editorial reads, in part, as follows:

> Daugherty's assistants took two cases into the courts. In both cases all the accused men were acquitted, most of them on instructions of the trial judges. In both cases the judges criticized severely the methods of the prosecution. In one the judge charged that Parker and his fellow counsel had in their possession—and were suppressing—documents tending to prove the innocence of the defendants. He expressed his "decided amazement" at such conduct. In his instructions to the jury he declared there was not a "jot or tittle" of evidence of fraud, that the notion of a conviction on such evidence was "monstrous," and that it would be "craven and cowardly" not to order the men acquitted.
>
> Parker's part in these proceedings does not appear to have been a minor one. One of the documents referred to by the "amazed" judge was found in Parker's possession.

That has appeared in the public prints.

Mr. OVERMAN. Mr. President, of course I do not know about that except from what Judge Bailey tells me. Judge Bailey tried the case. He said he never saw a case more ably argued and the facts better arrayed than Judge Parker arrayed them before him. Judge Parker, he said, did nothing but what lawyers customarily do in their cases. Two or three lawyers, including Mr. Douglas here in Washington, appeared for the defense, and he has written a letter which I put in the RECORD; and another lawyer who appeared in the case also states that Judge Parker conducted the case with great ability, and there never was a case where the facts were so well arrayed before the judge as he arrayed them; so that editorial can not be true.

Mr. BLACK. May I state that so far as I am concerned with reference to this matter—and I feel sure that I voice the sentiments of many others—it is immaterial with what ability Judge Parker handled the case; if it be true that as a prosecutor he had in his possession evidence which tended to show the innocence of a defendant, and at the same time prosecuted him, I feel sure that he would get no votes for confirmation. Therefore, I think it is exceedingly important that from some source, some one who knows, this statement be disproved if it can be disproved.

Mr. OVERMAN. Does the Senator think that a man such as I have proved Judge Parker to be—of irreproachable character, an honest man, a courageous man, a Christian gentleman—would suppress any testimony of that sort?

Mr. BLACK. It is difficult to believe that it would be done, but the charge has been publicly made; and, so far as I am concerned, while I do not know how I shall vote with this matter eliminated, if this charge is not satisfactorily disproven I shall be compelled to vote against him.

Mr. OVERMAN. I may be able to disprove it—I do not know—before this debate is over.

So far as I know I have never seen that article, and I knew nothing about it until just now. I do not believe it is true. I do not believe a word of it is true—that Judge Parker, a man of great ability, of great courage, a Christian gentleman, would have suppressed any testimony at all. Judge Bailey told me that while the jury rendered a verdict of "not guilty," the testimony that Judge Parker had arrayed in an equity case came before him, and he gave judgment for $1,500,000, which the Government collected, all through the work and the array of facts brought to the attention of the court by Judge Parker in the criminal case.

I hold in my hand two letters, which I will not read, from leading colored men in my State, in regard to Judge Parker, indorsing him heartily. I ask to have them inserted in the RECORD.

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

The letters are as follows:

MONROE, N. C., *April 15, 1930.*

HON. LEE OVERMAN,
United States Senate, Washington, D. C.

DEAR SIR: In behalf of the colored men and women of the city of Monroe, and county of Union, I do hereby express to the Judiciary Committee, now investigating the accusations against Judge J. J. Parker, who was recently appointed to the United States Supreme Court Bench, our highest regards for his ability and fitness for the position. We testify to his spirit of fair play in all his dealings with our race, both in and out of courts. To my personal knowledge, he has repeatedly befriended individuals of my race, and we feel that in his exalted position he will not hesitate to give justice where the interests of our group may be involved.

We regard his unpleasant utterances with reference to the colored franchise as simply a political gesture, and by no means represent the true spirit of the gentleman and jurist. We are praying for his confirmation by the Senate.

Yours very respectfully,

HUBERT H. CREFT, M. D.

J. C. PRICE HIGH SCHOOL,
SALISBURY PUBLIC SCHOOLS,
Salisbury, N. C., April 26, 1930.

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.:

The colored people of Salisbury have not felt the slightest act of intimidation from the while people on the account of the confirmation of Judge Parker. The white and colored people are too busy completing plans to build a high school for the colored children.

LOUICO H. HALL,
Supervising Principal Division Negro Education.

Mr. OVERMAN. I also have one from Mr. M. K. Tyson, a prominent colored man in my State, indorsing Judge Parker. I will not read it but ask to have it printed in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made.

Mr. OVERMAN. I have another from Mr. Copeland indorsing him; another from Mr. Eppes, a colored man, indorsing him; another from a prominent colored doctor in North Carolina.

The PRESIDING OFFICER. Without objection, the communications will be inserted in the RECORD.

The communications referred to are as follows:

WINSTON-SALEM, N. C., *April 10, 1930.*

Senator LEE S. OVERMAN,
Chairman Judiciary Committee, Washington, D. C.

DEAR SIR: I take great pleasure in writing this letter to you in support of the nomination of the Hon. Judge John J. Parker, for Associate Justice of the Supreme Court of the United States, and I trust you will give your hearty support to Judge Parker and to fight for his confirmation. Judge Parker is one of the finest Christian gentleman in this country to-day, one who is well qualified to serve not only as Associate Justice but as Chief Justice as well. Judge Parker is not against the colored race at all, and I don't believe that there is a single instance in the life of Judge Parker, before or since he has been judge, where he has shown in the trial of any case against a member of the colored race a bit of discrimination against the same, and as president of the North Carolina State Association of Elks, I take great pleasure in indorsing the Hon. Judge John J. Parker, for the Associate Justice of the Supreme Court of the United States, and I stand ready to give any assistance I can in his behalf.

Yours very truly,

E. H. COPELAND.

GREENVILLE, N. C., *April 7, 1930.*

Hon. LEE S. OVERMAN,
United States Senator:

North Carolina negroes are proud of the State's recognition and are militant in their support of Judge Parker, who is a reminder of men like Augustus S. Merrimon. The negro did not suffer with L. Q. C. Lamar on the Supreme Bench. Unshackle the liberal-minded South and confirm him.

C. M. EPPES.

NORTH CAROLINA COLLEGE FOR NEGROES,
Durham, March 29, 1930.

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: I desire to add my personal word of indorsement of Judge J. J. Parker. I think that no fairer or impartial lawyer could have been selected than Judge Parker to fill the exalted position as Justice of the Supreme Court. In his attitude on all racial questions and all questions affecting the rights of humanity, he has tried to be fair.

As a colored man and recognizing the fact that the Supreme Court of the United States should always be composed of men who represent the highest and best in thinking and in action, and that great questions affecting human relations and interracial relations, will often come before them, if I did not believe Judge Parker was absolutely fair and impartial, I would not write this letter in his behalf.

Judge Parker's selection honors the State and is a tribute to the worth and ability of a man who has worked himself up by his own efforts to be considered worthy to sit on the highest tribunal in American life. I hope that you are quite well.

With sentiments of warm personal esteem and respect, I am,

Very truly yours,

J. E. SHEPARD, *President.*

WINSTON-SALEM TEACHERS' COLLEGE,
Winston-Salem, N. C., April 9, 1930.

Senator LEE S. OVERMAN,
Senate Chamber, Washington, D. C.

HONORED SENATOR: I am venturing to address you this line to express the hope that Judge Parker may be confirmed as Associate Justice of the United States Supreme Court. I believe you will join me in the feeling that it may be the opportunity for our good old State to have well-merited recognition.

As a colored man, I am free to say that, in my judgment, there is nothing in Judge Parker's judicial record which would warrant opposition from my race, and I do not feel that justice for the colored race as citizens would in any way be threatened in the hands of Judge Parker. I hope, therefore, that your committee will decide to recommend his confirmation, and to follow the recommendation through the Senate in order that it may have the Senate's favorable action.

May I add, Senator, that probably you used to know me years ago when I was associated with J. C. Price, as a member of the faculty of Livingstone College. I remember how finely you and members of your family encouraged the work of the college in those days.

I beg to remain, your obedient servant,

S. G. ATKINS, *President.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

Some agent of the Association for the Advancement of the Colored Race entered the office of the Daily News and without consent of the management, mutilated its files and removed from the bound volume the article which was furnished to the New York headquarters. Photostatic copy of the article was compared to-day and is the missing part of the page. Not only have those interested in defeating Judge Parker resorted to theft of matter from Daily News but statements have been garbled and misquoted, and the master stroke played was in wiring Governor Gardner that the negroes in Greensboro were intimidated. I have checked on this report of intimidation and find it absolutely untrue.

Below is certificate of W. P. Whitley, superintendent of bureau of identification of Greensboro Police Department, who checked and compared the photostatic copy with the remaining part of the page, and he says:

"Mr. E. B. JEFFRESS,
"Publisher of the Greensboro Daily News, Greensboro, N. C.

"DEAR SIR: I have this day examined the files of the Greensboro Daily News dated Monday morning, April 19, 1920, and I find that the outside three columns of the front page of this date have been clipped out. I have examined a photostatic copy of an article printed in the Greensboro Daily News April 19, 1920, which photostat was furnished by the Association of the Advancement of Colored People to members of the United States Senate, and I hereby certify that the photostatic copy is a reproduction of that part of the paper which was removed from the files of the Greensboro Daily News of April 19. The photostatic copy fits perfectly into the balance of the page remaining in the file.

"Yours very truly,

"W. P. WHITLEY,
"Superintendent Bureau of Identification."

Am sending you this for whatever use you desire to make of it.

E. B. JEFFRESS,
Publisher.

SALISBURY, N. C., *April 25, 1930.*

Hon. LEE S. OVERMAN,
Senate Chamber, Washington, D. C.:

I have inquired at Livingstone College and other leading negroes here, and find no intimation of threats against negroes. They don't believe it and certainly no such condition exists here or elsewhere in this State, to my knowledge.

JAMES H. RAMSAY.

CHARLOTTE, N. C., *April 25, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

Mecklenburg County Bar Association just passed following resolution respecting Judge Parker's appointment:

"The Mecklenburg County Bar Association most heartily indorses the appointment of Judge John J. Parker, formerly a member of this bar, to the Supreme Court of the United States and earnestly recommends the confirmation of his appointment by the Senate. Having known Judge Parker personally for a long number of years, we know him to possess to a very marked degree the qualifications necessary to fit him for the high office. He is a man of unblemished character and of the highest integrity. In ability and learning he ranks among the foremost lawyers and jurists of America. He is uninfluenced by class or race prejudice and is a friend to all mankind."

P. C. WHITLOCK,
President Mecklenburg County Bar Association.

CARTER MILLS,
Gastonia, N. C., April 24, 1930.

Hon. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: When I wrote you personally some 10 or 15 days ago with reference to Judge Parker's nomination it was simply a matter of State pride.

I note from several papers that I have been severely criticized in regard to my reference to Mr. Green and the communists. It is probably unfortunate that I wrote at all. It was merely for the interest of our own State, and my reference to the labor situation and Mr. Green and the communists was for the simple reason, as referred to in my letter to you, that I had been brought up in and around cotton mills, occupying almost every position in a mill—not for instruction—but by necessity. I have been a little fortunate in the world; have made a little headway and now own a 12,000-spindle mill.

For your information, knowing the conditions of mill surroundings—the comfort of mill people—I am voluntarily spending between $11,000

and $15,000 on the improvement of the village for the comfort of the people who are associated with me.

There seems to be a great "hullabaloo" over my reference to Green and the communists. As far as labor is concerned, my reference to you was if there is anybody in North Carolina who understands labor conditions I believe that it is the writer. You know the Bible refers just as much to the servant being loyal and worthy of his master as it does to the master being worthy of the servant.

I had no idea when writing you that my note would be known to anyone other than yourself, and my friendship and loyal support to you for these many years has been a pleasure. You have reflected great honor upon our State, and the letter was not written you for any purpose other than outlined, in the spirit in which it was written.

I have had clippings from the New York Times, and some unknown person has sent me a clipping of an editorial from the Baltimore Sun. The latter clipping only quotes such words as I believe would militate against me personally and Gastonia.

After receiving your letter I had dictated a letter to Senator BORAH, as I understand he objected to Judge Parker on account of some reference to the negro question while he was conducting his campaign for election in North Carolina. I called Senator BORAH'S attention in the letter not mailed to the fact with which you are familiar, that we are spending more money in North Carolina for the welfare and education of the colored people than our entire educational system cost in 1900. In connection with this, which is personal, there is a negro boy in Chatham County who slept at the foot of my bed for many years, whom I love and respect, and whom since I have been able I have assisted every year during lean crops, and it is my purpose to continue to do this.

The reason that prompted my writing you is that I understand we have not been represented on the Supreme Court bench for probably 100 years, and inasmuch as the Republican Party is in power and seems to have a majority of administrators I was hoping Judge Parker, irrespective of political faith, would be confirmed, which would reflect honor and respect to our State for many years to come, especially since his age is among the youngest presented for the consideration of your most honorable body.

Assuring you of my profoundest respect, I am, yours very truly,

A. M. CARTER.

BOLIVIA, N. C., *April 24, 1930.*

Hon. LEE S. OVERMAN,

The United States Senate, Washington, D. C.

MY DEAR SENATOR: In behalf of right and justice beg to inform you that we listened to Judge John J. Parker's political speech in the courthouse at Lumberton, N. C., during the 1924 campaign. Although Lumberton, the county seat of Robeson County and a very stronghold of the opposing party, Judge Parker's address was of a very high-tone character, there being not an iota of race or class prejudice exhibited. It is a fact that the negro race is being taken care of and educated for better conditions and citizenry by the taxpayers of the State and advocated by the leaders of both political parties.

It is to be hoped that your honorable body will confirm the nomination of so eminently fitted and qualified personage as is Judge Parker, who was chosen by President Hoover after careful investigation and consideration.

Very gratefully yours,

C. C. BURNS.

P. S.—We have negro men in our employ who have lived in Ohio and other Northern States, and who state to us that the southern "white folks" know them and are their friends.

Mr. OVERMAN. I believe Doctor Peacock's letter has already been read. He is a northern man, president of an institution—Shaw University—established by northern people for the benefit of colored people. It is one of the oldest institutions in the State and has educated many a prominent colored man.

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

Mr. OVERMAN. I yield.

Mr. WHEELER. I wonder if the Senator would have any objection to having this letter by M. K. Tyson read. He is national executive secretary of the National Association of Negro Tailors, Designers, and Dressmakers. Would the Senator have any objection to having that letter read?

Mr. OVERMAN. No; I will have it read.

Mr. WHEELER. I think it would be very valuable if that should be read.

Mr. OVERMAN. I shall be glad to have the clerk read that letter. I ask to have the letter from Doctor Peacock read also.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read as follows:

SHAW UNIVERSITY,
Raleigh, N. C., April 19, 1930.

Col. DAVID H. BLAIR,
Winston-Salem, N. C.

MY DEAR COLONEL BLAIR: I am intensely interested in the confirmation of Judge John J. Parker, of North Carolina, as an Associate Justice of the United States Supreme Court.

Ever since coming to North Carolina 10 years ago I have heard only good things of Judge Parker. His excellent record as a jurist is recognized and praised by prominent men of both political parties in the State, and because of the high esteem in which he is held, both as a man and as a jurist, I am anxious that Judge Parker will receive a most hearty indorsement by the Senate.

With warm personal esteem, I am, cordially yours,

JOSEPH L. PEACOCK.

[This man is a Baptist minister, a graduate of Brown University, and took his Ph. D. at Harvard.]

Mr. OVERMAN. Now, let the Tyson letter referred to by the Senator from Montana [Mr. WHEELER] be read.

The legislative clerk read as follows:

BURLINGTON, N. C., *April 15, 1930.*

Senator LEE S. OVERMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I take this occasion to again urge prompt confirmation of Judge John J. Parker for the United States Supreme Court. Judge Parker has no ill feeling toward the Negro race. The National Association for the Advancement of Colored People, through its secretary, I think is making a very great mistake in protesting the confirmation of Judge Parker.

White, secretary of the National Association for the Advancement of Colored People, I note in to-day's paper, states that the Republican Party in North Carolina does not invite, permit, or receive negro delegates, representatives, or visitors, and that no negro delegate has attended a Republican Party convention in the State in 10 years. To this I would say that Mr. White does not know much about the history of the Negro in politics in North Carolina.

Mr. White further states that it is asserted that Judge Parker and his political associates in the State have flouted the fourteenth and fifteenth amendments. To this I would say that Mr. White is right when he says "asserted," as there is no evidence in writing that Judge Parker ever flouted the above amendments.

The reason that the negro is out of politics in North Carolina is because he brought it upon himself. If the negro had acted right, he would have been in politics in North Carolina this very day. In some respects this condition has benefited the negro.

The Richmond ordinance case should be enough to satisfy the National Association for the Advancement of Colored People. I would urge this association to at once withdraw its protest to the confirmation of Judge Parker for the Supreme Court. I again urge the confirmation of Judge Parker.

Very truly yours,

M. K. TYSON,
National Executive Secretary of the National Association of Negro Tailors, Designers, and Dressmakers.

Mr. OVERMAN. Mr. President, the writer of that letter is one of the most prominent colored men in the State. I have many letters like that, but I did not want to cumber the RECORD.

I will ask that the clerk read a letter from a very prominent Republican in North Carolina in regard to the voting of the negroes for Judge Parker when he ran for governor.

The PRESIDING OFFICER. Is there objection?

There being no objection, the legislative clerk read as follows:

RALEIGH, N. C., *April 12, 1930.*

Senator LEE S. OVERMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: Perhaps you know that for nearly 30 years I have had a close acquaintance with Republican politics in eastern North Carolina, having been postmaster (1907–1915), prosecuting attorney of the city of Raleigh (1917–1921), member of the exemption board throughout the World War, and Republican nominee for Congress and superior court judge, twice a delegate to our national conventions, and served on the county committee 25 years. I only state this in explanation of the facts I desire to mention.

In Wake County there are at least 1,000 colored registered voters, many of whom participate in the Democratic primaries. In the general election, when anything like a full vote is polled, the colored vote is believed to be about equally divided between the parties. I know that in the 1920 election Judge Parker, nominee for governor, polled a larger proportion of the colored vote here than the Republican candidate for this office in either 1924 or 1928 did. Data in the inclosed affidavit

demonstrates this fact. Judge Parker was universally recognized as an able, clean, high-typed man, devoid of any pettiness or unworthy prejudices. The best element of our colored people appreciated his worth and the Shaw University (colored) precinct in Raleigh gave him a majority of 16, while the same precinct in 1928 gave Gardner, Democrat, a majority of 59 over Seawell, Republican.

I have always sympathized with and appreciated the efforts for advancement our colored people are making. The odds to overcome are heavy. The discriminating use they are making of the ballot is to be commended. Hence it is nothing short of deplorable that efforts should be made now by those who do not know Judge Parker to characterize him as a bigot harboring unworthy prejudices. He is respected and honored by the best people of both races in this his native State.

Yours very sincerely,

WILLIS G. BRIGGS.

AFFIDAVIT THAT COLORED VOTERS OF WAKE COUNTY SUPPORTED JOHN J. PARKER FOR GOVERNOR IN 1920

NORTH CAROLINA,

Wake County:

Willis G. Briggs being duly sworn, deposes and says: That he is now and has been a resident of the city of Raleigh, Wake County, N. C., all his life and an active Republican since he cast his first vote for William McKinley, and has been a member of the Wake County Republican executive committee for 24 years, and has actively participated in each and every campaign; that in the 1920 election there were 38 voting precincts in Wake County, and in only 2 of these precincts, namely, O'Kelley's store, in House Creek Township, and the second division of the third ward in the city of Raleigh, a majority of the registered voters were colored. In the latter precinct Shaw University, the largest negro college in the State, is located, and on the unrevised registration book for this precinct there are now 463 colored names and 285 white. Hon. Cameron Morrison was the Democratic candidate for governor and Hon. John J. Parker was the Republican nominee in 1920. Parker carried eight precincts in Wake County, and this number included the two colored precincts above mentioned. The 1920 gubernatorial vote in the only precincts in Wake County with the colored vote then in the majority was as follows:

Morrison (Democrat):	
O'Kelley's store	41
Raleigh, third ward, second division	145
Parker (Republican):	
O'Kelley's store	47
Raleigh, third ward, second division	161

The same precinct in the 1928 election, when the State gave Hoover a majority of over 63,000, voted as follows on governor:

Gardner (Democrat):	
O'Kelley's store	130
Raleigh, third ward, second division (now precinct No. 16)	154
Seawell (Republican):	
O'Kelley's store	64
Raleigh, third ward, second division (now precinct No. 16)	95

Hence it is manifest that Judge John J. Parker as the Republican nominee for governor received a majority of the votes in both the precincts where the colored voters then predominated, although Cox (Democrat) carried the State over Harding by 72,599 majority, while in 1928, when Hoover (Republican) defeated Smith (Democrat) in North Carolina by 63,000 majority and large Republican gains were made in other Raleigh precincts the above two precincts gave the Democratic candidate for governor substantial majorities over his Republican opponent, Hon. H. F. Seawell, although Hoover carried the precincts by majorities of 4 and 17, respectively.

WILLIS G. BRIGGS.

Sworn to and subscribed before me this 12th day of April, 1930.

[SEAL.] SARA WEINSTEIN, *Notary Public.*

My commission expires the 14th day of July, 1930.

Mr. OVERMAN. Mr. President, that bears me out in what I said, that I believe the negroes voted for Judge Parker in that great contest, when he uttered the words objected to by the Association for the Advancement of the Negroes.

Judge Cothran sent a telegram, all the judges on the circuit court wrote letters, recommending Judge Parker most highly. I will not ask to have them read, but will insert them in the RECORD. Judge Waddill, Judge Soper, and Judge Baker, who sit on the bench with Judge Parker, recognize him as a man of great ability, as a great lawyer.

How can we judge of him except by what the lawyers say of him? All the lawyers in four States, the bar associations, the bankers, the university presidents, the college presidents, all speak of him most highly, but especially the lawyers say he is a man of great ability, a great lawyer, and worthy of the position to which the President has appointed him. Therefore I hope he will be confirmed.

Mr. President, I was appointed chairman of the subcommittee in charge of this nomination by the Senator from Nebraska [Mr. NORRIS], the chairman of the Committee on the Judiciary, as is usually the case when a nominee comes from the State of a member of the committee. That is the way I came into the case as somewhat of a leader. I do not claim to be a leader in the matter, but people have telegraphed me thinking that I had charge of it. When the subcommittee reported favorably to the full committee the vote was 2 to 1. In the full committee the vote against confirmation was 10 to 6. That action having been taken, I think I ought to turn over to the administration leaders the matter of managing the confirmation on the floor. They are more competent to look after the administration than I am. Therefore, with the putting into the RECORD of some papers which I indorse analyzing the Hitchman case, and analyzing the case of the dissenting opinion of Justices Holmes, Clarke, and Brandeis, I will close, with the hope that Judge Parker will be confirmed.

Because I retire from what may be called "leadership" in the matter, I do not want it to be understood that I give up one jot or tittle of my loyalty and my support of this good man. He is a Christian man; he is an able lawyer; he is a prominent citizen, indorsed by everybody in his State. What more could be said for him?

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina for the insertion in the RECORD of the papers submitted by him?

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

STATEMENT OF FACTS IN RED JACKET CASE

The district judge found, among other things, that defendants had conspired to restrain interstate trade and commerce in coal, and that at the time these suits were instituted the United Mine Workers of America, its officers, agents, representatives, and members were attempting "(a) unlawfully, maliciously, and unreasonably to induce, incite, and cause the employees of the plaintiffs in said suits, respectively, to violate their said contracts of employment with said plaintiffs; (b) to compel said employees of said plaintiffs by use of force, intimidation, threats, violence, vile epithets, abusive language, and false and fraudulent statements to cease working for said plaintiffs and to become members of said union; (c) to compel the plaintiffs to recognize said international organization, United Mine Workers of America, and to deal with it and operate their mines under closed-shop contracts with it, including the 'check-off' provisions, or to close down their mines." He further found that it was a part of the policy and plan of the union to have members thereof obtain, keep, and hold possession of dwelling houses belonging to complainants, which were constructed and maintained by them for the use of their employees as incidental to such employment, and were absolutely necessary to the operation of their mines, and that the union was maintaining persons in the wrongful occupation of such houses for the purpose of preventing the houses being used by persons who were willing to work, and for the purpose of harassing complainants' nonunion employees.

COPY OF YELLOW-DOG CONTRACT AS PRINTED IN FOOTNOTE OF BRANDEIS DISSENTING OPINION IN HITCHMAN COAL CASE

I am employed by and work for the Hitchman Coal & Coke Co. with the express understanding that I am not a member of the United Mine Workers of America and will not become so while an employee of the Hitchman Coal & Coke Co.; that the Hitchman Coal & Coke Co. is run nonunion and agrees with me that it will run nonunion while I am in its employ. If at any time I am employed by the Hitchman Coal & Coke Co. I want to become connected with the United Mine Workers of America or any affiliated organization, I agree to withdraw from the employment of said company, and agree that while I am in the employ of that company I will not make any efforts amongst its employees to bring about the unionizing of that mine against the company's wish. I have either read the above or heard the same read.

EMPLOYMENT CONTRACT OF SUMMIT COAL CO., ONE OF THE PLAINTIFFS IN THE RED JACKET INJUNCTION CASE

I am not now a member of the United Mine Workers of America, the Industrial Workers of the World, or any other organization of mine workers and will not during this employment join or affiliate with any such mine labor organization because I believe the preservation of the right of individual contract free from interference or regulation by others and payment in proportion to services rendered to be to my interest, to the best interest of the public and of all industry; and I enter this employment with the understanding that the policy of the company is to operate a nonunion mine and that it will not knowingly employ anyone belonging to such union or organization and would not give me employment under any other conditions.

I hereby acknowledge receipt of a copy of the mining laws of West Virginia and the rules and regulations of this company. I have also been instructed in the hazards of this occupation.

MEMORANDUM ON THE OPINION OF CIRCUIT JUDGE JOHN J. PARKER IN INTERNATIONAL ORGANIZATION, UNITED MINE WORKERS OF AMERICA, *v.* RED JACKET CONSOLIDATED COAL & COKE CO. (18 F. (2D) 839)

This and companion cases were suits brought by coal mining companies in West Virginia to enjoin the United Mine Workers, who had declared a strike in an attempt to unionize the field, from interfering with the companies' employees by violence, threats, intimidation, picketing, and the like, or by procuring them to breach their contracts with the plaintiffs. The trial court found that the defendants were maliciously endeavoring to cause the employees of the plaintiffs to violate their contracts of employment with the plaintiffs, and were, by force, intimidation, and violence, endeavoring to compel the plaintiffs' employees to cease work, and enjoined these acts.

On appeal to the circuit court of appeals one question earnestly pressed was that the defendants were not interfering with interstate commerce and therefore the Federal courts had no jurisdiction. The circuit court of appeals held that interstate commerce was involved, and based its decision on the Coronado case (268 U. S. 295).

Another point urged by the mine workers in the circuit court of appeals was that the injunction was too broad and went beyond injunction against force, violence, and intimidation, and, in effect, enjoined interference with the plaintiffs' employees by means of peaceful persuasion. The opinion discloses that plaintiffs' employees had entered into contracts that they would not join the union while remaining in the plaintiffs' service. In his opinion, Judge Parker says:

"What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

The case to which Judge Parker referred was the decision of the Supreme Court of the United States in Hitchman Coal & Coke Co. *v.* Mitchell. (245 U. S. 229.) In that case the defendants had peaceably persuaded plaintiff's employees to break contracts similar to those involved in the case dealt with by Judge Parker. The court in its decision said:

"Another fundamental error in defendants' position consists in the assumption that all measures that may be resorted to are lawful if they are 'peaceable'—that is, if they stop short of physical violence or coercion through fear of it. In our opinion, any violation of plaintiff's legal rights contrived by defendants for the purpose of inflicting damage, or having that as its necessary effect, is as plainly inhibited by the law as if it involved a breach of the peace. A combination to procure concerted breaches of contract by plaintiff's employees constitutes such a violation; that is, a violation of the plaintiff's legal right."

It does not appear from Judge Parker's opinion that any question was raised by counsel in the Red Jacket case as to the validity of the contracts between the plaintiffs and their employees, by which the latter agreed not to join the union. An examination of the briefs of counsel filed in this case discloses no suggestion or contention that the contract between the mining companies and their nonunion employees prohibiting the latter from joining the union was illegal or void as against public policy or for any other reason. Counsel, as well as the circuit judges, quite correctly considered the Hitchman case conclusive on that point, for in its opinion (245 U. S. p. 250) the Supreme Court had declared:

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. * * * The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership in a union a condition of employment as the workingman is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation, unless through some proper exercise of the paramount police power." (Adair *v.* United States, 208 U. S. 161; Coppage *v.* Kansas, 236 U. S. 1.)

"Plaintiff having in the exercise of its undoubted rights established a working agreement between it and its employees, with the free assent of the latter, is entitled to be protected in the enjoyment of the resulting status, as in any other legal right. That the employment was 'at will,' and terminable by either party at any time, is of no consequence."

Mr. Justice Brandeis wrote a dissenting opinion in the Hitchman case, but his dissent was not based on a suggestion that the contract between the employer and its employees not to join the union was unenforceable or void. On the contrary, he said (p. 271):

"In other words, an employer, in order to effectuate the closing of his shop to union labor, may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

His dissent was based on the proposition, not that the contracts were unlawful, but that the union men did not induce the plaintiff's employees to violate their terms (p. 272). This contention was expressly rejected in the ruling opinion of the court (p. 255).

Whatever reasons might have been advanced for assailing such contracts on grounds of public policy, Judge Parker and his associate judges were constrained by the decision of the Supreme Court in the Hitchman case to disregard them. No such point was made by counsel in the Red Jacket case, who must have regarded the right to make such contracts as settled in the Supreme Court of the United States.

On the other question, as to whether any actionable wrong justifying an injunction was committed by the union men in attempting by peaceable means to induce nonunion employees to violate their contracts of employment by joining the union, Judge Parker again bases his decision on the Hitchman case, where substantially similar contracts were involveu and the Supreme Court held that peaceful efforts by the strikers to induce the company employees to agree to join the union while remaining in plaintiffs' employ were properly enjoined.

There does not appear to be a point decided in the Red Jacket case on which Judge Parker assumed to exercise any independent judgment or opinion. He and his associates felt bound by the Supreme Court decisions. In holding the contracts valid and that peaceable efforts to induce the nonunion men to break them were properly enjoined, he merely quoted rulings to that effect in the Hitchman case. Nowhere are pressed or indicated any personal views about any of these questions. He had no freedom of judgment on any of them; he was bound by the decisions of the Supreme Court, which he could not refuse to follow. The Hitchman case itself had originated in the Circuit Court of Appeals of the Fourth Circuit before Judge Parker became a member of that court, the circuit court of appeals had denied an injunction, and its decision was reversed by the Supreme Court in the Hitchman case. What would have been the fate of a decision by Judge Parker in the Red Jacket case contrary to that which he rendered is indicated by the fact that the United Mine Workers filed a petition for a writ of certiorari with the Supreme Court of the United States asking that court to review Judge Parker's decision, and the petition for certiorari was denied (275 U. S. 536).

To refuse to confirm the nomination of Judge Parker for his decision in the Red Jacket Coal Co. case will amount to refusing to confirm him because he followed and gave binding effect to the decisions of the Supreme Court of the United States. At least he considered the cited decisions of the Supreme Court to be controlling in the Red Jacket case, and no one has yet pointed out any ground on which the Hitchman case and the Red Jacket case may properly be distinguished.

The question is not whether the Supreme Court was right or wrong in its conclusion. The question is whether Judge Parker was dealing with points which had been settled by the Supreme Court which he was bound, under his oath of office, to follow. He and his two associates put their decision upon the controlling authority of the Hitchman case, as they were constrained to do, but even in this they were careful not to go beyond the dictates of that decision. It was argued that the decree in effect forbade any lawful or proper argument addressed to plaintiffs' employees in favor of union membership. Answering this contention, Judge Parker said:

"If we so understood the decree, we would not hesitate to modify it. As we said in the Bittner case, there can be no doubt of the right of the defendants to use all lawful propaganda to increase their membership. * * * What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

The contract which has been criticized was distinctly involved in the case of Hitchman Coal & Coke Co. *v.* Mitchell. (See 245 U. S. 239, 240.) The form of the contract is set forth in a note to the dissenting opinion of Mr. Justice Brandeis at page 263. The court said (at p. 245): "The evidence shows that he (the union organizer) had distinct and timely notice that membership in the union was inconsistent with the terms of employment at all three mines, and a violation of the express provisions of the agreement at the Hitchman and Glendale."

With respect to the contract, the court said (at pp. 250, 251):

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. Plaintiff's repeated costly experiences of strikes and other interferences while attempting to 'run union' were a sufficient explanation of its resolve to run 'nonunion,' if any were needed. But neither explanation nor justification is needed. Whatever may be the advantages of 'collective bargaining,' it is not bargaining at all, in any just sense, unless it is voluntary on both sides. The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership

in a union a condition of employment, as the workingman is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation, unless through some proper exercise of the paramount police power. Adair *v.* United States (208 U. S. 161, 174); Coppage *v.* Kansas (236 U. S. 1, 14). In the present case, needless to say, there is no act of legislation to which defendants may resort for justification."

In view of the fact that the circuit courts of appeals are bound by the decisions of the Supreme Court, it would seem that no further authority is needed with respect to the contract criticized.

The Supreme Court in the Hitchman case held that the right of the employer under such a contract should be protected by the court, saying (at p. 251):

"Plaintiff, having in the exercise of its undoubted rights established a working agreement between it and its employees, with the free assent of the latter, is entitled to be protected in the enjoyment of the resulting status, as in any other legal right. That the employment was 'at will,' and terminable by either party at any time, is of no consequence. In Truax *v.* Raich (239 U. S. 33, 38), this court ruled upon the precise question as follows: 'It is said that the bill does not show an employment for a term, and that under an employment at will the complainant could be discharged at any time for any reason or for no reason, the motive of the employer being immaterial. The conclusion, however, that is sought to be drawn is too broad. The fact that the employment is at the will of the parties, respectively, does not make it one at the will of others. The employee has manifest interest in the freedom of the employer to exercise his judgment without illegal interference or compulsion, and, by the weight of authority, the unjustified interference of third persons is actionable although the employment is at will.' (Citing many cases.)"

The Supreme Court said also (at p. 259):

"Upon all the facts we are constrained to hold that the purpose entertained by defendants to bring about a strike at plaintiff's mine in order to compel plaintiff, through fear of financial loss, to consent to the unionization of the mine as the lesser evil was an unlawful purpose, and that the methods resorted to by Hughes—the inducing of employees to unite with the union in an effort to subvert the system of employment at the mine by concerted breaches of the contracts of employment known to be in force there, not to mention misrepresentation, deceptive statements, and threats of pecuniary loss communicated by Hughes to the men—were unlawful and malicious methods and not to be justified as a fair exercise of the right to increase the membership of the union."

It is worthy of note that when the Hitchman case was before the Circuit Court of Appeals for the Fourth Circuit that court refused to enjoin "peaceful persuasion" of the employees to violate the contract criticized. (214 Fed. 685.) This, however, was reversed by the Supreme Court in Hitchman Coal Co. *v.* Mitchell (245 U. S. 229), which upheld the right of the employer under the contract not only against violence and intimidation but also against peaceful persuasion.

The doctrine of the Hitchman case has been approved by the Supreme Court in the later case of American Steel Foundries *v.* Tri-City Central Trades Council (257 U. S. 184, at 211), and applied by the Circuit Court of Appeals for the Eighth Circuit in Kinloch Telephone Co. *v.* Local Union (275 Fed. 241), and by the Circuit Court of Appeals for the Ninth Circuit in Montgomery *v.* Pacific Electric Railway Co. (293 F. 680).

The scope of the injunction has been criticized in that it restrained the union from aiding and abetting any person to occupy or hold without right any house or other property. The answer to this is that the language of the decree was prescribed by the court in a former appeal in one of the same cases (288 Fed. 1020), at which time Judge Parker had not been appointed to the court. The judges approving the decree being Woods, Waddill, and Rose.

MEMORANDUM ON THE OPINION OF CIRCUIT JUDGE JOHN J. PARKER IN INTERNATIONAL ORGANIZATION, UNITED MINE WORKERS OF AMERICA *v.* RED JACKET CONSOLIDATED COAL & COKE CO. (18 F. (2D) 389)

This and companion cases were suits brought by coal-mining companies in West Virginia to enjoin the United Mine Workers, who had declared a strike in an attempt to unionize the field, from interfering with the companies' employees by violence, threats, intimidation, picketing, and the like, or by procuring them to breach their contracts with the plaintiffs. The trial court found that the defendants were maliciously endeavoring to cause the employees of the plaintiffs to violate their contracts of employment with the plaintiffs, and were by force, intimidation, and violence endeavoring to compel the plaintiffs' employees to cease work, and enjoined these acts.

On appeal to the circuit court of appeals one question earnestly pressed was that the defendants were not interfering with interstate commerce, and, therefore, the Federal courts had no jurisdiction. The circuit court of appeals held that interstate commerce was involved, and based its decision on the Coronado case (268 U. S. 295).

Another point urged by the mine workers in the circuit court of appeals was that the injunction was too broad and went beyond injunction against force, violence, and intimidation, and, in effect, enjoined interference with the plaintiffs' employees by means of peaceful persuasion. The opinion discloses that plaintiffs' employees had entered into contracts that they would not join the union while remaining in the plaintiffs' service. In his opinion Judge Parker says:

"What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

The case to which Judge Parker referred was the decision of the Supreme Court of the United States in Hitchman Coal & Coke Co. *v.* Mitchell (245 U. S. 229). In that case the defendants had peaceably persuaded plaintiff's employees to break contracts similar to those involved in the case dealt with by Judge Parker. The court in its decision said:

"Another fundamental error in defendants' position consists in the assumption that all measures that may be resorted to are lawful if they are 'peaceable'—that is, if they stop short of physical violence, or coercion through fear of it. In our opinion, any violation of plaintiff's legal rights contrived by defendants for the purpose of inflicting damage, or having that as its necessary effect, is as plainly inhibited by the law as if it involved a breach of the peace. A combination to procure concerted breaches of contract by plaintiff's employees constitutes such a violation," that is, a violation of the plaintiff's legal right.

It does not appear from Judge Parker's opinion that any question was raised by counsel in the Red Jacket case as to the validity of the contracts between the plaintiffs and their employees, by which the latter agreed not to join the union. An examination of the briefs of counsel filed in this case, discloses no suggestion or contention that the contract between the mining companies and their nonunion employees, prohibiting the latter from joining the union, was illegal or void as against public policy or for any other reason. Counsel, as well as the circuit judges, quite correctly considered the Hitchman case conclusive on that point, for in its opinion (245 U. S. 250) the Supreme Court had declared:

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. * * * The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership in a union a condition of employment, as the working man is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation, unless through some proper exercise of the paramount police power. Adair *v.* United States (208 U. S. 161); Coppage *v.* Kansas (236 U. S. 1). * * *

"Plaintiff, having in the exercise of its undoubted rights established a working agreement between it and its employees, with the free assent of the latter, is entitled to be protected in the enjoyment of the resulting status, as in any other legal right. That the employment was 'at will,' and terminable by either party at any time, is of no consequence."

Mr. Justice Brandeis wrote a dissenting opinion in the Hitchman case, but his dissent was not based on a suggestion that the contract between the employer and its employees not to join the union was unenforceable or void. On the contrary, he said (p. 271):

"In other words, an employer, in order to effectuate the closing of his shop to union labor, may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

His dissent was based on the proposition, not that the contracts were unlawful but that the union men did not induce the plaintiff's employees to violate their terms (p. 272). This contention was expressly rejected in the ruling opinion of the court (p. 255).

Whatever reasons might have been advanced for assailing such contracts on grounds of public policy, Judge Parker and his associate judges were constrained by the decision of the Supreme Court in the Hitchman case to disregard them. No such point was made by counsel in the Red Jacket case who must have regarded the right to make such contracts as settled in the Supreme Court of the United States.

On the other question, as to whether any actionable wrong justifying an injunction was committed by the union men in attempting by peaceable means to induce nonunion employees to violate their contracts of employment by joining the union, Judge Parker again bases his decision on the Hitchman case where substantially similar contracts were involved, and the Supreme Court held that peaceful efforts by the strikers

to induce the company employees to agree to join the union while remaining in plaintiff's employ were properly enjoined.

There does not appear to be a point decided in the Red Jacket case on which Judge Parker assumed to exercise any independent judgment or opinion. He and his associates felt bound by the Supreme Court decisions. In holding the contracts valid and that peaceable efforts to induce the nonunion men to break them were properly enjoined, he merely quoted rulings to that effect in the Hitchman case. Nowhere are pressed or indicated any personal views about any of these questions. He had no freedom of judgment on any of them; he was bound by the decisions of the Supreme Court, which he could not refuse to follow. The Hitchman case itself had originated in the Circuit Court of Appeals of the Fourth Circuit before Judge Parker became a member of that court, the circuit court of appeals had denied an injunction, and its decision was reversed by the Supreme Court in the Hitchman case. What would have been the fate of a decision by Judge Parker in the Red Jacket case contrary to that which he rendered is indicated by the fact that the United Mine Workers filed a petition for a writ of certiorari with the Supreme Court of the United States asking that court to review Judge Parker's decision, and the petition for certiorari was denied. (275 U. S. 536.)

To refuse to confirm the nomination of Judge Parker for his decision in the Red Jacket Coal Co. case will amount to refusing to confirm him because he followed and gave binding effect to the decisions of the Supreme Court of the United States. At least he considered the cited decisions of the Supreme Court to be controlling in the Red Jacket case, and no one has yet pointed out any ground on which the Hitchman case and the Red Jacket case may properly be distinguished.

The question is not whether the Supreme Court was right or wrong in its conclusion. The question is whether Judge Parker was dealing with points which had been settled by the Supreme Court which he was bound, under his oath of office, to follow. He and his two associates put their decision upon the controlling authority of the Hitchman case, as they were constrained to do; but even in this they were careful not to go beyond the dictates of that decision. It was argued that the decree in effect forbade any lawful or proper argument addressed to plaintiff's employees in favor of union membership. Answering this contention, Judge Parker said:

"If we so understood the decree, we would not hesitate to modify it. As we said in the Bittner case, there can be no doubt of the right of the defendants to use all lawful propaganda to increase their membership. * * * What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

GREENVILLE, S. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

Regard Judge Parker one of ablest lawyers appeared before court.

T. P. COTHRAN,
Associate Justice.

RICHMOND, VA., *April 28, 1930.*

Senator LEE S. OVERMAN,
United States Senate:

May I respectfully urge that you will say to the Senate when Judge Parker's nomination is being considered that it is the opinion of all the Federal judges in circuit that Judge Parker is admirably equipped in every respect for distinguished service on Supreme Court? After intimate service on court with him, I personally regard him as possessing every qualification for service on Supreme Court.

ELLIOTT NORTHCOTT.

FLORENCE, S. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

I have been associated with Judge John J. Parker in quite a number of cases in the court of appeals at the hearing and conferences thereon and observed his attitude relative to the decisions to be rendered. He has in a marked degree the qualities essential for a judge. I consider him eminently qualified in every respect to fulfill the duties of Associate Justice of the Supreme Court.

ERNEST F. COCHRAN,
United States District Judge.

ANDERSON, S. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

After an intimate acquaintance with Judge Parker, ever since his appointment to the circuit bench, and having frequently served with him on the circuit court of appeals, I earnestly hope for confirmation of his appointment to the Supreme Court. There is and can be no question of his fitness for the position by reason of his great ability, exalted character, and his fair and judicial temperament.

H. H. WATKINS.

BALTIMORE, MD., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senator, United States Senate Office Building:

I feel that the appointment of Judge John J. Parker to the Supreme Court should be confirmed. His high character and legal attainments are proven throughout the fourth circuit.

WILLIAM C. COLEMAN,
United States District Judge, Baltimore.

WILMINGTON, N. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

Judge John J. Parker's age, health, industry, natural ability, and legal learning qualify him for the high office for which he has been nominated. I have sat with Judge Parker on the circuit court of appeals and therefore can speak of and vouch for his fitness through my personal observation of and contact with him and his work. Judge Parker is as free from bias as any man living and he would not know how to prejudge any man or cause. If given the opportunity, Judge Parker will demonstrate his worthiness for the high office of Supreme Court Justice to the satisfaction and admiration of his severest critic.

I. M. MEEKINS.

CHESTER, S. C., *April 27, 1930.*

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.:

Have known Judge Parker as attorney and judge. Events have caused me to know able men in many circles in Europe and America. Judged by highest standards Parker measures up well by reason of native ability and diligent study of law.

J. LYLES GLENN,
United States District Judge.

CHARLESTON, W. VA., *April 27, 1930.*

Senator LEE OVERMAN,
United States, Washington, D. C.:

Have known Judge Parker rather intimately since his appointment as circuit judge. Have had him as circuit judge in several 3-judge courts in my district, and have sat with him on court of appeals several times. From this contact I have formed the highest opinion of his ability as a lawyer and judge. His industry as a student of the law and facts of all cases before him is very great and continuous until he has reached an honest conclusion, both intellectual and personal, thereon. His mind and manner of thought is logical and he is always conscientious in his study of the rights of all parties in each case submitted to him. When not considering actual cases submitted his active mind is continuously devoted to the study of law as a preparation for future work expected to come before him.

GEO. W. MCCLINTIC,
District Judge.

[From the Charlotte (N. C.) Observer, April 19, 1930]

PARKER MISJUDGED

Judge John J. Parker's record in North Carolina certainly has not indicated any prejudice against labor, organized or unorganized. Nothing he has ever said in any of his public utterances has indicated other than a friendly and sympathetic attitude toward labor. He has never been what is commonly called a corporation lawyer, neither has he been anticorporation in his attitude. His fairness and impartiality toward both labor and capital has been one of his outstanding characteristics. To-day he has the heartiest indorsement of many men who are recognized as the friends of capital and at the same time he is just as heartily indorsed by numbers of those who are the advocates and champions of organized labor. He is neither radical nor reactionary, but sanely liberal.

It so happens that Judge Parker, just 10 years ago this week, made an address at Chapel Hill, speaking to students, faculty, and community residents. Part of what he said is of record, for his address was reported at unusual length in the Observer. In that speech he expressed his attitude toward labor and unions, and there is no evidence that he has changed his position since. Certainly no union man or laboring man objected to what he said in that speech. Among other things, he advocated a workingmen's compensation act for the benefit of the laboring man, elimination of child labor in industry and of night work for women, and to quote his words, he declared:

"Laboring men have a right to organize. Laboring men have a right to quit work—to strike. Laboring men have a right, collectively, to enter into agreements with employers. The State should not deny or abridge any of these rights when lawfully exercised, but the State owes it to labor and to capital, as well as to the public, to provide means for the adjustment of industrial disputes."

What more could labor ask in a Justice of the Supreme Court? It is not to be expected that any man should be placed on the Supreme Bench who is a rank partisan of any one class, and, of course, organized labor does not expect that. It is doubtful that any man will be nominated and confirmed whose attitude toward labor is any more friendly and sympa-

thetic than Judge Parker's, as indicated in his declarations quoted above. If those who in behalf of organized labor are fighting Judge Parker's confirmation knew him as his fellow citizens in North Carolina know him and have known him through the years, it is believed here the opposition to him from this source would be withdrawn.

Apparently the chief obstacle to the prompt confirmation of the nomination of Judge Parker is the opposition of organized labor, and that opposition seems to be based solely upon his decision in the so-called "yellow-dog" case from the coal fields of West Virginia, affecting union coal miners. In answer to the opposition on this ground, it has been pointed out repeatedly that in his decision in this case, Judge Parker was only following decisions of the United States Supreme Court.

When once the law has been interpreted by the highest court, as applicable to a certain set of facts, the ruling of the Supreme Court becomes the law to be followed by all inferior courts and judges, and no judge is going to deliberately take a course contrary to the decision of the highest tribunal, regardless of what his personal feeling or attitude toward the parties involved may be. To decide a case contrary to the plain rule laid down by the Supreme Court would place an inferior court judge in a ridiculous light. The decision of the judge in such cases is not necessarily an indication of his personal feeling, but merely the application of the existing law to the case in question. A judge might be entirely out of sympathy with the prohibition law and his sympathies might be strongly in favor of a man who had been convicted of its violation, but the jurist in such a case would have no alternative but to follow the law as already interpreted by the higher court.

It is perfectly clear to numbers of lawyers, including those whose sympathies are with organized labor in practically all its conflicts with the employing class, that President William Green and other officials of the American Federation of Labor are under a misapprehension of Judge Parker's attitude toward the working men as a class. Those who are leading the opposition to his confirmation do not know him personally and have not been close enough to him to appraise him accurately.

That doubtless explains in part at least the fact that officially the North Carolina Federation of Labor gave Judge Parker's nomination its approval at first, but joined the national organization in opposition after the latter had taken a stand against him. Evidently it was not so much a matter of opposition on the part of the North Carolina organization as it was a matter of loyalty to the national organization and to President Green.

[From the Nashville Tennessean, April 21, 1930]

JUDGE PARKER'S CASE

Confirmation of Judge John J. Parker, of North Carolina, for appointment to the vacancy on the Supreme Court caused by the death of Justice Sanford, is being opposed on the ground that his decision in the Red Jacket coal case shows his animosity to the aspirations of labor. He has been denounced by William Green as another "injunction judge." His opinion in a case appealed from the district court which involved the right of employers to contract with their employees that the latter would not during their term of service become members of a union-labor organization, it is alleged, demonstrates his hostility to organized labor.

The opponents of Judge Parker have not been fair enough, however, to say that in the Red Jacket case he did nothing more than apply the law as it had been determined by the Supreme Court of the United States. As long ago as 1917 in the celebrated Hitchman case, the Supreme Court of the United States held "that the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question." This opinion was concurred in by Justice Holmes, who is universally regarded as one of the outstanding "liberal" members of the Supreme Court. Even Justice Brandeis, who is usually associated with Justice Holmes in the so-called "liberal" decisions of the court, used this language: "An employer in order to effectuate the closing of his shop to union labor, may exact an argument to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to it."

As a judge of the United States Court of Appeals it was the duty of Judge Parker to follow the law as declared by the Supreme Court of the United States. It is not, under such circumstances the province of the inferior judge to discuss the wisdom of the law as interpreted by his superiors. It may be argued that the decision of the highest court in the land in the Hitchman case is contrary to sound public policy. But until that decision has been vacated or set aside by a subsequent decision of the court of last resort it is binding upon all. It is most assuredly binding upon the judges of the inferior courts of our Federal system.

The validity of the contracts to which objection is now strenuously urged has been settled by the highest court in the land. Judge Parker's offense appears to have consisted merely in applying the law, hence there is little merit in the war that is being waged upon his confirmation. His capacity is not denied. His integrity is unquestioned. It is something new to endeavor to determine political and economic and even social questions through appointments to the supreme judiciary. There is no reason to believe and past experience does not justify, the assumption that members of the Supreme Court of the United States will be governed in their decisions by past political affiliations or by views that they have announced as counsel in cases. Judge Parker comes from a judicial circuit that has not had a member of the court of last resort for more than 60 years. He hails from a State that has not furnished a member of the Supreme Court since the very early days of the Republic. So far, no valid reason has been advanced that would deny his appointment the consent of the Senate.

[From the Philadelphia Public Ledger, April 8, 1930]

THE RED JACKET CASE AND JUDGE PARKER

About two years ago John Johnston Parker, of North Carolina, a United States circuit judge, upheld an injunction granted in a labor case by a Federal district court. This enjoined union-labor representatives from persuading certain workers to join a union. These certain workers had signed a contract in which they agreed not to become union members during the term of their employment with the company for which they were then working. Union labor calls such agreements "yellow-dog contracts," and vigorously opposes them.

Recently President Hoover nominated Judge Parker for the United States Supreme Court. Because Judge Parker sustained the injunction in the Red Jacket case from West Virginia, union labor now opposes his confirmation. William Green, president of the American Federation of Labor, has appeared as labor's spokesman. He insists that Judge Parker's opinion "* * * has shown a judicial state of mind which betrays a judicial and mental bias in favor of powerful corporations and against the interests of the people."

The public had long since forgotten the Red Jacket case, but union labor remembered it.

Like the more celebrated Hitchman case, this Red Jacket case grew out of a West Virginia mine-labor disturbance. The Hitchman case was in the courts for years and finally was decided by the United States Supreme Court in 1917.

What Judge Parker did, apparently, was to follow the decisions made by other Federal courts in similar cases, as well as the principles established and affirmed in the Hitchman case. It does not appear that he "made" any "new law" in his opinion. As a matter of fact, the injunction sustained by him in the Red Jacket case was not so broadly inclusive as some others have been.

Judge Parker, when the matter came before him, was forced to choose between sustaining certain established legal principles or setting them aside. On every judge, in every case that reaches him, there rests an admitted obligation to apply recognized rules of law to that controversy. Judge Parker chose to follow that obligation. It is for this that he is now criticized.

In the hearings held to determine Judge Parker's fitness there was a good deal of legal hair splitting about the legality of the "yellow-dog contracts." Some of the committee members seemed anxious, then and there, to retry the Red Jacket case.

The protests against the North Carolina jurist were not unexpected. The attacks made a little while ago upon the naming of Charles Evans Hughes as Chief Justice foreshadowed other and similar assaults. There is a rather powerful political group which proposes, as it says, to "liberalize" the Supreme Court. In other words, its members are determined to interpret and reinterpret the Constitution to fit their own notions of law and justice. To do this they propose to put like-minded judges on the Supreme Bench.

This conflict flared up suddenly, but it has been smoldering for years. It was the fashion not long ago to attack the court's "5 to 4" decisions. The La Follettеism of 1924 assailed the Supreme Court and demanded that its decisions be subject to the approval of Congress. The hostility to the court still lives but has taken a new course. As conservative judges pass from the bench they are to be replaced if possible by "liberals."

Judge Parker's confirmation is expected, after a struggle. It is assumed that he will be approved by a majority of the Senate Judiciary Committee. He will be fought, in all probability, on the Senate floor. Whether he wins or loses there, the irrepressible conflict that began with the fight upon Mr. Hughes will continue with every nomination made to the Supreme Court. It is a clash of governmental theory and political principles that may outlast this generation and have far-reaching effects upon the future of the Nation.

[From the Philadelphia Public Ledger, April 16, 1930]

MR. BORAH KNOWS BETTER

The voice of Mr. BORAH joins the chorus of senatorial opposition to the confirming of Judge Parker as a Justice of the Supreme Court. He bases his objection solely on the jurist's decision in the West Virginia labor-injunction case. As a lawyer, he ought to realize the force of the Attorney General's statement that Judge Parker's ruling, in which his two associates concurred, necessarily followed the precedent laid down by the United States Supreme Court. In other words, Judge Parker was bound by the law. Whatever the validity of other objections that

have been urged against Judge Parker—and they are rather vaguely concerned with his supposed "conservative" opinions and temperament—it is difficult to see why his interpretation of the law in strict accordance with the highest authority should be considered a cause for disqualification.

It is well known that the framers of the Constitution, when they prescribed that the consent of the Senate should be essential for presidential appointments, interposed this safeguard merely as a bar to obviously unfit persons who might have committed offenses comparable to those calling for impeachment by the Senate were they actually in office. Certainly the makers of this provision had no idea that it would ever be evoked to afford Senators of any particular school of political thought the power to reshape the personnel of the Supreme Court in harmony with their theories.

[From the Boston Transcript, Monday, April 14, 1930]

TESTS FOR THE JUDICIARY

President Hoover's defense of Judge John J. Parker, of North Carolina, whom he has nominated for a seat on the Supreme Bench, seems to us to be based on solid ground. The Department of Justice has investigated the decision of Judge Parker in the celebrated "yellow-dog" labor case and finds that it was based on decisions of the Supreme Court of the United States, which no justice of any inferior court could ignore. This is the case on which the American Federation of Labor relies to secure enough votes in the Senate to prevent confirmation of Judge Parker, and it brings to the fore the question whether a court is to decide an issue in accordance with the law or with the desires of special groups of our citizenry. With respect to the supposed attitude of Judge Parker toward the negro, the reliance of his critics is upon alleged statements of Judge Parker while he was a candidate for public office, of which proof is lacking, while the only official decision of the judge which touches upon the Negro race is one in which he found unconstitutional an ordinance of the city of Richmond which would bar them from residence in certain parts of that city.

The point which interests the American people in the Parker case is, we believe, whether the United States Senate is to set a standard for confirmation never established before in the history of the American judiciary and unworthy of any Senate except that which is functioning in Washington to-day. Shall petty political considerations govern or shall appointments be considered with respect to the ability of the nominee? The issue is whether the Senate shall be permitted to cheapen the Supreme Court by laying down the rule that no man shall be allowed a place on it unless he conforms to the political prejudices of the confirming body. No honest lawyer would want to accept a nomination to the Supreme Court if he were to be tried by any such criterion as some Senators are seeking to establish in the Parker case, for he would then confess himself to be a political tool of whom only decisions pleasing to his masters might be expected. The Supreme Court of the United States decides only questions of law, and if the law is at fault the remedy must be found in changing it, not in the selection of nominees who will construe it to please a certain school. The Senate can much less afford to reject Judge Parker than he can afford to be rejected.

[From the Boston Transcript, Monday, March 24, 1930]

TO THE SUPREME COURT

President Hoover's nomination of Circuit Judge John J. Parker, of Charlotte, N. C., to succeed the late Edward T. Sanford on the Supreme Bench, accomplishes, first, a diplomatic gesture which will minimize if not eliminate any possibility of opposition to confirmation from regular Republicans or Democrats. Judge Parker is a southern Republican of fine reputation at home as jurist and politician—if one may be said to be a politician who ran for governor and polled 60,000 votes more than any Republican candidate for that office ever had commanded before. Senators OVERMAN and SIMMONS, who indorsed him, naturally would have preferred Chief Justice Stacy, of the North Carolina Supreme Court, a Democrat, but they recognize the propriety of the President's replacing a Republican with one of the same faith; and the selection of a North Carolina man encourages the growing Republican Party in that State, while it also is a compliment to the South from the nonpartisan point of view. More broadly yet, the geographical balance of the court is preserved by this selection.

On the professional side, the testimonials to the ability of Judge Parker are unanimous among the people he has served, and it is stated also that he is not a "reactionary"—if that cryptic word means anything. Several of his decisions are cited as proof of his progressive spirit, as, for example, his rebuke to overzealous prosecutors whose disregard for individual rights under the fourth amendment he condemned in a case involving search and seizure. Another case was that of the Atlantic & Yadkin Railroad, a valuable State-owned property, which had been leased jointly by the Southern Railway and the Atlantic Coast Line. Judge Parker was campaigning for the attorney generalship in 1916, and he took a pronounced stand for canceling the lease, on the ground that it had been secured by unfair means. Others of his official acts are referred to as exhibiting the "humane" spirit of the man.

Senators BORAH and NORRIS, who led the fight against Charles E. Hughes, are reported as knowing nothing objectionable, from their point of view, in the career of Judge Parker; notwithstanding these two worthies felt the same about Mr. Hughes before they began their hunt for disqualifications, present indications are that the support the North Carolina jurist bids fair to receive in the Senate will far outweigh any opposition that may develop. The President is to be congratulated upon making a selection which apparently is satisfactory to all officially concerned with it, with no sacrifice of prerogative or principle.

[From the Boston Transcript, Wednesday, April 16, 1930]

WHY BRANDEIS DISSENTED

The American Federation of Labor, whose president is out in vigorous opposition to the confirmation of Judge John J. Parker, of North Carolina, to be an Associate Justice of the Supreme Court of the United States, is citing the fact that the "liberal" Mr. Justice Brandeis dissented from the ruling opinion in the "yellow-dog contract" case. As an offhand proposition, it might weigh heavily with some Senators that a man of the advanced views of Justice Brandeis should differ from the majority and thus inferentially condemn the contracts whereby nonunion employers sought to protect their business. Mr. Green does not, however, we notice, tell why Justice Brandeis dissented. It was not because he held that the contracts were improper or illegal. On the contrary, he said: "In other words, an employer, in order to effectuate the closing of his shop to union labor, may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

What Justice Brandeis held, in contradistinction to the majority, was that the union men did not induce the plaintiff's employees to violate the terms of their contracts, while the evidence had established to the satisfaction of others of the court that they did. The points at issue, however, were not the merits of the case of union or nonunion labor, but whether Judge Parker should render his decision in accordance with the highest law in the land. In both the Red Jacket and the Hitchman cases the appeal was to incontrovertible law. Counsel for the defendant had argued that the decree of the Supreme Court forbade any lawful and proper means on the part of the union men in increasing their membership, and Judge Parker said that if that were the case, he would not hesitate to modify his position. His decision was that the union leaders had no right to "incite, induce, or persuade" the nonunion workers to break their legal contracts with the company.

It may be that American jurisprudence is passing through a period of transition from which will emerge different conclusions as to the right of contract, but at present it is much easier for politicians to raise the cry that human rights are being sacrificed for property rights than it is for them to prove their point.

[From the Wilmington Star, April 18, 1930]

AN ATTACK UPON THE FUNDAMENTALS OF GOVERNMENT

In the growing unrest in Republican ranks over labor and negro opposition to Judge John J. Parker there is revealed a spineless yielding to partisan prejudices that writes one of the sorriest chapters in the history of American statecraft. So frantic has become the fear of alienated negro votes in the North and East that pressure is being exerted to have President Hoover withdraw the nomination of the North Carolinian, a step the President has signified he will not take. The fight has now reached a stage where there is far more involved than whether a southerner shall sit on the Supreme Bench in succession to a southerner. It is now a question of whether the Supreme Court of the United States, the greatest safeguard to liberty ever created by man, is to become the football of political expediency. The attack on Judge Parker is tantamount to an attack on the integrity of that august tribunal, and when the court comes into dispute the line of demarcation between democracy and anarchy is all but erased.

Were the points raised against Judge Parker sound, the situation would be different. They are not. They are merely camouflages behind which shrewd politicians are working to thwart the will of the President and set upon the highest court in America a man more inclined to be swayed by other interests than those of the law and the Constitution. When the personnel of the court is selected in that manner the Nation will have passed its zenith. No point yet raised against confirmation of Judge Parker will stand the light of analysis or reason. His personal character is above reproach. His ability is unquestioned. He is young enough to be safely liberal, yet old enough to be conservatively safe. He has reached his present position of eminence enjoying the sincere admiration and respect not only of his own party but of the opposing major party as well. He is championed by the Democratic Senators of his own State, and by his successful rival in the gubernatorial campaign of 10 years ago. He has the indorsements of bar associations made up exclusively of Democrats as well as those where Republicans are dominant. Above all, he enjoys the confidence of the President—a President who was elected by the largest vote ever cast for an American candidate.

Assuming for the moment that utterances against the Negro race charged to him are correct, they constitute an indorsement and not an objection. When he said them, he spoke as a private citizen seeking public office in a Southern State where the negro is a problem in politics. He voiced the sentiments of all well-bred and intelligent southerners. But how different was the reaction of Parker, the Federal judge of appeals, to the same question, as compared with that of Parker, the candidate for governor. The city of Richmond, Va., passed an ordinance that was typically southern but at the same time clearly of doubtful constitutionality. It barred negroes from residential blocks dominated by members of the Caucasian race. Judge Parker was one of those who sat in judgment on the validity of the law, and Parker, the southerner who believed the negro should be eliminated from State politics in the South, laid aside his personal views and unhesitatingly ruled against the ordinance, bearing in mind only the Constitution of the United States he had sworn to uphold. What greater proof could the negroes of the North desire to prove to them that here is a man of broad vision, of surpassing loyalty, and an unswerving sense of justice.

The same holds true in the labor opposition. There has never been a court case decided against a labor union that won the approval of the loser. In his own heart, we imagine John Parker was personally in sympathy with the miners. It would be typical of the man. But it is clear that the law was contradictory, and again there is the spectacle of the jurist rising above his personal views to administer the law of the land.

The Star is a newspaper the political affiliations of which are diametrically opposed to those of Judge Parker. At the same time it is an admirer of the Charlotte jurist, as it is the admirer of other great men of unquestioned integrity and ability. If politicians are allowed to block the nomination of this man it will be a national disgrace. It will be more. It will be a blow at the fundamentals of American Government. Upon the Members of the Senate, both Republican and Democratic, there rests a grave responsibility. They owe it to the Nation to shoulder it manfully.

[From the New York World, April 13, 1930]

JUDGE PARKER AND "YELLOW-DOG" CONTRACTS

In his recent argument before the Judiciary Committee of the Senate against the confirmation of Judge John J. Parker for the Supreme Bench, Mr. William Green asserted in behalf of the American Federation of Labor that his appointment would give us another "injunction judge." On the basis of the opinion that Judge Parker handed down two years ago in the Red Jacket Coal & Coke Co. case, Mr. Green is doubtless justified if by "injunction judge" he means one whose mind would in labor cases run along with, say, Justice Van Devanter or Justice McReynolds rather than with Justice Brandeis or Justice Holmes.

Yet it is only fair to say that Judge Parker in the Red Jacket case did nothing more than apply the law as it has been fixed and determined to date by the majority of the Supreme Court. True, a lot of public opinion has flowed over some of our constitutional dams since our highest court last discussed the subject of so-called "yellow-dog contracts" in the Hitchman case, decided in 1917. But a lower United States judge can not on that account ignore the rules that are set from above. He probably does not feel even as free to criticize as does a dissenting judge in the higher court, who is, after all, leveling his barbs at his equals, not his superiors. But there are ways and ways of expressing views, and certainly the tone of Judge Parker in the Red Jacket case is one not merely of acquiescence in but of sympathetic attitude toward the law as it stands.

Something should be said, however, in defense of Judge Parker on one point. Senator BORAH doubted whether the Supreme Court has ever passed upon the validity of "yellow-dog contracts" and questioned the propriety of Judge Parker's having heard arguments in a case which involved contracts that were probably void. In this the Senator was certainly in error. The legality of such contracts was apparently not even questioned in the Red Jacket case; and for good and sufficient reasons. On the validity of such contracts the Supreme Court has spoken in no equivocal terms. Apart from the Adair and Coppage cases, in which it was held that neither Congress nor the States could outlaw such contracts by making them criminal offenses the court said in the Hitchman case:

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. * * * The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership in a union a condition of employment as the workingman is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation unless through some proper exercise of the paramount police power."

Although he dissented in this case (Justices Holmes and Clarke concurring), even Justice Brandeis put the stamp of legality on the "yellow-dog contract." "An employer," he said, "in order to effectuate the closing of his shop to union labor may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

Clearly these expressions of opinion settle for the present the legality of these much assailed contracts, though they do not settle the wisdom of permitting them as a matter of public policy. Judge Parker should not be called an "injunction judge" because he failed to question the validity of contracts which apparently all the judges of the Supreme Court regard as valid, at least in the absence of prohibiting statutes. Which does not mean, however, that the general bent of his legal mind should not be explored to the utmost possible limit.

[From the New York Sun, April 16, 1930]

THE CASE OF JUDGE PARKER

Cheering on the opposition to the confirmation of Judge John J. Parker, the World says that "fair-minded critics * * * have insisted that in his selection of Judge Parker Mr. Hoover either missed or chose deliberately to ignore the chief point in the Senate's recent attack on the nomination of Chief Justice Hughes; namely, a belief in the Senate that the Supreme Court is unhealthily conservative and that the times call for the nomination of a liberal." A "fair-minded critic," we suppose, is one who agrees with you.

We do not believe that President Hoover missed any points in the Hughes case. He had named a man so well fitted than even "liberal" Senators like WAGNER, COPELAND, and DAVID I. WALSH voted to confirm him. The President knew that the country wanted a conservative Chief Justice, for it is a conservative country—every presidential election indicates that. And when Mr. Hoover named Judge Parker he knew that he was naming another conservative and he named him because the Supreme Court ought to be highly conservative.

With a Senate and a House well stocked with radicals, why should the conservative President of a conservative people do anything to turn the judicial department of the Government in the direction of radicalism?

[From the Washington Post, April 18, 1930]

ATTACK UPON THE SUPREME COURT

Opposition to the confirmation of Judge Parker as an Associate Justice of the Supreme Court has reached the idiotic stage, to which all radical agitation always travels. Senators, who under ordinary circumstances would pass upon the nominee's qualification, his character, and his ability as a jurist, are listening to flimsy objections from agitators and radical organizations, backed by threats of defeat. It has become, not a question as to whether Judge Parker meets with the approval of a majority in the Senate, but what effect a vote for him will have on the campaigns in doubtful States.

A certain amount of opposition would be raised against any candidate President Hoover might name. The President would not choose a person who, in his opinion, would not uphold the Constitution and the laws of the United States. Some members of the insurgent bloc in the Senate are opposed to anyone who could meet those qualifications. They want Justices on the Supreme Bench who will interpret the Constitution in accordance with the wishes of Congress. They deny the right of the court to set aside acts of the legislature which are repugnant to the Constitution. In short, their purpose is to nullify the Constitution and set up Congress, which they hope to control, as the court of last resort.

Opposition from this source does not reflect upon Judge Parker. This is the same cry that was raised with such futility against Chief Justice Hughes. It is really an attack upon the court itself and upon the judicial power. This clique should be frank and come out in the open and fight for the overthrow of the court. That is what it is trying to do.

There is no foundation for opposing Judge Parker as an enemy of labor. He complied with the law in the decision he rendered in the Red Jacket case. Yet it is being dissected years after it was rendered to find traces of a mental bias. This opinion was rendered under the threat of a serious emergency. A strike was in progress; human lives were in danger. The injunction granted by the lower court was sustained, not as a permanent policy defining the rights of labor, but to deal with a crisis. Only the most prejudiced mind could use such a document on which to judge the qualifications of a jurist. Let the whole of Judge Parker's decisions be subject to scrutiny and, if they betray a mental bias either for or against labor, the public will admit that he is not a fit candidate for the Supreme Court.

The charge that Judge Parker is biased on the race question to such an extent that he can not administer justice is palpably absurd. Yet

it appears that some Senators have worked themselves into a state of frenzy for fear that they would lose their places if they should vote to confirm Judge Parker. If Senators are afraid to stand by their own convictions in voting for a nominee to the highest tribunal in the land, then the court is on the road to becoming what the radicals want it to be—a mere rubber stamp, to obey the dictates of Congress, even in violation of the Constitution.

It can not be that the Senate is afraid to place a judge on the Supreme Bench who would obey the Constitution.

[From the Atlanta Constitution, April 13, 1930]

THE JUDGE PARKER CASE

The confirmation by the Senate of the nomination of Judge Parker, of North Carolina, to be a Justice of the Supreme Court of the United States is opposed from two sources. The American Federation of Labor object to Judge Parker because of an opinion by him as a Federal circuit judge upholding the legality of so-called yellow-dog contracts, which means contracts by employees who agree with employers not to join labor unions. The other objectors are the Association for the Advancement of Colored People, because Judge Parker, when the Republican candidate for Governor of North Carolina, deprecated the participation of negroes in the politics of that State.

These protests raise two interesting issues for the Senate to decide. One is the legal correctness of the decision of Judge Parker in the labor contract case and the other is the political right of a citizen to believe it unwise for the interests of both races for negroes to seek political power in a Southern State notoriously committed to white supremacy.

In the first case it appears to be generally conceded that the decision written by Judge Parker for the circuit court in the "yellow-dog contracts" case tracked the precedent decisions of the Supreme Court of the United States and is, therefore, not assailable with reason upon legal grounds. It is only attackable by the labor leaders from the angle of a labor-rights policy which the federation desires to see established and affirmed by the courts of the nations. It is therefore put up to the Senate whether it will make the precedent that no man, however honest and qualified, shall sit upon the Supreme Bench because his views of the law do not accord with those of the leaders of a class of the population.

One may thoroughly sympathize with the contention of the "yellow-dog contracts" are unfair requisitions made of workingmen, but the greater constitutional right of contract is superior to sentiment and sympathy. Until such contracts are specifically made illegal it will be the duty of all courts to protect the right of persons to make them.

As for the opposition by the negro association it is based on a campaign speech by Judge Parker, in which he said:

"The negro, as a class, does not desire to enter politics. The Republican Party of North Carolina does not desire him to do so. We recognize the fact that he has not yet reached the stage in his development where he can share the burdens and responsibilities of government. This being true, and every intelligent man in North Carolina knows that it is true, * * * the participation of the negro in politics is a source of evil and danger to both races."

The qualified negro voters of North Carolina do not appear to have resented the views of Judge Parker, but are reported to have voted strongly for him as the Republican candidate for governor. It is the hell-raising negro political vampires of New York and Boston who are fighting the Parker nomination, purely on color-line contentions. But the Supreme Court, in its most Republican complexion, has uniformly decided that it will pass upon no such contentions of political character except in cases where a State abridges the right of a person of proper qualifications to vote on account of his "race, color, or previous condition of servitude."

The Senate, therefore, knowing the "yellow-dog contracts" decision to be in harmony with the precedents and that Judge Parker's views as to the qualifications generally of the negroes to "share the burdens and responsibilities of government" are only personal and political, will have to travel far away from both justice and precedents to refuse confirmation of his nomination to the Supreme Bench. Its decision on the show-down will be watched for with curious interest in both legal and political circles.

[From the Richmond Times-Dispatch, April 4, 1930]

THE FIGHT ON PARKER

Unless the southern Democrats in the Senate rally to his support it is altogether likely that Judge John J. Parker, nominated for the United States Supreme Court by President Hoover, will be rejected next week when the Judicial Committee's report is submitted to that body. This is the view of Washington, notwithstanding the President's vigorous intervention in behalf of his appointee. The memorandum prepared by the Department of Justice, explaining and defending Judge Parker's decision in the famous "yellow-dog" contract case, should quiet the fears of fair-minded liberals who were inclined to side with President Green, of the American Federation of Labor, when this chapter in Judge Parker's record on the circuit court of appeals was first made public. As the memorandum points out, to refuse confirmation of the nomination would be to reject him because he "followed and gave binding effect to the decisions of the Supreme Court of the United States."

This is admittedly true. The decision of the Supreme Court in the Hitchman case, involving the legality of the so-called "yellow-dog" contracts, furnished the precedent which Judge Parker was bound to follow in the West Virginia case. Whether or not such contracts, in which the employee agrees not to affiliate with a labor union during the life of the agreement, are defensible from the standpoint of ethics or public policy, they are legal as long as the Supreme Court does not reverse itself on the question. Even those organs of liberal thought which were disposed to criticize Judge Parker when the matter first came up are admitting that he can not fairly be penalized for the only thing that labor has been able to dig up against him.

But opposition of a new sort is now threatening the southerner. During his campaign for Governor of North Carolina in 1920 he made clear his position with respect to the Negro in politics. He did not think that the Negro had advanced enough to be admitted to equal participation with the white man in the affairs of government. For this expression he is being violently opposed by the Association for the Advancement of the Colored Race. This might not be important, but a number of Senators who come from States which have large negro votes are showing signs of panic. When the pinch comes it is almost certain that these Senators, Democrats and Republicans alike, will yield to the demand of the dark brother and keep him in line for the next election.

For Judge Parker to be defeated because of his common-sense view on the subject of complete social and political equality between the races would be in the nature of a disgrace, for the votes against him would not be cast by men who disagree with him on that point. Few men in the Senate, even those who number hundreds of thousands of negroes among their constituents, would publicly debate this matter with the jurist. But they would vote against him, ostensibly because of his judicial decision in the "yellow-dog" case, now explained to the satisfaction of all but the most radical, but really because they had been cowed by the militant negroes who are leading the assault on the jurist.

[From the Charlotte (N. C.) Observer, April 3, 1930]

STANDING BY PARKER

Assurance given by President Hoover that he will stand by his nomination of Judge John J. Parker for the associate justiceship of the United States Supreme Court is decidedly encouraging, in that it evidences the determined position the Chief Executive takes on the matter. Ignoring attacks from organized labor and racial associations, Mr. Hoover declares that he will support Judge Parker, because the latter has shown his fitness for office by his conduct in office, his official decisions, and his character as a man. To refuse to confirm his nomination, according to the statement sent out from the White House, would be to refuse to uphold his action in abiding by the decisions of the Supreme Court in deciding upon the labor suit which is now a point in question. Judge Parker's duty, as contained in his sacred oath of office, was to abide by the higher court in his decisions. That he did this is questioned by no one. For this reason the President's respect for his nominee has increased, until he is ready to wage an intensive fight to support him.

Mr. Hoover's unequivocal stand on this question commands the attention of all those who may have viewed the President as a man of wishy-washy decisions. Labor seems to have taken a decided stand against Parker, but the President does not let fear of possible loss of popularity from certain classes deter him from what he considers his duty in support of the right man for the right office.

Judge Parker has been attacked by three different factions—the American Federation of Labor and the Association for the Advancement of Colored People, and by the communists. The first-named body belabors Parker's record for his decision in the Red Jacket mine case. The negro organization says that Parker's speech, made while a candidate for Governor of North Carolina, was hostile to negro citizens of the State. Labor's attack upon Judge Parker is unfounded, as we see it, except to say that the jurist is being taken to task for upholding his oath of office. He had rules to go by in his official duties, and he abided by them.

That all negroes in the State are not against Judge Parker, and that the best element of the race is for him, is evidenced by the announcement that Dr. S. G. Atkins, president of Winston-Salem Teachers' College, and Dr. James E. Shepard, president of North Carolina College for Negroes, at Durham, are in favor of the President's nominee. These negro educators are in a position to know what is best for their people and are not reluctant in stating their views.

The report of the Senate subcommittee has been delayed another week. That Senator OVERMAN will report favorably upon the nominee goes without saying. Public interest centers in the decision of Senator BORAH for or against Parker. The statesman from Idaho has been carefully poring over the records of the Charlotte man. From what we know of Mr. BORAH'S sense of discerning fairness and justice, we believe that he will support the man named by Hoover.

[From the Washington Post, April 23, 1930]

TO SOUTHERN SENATORS

Southern Senators who are disposed to vote against Judge John J. Parker because he is a Republican seem to be taking a very short-sighted view of the situation. He was nominated, not because he is a Republican but because he is from the South. A Republican could have been selected from any section of the country, but obviously President Hoover sought a justice from that section of the South which has not been represented on the Supreme Court for more than half a century. His choice was made largely upon the recommendation of Senators, both Democrats and Republicans, who know Judge Parker and can vouch for his fine qualifications.

If Judge Parker should be rejected, it will be by a combination, without regard to party, which will include Senators who are candidates for reelection this year and who have been frightened by the bogy of the "colored vote." Among other false accusations against Judge Parker is the charge that he is prejudiced against colored voters. This charge has been refuted, but timorous Senators having large colored constituencies are afraid that colored voters will not learn that the charge against him is false and will take revenge against any Senator who votes for him.

The anti-Parker combination could not win, however, without the help of southern Democrats. Their opposition to him fails entirely to take into account the fact that in voting against him they would be laying the foundation for the denial of southern representation upon the Nation's highest court. If Judge Parker is unacceptable because of colored opposition, what other southerner could hope to be appointed? The opposition to such a man would be greatly intensified, and no President could be blamed if he should turn his back upon the South for the sake of avoiding a race controversy.

Justice McReynolds is entitled to retirement within a few months, and normally his successor would be a Democrat chosen from the South. But if Judge Parker should be rejected on account of the race question, with the help of southern votes, it is very improbable that the President would precipitate a still greater race controversy by selecting a southerner. At any rate, he would not be criticized by the country if he should look elsewhere for a successor to Justice McReynolds.

There is nothing to indicate that President Hoover would discriminate politically against any section. The great parties should be recognized in nominations to the Supreme Court. A Democrat should succeed Justice McReynolds, and this Democrat should come from the South. President Taft nominated a southern Democrat for Chief Justice. Southern Democrats in the Senate did not unite against Chief Justice Hughes but recognized the fitness of the appointment. Northern Republicans in the Senate would not have any valid reason for opposing a southern Democrat on the ground of section or politics.

The country always remembers what some Senators seem to forget—that a President, in making nominations for the Supreme Court, is bound by all the rules of honor to distribute the places fairly so that there shall be no discrimination against any section or any political party. No President has attempted to debase the court. The Senate is in honor bound to cooperate in keeping the court above politics and sectionalism. Judge Parker was selected to succeed a southerner and a Republican, the lamented Justice Sanford. How any southern Senator can oppose him and thus help racial and radical prejudice to defeat him is beyond understanding.

[From the Washington Post, April 20, 1930]

JUDGE PARKER'S CASE

The more the qualifications of Judge John J. Parker are studied the more shallow and artificial appear the objections to him. There is no objection to him, in fact, on any valid ground. His honesty, judicial temperament, legal ability, moral courage, good habits, and industry are undeniable. The qualities of a great judge are shown in his judicial opinions and decisions.

It happens that many Senators are beginning primary campaigns for reelection, and the radical agitators who are engineering the opposition to Judge Parker are doing their best to frighten these Senators into voting against Judge Parker. Mythical "labor votes" and "colored votes" are pictured as lining up against any Senator who dares to vote for Parker.

The attack upon Judge Parker is in reality an attack upon the Supreme Court of the United States. The purpose of the radicals who call themselves "liberals" is to terrorize all Federal judges so that they will not dare to perform their duty in issuing injunctions in labor disputes. Mixed with this main purpose is the usual hodgepodge of radicalism, which demands that the courts shall constitutionalize any legislative act, no matter how crazy; that constitutional property rights shall be disregarded; that the courts shall adopt new concepts of radicalism in place of constitutional rules; and that, in general, the Supreme Court and all inferior courts shall shape their decisions to suit the political aims of demagogues in the Senate.

Chief Justice Hughes was assailed because it was known that he was a man of courage who would apply the Constitution without first obtaining the advice and consent of Senate bosses. Now Judge Parker is attacked because he is a strong and upright judge.

Senators who may be inclined to sacrifice an honest and acceptable judge in order to win votes for themselves should think twice before they make that blunder. The great majority of voters are not won by such cowardice and demagoguery. The people are keeping the Supreme Court in high respect, and are deeply resentful of the mud-slinging tactics employed by Senators who seek selfish advantage at the expense of the judiciary. It is quite possible that this resentment would manifest itself in the defeat of Senators who lacked the courage to resist the malign attempts to prostitute the courts. Certainly any Senator who would deliberately vote to fill the Supreme Court bench with charlatans and sycophants deserves defeat.

No more indecent or vicious attack upon the integrity of American institutions could be conceived than the attempt to destroy the judicial power by killing off all nominations of able and honest jurists. No Senator who is convinced of the fitness of Judge Parker can vote against him without a loss of self-respect. A seat in the Senate is a place of dishonor and shame when it is bought by an act that aims at the degredation of the tribunal that applies the Constitution and the law. The preservation of the integrity of the Supreme Court is a matter of the highest duty, which no Senator with a sense of honor can think of shirking.

Mr. CARAWAY. Mr. President, I just want to say that it is strange that this extraordinary lawyer, who possesses all the virtue and all the character attributed to him, was so unknown. How he ever concealed all these virtues I have never been able to find out.

(Mr. BORAH addressed the senate in opposition to the nomination. After having spoken for more than an hour he yielded the floor for the day. His speech will be published entire after it shall have been concluded.)

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States making sundry nominations, which were referred to the appropriate committees.

REPORT OF POSTAL NOMINATIONS

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

RECESS

Mr. WATSON. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Tuesday, April 29, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 28 (legislative day of April 21), 1930

CONSUL GENERAL

Leslie E. Reed, of Minnesota, now a Foreign Service officer of class 5 and a consul, to be a consul general of the United States of America.

PATENT OFFICE

ASSISTANT COMMISSIONER OF PATENTS

Fred Merriam Hopkins, of Michigan.

EXAMINERS IN CHIEF

Paul Preston Pierce, of Maryland.
Frank Petrus Edinburg, of Kansas.
Elonzo Tell Morgan, of West Virginia.

APPOINTMENTS IN THE ARMY

MEDICAL CORPS

To be first lieutenants

First Lieut. Charles Edward Nagel, Medical Corps Reserve, with rank from April 21, 1930.

First Lieut. Roland Keith Charles, jr., Medical Corps Reserve, with rank from date of appointment.

CHAPLAIN

To be chaplain with the rank of first lieutenant Rev. Herbert Frederick Moehlmann, of Iowa, with rank from April 16, 1930.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

TO CAVALRY

Capt. Maurice Rose, Infantry, with rank from March 18, 1926, effective August 1, 1930.

TO FIELD ARTILLERY

Second Lieut. Richard Edward O'Connor, Coast Artillery Corps, with rank from June 12, 1926.

TO INFANTRY

Capt. William Henry Halstead, Cavalry, with rank from July 1, 1920.

PROMOTIONS IN THE ARMY

To be major

Capt. Otto Blaine Trigg, Cavalry, from April 16, 1930.

To be captain

First Lieut. Auby Casey Strickland, Air Corps, from April 16, 1930.

To be first lieutenants

Second Lieut. Robert Reinhold Martin, Infantry, from April 13, 1930.

Second Lieut. John Perry Willey, Cavalry, from April 16, 1930.

Second Lieut. John Vogler Tower, Signal Corps, from April 16, 1930.

Second Lieut. Harry Donald Eckert, Cavalry, from April 20, 1930.

MEDICAL CORPS

To be lieutenant colonels

Maj. Roy Cleveland Heflebower, Medical Corps, from April 17, 1930.

Maj. George Martin Edwards, Medical Corps, from April 18, 1930.

Maj. George Burgess Foster, jr., Medical Corps, from April 19, 1930.

Maj. Joseph Casper, Medical Corps, from April 20, 1930.

Maj. Condon Carlton McCornack, Medical Corps, from April 23, 1930.

To be major

Capt. Jaime Julian Figueras, Medical Corps, subject to examination required by law, from April 20, 1930.

To be captain

First Lieut. Furman Hillman Tyner, Medical Corps, from April 22, 1930.

DENTAL CORPS

To be major

Capt. William Elder Sankey, Dental Corps, from April 17, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be first lieutenant

Second Lieut. Seth Overbaugh Craft, Medical Administrative Corps, from April 20, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 28 (legislative day of April 21), 1930

ASSISTANT SECRETARY OF WAR

Frederick Huff Payne.

COAST GUARD

To be captain (engineering)

Michael N. Usina.

To be ensigns

Herman Thomas Diehl.
Harold Albert Theodore Bernson.
George William Dick.
Arthur Joseph Hesford.
William Lee Clemmer.
John Stites Cole.
Ralph Roy Curry.
Harold Joseph Doebler.
Edmund Eugene Fahey.
John Francis Harding.
Joseph Dennis Harrington.
George Andrew Knudsen.
George Carroll Lindauer.
Clifford Rolston MacLean.
William Louis Maloney.
True Gilbert Miller.
Carl Uno Peterson.
Kenneth Coy Phillips.
Sidney Frete Porter.
Russell Jay Roberts.
William Schissler.
Henry St. Clair Sharp.
William Ernest Sinton.
John Rupert Stewart.
Henry Florian Stolfi.
Charles Ernest Toft.
Spencer Foster Hewins.

POSTMASTERS

ALABAMA

Amos N. Fain, Ariton.
John S. Amos, Enterprise.
John T. Williams, Evergreen.
John E. Hurst, Leeds.
William F. Crownover, jr., Oakman.

ARKANSAS

Homer H. Goodman, Cotter.
Rosse G. Roberts, Fulton.
Fred H. Price, Gurdon.
Bevie I. Abbott, Hampton.
Patrick F. Maskell, Hartman.
James H. Bass, Marvell.
Carl J. Lauderdale, Stamps.
Juanita Barton, Turrell.
Van Beavers, Williford.

ARIZONA

Laura E. Smith, Casa Grande.
Edward L. Gay, Clemenceau.
Harriette A. Hiener, Superior.

COLORADO

Byron T. Shelton, Hayden.
Hugh L. Large, Longmont.
Daniel Vigil, Saguache.

CONNECTICUT

Edwin H. Powell, Burnside.
Mary H. Newton, Uncasville.
William M. Logan, West Cheshire.

DELAWARE

W. Bateman Cullen, Clayton.

GEORGIA

Daniel F. Davenport, Americus.
Lila H. Rambo, Blakely.
Henry L. Murphey, Hephzibah.
Leila B. Tart, Oliver.
Jessie Gunter, Social Circle.
William O. Wolfe, Uvalda.
Ila M. Simpson, Warwick.
George W. Jordan, Whigham.
Eben B. Smith, Wrens.

HAWAII

Hung Luke, Kohala.
Frank Cox, Waimea.

IDAHO

Charles C. Henderson, Kemiah.

ILLINOIS

Howard K. Johnson, Blue Mound.
Charles Koenig, Brookfield.
Harry S. Pensinger, Cerro Gordo.
Orville B. Lane, Fillmore.
Frances Baker, Golconda.
Pauline E. Carnahan, Hindsboro.
Robert A. Blackmon, Lacon.
Clare E. Godfrey, Morris.
Rola Eubanks, Omaha.
Lewis S. Shrum, Orient.
Homer F. Kelly, Roseville.
Walter L. Eaton, Sidney.
Walter A. Foster, Steward.
John J. Barton, Sublette.
Iley Smith, Willow Hill.
Alfred J. Meyer, Worden.
William E. West, Yates City.

IOWA

William E. Anderson, Arlington.
Frank Popper, jr., Clutier.
Adna Miller, Danville.
Weber B. Kuenzel, Garnavillo.
Ralph A. Dunkle, Gilman.
Glen M. Reynolds, Irwin.
Wayne M. Osborn, Jefferson.
John A. Ruesink, Lime Spring.
Dewey E. Warthman, Oxford.
Glenn A. Tibbitts, Waterloo.
Edith H. Ashby, Wellsburg.

KANSAS

John L. Lee, Atlanta.
Charles Friskel, Frontenac.
Guy H. Byarlay, Green.
Henry Uhlenhop, Leonardville.
Amos J. Laird, Mayetta.
Robert C. Caldwell, Topeka.

MAINE

Ralph R. Mathews, Berwick.
Earle H. Roberts, Fort Kent.
Eugene H. Lowe, Gray.
Edward Johnson, Monson.
Thomas H. Phelan, Sabattus.
Ralph B. Parker, Wells.

MASSACHUSETTS

Roy S. Bailey, Agawam.
Frederick A. Shepard, Amherst.

Helen C. Williams, Beverly Farms.
W. Lincoln Burt, Canton.
Edward E. H. Souther, Cohasset.
Frank D. Babcock, Haverhill.

MICHIGAN

Clifford L. Slocum, Addison.
Grace A. Grinnell, Centerville.
Ruth F. Hastings, Engadine.
Charles E. Bassett, Fennville.
Eldon E. Baker, Flint.
William Trebilcock, Ishpeming.
Elmer L. Dalton, Leland.
Floyd B. Gates, Mesick.
William M. Snell, Sault Ste. Marie.
Florence C. Curtis, Whittemore.

MINNESOTA

Gladys H. Payne, Bertha.

MISSISSIPPI

Beall A. Brock, West.

NEBRASKA

Henry J. Steinhausen, Creighton.
Walter Nowka, Glenvil.
Joseph S. Jackson, Inman.
James E. Scott, Osmond.
James D. Finley, Sargent.
Edward A. Walker, Stuart.
Vaclav Randa, Verdigre.
Herbert C. Robbins, Wallace.

NEW JERSEY

Eva H. Ketcham, Belvidere.
Charles Morgenweck, sr., Egg Harbor City.
Emma A. Clawson, Scotch Plains.

NEW MEXICO

Guy Miner, Des Moines.
William S. Medcalf, Hope.
Fern I. Brooks, Maxwell.

NEW YORK

Joseph F. Krampf, Allegany.
William E. Cartwright, Amagansett.
William M. Pinney, Arcade.
Harry H. Kasch, Buchanan.
C. Ransom Phelps, Camden.
Stella Hackett, Central Park.
Hubert F. Strickland, Chenango Forks.
Ghale D. Thomas, Cranberry Lake.
May M. Ferry, Edwards.
Annabel Wood, Hilton.
Winfield S. Carpenter, Horicon.
Horace B. Fromer, Hunter.
Thomas W. Crane, Locust Valley.
Albertine R. Betts, Lyons.
Charles D. Overacre, Manchester.
Alfred B. Kent, Nunda.
H. Courtland King, Orient.
Annie S. Prince, Peconic.
Earl V. Jenks, Perry.
Elmer G. Miller, Phelps.
John B. Read, Poland.
Richard I. Gates, Redwood.
Anna M. Auch Moody, Rosendale.
Albert D. Ritchie, Saratoga Springs.
Raymond C. Green, Sauquoit.
William J. Herbage, Slingerlands.
Theodore C. Upton, Spencerport.
Manley S. Mack, Springwater.
Harry C. McNamara, Valatie.
Ruth E. Barlow, Wassaic.
S. Mildred Taylor, Westbury.
Mortimer F. Mekeel, Yorktown Heights.

NORTH CAROLINA

Loyd V. Sorrell, Cary.
Dorsie C. Upton, Cherryville.
Mary W. Turner, Gatesville.
Lula G. Harris, Macon.
Charles R. Grant, Mebane.
James L. Sheek, Mocksville.
Maud A. Murray, Moyock.
Wade E. Vick, Robersonville.
Gideon T. Matthews, Rocky Mount.
Albert P. Clayton, Roxboro.
William E. Linney, Wilkesboro.

NORTH DAKOTA

Theodore H. Scholz, Beulah.
Edward F. Hamilton, Cavalier.
Edna S. Johnson, Crystal.
Bessie G. George, Van Hook.
Grace G. Berkness, Wolford.
Andrew D. Cochrane, York.

OHIO

Laird I. Kerr, Bigprairie.
Herbert S. Cannon, Canal Winchester.
Arthur L. Behymer, Cincinnati.
John J. Haines, East Liberty.
George P. Phillips, Fayette.
Ruth G. McWilliams, Grand Rapids.
George W. Burner, Johnstown.
Addie F. Hosler, Kingston.
Arthur R. Hurd, Lawndale.
Lewis E. Clawson, Middle Point.
Charles L. Oberlin, Mineral City.
Lester L. Leech, New London.
Hilton C. Hart, New Waterford.
William M. Freeman, Otway.
Mathias Tolson, Salineville.
James W. Rush, Sardis.
John H. Siegle, Urbana.
Harry W. Randels, West Unity.

OKLAHOMA

Ceaf W. Ramsey, Beggs.
George A. Strouse, Billings.
Gavin D. Duncan, Boswell.
Russell E. Dickerson, Braman.
Lillie M. Sheel, Burbank.
Robert R. Sutton, Claremore.
Zee Schlein, Clemscot.
Edward Kohler, Copan.
George Rainey, Enid.
Thomas E. Miller, Francis.
Agnes L. Stahlheber, Geary.
Robert C. Mayfield, Glencoe.
John M. Tyler, Idabel.
Bert A. Hawley, Leedey.
Cora B. Scott, Milburn.
Ida A. McAdams, Minco.
Marshal H. Whaley, Morrison.
Grace M. Johnson, Mulhall.
Anna Lynde, Okarche.
Frank R. Holt, Osage.
Joe E. Ventress, Pauls Valley.
John L. Coyle, Rush Springs.
Hiram H. Snow, Sand Springs.
Rita Lewis, Snomac.
Lester A. Presson, Sulphur.
James S. Goodwin, Stratford.
Harrison Brown, Watonga.
Harvey G. Brandenburg, Yale.

PENNSYLVANIA

Althea D. A. Busch, Fairview.
Permelia H. Young, Jefferson.
Elwood M. Stover, Kulpsville.
David H. Cummings, Mercer.
Joseph B. Hackman, Norristown.
Grant Piper, Petersburg.
Herman Raithel, Smithton.
John A. Stevens, Three Springs.
William E. Vance, Unity.
Ruth Roberts, Vintondale.

SOUTH DAKOTA

Mabel M. Linker, Ardmore.
Jessie Norton, Armour.
Charles H. McCrossen, Ashton.
Lester W. Button, Bradley.
Arthur H. Siem, Clark.
William A. Hodson, Cresbard.
Emma Peterson, Draper.
Jennie Dodge, Egan.
Lulu Turner, Ethan.
Paul W. Lambert, Fairfax.
Otto W. Muchow, Hartford.
Gottlieb J. Walth, Hosmer.
Richard A. Hummel, Hot Springs.
Harold French, Letcher.
Alice S. Esget, Lily.
William H. James, Martin.

Emanuel W. Aisenbrey, Menno.
Frank W. Farrington, New Effington.
Gertrude Snell, Tulare.
Amandus A. Breihan, Tyndall.

TENNESSEE

Woodford C. Monroe, Celina.
Fannie J. Latta, Somerville.

TEXAS

Scott F. Benson, Alvin.
Bessie F. Hefley, Cameron.
Jasper N. Coffman, Daingerfield.
Clarence R. Redden, De Leon.
Mary V. Rollings, Dodsonville.
Arthur H. Johnson, Eastland.
George P. Harden, Groom.
Maggie Beck, Hillsboro.
Maye B. Fitzgerald, Marfa.
Comodore V. Varner, Milford.
William H. Everitt, North Pleasanton.
Rufus L. Hybarger, Pineland.
Howard F. McWilliams, Queen City.
Herman C. Feist, Rowena.
Floyd S. Worth, San Benito.
Lucy A. Carhart, South San Antonio.
Don A. Parkhurst, Tahoka.
John W. White, Uvalde.
John W. Osborne, West Columbia.

UTAH

John A. Israelsen, Hyrum.

VERMONT

Charles H. Austin, Richford.

VIRGINIA

James W. Foster, Arrington.
Claibourne W. Beattie, Chilhowie.
Otis R. Thornhill, Culpeper.
Philip B. Nourse, East Falls Church.
James F. Walker, Fort Defiance.
Francis P. Landon, Hopewell.
Charles E. Neal, Stuart.
Eva C. Hudson, Tye River.
Jessie H. Cox, Washington.
Harry C. Stouffer, Winchester.
George W. Hammontree, Yorktown.

WEST VIRGINIA

Jesse H. Petty, Gary.
Wendell Evans, Winona.

WISCONSIN

Carl C. Corbett, Plymouth.
Nellie M. Clark, Suring.

WYOMING

Chester A. Lindsley, Yellowstone Park.

HOUSE OF REPRESENTATIVES

MONDAY, *April 28, 1930*

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

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

Our Blessed, Blessed Father in Heaven, we approach Thee with grateful and thankful hearts. Do Thou enable us to understand that the best life is not all a battle or a race. It is a growth and a walk with God. With this truth in our thoughts may we turn cheerfully to our appointed tasks. Dismiss from us the jarring or discordant note and allow nothing to mar the melody of life's sweet song. Let us have done with the drudgery of fear and friction that often make duty an unendurable burden. Help us to ascend into the spiritual heights for inspiration and outlook, feel the immensities of God's great world house, wander along its shore lines, drink in the breath of heaven as it blows over them, and thus get hope and faith and courage for the labors and conflicts of life. Through Christ our Saviour. Amen.

The Journal of the proceedings of Friday, April 25, 1930, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 10379. An act 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.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested.

S. 4182. An act granting the consent of Congress to the county of Georgetown, S. C., to construct, maintain, and operate a bridge across the Pee Dee River and a bridge across the Waccamaw River at or near Georgetown, S. C.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were 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 bills of the House of the following titles:

April 23, 1930:

H. R. 3141. An act to amend paragraph 11 of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929; and

H. R. 8637. An act to fix the rank and pay of the commandant of the Coast Guard.

April 24, 1930:

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at Stillwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

April 25, 1930:

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930.

ADDRESS OF HON. EDWARD E. ESLICK, OF TENNESSEE

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to extend my remarks by including a very able speech delivered by my colleague, Hon. EDWARD E. ESLICK, of Tennessee, on the evening of April 23.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] asks unanimous consent to extend his remarks by incorporating an address of his colleague, Mr. ESLICK. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following very able speech by my colleague, Hon. EDWARD E. ESLICK, on the evening of April 23 at the Jefferson Day banquet at Concord, N. H.:

THOMAS JEFFERSON

Mr. Toastmaster, ladies, and gentlemen, I am deeply appreciative of the invitation to join you in the celebration of and to commemorate the memory of Thomas Jefferson, the third President of the United States and the founder of American Democracy. He was a strong man in his day and generation; but as the years have gone by the historian has justly appraised him. Measured by his work and accomplishments, he stands the foremost statesman of this Republic.

His philosophy of government in the beginning is embraced in the Declaration of Independence—the child of his brain and pen. That all men are created equal; that they are endowed with certain inalienable rights; that life, liberty, and the pursuit of happiness belong to all peoples; and that governments derive their just powers from the consent of the governed—a fundamental philosophy later expressed by

Mr. Lincoln in the sentence "A government of the people, for the people, and by the people."

In the formation of the Constitution and in the early life of the Union there were two schools of thought. One of these was headed by Mr. Jefferson. The other by his brilliant rival, Alexander Hamilton. Jefferson believed in the inherent right of man, while Hamilton believed in a strong government for the benefit of the few and the powerful—the classes. Hamilton believed in the property qualification of suffrage. Jefferson advocated manhood suffrage. He was a liberal, while Hamilton was a conservative. Jefferson thought of the individual. Hamilton saw only the state. Jefferson believed that governments should serve the masses, with equal justice and without favor or special privilege. Hamilton taught the doctrine of special favors to the rich and the powerful, for the exclusive classes. Concretely put, Jefferson pitted democracy against aristocracy, and he won.

The days of Jefferson and Hamilton saw the same philosophy of government, with the same issues dividing the people that we have to-day—materialism against humanity; money against man; property rights against human rights. Jefferson stood for mankind. Hamilton for materialism and property rights. Through the long years these issues have lived, and they are with us to-day more clearly and concisely drawn than at any time in the life of this Republic. The undying Democracy founded by Jefferson has suffered defeat after defeat, bending at times, but never broken; and to-day it is as solid as the Rock of Ages. In the great epochs of our national life it rises with supreme leadership, sustained by the great common people of the land. The organization founded by Jefferson came to serve mankind. While Jefferson was its founder, Andrew Jackson was its crusader, the man who supremely executed its mandate.

On July 4, 1826, two ex-Presidents died. One a New England Puritan, John Adams. His last words were, "Jefferson survives." Jefferson was then dead. As the shadows gathered about him, as he stood face to face with his Pilot, the Father of Democracy thought in the hour of death as he had lived in life: "I commend my daughter to my country and my soul to the God who gave it."

They wrapped him in the mantle of his many glories and laid the sage of Monticello to rest near his home. Mr. Jefferson had held many places of trust from the smallest to the highest. He had been a Member of the Continental Congress, Governor of Virginia, Secretary of State, Minister to France, Vice President, and twice President. He wrote the inscription to be carved in the rock above him in the long night of sleep. He placed there the things he thought his best; he did not believe his best work was in official positions, but in the service he had rendered mankind. They were author of the Declaration of Independence, the Virginia statute of religious freedom, and the founder of the University of Virginia.

Concord was the home of two great Democrats. The ashes of Franklin Pierce and Isaac Hill are with you. They were great Democrats, and closely allied with the democracy of my home State of Tennessee. President Polk offered Mr. Pierce the Attorney Generalship in his cabinet. He refused it.

Andrew Jackson loved Isaac Hill as he loved and trusted but few men. The tongue and pen of Senator Hill were a bulwark in defense of the old hero. As long as the name of Andrew Jackson finds a place in American history with it will be found the name of his champion and defender, Isaac Hill. He helped to make the history of the Jackson period.

THE LAST NINE YEARS

I will not talk ancient political history to you to-night. I shall talk of the last nine years—years so close to us that the statute of limitations can not be relied on by our Republican friends; no turning of the yellow pages from the old records. I shall talk of to-day and yesterday. My guns shall be trained on the President, upon the nine years he has served as a Federal official, and especially upon the record he has made in whole or in part. This record is within the memory of the men and women of to-day.

I do not intend to be unkind to the President. He is my President. He holds the greatest office on earth. Rightly administered, he can do more for mankind than any person in the world; but when he makes a mistake the injury is correspondingly great, and sometimes it is irreparable.

I shall not be content to confine myself to one year of Mr. Hoover, but I want to discuss the time between March 4, 1921, to March 4, 1930. The President in the campaign of 1928 pointed with pride to the preceding seven and a half years and pledged his administration to the same policies. If President Harding is to be remembered, it will be for two expressions: He would "consult the best minds," and "a return to normalcy." With the Harding advent we returned to Republican normalcy. The slogan then was "Harding, Hell, and Hard Times." Mr. Hoover has written a stronger chapter on normalcy in his one year and its trade-mark is "Hoover, Havoc, and Harder Times." Harding made these "best minds" members of his Cabinet, and, of course, he consulted with them. One of them was Mr. Hoover. We find as his associates Daugherty, Fall, and Denby. Mr. Mellon was there. Why, even ex-President Coolidge sat in at the Cabinet meetings when he was Vice President. The two and a half years, known as the Harding régime, made a great change in G. O. P. From the days of Lincoln for many years G. O. P. stood for something. It stood for Grand Old Party; but from the Harding administration, of which Mr. Hoover was a part, it earned a new meaning. It became practical. G. O. P. stands for "Greasy Oil Party." I shall tell you, and not in confidence, it was not anointed "with pure oil" from the Holy Hand. Its baptism was complete in crude petroleum. And then it laid down in green pastures with three of its best beloved disciples and leaders—Doheny, Sinclair, and Claudius Huston.

The President says the party deserves the continued confidence of the people. I do not believe that any administration the President has been connected with within the last nine years deserves the confidence of the American people.

The President first was associated with an administration of extremely high standing. This was before Mr. Hoover became a Republican. He stood so high in that administration it was known that Mr. Wilson was not adverse to his mantle falling on him, taking with it the League of Nations with its covenant. The present President was in hearty accord and in open defense of President Wilson's policies. He was unwilling to deny that he was a Democrat. He actually flirted with the Democratic nomination for President in 1920. Really, he received votes for the Democratic nomination. He made no denial of his democracy. The only plea was by his friends that he was without political alignment.

A Republican chided me the other day about the panic. He was naughty enough to say that the present panic was the result of Mr. Hoover's Democratic association. And he may be right about this. We all know that if the present administration was Democratic this crisis would be headlined as a panic; but, as this is a Republican administration, it bears the more moderate name of depression. We must admit that the depression is very deep. Panics belong only to Democratic administrations. At the present time it would take a very great financial doctor to diagnose the difference between Democratic panics and the present Republican prosperity. If Mr. Hoover had stayed put with the Democratic administration, and had followed its teachings, he would not now be floundering in such deep despondency. But he soon forgot Mr. Wilson and his principles. He entered the Harding Cabinet, followed by the years of Coolidge. Pardon me if I say that the eight years of Wilson were without scandal. In fact, no Democratic administration has had a graft scandal. Many investigations were had by unfriendly committees. Wilson had war years when graft might have been expected. These were looked into, and yet the only crime chargeable was that too many horseshoes were shipped to France at one time. The horseshoe is the emblem of good luck. It was well that luck should be plentiful. The dewdrop in the May morning when the first sun rays fall upon it never shone with greater purity. To the credit of Wilson's administrations are many, many achievements in legislation, the greatest of which is the banking system—an achievement within itself that has challenged the admiration of the financial world.

I must trace just a little of the record from March 4, 1921, and see whether the confidence asked by the President has a sound basis for the continuance of Republican rule.

When Mr. Hoover entered the Harding Cabinet in March, 1921, he found new associates. Secretaries Daugherty, Fall, and Denby were there. You know the sordid story, the story of loot, graft, bribery, and stealing. Poor Denby! The people excused him of everything but intelligence. They accused Daugherty and Fall of everything but honesty. Fall welcomed the contents of the Doheny little black bag. With outstretched hands he awaited Sinclair's donation! The open jail is waiting for poor old Fall. I speak of him with a feeling of pity and humiliation. But it is history. He is the only Cabinet member of our country to receive a jail sentence. They did not convict Doheny. It is hard to convict a million dollars before a Washington jury. Fall was the "goat" of a crooked crowd. Why, the ex-Attorney General of the United States, the man who made Warren Harding President, missed a penitentiary sentence by only one vote of a jury when they convicted Miller, the Alien Property Custodian! Miller was sent to the penitentiary; Daugherty missed it. The Department of Justice under Daugherty was the most corrupt department of the Government in American history.

Forbes, of the Veterans' Bureau, in his drunken saturnalia and revelry, squandered and grafted large sums of money and property from the unfortunate soldier boys, money and property provided by the Government for our heroes. He was sent to the penitentiary.

Will Hays, a member of the Harding Cabinet and chairman of the National Republican Committee, was paying the deficit of the Republican treasury by the sale of grafted Continental Trading Corporation bonds.

BANK FAILURES

May we get away from the sordid side of the Harding administration, with its humiliation and shame. I want to talk dollars and cents for a minute. Our Republican friends tell us that comparisons are odious. I do not blame them. If I were a Republican, I would not want any comparisons made. I have no prejudice against the Republicans. I am

willing to concede that there are more good Republicans than bad Democrats, but to correctly measure the confidence asked by Mr. Hoover we must investigate and compare records.

In the eight years of the Wilson administration we had 746 bank failures, with $226,484,447 liabilities. In the nine years of Harding, Coolidge, and Hoover—1921 to 1929, both inclusive—we had 4,147 bank failures, with liabilities of $1,526,094,000. During the year 1929—2 months of Coolidge and 10 months of Hoover—we had 437 bank failures, with liabilities of $218,796,582, the greatest amount of liabilities in any single year in our history, at least of any record I am able to find. This one year of Mr. Hoover lacks only $8,000,000 of having as much liabilities as the full 8-year administration of Woodrow Wilson. There were 124 bank failures, with liabilities of $51,578,980, the first quarter of 1930, against 84 bank failures, with liabilities of $37,508,530, the same months of last year. And in the face of this record the President bespeaks confidence for his party with the Nation's bank depositors.

BUSINESS FAILURES

The same record is sustained in general business failures. The two Wilson administrations had 112,635 business failures, with $1,883,000,000 liabilities. Under the eight years of Republican administration, including 1929, there were 195,545, with liabilities of $4,679,800,000. Dun's report for March, 1930, gives 2,347 business failures, with liabilities of $56,846,000, as compared to 1,987 failures in March of last year, with $36,356,000 liabilities.

In the first three months of 1930 there were 7,368 bankruptcies and business failures, with liabilities of $169,357,000, as against 6,487 failures, with $124,268,000 liabilities, in the same months of 1929, showing $45,000,000 more business failures, or $15,000,000 per month for each of the first three months of the present year.

PLAIN FACTS ON BUSINESS CONDITIONS

Our exports decreased during the first three months of 1930, $285,000,000. Our imports decreased during the same months $229,481,000.

In 1928 the stock market was the high standard by which Republican prosperity was measured. In the first year of Mr. Hoover's administration, in the twinkling of an eye, the stock market had the greatest collapse in its history—$18,000,000,000 were taken out of it in one week. It caused more failures, more wrecks, more bankruptcies, more assignments, and more suicides than probably any one business failure in the 150 years of our national life.

As I said to you before, in 1929 under Mr. Hoover we had 437 bank failures with $218,000,000 liabilities, the highest of any year in our history, and only $8,000,000 less than the failures in the entire eight years of the two Wilson administrations.

For income purposes, in 1924, this country had 400,718 corporations with returns of $5,000 and under. It had 16,703 corporations with incomes above $50,000. In 1927 there were only 339,601 corporations with incomes of $5,000. One thousand one hundred of these corporations paid 78 per cent of the corporation income tax of the years 1927–28.

In 1924 there were 21,531 men having incomes of $50,000. In 1928 this number had grown 100 per cent to 42,618.

In 1924 there were 6,672,650 individuals making income-tax returns within the $5,000 or under class. In 1928 this number fell to 3,114,489, due to two causes—raising the exemptions and less incomes.

Last year (1929) had 24 individuals who had net incomes of $242,000,000.

From 1924 to 1930 the big corporations of the country piled up $52,000,000,000 in surplus and undivided profits. Meanwhile 12 banking chains or holding companies owned and controlled 80 per cent of the banking capital of America.

Rubber products declined from $1,195,000,000 in 1928 to $1,149,000,000 in 1929. In the first two months of this year there was an 18 per cent decline in the amount of crude rubber used.

There was a decline of 36 per cent in domestic use and 41 per cent in export of coffee for the month of February of this year, compared with the same month last year.

Exactly 100,000 bales less raw cotton were used in February, 1930, than in February, 1929. In 1929, 595,000 bales were used; in February, 1930, 495,000 bales were used—a decline of 16.07 per cent.

For March, 1930, the shipment of Oldsmobiles, Buicks, and Hupmobiles, combined, were 16,618 as against 32,522 cars for March of last year.

The wholesale trade, except groceries, shows a marked decline in February of this year. Dry goods, 18 per cent; hardware, 4 per cent; drugs, 3 per cent; meats, 2 per cent; silks, 2 per cent. In the Richmond Federal reserve district shoes gained 3 per cent; everywhere else this trade declined from 23 per cent, in the Chicago district, to 6 per cent, in the Philadelphia district.

The retail trade of 654 department stores in 274 cities in February, 1930, was 3 per cent lower than January of this year.

During the first two months of the year 1930 there were 5,021 business failures with $112,500,000 liabilities, as against 4,500 failures and liabilities of $88,000,000 for the same months one year ago.

In the leading cities of the country building permits in February, 1930, were $83,000,000, as against $169,000,000 in February last year.

The third week of March, 1930, freight-car loading fell short 73,991, as against the same week one year ago.

The revenues of class 1 railroads in January, 1930, were $64,000,000 and in February, 1930, only $49,000,000.

The President says we have turned the corner. His hobby is building. January, 1930, showed building expenditures of $153,000,000 and in February only $83,000,000—a decline of nearly 50 per cent.

Building permits for the month preceding April 5, 1930, were $82,567,700. For the same month, 1929, $149,790,000.

Bank clearing during the third week of March this year declined $2,600,000,000, as against the same week one year ago. The first three months of this year the banks of New York City lost $1,354,500,000 in deposits. Four banks alone in the same city had deposits decline $784,000,000.

On March 1, 1930, 3 per cent of the banks held 64 per cent of the bank deposits in the United States.

On February 27, 1930, according to the Federal Reserve Board, the 12 leading financial cities of the country had $12,748,000,000 individual deposits as against $16,185,000,000 one year ago, a decline in Hoover prosperity of $3,500,000,000 in individual deposits.

While Secretary of Commerce, it was claimed that Mr. Hoover built up a billion dollar export trade, that is, we had a billion dollars a year in our favor. It took eight years for Secretary Hoover to build this up.

The textile business is in bankruptcy. I shall not quote figures. The hundreds of idle mills and factories not only in New England but the country over tell the story much better than columns of figures can express it. This condition exists from the great manufacturing centers down to the country town with its small factory.

The brick and cement plants are closed.

The lumber mills are shut down.

Why, if Mr. Mellon, when he went to Pittsburgh a few days ago to celebrate his seventy-fifth birthday (and incidently to name the Mellon-Grundy slate in Pennsylvania) had gone to the back door of his residence and looked out over his great coal fields, would he have seen a contented and happy and prosperous people among the miners? If the picture that met Mr. Mellon was the same as the other coal fields of the land it would have been one of idleness and lingering hunger. He would have recalled from the Book of Laws, "The poor ye have with you always." He would have seen trembling hands begging for hungry stomachs. He would have heard the cry go up, "Not only are we hungry, but our families are starving. All we ask is work, that we may earn an honest living, that in the sweat of our brows we may earn the means to clothe our bodies and the food to sustain life." And that is the right of every man. It has not passed to us under the pledges of Mr. Hoover with his administration.

THE MIRACLE MAN

If you were unkind enough to chide me with the fact that Tennessee went for Hoover in 1928, I would answer you: Yes; so did Kentucky, North Carolina, Virginia, Florida, and Texas, too. Strange tracks were made across the States of Virginia and Tennessee, in whose bosoms sleep the ashes of Jefferson and Jackson. Virginia has already covered up those alien tracks. Tennessee will wipe them out this fall. If you ask me why the solid South was broken, I answer: Our people were sold on Hoover through his association with Woodrow Wilson. They believed he was the "miracle man." He became a national hero by food distribution in Europe and in his visits to the flood-stricken area in the Mississippi Valley. They therefore helped to put him in the White House. They found out national heroes are but the day dreams of the human race.

If you ask me what our people think of the President after a year's trial, I answer you: They do not believe in miracles any longer. They know that age is past. You ask me how they know this? I tell you they have tested his brand of prohibition enforcement and it is sour. They sat at his prosperity festal board and the food was scarce and bitter. Our farmers prayed for agricultural relief. He assured them that their prayers would be answered. When they went upon the ground, instead of farm relief they found an altar of the highest protection, upon which was erected the golden calf of monopoly. They had the promise of a tariff for agriculture. They received an industrial tariff, the highest in our history.

Our people know that when a Democrat he fed the hungry people of Europe out of the Public Treasury. That situation was made possible by war. Now that he is the President of the richest nation in the world, in the days of a profound peace, they can not understand that he looks out upon so large a number of American citizens and wage earners out of employment. My people are hearing in a lesser way the things the President hears so much of—they hear in the great restless army say, We are out of work, our families are hungry; and then they hear the appeal for the staff of life in that phrase from the Master's prayer, "Give us this day our daily bread."

By the vote of four Southern States in the Electoral College, our people helped to make a contract with Mr. Hoover and his party. The consideration was that they were to have prosperity. During the first year the President has broken this contract. The consideration has failed, and our people of the South and the border States, will help you cancel that contract in 1932.

My people now know that it pays to advertise. Mr. Hoover was overcapitalized—his performances will not earn the dividend required to meet the confidence imposed in his capacity and ability. "Distance lends enchantment to the view." And his official achievement has not clothed the presidential "mountain in its azure hue." In plain English, he is now where the everyday man can measure him, and that measurement does not correspond with the White House. He is a disappointment to the country—to both parties alike!

THE RESTLESS ARMY OF THE UNEMPLOYED

You are familiar with the labor question and its relation to prosperity. The President talked as if he knew something about it in September, 1928. I shall not worry you by reading but I want to quote two short excerpts from his speeches on labor at Palo Alto, Calif., and Newark, N. J., while a candidate for President: "The poorhouse is vanishing from among us. We have not yet reached the goal, but, given a chance to go forward with the policies of the last eight years, we shall soon, with the help of God, be in sight of the day when poverty will be banished from this Nation. There is no guaranty against poverty equal to a job for every man. That is the primary purpose of the economic policies we advocate." Evidently the Master has refused help to the President, and the President has not visioned the banishment of poverty in the day he prophesied.

At Newark, N. J., with reference to the unemployment when Harding became President, he said, "Within a year we restored these 5,000,000 workers to employment. But we did more; we produced a fundamental program which made this restored employment secure on foundations of prosperity. * * * This recovery and this stability are no accident. It has not been achieved by luck. Were it not for sound governmental policies and wise leadership, employment conditions in America would be similar to those existing in many parts of the world."

How will the President explain labor conditions of to-day in the face of this statement? The foundation must have been of sand; there was no stability; evidently an accident has happened; the President's prosperity has been out of luck; there has been no leadership; and employment conditions in America are not only similar to those existing in many parts of the world, but really they have fallen below the average of world labor conditions. If the President's leadership in the carrying out of his labor policies has brought us to a standard of less employment than that of other countries, it is not only a weak leadership, but an unsafe one. It is failure in its worst form.

The London Daily Herald gives the unemployment of Germany at 4,500,000; Russia, 2,000,000; Great Britain, 1,500,000; Japan, 800,000; Italy, 500,000. France has no question of unemployment. These European countries and Japan have 9,300,000 with a total population of nearly 330,000,000. The Herald estimates the unemployment in the United States as 6,000,000 people. We have an estimated population of 120,000,000, a little more than one-third of the population of the European nations and Japan. We furnish 40 per cent of the world's unemployment, and too, in the era of Hoover prosperity, when we are not only the richest Nation in the world, but the creditor Nation of the whole world.

In the olden days—in the days of Mark Hanna the issue was the full dinner pail. Mr. Hoover has created a new issue; it is fill the empty stomach. The eighteenth amendment does not interest labor now. The issue now is not what shall labor drink, but can he get something to eat. The cry of labor is get me work that I may earn an honest living in the sweat of my face; but the work is not here. They chide us with, "Elect the Democrats and it is over the hills to the poorhouse." That issue is settled. We have had nine consecutive years with a Republican President, a Republican Senate, and a Republican House. In the Hoover time—just one year—labor, industry, agriculture, and a good part of the New York Stock Exchange have already crossed the hill. They are safely housed on the "poor farm."

Labor is the biggest thing we have. Forty-six million of our people are engaged in gainful occupations of one kind or another. They are classed as wage earners. In 1928 labor earned about $90,000,000,000. You know that the President said that if it had not been for wise leadership, labor would be in trouble. Of course, if labor is in trouble, it has not had wise leadership. The President has been the leader the last fateful year. President Green says 20 per cent of organized labor was idle in January, 1930, and it rose to 22 per cent in February. He says that 3,700,000 men were idle in February. That one worker out of four was out of employment. Forty-three per cent of the buildings trade labor was idle. He further said it was a situation that must be met by Government, or the Government would have a revolution on its hands. World history teaches us that uncontrolled business evolution ripens into flaming, mad revolution. The President and Secretary Davis have been saying the situation is getting better, and that we have turned the corner. Secretary Davis admits that we had 3,000,000 idle workers in February. I rather risk President Green than Secretary Davis. If you can get any concrete or reliable information on unemployment from the labor department, you can do a better job than we can in Washington. The Government makes large appropriations to that department for this purpose, but it does not bring results. This tells the story. In Illinois in January, 1930, for every 100 positions there were 257 applicants; in 1921, 218 applicants; and in 1927, 174 applicants for each 100 positions.

If 22 per cent of organized labor was idle, you know the per cent is much higher among everyday unorganized labor. Thomas Carlyle said, "The history of mankind is written in the red blood of the unorganized." Putting unorganized labor on the same basis as organized labor, 22 per cent of 46,000,000 would make 10,120,000 idle people; and a loss of earnings at the rate of 20 per cent of $90,000,000,000 for one year would be $18,000,000,000. Not only a money loss, and not only the idleness of this great army of 10,000,000 people, but with an average of three people to a family, vision if you will, 30,000,000 people. If you take President Green's estimate, concededly conservative, labor by unemployment has lost $1,000,000,000 in the last three months.

We had a great Army in the field in the World War and in camp ready to go to the western front, an Army of 4,000,000 men, the flower of our young manhood. We have to-day another army; it is the army of the unemployed; the army of the hungry, the army of the soup houses and the bread line. It is equally as great as our Army of the World War. If the London Daily Times is right, it is one and a half times greater than our Army of 1917 and 1918. If unorganized labor and organized labor put their forces together, and they were to stretch a line of the unemployed, putting one person to each 3 feet, it would cover a distance of 5,750 miles. You could stand one line from the Canadian border to the Gulf of Mexico, and then you could stretch another line east and west from Baltimore on the Atlantic coast to the Pacific. Taking President Green's last figures, the line would be nearly 1,900 miles long. The first figures are appalling, the last deeply distressing. And this is Hoover prosperity! He was the leader of the greatest political army that ever followed a man. Twenty-one million of voters! And anywhere from three to ten million of them idle in one year after he assumed the reins of power. In Congress the Republican leadership will tell you the picture is overdrawn. The best evidence we can give is through organized labor and its bureaus. Every sensible man knows that the unorganized labor in any department or line of business, trade, or employment, is in worse shape than those who are well organized. I frankly say I do not know how to estimate those out of employment. I have my authority on estimates and I take organized labor as the basis of unorganized. I do know that any morning when I get up and look from my window down on Pennsylvania Avenue at the United States employment agency I see on the street from 25 to 200 men and women waiting their turn at this agency. Take the papers from day to day, and they bring the news of the bread lines, soup houses, and labor disturbances from every section of the country. Every industrial city of any size in the land is having its labor troubles and appeals for help. I heard the distinguished Member from New York, Doctor SIROVICH, say the other day that near Cooper Union, in New York City, he saw 20,000 men in the bread line at one time. They were being fed by a private mission. From the northern coast of Maine to Houston, Tex., comes the same news—unemployment. The South has heretofore known little of labor troubles and unemployment, but industry has drifted South and in many sections the hungry and restless are with us. The President minimizes by saying this condition exists in only 12 manufacturing States. Doubtless he is right. He means the labor troubles are worse in 12 States than in the others; but there is scarcely a section of the whole country that these troubles do not exist. They are bad enough in the agricultural section.

And again they tell you that labor troubles are really "red" meetings. Labor is not one-half of 1 per cent "red." The reds are as adverse to organized labor as they are to wealth. It is only under a Republican administration that they class labor with the reds. Back in the days of Cleveland, in the panic of 1893, inherited from the Harrison administration, the same press of to-day that classes labor "red" spoke of the idle men as honest and worthy laboring men out of employment. I love that expression. It describes labor of to-day as correctly as it did in 1893. Ninety-nine per cent of the men out of employment are honest and worthy laboring men, and are not tainted in any way by the reds. The President's only remedy is to maintain prosperity by spending the public money gathered by taxation. Pay day must come with accrued interest; the burden will be all the heavier. The Government can never make the people prosperous from its Treasury. The people are the prosperity makers under wise leadership, and that they have not had it under Mr. Hoover. A presidential proclamation never created prosperity.

AGRICULTURE HARD HIT

I probably know more about agricultural conditions than any other subject. I have given more thought to it. Personally I am interested in it. I live among an agricultural people. On the 1st of January, 1920, the farmers were in the best condition of their history. There were fewer farms mortgaged then. The farmer had more money, liquid assets, and personal property. In fact, the farmers were practically out of debt and on easy street, for they had received a good price for their produce. But beginning with 1921 the farm industry declined rapidly. I shall not weary you in reading long extracts, but I do want to quote some short passages from the speech of Candidate Hoover at Palo Alto, Calif., on August 11, 1928:

"The most urgent economic problem in our Nation to-day is in agriculture. It must be solved if we are to bring prosperity and contentment to one-third of our people directly and to all of our people indirectly. We have pledged ourselves to find a solution." Further along in the same speech he said: "The working out of agricultural relief constitutes the most important obligation of the next administration. * * * So far as my own abilities may be of service, I dedicate them to help secure prosperity and contentment in that industry where I and my forefathers were born and nearly all my family still obtain their livelihood."

Has he kept the faith? Has he administered? No; he has only followed in the beaten path of his Republican predecessors.

During the year 1929 there were 111,530 involuntary sales of land in the United States—for taxes, in bankruptcy, and mortgage foreclosures. In the last nine years—the years of Harding, Coolidge, and Hoover—an average of 125,000 farms annually have passed from the owners at forced sale. In the last nine years 1,125,000 farms have been taken away from the owners; and at $5,000 a farm, you have $5,625,000,000 as the price of Republican farm prosperity. That is not all! With 4 persons to a farm, you have 4,500,000 people sold out of house and home, turned into the highways and byways; crippled soldiers in the battle of life, hopeless and helpless. In 1925 we had 6,371,640 farms, and in 4 years of Republican rule—so-called prosperity—1 farm out of every 5½ farms has been sold. In plain language, 1 farm out of every 5, or 20 per cent, has been taken away from the owners, if you add the private conveyances in satisfaction of mortgages.

In the last nine years the invested capital in farm lands has depreciated from $66,316,000,000 to $45,467,000,000, a net loss of $21,000,000,000. The farmers' livestock has depreciated during the same years from $8,012,000,000 to $5,864,000,000. These are the figures of the United States Department of Agriculture.

Mr. President, you ask the farmer to have confidence in you and your party. May I not reply, you and your party have made the record; you must stand by it. That record is that farm products are to-day 14 per cent cheaper than the day you took the oath of office.

The clamor of the administration is the President created the Federal Farm Board, with a revolving fund of $500,000,000. That is true; but, Mr. President, you had the opportunity some years ago to help the farmer through the McNary-Haugen bill. You opposed that measure. You had the credit of helping write the vicious veto message of Mr. Coolidge. All the while the farmer was slipping—then as now. You proclaimed tariff as the salvation of the farmer. You caused the debenture feature of the Federal Farm Board act to be stricken out. To-day the papers say you will veto the tariff bill because it carries the debenture plan. This was the only, or at least the greatest, benefit of that law to the dirt farmers and producers. It would have given real relief to agriculture. The present bill is of your making; it is your legislative child. We were told it would be a success; that the great President would make it go through his Farm Board. Everyone appreciated that its success or failure depended on its administration.

What are the results? The President went to the International Harvester Co. for its president. There never was much love between that great corporation and the dirt farmers of the country. I may be old-fashioned, but somehow I have always wanted a doctor when I was sick—a good one, too. If I am to have my will written, I will try a lawyer on that. And when they get ready for my funeral my wife will not send for the doctor and the lawyer but for the undertaker and the minister. But Mr. Hoover wanted to operate a real Farm board with a manufacturer at its head; so he got a big business man, and that big business man, so far, has made a complete failure in the administration of the Farm Board; however, he has told Congress to strike the debenture from the tariff bill, and has recommended that the decree in the packers' case be opened and modified, so that the big packers can enter the retail trade and put the little butcher, grocer, and packer out of business.

This great business man has made the greatest failure of the farm bill relief plan that we have seen. No one-horse farmer could have done worse. He should first succeed in his present job in the administration of his trust; and then probably Congress would listen to him; the courts would take under consideration his suggestion to modify the packers' decree. But he is digging up more snakes now than he will be able to handle without danger.

May I talk of the real status of the farmer? Let me tell you the facts as every real farmer and business man knows them: Since Mr. Hoover went into office hogs and cattle alone of livestock have maintained the price; and hogs are now slipping. Lambs have fallen from 16 to 13 cents a pound. Wheat has twice gone below the dollar mark in one year of Hoover prosperity. This is the first time in 17 years for wheat to be this low in price. Oats are down. Rye is at the lowest figure seen in many years. Corn is below the cost of production. While we have a tariff of $85 a ton on peanuts, the farmers in Tennessee are selling their peanuts at $45 and $50 a ton. It spells bankruptcy for them. Just one year to the day that Mr. Hoover took up the reins of government cotton, the staple crop of the South, was $17 a bale cheaper. It is to-day below the actual cost of production.

Why, the constant cry of the President and his party is to sustain the dignity of American labor! Is the President including the tenant farmer who produces cotton in the South as a laborer? He should do so, because he helps to clothe millions of humanity. May I not ask the President, as he sits in his ease and luxury, to vision these men, women, and children as they plow and chop the cotton in its production, working 14 to 15 hours a day in the broiling summer sun? They do not work eight hours a day on Government schedule. They work from early morn till darkness falls from the wings of night. Then will he look again at the harvesting season? They work the long hours of the day under the September sun—the hottest of the year—and when the crop is late they pick the cotton in the chilly blasts of late November and early December. What is the compensation or reward for this? It is from 21 to 36 cents a day, depending upon the price of the staple.

Mr. Toastmaster, I do not see how the President could look a farmer in the face and ask him to have confidence in the present administration, when farm products have declined 14 per cent during the last year. Three per cent of this was from the 15th day of January to the 15th day of February of this year; and in the next month, from February 15 to March 15, farm products declined 5 per cent. Two months of this year has seen a decline of 8 per cent. Two months of this year has seen a decline of 8 per cent in the 30 leading products of the farm—not only livestock, grain, hay, and provender of all kinds, but the articles that the poorer classes rely upon to buy the necessary groceries and everyday articles of consumption, they have gone down. Butter and milk are far down the line. Poultry is 30 per cent off and eggs 40 per cent. Last year's farm income was about ten billion dollars. If all our farm products had gone on the market in the period from January 15 to March 15, this 60-day period, there would have been a loss to the farmer of $800,000,000. If the farmers' productions of the last year were sold to-day at current prices they would bring $1,400,000,000 less money than the day Herbert Hoover stood in front of the Capitol and delivered his inaugural address. It takes a lot of credulity or good humor—and maybe both—to have confidence after we follow the record of this administration.

You may say you are not interested in the farmer and his problems. You are mistaken. Of course, your city is industrially great. There is a reason you should feel a deep interest in the prosperity of the farmer. His prosperity is a part of your prosperity. Nearly one-third of the Nation's population is agricultural. As a class they are the largest consumers of your goods. Bankrupt the farmer and the merchant and the manufacturer go broke. We need each other; but you need us more than we need you. Why? You need us not only to buy your goods but we feed and clothe you. The clothes you wear to-night came in a raw state from the farms of the country. Your food—yes, the very food of this splendid banquet—did not come from the city but from the farms. When the farmer fails to produce you will fail to be clothed, and hunger and famine will destroy you. Money is not the staff of life. You can not live on it. Bread is. Money will not sustain life. On bread you can live. We sow the wheat and rye and plant the corn that makes the bread and you have the money to buy it. Ours is a mutual interest, dependent each upon the other. When you destroy the producer, the man who feeds and clothes you, you destroy not only civilization but you destroy mankind.

THE TARIFF

I am not going to worry you with a tariff speech. It would take too much time. Tariff was the campaign hobby of Mr. Hoover to save the country. In his message to the special session of Congress he asked for a tariff to take care of the farmer and a limited revision only for industry that was in trouble. The tariff bill, as it goes to conference, is without benefit to agriculture and largely increases industrial tariffs and profits. They even take from the free list and assess a tariff on lumber, cement, brick, shingles, that go into the house to be built. It increases the tariff rate on sugar in everyday consumption of every home in the land.

When the junior Senator from Pennsylvania came down to Washington things began to hum. Senator SMOOT and Representative HAWLEY think they are the authors of the present tariff bill. In this they are mistaken. JOE GRUNDY, the lobbyist, conceived it. The baby knew its dad. If I were to name this tariff bill, I would call it "JOE GRUNDY, Jr." And then when the lobbyist became Senator he at once moved his private organization into the Senate Office Building. Well, there is nothing like being at home. He knew the ropes; he had been there before. And this was just as fair as Senator BINGHAM, of Connecticut, putting a private tariff lobbyist in the committee to hear the confidential hearings and to act as an expert in writing tariff rates for New England.

The tariff bill now in conference is the greatest monstrosity ever to emerge from Congress. It is not the product of orderly, well-conducted legislation. It is the product of selfish barter, trade, lobbying, and jockeying. The Progressives and the Democrats condemn it. The standpatters apologize for it. The leader in the White House is painfully silent. His voice is stilled. His writing hand is numb. Only Senator GRUNDY can smile, but when they are through with it Uncle Andy will be there with his aluminum. He will still demand his re-

ward for the Aluminum Trust. His tribute will come from every housewife under the American flag.

The tariff battle has brought very great discomfort to the President. He has not been a leader in this legislation. He was the leader of a great political army in November, 1928. His leadership then was unchallenged. He was able to have a splendid organization, but in the tariff battle he has seen his officers fighting among themselves and divided into three parts—the old standpatters, the young Turks, and the Progressives—the latter, the sons of wild asses, as your Senator MOSES calls them. "Animals" as TREADWAY, of the House, denominates them, and yet the Commander in Chief sits by without issuing a single peremptory order. He does not lead or attempt to lead. Be it remembered that no great battle was ever won by an army of generals; likewise, it is equally true that however large the army, no important victory was eyer won unless led by a commander who with courage in his heart was unafraid of battle and was willing to meet its dangers with the flag in his hand and the battle cry upon his lips; but not so with Commander in Chief Hoover this time. He took his out in consultation and advice.

I appreciate that the Republican claim is New England can not live without the tariff. You did prosper under a tariff, but will the housewife say tariff on sugar and aluminum helps her? Will the head of the family praise a tariff on the increased cost of shoes? Will the millions of unemployed men who were thrown out of work when we have the highest tariff in our history say it has helped them feed and clothe their families?

And the tariff now in conference is still higher. Thirty-one nations of the earth are protesting against it. It is easy to kill the goose that lays the golden egg.

The other nations of the world in self-defense are levying high tariffs against us—reprisals, if you please. Some of them are embargoes. To have good wages at home, we must sell our surplus products abroad. We must both sell and buy abroad. When you destroy our foreign trade you will destroy the American workingman. Your factories in New England can not manufacture as cheaply as we do in the South. We have cheaper labor, cheaper raw material produced at home, and a warmer, better climate. We produce our own food and we have the cheapest fuels and more water power than any section of the country. When foreign retaliation comes, as it must do, you will feel its bad effects first—it will administer you in bankruptcy long before it will get us. It will finally destroy us all, because our commerce will gradually fade from the marts of trade away from home. We can not complain of the nation that legislates against us. It is the justifiable, inexorable law of self-defense. It can be invoked by the nation as well as by the individual. President Hoover, despite his pledges, since his message to the extra session of Congress, has never lifted his voice to prevent this tragedy.

SECRETARY MELLON AND TAX REFUNDS

Hoover prosperity has hit the Federal Treasury. The President warns Congress that there will be a deficit at the end of the year. There is a way to prevent this. He should have taken the Secretary of the Treasury into his confidence and told him to quit refunding taxes to the great corporations of the country made out of war-time profits when our boys were fighting in the trenches on the western front. It was only a few days after President Hoover warned Congress about appropriations that Mr. Mellon handed the United States Steel Corporation a check for refunds of $33,000,000. This is a very large sum of money, but it is neither the beginning nor the ending of the refunds made and to be made from the United States Treasury by Mr. Hoover's Secretary. Not only in money actually refunded, but the United States Steel Corporation will get credits and abatements, so that this corporation will not pay one dollar taxes for 1930 and 1931. The United States Steel Corporation did not pay a dollar Federal taxes for the year 1929. These refunds, credits, and abatements take care of its taxes. This giant corporation has already been refunded $97,000,000. The little fellow pays and he gets no refunds. Of course, the little man can make no mistake. The United States Steel Corporation charged off $155,846,000 at the end of the year 1929; after all charges and dividends were paid it had a surplus for the year 1929 of $108,500,000. It needs refunds! It is unable, like the ordinary taxpayer, to come across to the Government. If I remember correctly, it made 19 per cent on its common stock last year. At its formation its organizers tried to get Andrew Carnegie to take some of this common stock in part payment on his properties taken over by the Steel Corporation. The newspapers reported Mr. Carnegie as answering, "Never. This stock does not approach water. It is thin air."

Here are a few of the refunds of this year: Middle States Oil Co., New York, $4,300,000; Eastman Kodak Co., $2,500,000; Philadelphia Rapid Transit Co., $1,700,000; Baldwin Locomotive Works, Philadelphia, $3,700,000; American Window Glass Co., Pittsburgh, $2,100,000.

At page 271 of the hearings on the Treasury Department appropriation bill for the year 1929 it is shown that Mr. Mellon paid in refunds on taxes during the year $190,164,000; that he abated or credited on taxes due that year the sum of $228,775,000; a total of $418,939,000. He took from the Public Treasury to make these payments, credits and abatements nearly $1,100,000 every day in the year. Listen how appalling this thing is—from 1922 to 1929, both inclusive, Mr. Mellon in tax refunds paid out of the Public Treasury $762,422,000. He credited and abated taxpayers in these years with $2,090,000,000, making a total of $2,852,422,000.

I am not through yet. The Treasury Department estimates refunds for 1930 at $152,000,000, refunds for 1931 at $142,000,000. There are 12,000 claims pending involving more than a billion dollars. Some of these refunds go back to 1912. We have statutes of limitation against many of these payments, but the Treasury Department does not seem to invoke these statutes to protect the Treasury. They have gone back as far as 1912 in making some of these settlements. The big corporation gets its refunds, but the little fellow can not prosecute his claim, and therefore he is excluded.

In all the refunds coming to my knowledge only one individual had a return in 1929. As it were, I see the venerable Secretary of the Treasury looking out upon the throng asking refunds. I think I see a thousand open hands outstretched to receive the comeback. Mr. Mellon does not see very well, but toward the outskirts of the crowd a hand palsied and shaking with age beckons to him. Evidently this must be a poor man. His hand is a little tinged with oil. Uncle Andy puts on his glasses and he grows sympathetic.

Uncle Andy, the third richest man in the world, or at least he is reputed to be, becomes sentimental. He looks as if in a dream and suddenly he drops a comeback into only one hand. It is this hand I have described. It receives $356,000 from the Public Treasury. And whose hand do you reckon that is? It is John D. Rockefeller's, the richest man in the world.

Eighty-three per cent of these refunds were made and paid in war time, excess profits out of that tragic era. This money that should go in part to build hospitals for and to take care of the soldier boys who went over there, and many of whom are now neglected by the Government.

You ask me how this can be and who is responsible. I will tell you. A Republican Congress passed the law and a Republican President approved it, giving the Secretary of the Treasury the right to make these settlements, and, in the absence of fraud, his action is final. No court in the land may review his actions. You know this is not right, and I know it. Passing on refunds of payments in so large amounts, where, even if not interested himself, probably his family have interests, his close friends and his former associates. It is not right. But the Secretary was personally interested in at least one tax refund. Will anyone deny that Mr. A. W. Mellon, personally, is not interested in the Aluminum Co. of America? Most people think he is that company. In July, 1928, A. W. Mellon, Secretary of the Treasury, with the people's money, paid out of the Public Treasury to the Aluminum Co. of America $1,287,424 as a tax refund. A. W. Mellon, the public official, on the inside of the window passing the public money out to A. W. Mellon, as the representative of the Aluminum Trust standing on the outside—and no court can review this settlement. Mr. Mellon's only explanation of the payment was "inventory adjustment." I offer a better explanation: A settlement by Treasurer Mellon with Mr. Mellon, to Mr. Mellon, and for Mr. Mellon. No judge and no juror may sit when he or his family are interested in the subject matter of the litigation. This is a 1-man power. It is a power that no just man would want and a power no unfair man should have. Tax refunds have become a scandal. The rank and file of the people will resent it. The newspapers hold us up as a nation of law breakers. If Mr. Mellon keeps making tax refunds, the world will know us as the land of bad bookkeepers. You know both in bookkeeping and in amortization no such mistakes as these could be made. These great corporations have the biggest men of the best ability in every line that money can procure. They do not do business along slack lines, as indicated by these returns.

PROHIBITION

I have never yet seen an utterance of the President pledging himself against a repeal or a change in the Volstead law. At Elizabethton, Tenn., he said it was "a noble experiment." He is still experimenting. I am not going to talk prohibition. I am a dry from the South. May we feel the administration's pulse on prohibition? I know that Representative FORT stood awfully close to the President. In a speech in the House he advocated the making of beer and fruit juices in the home and drinking them. Some wag has classed this "the Hoover, hooch, and happy home doctrine." Congressman BECK, of Pennsylvania, declared for another doctrine in the experiment—the nullification of the eighteenth amendment by disregarding it. We all know what President Jackson said to John C. Calhoun when he talked nullification—"The Constitution must be preserved." We have not heard a word from the President affirming the "happy hooch" doctrine or denying "the nullification doctrine."

"Old Overholt" still retains its odor and its flavor, and Mr. Mellon still has jurisdiction over permits. I do know that Representative GIBSON on March 26 made the statement that Doctor Doran, the chief enforcement prohibition officer, said there were 3,000 bootleggers in Washington. If we had a hard-hitting administrator like Pennsylvania's Albert Gallatan the second whisky rebellion would be put down and the issue between the law and the outlaw would be quickly settled. For one I believe that we need the execution of the law through friendly hands by those who really want to see the country dry. Before we talk of modification or repeal, administration must catch up with legislation.

NAVAL CONFERENCE

All I have to say on the Naval Conference is to quote Will Rogers: "We never lost a war, nor won a conference." Harding and Hoover have kept the record straight—they lost both the Washington and the London conferences. And in the foreign debt settlements a Republican President and Congress gave Italy and France $5,500,000,000 to build their new navies.

A GOVERNMENT OF COMMISSIONS

The executive branch of our Government is in a state of collapse. Ours is now a commission form of government. Confucius was the greatest of all Chinese philosophers, and the greatest bit of philosophy he left to the world is, "Never do directly and specifically that which can be done indirectly." I have wondered if in the many years the President spent over there when he was amassing his fortune with cheap Chinese coolie labor he acquired the slant of the oriental mind. Did he become an oriental philosopher as well as a world citizen? "Never do directly that which you can do indirectly." Never do as President that which you can do through a commission. That is the President's policy—a government of commissioners, for the commissioners, and by the commissioners.

LOBBYIST OR CHAMPION MAP SELLER?

We all have our troubles. The troubles of a great man are big troubles. The President has on his hands now his biggest liability. For a number of years the friendship of Claudius H. Huston to the President was a great asset. They were as Jonathan and David. Warren G. Harding had his Will Hayes as national chairman, and Hayes had his grafted oil bonds to his account. They had their scandal. President Hoover has his personally selected chairman, Claudius H. Huston, and Mr. Huston as a lobbyist had his large donations to help the Power Trust take over Muscle Shoals, built with the money of the United States Government for the purpose of manufacturing munitions in war and fertilizer in peace. I do not know Mr. Huston personally. I am told he is a pleasant, suave man. Those who know him best say he can talk the sweetness out of a pound cake and that he can raise more Republican campaign boodle than any living man.

I do not know about these things, but I do know that he admits he talked the Carbide Co. out of $36,100 to meet an urgent request of the Tennessee River Improvement Association, and the first check of $19,000 was deposited with his brokers to pay an overcheck where he was dealing in stocks on margins, and it did not go to the trust account. You know the country people call dealing on margins "gambling in stocks." Huston says this money was for maps sold the Carbide Co. The officials of that company do not make it that strong. Well, it was some map sale. We shall claim for Mr. Huston the championship of the world as a map salesman. I do not know Mr. Huston personally—only politically. He is not a native Tennesseean—only by adoption—but one Tennessee Republican knows another one, and if I were to tell you what one of the great leaders in the Republican Party in Tennessee said of the national chairman—if I were to tell you the comparison he made of him—well, you Democrats would not want him to be the chairman of your State committee.

The President selected Mr. Huston as the chairman of the Republican National Committee. He knew Mr. Huston just as well then as he knows him now. They were in the Commerce Department together. They were on the most intimate terms, personally and officially. Mr. Hoover enjoyed the support of Mr. Huston in his campaign for the Presidency, and he rewarded him with the national chairmanship. Now that the lobby probe of the Caraway committee has come, it has completely destroyed Mr. Huston's "collection agency." Just here I want to turn prophet—as soon as the present notoriety and publicity pass, Mr. Huston will likewise pass. He will have a business call. He will resign as chairman of the Republican committee. Of course, the President will regret his going, just as Mr. Harding regretted giving up Fall, and just as Mr. Coolidge regretted to give up Daugherty. Public opinion drove both Fall and Daugherty from the Cabinet—they were not voluntary resignations. It will drive Huston from the national committee chairmanship. Nevertheless, it will be good-by Claudius, raiser of large campaign funds and chairman of the Republican National Committee. "You have done well according to the morals and ideals of the Republican national organization, except you sinned in one respect—you violated the eleventh, a Republican commandment—you got caught; and the President whom you supported so faithfully, and whose national chairman you became, will thereafter be afraid to be seen in your political company and society."

POST-OFFICE LEASE SCANDAL

There is in the offing another big scandal of graft. The payments in rental contracts for post-office buildings throughout the country. This has not developed fully. It will come to light in part. Enough to know that it involves millions of dollars, in which high-up Government officials participated. It has been going on for several years. Everything touched by the Ohio gang coming with the Harding administration has been contaminated. The Post Office Department is simply the last to be discovered.

Why, even the President can not name a member of the Supreme Court without a fight. Chief Justice Hughes met with the strongest opposition to confront an appointee in recent years. And it seems that Judge Parker, whose appointment is pending, will fail. Even the old stand-patters are failing him.

SUMMARY OF HOOVER FAILURES

I shall summarize my indictment of the Hoover administration:

His farm legislation is a failure.

He promised an agricultural tariff, and the bill in conference is the highest of all industrial tariffs.

His first year brought greater bank failures and liabilities than any year of our history.

Bankruptcies have developed in every line of our business.

One hundred and twelve thousand foreclosure sales of our farm lands.

Farm products are cheaper than since 1914.

Seventy per cent of the richest farm lands are under mortgage. There are no purchasers for farm lands.

The textile industry is harder hit than any time since 1893.

Individual bank deposits are reduced 25 per cent the first year of Hoover.

The sawmill business is paralyzed.

The coal miners are naked and hungry.

Railroad shipments have declined heavily.

Railway freights are 30 per cent off.

Railway passenger income cut nearly half.

Exports are declining at an alarming rate.

Our export balance is declining seven times faster than it was built up.

The stock-exchange panic swept $40,000,000,000 away.

Practically every line of industry is at a standstill except a few mammoth corporations.

Wealth is centered in a very few hands at the expense of the masses.

Labor is asking work; and the answer, there is no work.

Labor was promised the full dinner pail. It has received an empty stomach.

From four to ten million men are idle. They are not reds, either.

The temperence people believed the President would enforce the prohibition law. The answer is, Mr. Mellon is still at his post of duty over permits.

The London peace conference is not only a failure but a tragedy. Great navies will now be built. A competitive building campaign endangers the peace of the world.

The executive branch of the Government has been converted into a commission form of government.

The President refuses to lead his own party. He looks upon a party of factions, of differences, without being able to either lead or reconcile them. Instead of an aggressive battle, the Republican army is in full retreat.

The President can boast of three things: The extremely large corporations have amassed immense undivided profits.

These big corporations with their bad bookkeepers and many mistakes are prosperous in the refunds through the hands of Mr. Mellon with the taxpayers' money from the Public Treasury.

The bootleggers of the Nation are happy and prosperous, including the 3,000 bootleggers of Washington—the President only smiles on the "noble experiment." He does not administer.

Coming events cast their shadows before. In special congressional elections the third district of Kentucky swung back into the Democratic columns. In President Coolidge's district in Massachusetts the Democratic donkey appeared in his front yard the next morning after the election, converting an 8,500 Republican majority into a Democratic majority of 7,500. Kansas City and Tulsa, Okla., having Republican Congressmen, overwhelmingly elected Democratic mayors. Vacancies exist in the seventh district of West Virginia and the fifth district of Connecticut. The Republican powers that be refused to call elections because it meant Democratic Congressmen. In the tenth district of Pennsylvania, the Republican majority of 7 to 1 was reduced to 2 to 1. This is a Democratic year. Victory is in the air for us. We expect to control the next House, and at least have an even chance to control the Senate.

Other coming events cast their shadows before the President. ex-President Coolidge has made his swing around the circle. I wonder if the President sees shadows of his former chief falling across his pathway in the early summer of 1932.

Mr. Coolidge says he will never be a candidate again. Teddy said the same thing. Mr. Coolidge says he is happy. He does not envy the President. Does anyone wonder! He thinks he will never seek office again. The present distressed condition of his country forces this statement from him. He will get over this in time, just as Teddy got over it. It is not an incurable malady.

President Taft had his ex-President Roosevelt. The battle of 1912, a second Armageddon was fought—and won by the Democrats. Will the third battle of Armageddon be fought in 1932 under like conditions and with similar results?

In his new home the ex-President sits in comfort, a much happier man, politically speaking, than the present President. He refused a third nomination, thus evading the troubles that the superman assumed in taking his place. The storm will be partially past; the bankruptcies and failures will in a measure lighten by 1932; then we will see Calvin smiling as he holds his hands to his ear at long range, his lips moving, "I hear your gentle voices calling me." And like Old Black Joe, Calvin will answer, "I'm coming, I'm coming."

Is there wonder that the President, politically and officially speaking, is an unhappy man? He looks into the future, and there is no star of hope. When he looks behind him there is havoc, bankruptcy, and ruin all over his first year's business battle field. Like Napoleon when he saw the old guard go down at Waterloo, the world-wide empire faded away, and instead there arose before him the bleak and barren cliffs of St. Helena, he is waiting for the voyage up Salt River. The President stands to-day as the Emperor stood then, "the somnambulist of a shattered dream."

The Democracy of New Hampshire is an inspiration to the Democracy of the Nation. You Democrats know how to offer battle to much greater numbers. You have enjoyed your victories, but you complain not in defeat. After apparent disaster you arise with the battle cry upon your lips and the courage of heroes in your hearts.

Cæsar's legions were never more loyal. The call to you is for the coming fall elections. The cause of the great common people and the fateful hour in our history are here. The time of Democratic victory, bringing with it the great opportunity for honest and patriotic service, is here. The Seventy-second Congress will be Democratic, and in 1932 the miracle man will pass from the scene of political activity. Let every Democrat become a soldier—a soldier who will help win the battle of 1930. The Democracy of the Nation believes you can and will elect a Democratic governor, Senator, and Congressmen in New Hampshire this year.

Mr. Toastmaster, ladies, and gentlemen, it has been a very great pleasure to be with you. I am going back to Tennessee in a short while, and I shall carry with me pleasant memories. With your permission I shall take back to my home folks a message from the New England Democracy. That message will be that you have girded on the armor and you are ready for the battle. Yours is a militant Democracy. May victory come to you.

Tennessee will join hands with you. We will renew the faith of our fathers and sing the songs of Democracy and proclaim the old-time Democratic religion. It was good enough for Jefferson and Jackson. It should be good enough for us now. As the chart of our later-day faith we will point to the record of Cleveland and the achievement of Wilson. We will renew the creed of Jefferson, "Man over money—human rights rather than property rights—equal and exact justice to the rich and the poor, with special privilege to none." This is the creed of American Democracy. It is our faith. It is the hope of the world. Upon it depends the destiny of mankind. In the hour of peace let us assume its responsibilities, as we assumed the burden in the horrors of war. As Democrats, as American citizens, let us in party loyalty, as in patriotism, show that ours is a great brotherhood. One flag, one people, and one country.

"A union of lakes, a union of lands,
A union that none can sever;
A union of hearts, a union of hands,
Thank God, the flag of our Union forever."

VETERANS' RELIEF

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a speech made by me over the radio on last Saturday afternoon April 26, 1930, on the subject of veterans' relief.

The SPEAKER. The gentleman from Mississippi [Mr. RANKIN] asks unanimous consent to extend his remarks by inserting a speech delivered by himself on the subject of the veterans' relief. Is there objection?

There was no objection.

The speech was as follows:

Ladies and gentlemen of the radio audience, I first wish to express my thanks to the National Broadcasting Co. and associated radio stations for giving me this opportunity of speaking to you at this time on the subject of veterans' relief, and of bringing a message of cheer to our uncompensated disabled veterans of the World War, to whom I am particularly addressing these remarks.

We have fought a great fight, and we won a great victory on last Thursday when the House passed by a vote of more than 6 to 1 the once-called Johnson bill with the Rankin and Connery amendments to extend the presumptive period to January 1, 1930. You will note from the press reports that Mr. JOHNSON of South Dakota repudiated his own bill after these amendments were adopted and asked unanimous consent that its name be changed to that of the "Rankin bill." I accept the amendment. I only regret that he didn't reach that conclusion months ago and permit us to report the original Rankin bill to the House and pass it without delay.

The truth of the business is I don't think Mr. JOHNSON, and those who have been fighting with him, wanted any legislation at all at this session of Congress. They have dillydallied since the 22d day of January while we have been battling for this relief. During that time on an average of about 72 of our uncompensated disabled veterans of the World War have died each day. Many of them died in want, and invariably as a result of their inability to secure the necessary comforts of life.

I have no apology to anyone for my fight in this righteous cause. I expect to continue the battle until we secure the necessary relief for these unfortunate men who offered their lives and sacrificed their health in defense of their country during the dark days of the World War.

These men were among the best soldiers we had. The fact that they tried to carry on and sustain themselves and support their families without asking relief from the Government until after January 1, 1925, many thousands of whom knew that they were suffering as a result of their war services, instead of militating against them indicates a high order of patriotism on their part.

The original Rankin bill provided for moving the presumptive period to January 1, 1930, for all tubercular men, neuropsychiatric cases, and those suffering from other chronic constitutional diseases. In spite of the misleading propaganda to the contrary, this bill would have cost, according to the statement of General Hines, the Director of the Veterans' Bureau, approximately $44,000,000 a year. It is estimated that the original Johnson bill would have cost $76,000,000 a year. The Johnson bill, which brought all cases up to 1925, with the provisions of the Rankin bill superimposed thereon and extended to January 1, 1930, would have cost $108,000,000 a year—the addition of the provisions of the Rankin bill increasing the annual cost $31,000,000. That is about what the bill that passed the House will cost, and those who are giving out wild and irresponsible statements to the effect that this bill will cost several hundreds of millions of dollars a year are opposed to any relief for these veterans at all at the hands of Congress and are trying to kill off this legislation entirely.

There are 18,000 of these men suffering from tuberculosis and 23,000 suffering from neuropsychiatric troubles who are all uncompensated, to say nothing of those suffering from heart trouble, cancer, and other chronic constitutional diseases. Invariably these disabilities are traceable to the World War. The stress and strain of the service, the hard grind in the training camps, the nerve-racking experiences at the front under shell fire, inhaling poison gas and going over the top in the face of withering gunfire all left their effects on the nerves of these men, many thousands of whom are helpless as a result and not drawing one penny of compensation from their Government.

The tubercular men who went through these same experiences who had influenza and suffered all the hardships of modern warfare who are now helpless, penniless, and whose children are hungry and in distress, are appealing to us with outstretched hands over which the chill of death is slowly creeping and pleading to us to manifest some of that spirit toward them which they manifested toward their country in 1917 and 1918. I am glad to say that Congress did not fail them on last Thursday when, by a vote of 324 to 49, it went on record as reflecting the wishes of the American people to take care of these uncompensated heroes.

As I said in my speech on Thursday, the soldier in the heat of battle, in the fullness of his pride and strength, takes little heed of the hissing bullet or the bursting shell. He is urged on by his patriotism and the consciousness of his country's support and cheered on by his comrades to victory or to death.

But he who dies of tuberculosis must, in a measure, fight his battle alone. He lingers for days and weeks and months and even years while this insidious foe stealthily performs his deadly work. For these tubercular victims, whose cause I am now pleading, the war has never closed. For them the battle will rage until they sink into the grave.

It is amazing to me to see the propaganda going out to the effect that this legislation will wreck the Public Treasury. As I said in the beginning, it will not cost more than a hundred and eight millions of dollars a year, and if the Rankin bill as written had been passed it would have cost less than $50,000,000 a year.

On yesterday the House passed a rivers and harbors bill appropriating approximately $120,000,000, and the indications are that it will be repeated each year. You hear no criticism of that vote from those opposing veterans' relief. Congress has appropriated something like $300,000,000 to erect palatial buildings here in the city of Washington within the last two years. You hear no criticism of that measure from the critics of veterans' relief. There is a movement before Congress now to increase the salaries of the high ranking officers in the Army and Navy to the extent of $90,000,000 a year. Watch those who opposed this veterans' bill support that one. Since this Congress convened a measure has been passed which returned to the large income-tax payers of this country $160,000,000 on the income taxes of 1929, and the President has expressed the hope that it may be repeated for the coming years. This alone amounts to $50,000,000 more than this legislation will cost. Every Member of the House who voted against this veterans' bill voted for that tax reduction.

Mr. GARNER, of Texas, calls attention to the fact that within the last few years the administration has returned more than $3,000,000,000 to the largest income-tax payers in America. This amount would have paid the cost of this bill for almost 30 years. Congress has "funded" the foreign debts, and in doing so gave to certain European countries between eight and ten billions of dollars, enough to have paid the cost of this bill for almost a hundred years. But by "funding" those foreign debts it strengthened the securities of the money power in this country on their foreign loans. The papers that now criticize us for passing this bill for the relief of these disabled veterans lauded the passage of those debt-funding measures.

While they cost the American people many billions of dollars, they possibly made a few hundred millions, or even more, for the great financial interests of America, while the bill we have just passed helps the poor disabled veterans who fought the war out of which many of these fortunes were made, and might prevent a further reduction of the income taxes to the owners of those large fortunes. Congress has also reduced income taxes in the last few years to the amount of about $750,000,000 a year, more than seven times the amount this bill will cost. The largest portion of that reduction has gone to people of great wealth, many of whom made their fortunes out of the war, coining their millions out of the blood and tears of the suffering men, women, and children of the world.

In 1914 there were only 60 people in the United States with an income of a million dollars a year. In 1929 there were 496 with an income of over a million dollars a year—206 more than there were the year before.

Thus wealth accumulates and men decay.

Some are talking now about taxing wealth in the next war. I am in favor of taxing the fortunes made out of the last war now, if necessary, in order to secure ample funds to take care of these disabled men.

I can not close without paying my tribute to the Veterans of Foreign Wars as well as to the Disabled American Veterans and their distinguished representative, Hon. Thomas Kirby, who has labored so diligently for the passage of this legislation.

I must also express my gratitude to the individual members of the American Legion throughout the country and the many hundreds of individual American Legion posts for their enthusiastic support. I want to especially commend the legionnaires of Pennsylvania for their loyal assistance.

The bill now goes to the Senate. My advice to you boys is to get in touch with your Senators and urge them to pass it without delay. Those who are opposed to this legislation tell us that the President will veto it. This I can not believe, but even if he should we would then pass it over his veto.

Let us take renewed hope from the victory we have won and carry on the fight until our efforts are crowned with ultimate success.

Good night.

THE TARIFF

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 2667, relating to the tariff, may have until midnight to-night within which to file their report.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] asks unanimous consent that the conferees on the tariff bill have until midnight to-night to file their report. Is there objection?

There was no objection.

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. 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, 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 3, 11, 22, 24, 34, 44, 45, 53, 83, 84, 85, 86, 87, 104, 108, 109, 118, 141, 159, 160, 168, 169, 170, 171, 172, 190, 191, 192, 193, 209, 212, 215, 227, 234, 246, 247, 248, 253, 261, 263, 265, 266, 298, 299, 330, 331, 335, 336, 340, 343, 382, 384, 429, 432, 440, 447, 485, 513, 521, 529, 557, 565, 572, 573, 586, 588, 589, 590, 591, 592, 594, 603, 607, 609, 616, 621, 622, 623, 647, 651, 655, 667, 669, 671, 673, 675, 677, 679, 681, 682, 684, 690, 693, 700, 701, 714, 718, 733, 741, 742, 746, 757, 759, 760, 769, 770, 773, 774, 788, 789, 790, 792, 796, 801, 810, 811, 815, 826, 831, 832, 833, 835, 841, 847, 852, 853, 854, 856, 858, 859, 860, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 886, 894, 944, 949, 967, 968, 998, 1007, 1030, 1043, 1097, 1117, 1142, 1143, 1144, 1146, 1147, 1153, 1159, 1160, 1162, 1163, 1165, 1166, 1174, 1176, 1177, 1198, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1225, 1226, 1228, 1240, 1248, and 1253.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 10, 12, 13, 15, 16, 18, 19, 20, 21, 23, 25, 28, 30, 31, 33, 35, 36, 37, 38, 39, 46, 47, 50, 51, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 81, 82, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 103, 105, 107, 110, 111, 112, 113, 114, 116, 117, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 150, 152, 153, 154, 155, 156, 157, 158, 161, 162, 164, 165, 166, 173, 174, 175, 176, 177, 178, 179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 194, 196, 197, 198, 199, 200, 201, 202, 203, 210, 211, 216, 217, 218, 219, 222, 225, 229, 231, 232, 233, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 249, 250, 251, 252, 255, 256, 257, 258, 259, 260, 262, 264, 267, 268, 269, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 286, 287, 288, 290, 291, 295, 296, 297, 300, 301, 302, 303, 304, 305, 308, 309, 310, 313, 314, 316, 318, 320, 321, 322, 323, 324, 325, 326, 333, 334, 338, 339, 345, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 365, 366, 378, 388, 389, 390, 391, 393, 397, 398, 399, 400, 402, 403, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 430, 431, 433, 434, 435, 436, 437, 438, 439, 441, 442, 443, 444, 445, 446, 449, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 486, 487, 488, 489, 490, 491, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 528, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 558, 559, 560, 561, 562, 563, 564, 566, 567, 568, 569, 570, 571, 574, 575, 577, 578, 580, 581, 582, 583, 584, 585, 587, 593, 595, 596, 597, 598, 599, 600, 601, 602, 604, 605, 606, 608, 610, 611, 612, 613, 614, 617, 618, 619, 620, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 648, 650, 653, 654, 656, 658, 659, 660, 661, 662, 663, 664, 665, 666, 668, 670, 672, 674, 676, 678, 680, 683, 685, 686, 687, 688, 689, 691, 692, 694, 695, 696, 697, 698, 699, 702, 703, 704, 705, 706, 710, 711, 712, 713, 715, 716, 717, 720, 721, 722, 723, 725, 726, 727, 728, 730, 731, 734, 735, 736, 737, 738, 739, 740, 743, 744, 749, 750, 751, 752, 753, 754, 755, 756, 758, 762, 763, 766, 767, 768, 772, 775, 776, 777, 778, 779, 780, 781, 782, 783, 786, 793, 794, 802, 803, 804, 805, 806, 807, 808, 809, 812, 813, 814, 816, 818, 819, 820, 821, 822, 823, 828, 829, 834, 836, 837, 838, 839, 840, 842, 843, 844, 845, 846, 850, 855, 857, 861, 889, 890, 900, 912, 918, 924, 939, 941, 943, 986, 988, 990, 991, 994, 996, 1000, 1001, 1005, 1011, 1042, 1044, 1045, 1054, 1056, 1065, 1069, 1073, 1088, 1100, 1101, 1106, 1107, 1108, 1110, 1113, 1115, 1116, 1118, 1119, 1121, 1122, 1123, 1124, 1125, 1127, 1136, 1137, 1145, 1148, 1149, 1150, 1154, 1155, 1164, 1167, 1169, 1170, 1172, 1173, 1175, 1178, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1199, 1200, 1201, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1227, 1229, 1230, 1231, 1232, 1233, 1234, 1236, 1237, 1238, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1249, 1250, 1251, and 1252, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1⅜ cents"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "3½ cents"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "formic acid, 3 cents per pound" and a semicolon; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "5 cents"; and the Senate 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 proposed to be inserted by the Senate amendment insert "11 cents"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "oleic acid or red oil, 20 per cent ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and

agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "12 cents" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$1.25"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "75 cents"; 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 proposed to be inserted by the Senate amendment insert "calcium acetate, crude, 1 cent per pound" and a semicolon; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "30 per centum"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"pound.

"(b) Synthetic indigo, 'Colour Index No. 1177,' and sulphur black, 'Colour Index No. 978,' 3 cents per pound and 20 per centum ad valorem.

"(c) The ad valorem rates provided in this paragraph shall be based upon the American selling price (as defined in subdivision (g) of section 402, Title IV), of any similar competitive article manufactured or produced in the United States. If."

And the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "; digitalis, 20 per centum ad valorem"; 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 proposed to be inserted by the Senate amendment insert "1¾ cents"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "10 per centum ad valorem; drawing ink, 15 per centum"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "three-fourths of"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 51. Menthol, 50 cents per pound; natural crude camphor, 1 cent per pound; natural refined camphor, 5 cents per pound; synthetic camphor, 5 cents per pound. If at the end of three years after the enactment of this act, the President finds that during the preceding six months the domestic production by quantity of synthetic camphor did not exceed 25 per centum of the domestic consumption thereof by quantity, or, at the end of four years after the enactment of this act, that during the preceding six months such domestic production did not exceed 30 per centum of such consumption, or, at the end of five years after the enactment of this act, that during the preceding six months such domestic production did not exceed 50 per centum of such consumption, he shall by proclamation so declare and, after six months thereafter, the rate on synthetic camphor shall be 1 cent per pound. To assist the President in making the investigation required by this provision, the Tariff Commission is empowered to investigate, to such extent as may be necessary, in the manner provided in the case of investigations under section 336 of this act, and shall report to the President the result of its investigation."

And the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "3½ cents per pound, but not less than 45 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: On page 24 of the House bill, line 13, after "valorem;" insert "eucalyptus, 15 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 65. (a) Paints, colors, and pigments, commonly known as artists', school, students', or children's paints or colors:

"(1) In tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, and valued at less than 20 cents per dozen pieces, and not assembled in paint sets, kits, or color outfits, three-fourths of 1 cent per tube, jar, cake, pan, or other form;

"(2) in tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, and valued at 20 cents or more per dozen pieces, and not assembled in paint sets, kits, or color outfits: In tubes or jars, 2 cents per tube or jar and 40 per centum ad valorem; in cakes, pans, or other forms, 1¼ cents per cake, pan, or other form and 40 per centum ad valorem;

"(3) in tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, when assembled in paint sets, kits, or color outfits, with or without brushes, water pans, outline drawings, stencils, or other articles, 70 per centum ad valorem on the value as assembled;

"(4) in bulk, or in any form exceeding one and one-half pounds net weight each, 8¾ cents per ounce.

"(b) For the purposes of this paragraph, tubes, jars, cakes, pans, or other forms, shall not be considered as assembled in a paint set, kit, or color outfit, unless assembled in such form and container, and with such assortment of merchandise, as to be suitable for sale at retail to artists, students, or children, as a paint set, kit, or color outfit."

And the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "containing by weight less than 30 per centum of zinc sulphide, 1¾ cents per pound; containing by weight 30 per centum or more of zinc sulphide, 1¾ cents per pound and 15 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "14 cents"; and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "2½ cents per pound"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$3 per ton"; and the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 90. Turpentine, gum and spirits of, and rosin, 5 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "silica, crude, not specially provided for, $3.50 per ton" and a semicolon; and the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205,

and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "containing more than 97 per centum of calcium fluoride, $5.60 per ton; containing not more than 97 per centum of calcium fluoride, $8.40 per ton"; and the Senate agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "; sand containing 95 per centum or more of silica and not more than six-tenths of 1 per centum of oxide of iron and suitable for use in the manufacture of glass, $2 per ton"; and the Senate agree to the same.

Amendment numbered 207: That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 208. (a) Mica, unmanufactured: Valued at not above 15 cents per pound, 4 cents per pound; valued at above 15 cents per pound, 4 cents per pound and 25 per centum ad valorem.

"(b) Mica, cut or stamped to dimensions, shape, or form, 40 per centum ad valorem.

"(c) Mica films and splittings, not cut or stamped to dimensions: Not above twelve ten-thousandths of one inch in thickness, 25 per centum ad valorem; over twelve ten-thousandths of one inch in thickness, 40 per centum ad valorem.

"(d) Mica films and splittings cut or stamped to dimensions, 45 per centum ad valorem.

"(e) Mica plates and built-up mica, and all manufactures of mica, or of which mica is the component material of chief value, by whatever name known, and to whatever use applied, and whether or not named, described, or provided for in any other paragraph of this act, 40 per centum ad valorem.

"(f) Untrimmed phlogopite mica from which no rectangular piece exceeding two inches in length or one inch in width may be cut, 15 per centum ad valorem.

"(g) Mica waste and scrap valued at not more than 5 cents per pound, 25 per centum ad valorem; mica waste and scrap valued at more than 5 cents per pound shall be classified as mica, unmanufactured.

"(h) Mica, ground or pulverized, 20 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "In addition to the foregoing there shall be paid a duty of 10 cents per dozen separate pieces on all tableware, kitchenware, and table and kitchen utensils" and a period; and the Senate agree to the same.

Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "crystalline lump, chip, or dust, 30 per centum ad valorem; crystalline flakes, 1$^{65}/_{100}$ cents per pound"; and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valorem; gauge glass tubes, wholly or in chief value of glass, 60 per centum"; and the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Illuminating articles of every description, finished or unfinished, wholly or in chief value of glass, for use in connection with artificial illumination: Prisms, glass chandeliers, and articles in chief value of prisms, 60 per centum ad valorem; chimneys, 55 per centum ad valorem; globes and shades, 70 per centum ad valorem; all others, 60 per centum ad valorem: *Provided*, That parts not specially provided for, wholly or in chief value of glass, of any of the foregoing shall be subject to the same rate of duty as the articles of which they are parts."

And the Senate agree to the same.

Amendment numbered 223: That the House recede from its disagreement to the amendment of the Senate numbered 223, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "That none of the foregoing weighing less than 16 ounces but not less than 12 ounces per square foot shall be subject to a less rate of duty than 50 per centum ad valorem: *Provided further*" and a comma; and the Senate agree to the same.

Amendment numbered 224: That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "That cylinder, crown, and sheet glass, imported in boxes, shall be denied entry unless packed in units containing fifty square feet or multiples thereof, as nearly as sizes will permit, and the duty shall be computed thereon according to actual weight of glass"; and the Senate agree to the same.

Amendment numbered 226: That the House recede from its disagreement to the amendment of the Senate numbered 226, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "seven hundred and twenty square inches, 17 cents per square foot; above that, and not exceeding one thousand and eight square inches, 17½ cents per square foot; all above that, 19¾ cents per square foot"; and the Senate agree to the same.

Amendment numbered 228: That the House recede from its disagreement to the amendment of the Senate numbered 228, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "15 cents"; and the Senate agree to the same.

Amendment numbered 230: That the House recede from its disagreement to the amendment of the Senate numbered 230, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "15 cents"; and the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "granular or sponge iron, $2.25 per ton" and a semicolon; and the Senate agree to the same.

Amendment numbered 272: That the House recede from its disagreement to the amendment of the Senate numbered 272, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert " : *Provided further*, That on hollow bars and hollow drill steel valued at more than 4 cents per pound there shall be levied, collected, and paid an additional duty of three-fourths of 1 cent per pound"; and the Senate agree to the same.

Amendment numbered 284: That the House recede from its disagreement to the amendment of the Senate numbered 284, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) Ingots, shot, bars, sheets, wire, or other forms, not specially provided for, or scrap, containing more than 50 per centum of tungsten, tungsten carbide, molybdenum, or molybdenum carbide, or combinations thereof: Ingots, shot, bars, or scrap, 50 per centum ad valorem; sheets, wire, or other forms, 60 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "50"; and the Senate agree to the same.

Amendment numbered 289: That the House recede from its disagreement to the amendment of the Senate numbered 289, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum"; and the Senate agree to the same.

Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "staples, in strip form, for use in paper fasteners or stapling machines, 2 cents per pound" and a semicolon; and the Senate agree to the same.

Amendment numbered 293: That the House recede from its disagreement to the amendment of the Senate numbered 293, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "8½ cents per pound and 40"; and the Senate agree to the same.

Amendment numbered 294: That the House recede from its disagreement to the amendment of the Senate numbered 294, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "; the foregoing rates shall apply to the foregoing articles whether or not containing electrical heating elements as constituent parts thereof"; and the Senate agree to the same.

Amendment numbered 306: That the House recede from its disagreement to the amendment of the Senate numbered 306, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum"; and the Senate agree to the same.

Amendment numbered 307: That the House recede from its disagreement to the amendment of the Senate numbered 307, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1¼ cents"; and the Senate agree to the same.

Amendment numbered 311: That the House recede from its disagreement to the amendment of the Senate numbered 311, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "55 per centum ad valorem, unless in chief value of glass, in which case the rate shall be 70 per centum"; and the Senate agree to the same.

Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum ad valorem, unless in chief value of glass, in which case the rate shall be 60 per centum"; and the Senate agree to the same.

Amendment numbered 315: That the House recede from its disagreement to the amendment of the Senate numbered 315, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valorem; drawing instruments, and parts thereof, wholly or in chief value of metal, 45 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 317: That the House recede from its disagreement to the amendment of the Senate numbered 317, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valued at not more than $2 per dozen, 5 cents each and 60 per centum ad valorem; valued at more than $2 per dozen, 10 cents each and 60 per centum"; and the Senate agree to the same.

Amendment numbered 319: That the House recede from its disagreement to the amendment of the Senate numbered 319, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 364. Bells (except church and similar bells and carillons), finished or unfinished, and parts thereof, 50 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 327: That the House recede from its disagreement to the amendment of the Senate numbered 327, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 367. (a) Watch movements, and other time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, all the foregoing designed to be, or such as ordinarily are, worn or carried on or about the person, if less than one and seventy-seven one-hundredths inches wide, whether or not in cases, containers, or housings:

"(1) If more than one and one-half inches wide, $1.25 each; if more than one and two-tenths inches but not more than one and one-half inches wide, $1.40 each; if more than one inch but not more than one and two-tenths inches wide, $1.55 each; if more than nine-tenths of one inch but not more than one inch wide, $1.75 each; if more than eight-tenths of one inch but not more than nine-tenths of one inch wide, $2 each; if more than six-tenths of one inch but not more than eight-tenths of one inch wide, $2.25 each; if six-tenths of one inch or less wide, $2.50 each;

"(2) in the case of any of the foregoing having no jewels or only one jewel, the above rates shall be reduced by 40 per centum;

"(3) any of the foregoing having more than seven jewels shall be subject to an additional duty of 20 cents for each jewel in excess of seven;

"(4) any of the foregoing shall be subject to an additional duty of $1 for each adjustment of whatever kind (treating adjustment to temperature as two adjustments) in accordance with the marking as hereinafter provided;

"(5) any of the foregoing shall be subject to an additional duty of $1 each, if constructed or designed to operate for a period in excess of forty-seven hours without rewinding, or if self-winding, or if a self-winding device may be incorporated therein;

"(6) any of the foregoing having more than seventeen jewels, whether adjusted or unadjusted, and whether with or without dials, shall, in lieu of the duties provided in clauses (1), (2), (3), (4), and (5), be subject to a duty of $10.75 each.

"(b) All the foregoing shall have cut, engraved, or die sunk, conspicuously and indelibly on one or more of the top plates or bridges: The name of the country of manufacture; the name of the manufacturer or purchaser; in words and in Arabic numerals the number of jewels, if any, serving a mechanical purpose as frictional bearings; and, in words and in Arabic numerals, the number and classes of adjustments, or, if unadjusted, the word 'unadjusted.'

"(c) Parts for any of the foregoing shall be dutiable as follows:

"(1) Parts (except pillar or bottom plates, or their equivalent, bridges or their equivalent, and jewels) imported in the same shipment with complete movements, mechanisms, devices, or instruments, provided for in subparagraph (a) of this paragraph (whether or not suitable for use in such movements, mechanisms, devices, or instruments), 45 per centum ad valorem; but this clause of this subparagraph shall not be applicable to that portion of all the parts in the shipment which exceeds in value 4 per centum of the value of such complete movements, mechanisms, devices, or instruments;

"(2) pillar or bottom plates, or their equivalent, shall be subject to one-half the amount of duty which would be borne by the complete movement, mechanism, device, or instrument for which suitable;

"(3) each assembly or subassembly (unless dutiable under clause (1) of this subparagraph) consisting of two or more parts or pieces of metal or other material joined or fastened together shall be subject to a duty of 3 cents for each such part or piece of material, except that in the case of jewels the duty shall be 20 cents instead of 3 cents, and except that in the case of pillar or bottom plates or their equivalent the duty shall be the rate provided in clause (2) of this subparagraph instead of 3 cents, and except that in the case of a balance assembly the duty shall be 50 cents for the assembly instead of 3 cents for each part or piece thereof. No assembly or subassembly shall be subject to a greater amount of duty than would be borne by the complete movement, mechanism, device, or instrument for which suitable, nor to a less rate of duty than 45 per centum ad valorem. For the purpose of this clause a balance assembly shall be an assembly consisting of a balance wheel, balance staff, and hairspring, with or without the other parts commercially known as parts of a balance assembly. For the purpose of this clause bimetallic balance wheels (not part of a balance assembly), and mainsprings with riveted ends, shall each be considered as one part or piece;

"(4) all other parts (except jewels), 65 per centum ad valorem.

"(d) Jewels, unset, suitable for use in any movement, mechanism, device, or instrument, dutiable under this paragraph or paragraph 368, or in any meter or compass, 10 per centum ad valorem.

"(e) Dials for any of the foregoing movements, mechanisms, devices, or instruments, if such dials are less than one and seventy-seven one-hundredths inches wide and are imported separately or attached to any of the foregoing movements, mechanisms, devices, or instruments having not more than seventeen jewels, 5 cents each and 45 per centum ad valorem. Dials for any of the movements, mechanisms, devices, or instruments provided for in this paragraph shall have stamped, cut, engraved, or die sunk, conspicuously and indelibly thereon the name of the country of manufacture; which marking, if the dial is imported attached to any of the foregoing movements, mechanisms, devices, or instruments, shall be placed on the face of the dial in such manner as not to be obscured by any part of the case, container, or housing.

"(f) All cases, containers, or housings, designed or suitable for the enclosure of any of the foregoing movements, mechanisms, devices, or instruments, whether or not containing such movements, mechanisms, devices, or instruments, and whether finished or unfinished, complete or incomplete, except such containers as are used for shipping purposes only:

"(1) If made of gold or platinum, 75 cents each and 45 per centum ad valorem;

"(2) if in part of gold, silver, or platinum, or wholly of silver, 40 cents each and 45 per centum ad valorem;

"(3) if set with precious, semiprecious, or imitation precious, or imitation semiprecious stones, or if prepared for the setting of such stones, 40 cents each and 45 per centum ad valorem;

"(4) if of base metal (and not containing gold, silver, or platinum), 20 cents each and 45 per centum ad valorem;

"(5) any of the foregoing cases, containers, or housings, if enameled, shall be subject to an additional duty of 15 per centum ad valorem.

"(g) Any of the foregoing cases, containers, or housings, shall have cut, engraved, or die sunk, conspicuously and indelibly on the inside of the back cover, the name in full of the manufacturer or purchaser and the name of the country of manufacture.

"(h) For the purposes of this paragraph the width of any movement, mechanism, device, or instrument, shall be the shortest surface dimension through the center of the pillar or bottom plate, or its equivalent, not including in the measurement any portion not essential to the functioning of the movement, mechanism, device, or instrument.

"(i) For the purposes of this paragraph and paragraph 368 the term 'jewel' includes substitutes for jewels.

"(j) An article required by this paragraph to be marked shall be denied entry unless marked in exact conformity with the requirements of this paragraph."

And the Senate agree to the same.

Amendment numbered 328: That the House recede from its disagreement to the amendment of the Senate numbered 328, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 368. (a) Clocks, clock movements, including lever movements, clockwork mechanisms, time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, synchronous and subsynchronous motors of less than one-fortieth of one horsepower valued at not more than $3 each, not including the value of gears or other attachments, and any mechanism, device, or instrument intended or suitable for measuring time, distance, speed, or fares, or the flowage of water, gas, or electricity, or similar uses, or for regulating, indicating, or controlling the speed of arbors, drums, disks, or similar uses, or for recording or indicating time, or for recording, indicating, or performing any operation or function at a predetermined time or times, all the above (except the articles enumerated or described in paragraph 367), whether or not in cases, containers, or housings:

"(1) If valued at not more than $1.10 each, 55 cents each; valued at more than $1.10 but not more than $2.25 each, $1 each; valued at more than $2.25 but not more than $5 each, $1.50 each; valued at more than $5 but not more than $10 each, $3 each; valued at more than $10 each, $4.50 each;

"(2) any of the foregoing shall be subject to an additional duty of 65 per centum ad valorem;

"(3) any of the foregoing containing jewels shall be subject to an additional cumulative duty of 25 cents for each such jewel.

"(b) All the foregoing shall have cut, engraved, or die sunk, conspicuously and indelibly on the most visible part of the front or back plate: The name of the country of manufacture; the name of the manufacturer or purchaser; and the number of jewels, if any. If such markings are in whole or in part sufficiently similar to the trade name or trade-mark of an established American manufacturer as to be liable to deceive the user in the United States, entry thereof shall be denied, if such trade name or trade-mark has been placed on file with the collector of customs.

"(c) Parts for any of the foregoing shall be dutiable as follows:

"(1) Parts (except plates provided for in clause (2) of this subparagraph, and jewels) imported in the same shipment with complete movements, mechanisms, devices, or instruments, provided for in subparagraph (a) of this paragraph (whether or not suitable for use in such movements, mechanisms, devices, or instruments), 45 per centum ad valorem; but this clause of this subparagraph shall not be applicable to that portion of all the parts in the shipment which exceeds in value 1½ per centum of the value of such complete movements, mechanisms, devices, or instruments;

"(2) a plate suitable for assembling thereon the clockwork mechanism constituting or contained in any of the foregoing movements, mechanisms, devices, or instruments, shall be subject to one-half the amount of duty which would be borne by the complete movement, mechanism, device, or instrument for which suitable. If two or more such plates are imported together they shall be dutiable as one plate if they are necessary, as a set, for such assembling;

"(3) each assembly or subassembly (unless dutiable under clause (1) or (4) of this subparagraph) consisting of two or more parts or pieces of metal or other material joined or fastened together shall be subject to a duty of 65 per centum ad valorem and, in addition, to a duty of 3 cents for each such part or piece of material, except that in the case of jewels the specific duty shall be 25 cents instead of 3 cents. For the purpose of this clause and clause (4), bimetallic balance wheels, and mainsprings with riveted ends, shall each be considered as one part or piece;

"(4) each assembly or subassembly consisting in part of a plate or plates provided for in clause (2) of this subparagraph shall be subject to the rate of duty provided for such plate or plates, and, in addition, to a duty of 5 cents for each part or piece of material (except such plate or plates) in such assembly or subassembly, except that in the case of jewels the specific duty shall be 25 cents instead of 5 cents;

"(5) no assembly or subassembly shall be subject to a greater amount of duty than would be borne by the complete movement, mechanism, device, or instrument for which suitable;

"(6) all other parts (except jewels), 65 per centum ad valorem.

"(d) Dials for any movements, mechanisms, devices, or instruments enumerated or described in this paragraph or in paragraph 367 (except dials specifically provided for in paragraph 367), when imported separately, 50 per centum ad valorem. All such dials (whether imported separately or attached to any of the foregoing) shall have stamped, cut, engraved, or die sunk, conspicuously and indelibly thereon the name of the country of manufacture; which marking, if the dial is imported attached to any of the foregoing movements, mechanisms, devices, or instruments, shall be placed on the face of the dial in such manner as not to be obscured by any part of the case, container, or housing.

"(e) Cases, containers, or housings suitable for any of the movements, mechanisms, devices, or instruments enumerated or described in this paragraph, not specially provided for, when imported separately, 45 per centum ad valorem. Any such case, container, or housing, whether imported separately or attached to any of the foregoing movements, mechanisms, devices, or instruments, shall have stamped, cut, engraved, or die sunk, conspicuously and indelibly on the back thereof, the name of the country of manufacture.

"(f) An article required by this paragraph to be marked shall be denied entry unless marked in exact conformity with the requirements of this paragraph.

"(g) Taximeters and parts thereof, finished or unfinished, 85 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 329: That the House recede from its disagreement to the amendment of the Senate numbered 329, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 369. (a) Automobile trucks valued at $1,000 or more each, automobile truck and motor bus chassis valued at $750 or more each, automobile truck bodies valued at $250 or more each, motor busses designed for the carriage of more than ten persons, and bodies for such busses, all the foregoing, whether finished or unfinished, 25 per centum ad valorem.

"(b) All other automobiles, automobile chassis, and automobile bodies, and motor cycles, all the foregoing, whether finished or unfinished, 10 per centum ad valorem.

"(c) Parts (except tires and except parts wholly or in chief value of glass) for any of the articles enumerated in subparagraph (a) or (b), finished or unfinished, not specially provided for, 25 per centum ad valorem.

"(d) If any country, dependency, province, or other subdivision of government imposes a duty on any article specified in this paragraph, when imported from the United States, in excess of the duty herein provided, there shall be imposed upon such article, when imported either directly or indirectly from such country, dependency, province, or other subdivision of government, a duty equal to that imposed by such country, dependency, province, or other subdivision of government on such article imported from the United States, but in no case shall such duty exceed 50 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 332: That the House recede from its disagreement to the amendment of the Senate numbered 332, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "steam turbines, 20 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 337: That the House recede from its disagreement to the amendment of the Senate numbered 337, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "27½ per centum"; and the Senate agree to the same.

Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "4"; and the Senate agree to the same.

Amendment No. 342: That the House recede from its disagreement to the amendment of the Senate No. 342, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "7"; and the Senate agree to the same.

Amendment No. 344: That the House recede from its disagreement to the amendment of the Senate No. 344, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and 10 per centum ad valorem"; and the Senate agree to the same.

Amendment No. 346: That the House recede from its disagreement to the amendment of the Senate No. 346, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and 10 per centum ad valorem"; and the Senate agree to the same.

Amendment No. 347: That the House recede from its disagreement to the amendment of the Senate No. 347, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and 20 per centum ad valorem"; and the Senate agree to the same.

Amendment No. 348: That the House recede from its disagreement to the amendment of the Senate No. 348, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum"; and the Senate agree to the same.

Amendment No. 349: That the House recede from its disagreement to the amendment of the Senate No. 349, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "45 per centum"; and the Senate agree to the same.

Amendment No. 350: That the House recede from its disagreement to the amendment of the Senate No. 350, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "55 per centum"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "45 per centum"; and the Senate agree to the same.

Amendment numbered 368: That the House recede from its disagreement to the amendment of the Senate numbered 368, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "45 per centum"; and the Senate agree to the same.

Amendment numbered 392: That the House recede from its disagreement to the amendment of the Senate numbered 392, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "47½ per centum"; and the Senate agree to the same.

Amendment numbered 401: That the House recede from its disagreement to the amendment of the Senate numbered 401, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$2.50 per ton"; and the Senate agree to the same.

Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$2.27½"; and the Senate agree to the same.

Amendment numbered 405: That the House recede from its disagreement to the amendment of the Senate numbered 405, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$2.92½"; and the Senate agree to the same.

Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "40 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 448: That the House recede from its disagreement to the amendment of the Senate numbered 448, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment; and the Senate agree to the same.

Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "or frozen" and a comma; and the Senate agree to the same.

Amendment numbered 483: That the House recede from its disagreement to the amendment of the Senate numbered 483, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1½ cents"; and the Senate agree to the same.

Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "4½ cents"; and the Senate agree to the same.

Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "not specially provided for, not shelled, 2½ cents per pound; shelled, 5 cents per pound; cashew nuts, shelled or unshelled, 2 cents per pound; any of the foregoing, if blanched, shall be subject to the same rate of duty as if not blanched"; and the Senate agree to the same.

Amendment numbered 514: That the House recede from its disagreement to the amendment of the Senate numbered 514, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "3 cents per pound in the case of peas, and, in the case of chickpeas or garbanzos, 2"; and the Senate agree to the same.

Amendment numbered 576: That the House recede from its disagreement to the amendment of the Senate numbered 576, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "40 per centum"; and the Senate agree to the same.

Amendment numbered 579: That the House recede from its disagreement to the amendment of the Senate numbered 579, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 924. All the articles enumerated or described in this schedule (except in paragraph 922) shall be subject to an additional duty of 10 cents per pound on the cotton contained therein having a staple of one and one-eighth inches or more in length."

And the Senate agree to the same.

Amendment numbered 615: That the House recede from its disagreement to the amendment of the Senate numbered 615, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"PAR. 1102 (a) Wools, not specially provided for, not finer than 44s, in the grease or washed, 29 cents per pound of clean content; scoured, 32 cents per pound of clean content; on the skin, 27 cents per pound of clean content; sorted, or matchings, if not scoured, 30 cents per pound of clean content: *Provided*, That a tolerance of not more than 10 per centum of wools not finer than 46s may be allowed in each bale or package of wools imported as not finer than 44s."

And the Senate agree to the same.

Amendment numbered 649: That the House recede from its disagreement to the amendment of the Senate numbered 649, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1122. Fabrics (except printing-machine cylinder lapping in chief value of flax), in the piece or otherwise, containing 17 per centum or more in weight of wool, but not in chief value thereof, and whether or not more specifically provided for, shall be dutiable as follows:

"That proportion of the amount of the duty on the fabric, computed under this schedule, which the amount of wool bears to the entire weight, plus that proportion of the amount of the duty on the fabric, computed as if this paragraph had not been enacted, which the weight of the component materials other than wool bears to the entire weight."

And the Senate agree to the same.

Amendment numbered 652: That the House recede from its disagreement to the amendment of the Senate numbered 652, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "woven fabrics in the piece, not exceeding thirty inches in width, whether woven with fast or split edges, wholly or in chief value of silk, including umbrella silk or Gloria cloth, 60 per centum ad valorem; any of the foregoing, if Jacquard-fig-

ured, 65 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 657: That the House recede from its disagreement to the amendment of the Senate numbered 657, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Filaments of rayon or other synthetic textile, single or grouped, and yarns of rayon or other synthetic textile, singles, all the foregoing not specially provided for, weighing one hundred and fifty deniers or more per length of four hundred and fifty meters, 45 per centum ad valorem; weighing less than one hundred and fifty deniers per length of four hundred and fifty meters, 50 per centum ad valorem; and, in addition, yarns of rayon or other synthetic textile, plied, shall be subject to an additional duty of 5 per centum ad valorem: *Provided*, That none of the foregoing shall be subject to a less duty than 45 cents per pound. Any of the foregoing yarns if having more than twenty turns twist per inch shall be subject to an additional cumulative duty of 45 cents per pound"; and the Senate agree to the same.

Amendment numbered 707: That the House recede from its disagreement to the amendment of the Senate numbered 707, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "three-fourths of"; and the Senate agree to the same.

Amendment numbered 708: That the House recede from its disagreement to the amendment of the Senate numbered 708, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1½ cents"; and the Senate agree to the same.

Amendment numbered 709: That the House recede from its disagreement to the amendment of the Senate numbered 709, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "8¾ cents"; and the Senate agree to the same.

Amendment numbered 719: That the House recede from its disagreement to the amendment of the Senate numbered 719, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "; tubes wholly or in chief value of paper, commonly used for holding yarn or thread, if parallel, 1 cent per pound and 25 per centum ad valorem; if tapered, 3 cents per pound and 35 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 724: That the House recede from its disagreement to the amendment of the Senate numbered 724, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "one-fourth of 1 cent per inch, 60 per centum ad valorem; valued at more than one-fourth of 1 cent and not more than 1 cent per inch, one-half of 1 cent per inch and 60 per centum ad valorem; valued at more than 1 cent and not more than 5 cents per inch, 1 cent per inch and 40"; and the Senate agree to the same.

Amendment numbered 729: That the House recede from its disagreement to the amendment of the Senate numbered 729, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment and on page 177 of the House bill, line 19, after "hemp," insert "and braids and plaits, wholly or in chief value of ramie, all the foregoing"; and the Senate agree to the same.

Amendment numbered 732: That the House recede from its disagreement to the amendment of the Senate numbered 732, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$3.50 per dozen and 50"; and the Senate agree to the same.

Amendment numbered 745: That the House recede from its disagreement to the amendment of the Senate numbered 745, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "2½ cents"; and the Senate agree to the same.

Amendment numbered 747: That the House recede from its disagreement to the amendment of the Senate numbered 747, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Dolls and doll clothing, composed in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529 (a), 90 per centum ad valorem; dolls and toys, composed wholly or in chief value of any product provided for in paragraph 31, having any movable member or part, 1 cent each and 60 per centum ad valorem; not having any movable member or part, 1 cent each and 50 per centum ad valorem; parts of dolls or toys, composed wholly or in chief value of any product provided for in paragraph 31, 1 cent each and 50 per centum ad valorem; all other dolls, parts of dolls (including clothing), doll heads, toy marbles, toy games, toy containers, toy favors, toy souvenirs" and a comma; and the Senate agree to the same.

Amendment numbered 748: That the House recede from its disagreement to the amendment of the Senate numbered 748, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "As used in this paragraph the term 'toy' means an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development" and a period; and the Senate agree to the same.

Amendment numbered 761: That the House recede from its disagreement to the amendment of the Senate numbered 761, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "and plates, mats, linings, strips, and crosses of dressed dog, goat, or kid skins, 25 per centum ad valorem; all the foregoing, if dyed, 30 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 764: That the House recede from its disagreement to the amendment of the Senate numbered 764, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment and on page 189 of the House bill, line 4, after "valorem" insert "; composed wholly or in chief value of dog, goat, or kid skins, and not specially provided for, 35 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 765: That the House recede from its disagreement to the amendment of the Senate numbered 765, and agree to the same with an amendment as follows: On page 190 of the House bill, line 1, after "valorem," insert "but not less than 25 cents per pound"; and the Senate agree to the same.

Amendment numbered 771: That the House recede from its disagreement to the amendment of the Senate numbered 771, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) Men's silk or opera hats, in chief value of silk, $2 each and 75 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 784: That the House recede from its disagreement to the amendment of the Senate numbered 784, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "or 1530 (e), or in Title II (free list)"; and the Senate agree to the same.

Amendment numbered 785: That the House recede from its disagreement to the amendment of the Senate numbered 785, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by the Senate amendment and on page 195 of the House bill, line 1, strike out "or (c)"; and the Senate agree to the same.

Amendment numbered 787: That the House recede from its disagreement to the amendment of the Senate numbered 787, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Hose and half-hose wholly or in chief value of cotton or of wool shall not be dutiable at the above rate by reason of being embroidered, if the embroidery is such as is commonly known as clocking and does not exceed one inch in width or six inches in length, exclusive of the fork, but shall be subject to a duty of 75 per centum ad valorem" and a period; and the Senate agree to the same.

Amendment numbered 791: That the House recede from its disagreement to the amendment of the Senate numbered 791, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valued at not more than 70 cents per dozen, 3 cents each and 40 per centum ad valorem; valued at more than 70 cents per dozen, 4 cents each and 40 per centum ad valorem: *Provided*, That any of the foregoing valued at not more than 70 cents per dozen, if made with hand rolled or hand made hems, shall be subject to an additional duty of 1 cent each"; and the Senate agree to the same.

Amendment numbered 795: That the House recede from its disagreement to the amendment of the Senate numbered 795, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1530. (a) Hides and skins of cattle of the bovine species (except hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles), raw or uncured, or dried, salted, or pickled, 10 per centum ad valorem.

"(b) Leather (except leather provided for in subparagraph (d) of this paragraph), made from hides or skins of cattle of the bovine species:

"(1) Sole or belting leather (including offal), rough, partly finished, finished, curried, or cut or wholly or partly manufactured into outer or inner soles, blocks, strips, counters, taps, box toes, or any forms or shapes suitable for conversion into boots, shoes, footwear, or belting, 12½ per centum ad valorem;

"(2) leather welting, 12½ per centum ad valorem;

"(3) leather to be used in the manufacture of harness or saddlery, 12½ per centum ad valorem;

"(4) side upper leather (including grains and splits), patent leather, and leather made from calf or kip skins, rough, partly finished, or finished, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, 15 per centum ad valorem;

"(5) upholstery, collar, bag, case, glove, garment, or strap leather, in the rough, in the white, crust, or russet, partly finished, or finished, 20 per centum ad valorem;

"(6) leather to be used in the manufacture of footballs, basket balls, soccer balls, or medicine balls, 20 per centum ad valorem;

"(7) all other, rough, partly finished, finished, or curried, not specially provided for, 15 per centum ad valorem.

"(c) Leather (except leather provided for in subparagraph (d) of this paragraph), made from hides or skins of animals (including fish, reptiles, and birds, but not including cattle of the bovine species), in the rough, in the white, crust, or russet, partly finished, or finished, 25 per centum ad valorem; vegetable-tanned rough leather made from goat or sheep skins (including those commercially known as India-tanned goat or sheep skins), 10 per centum ad valorem; any of the foregoing if imported to be used in the manufacture of boots, shoes, or footwear, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, 10 per centum ad valorem.

"(d) Leather of all kinds, grained, printed, embossed, ornamented, or decorated, in any manner or to any extent (including leather finished in gold, silver, aluminum, or like effects), or by any other process (in addition to tanning) made into fancy leather, and any of the foregoing cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, all the foregoing by whatever name known, and to whatever use applied, 30 per centum ad valorem.

"(e) Boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for, 20 per centum ad valorem; boots, shoes, or other footwear (including athletic or sporting boots and shoes), the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, rayon or other synthetic textile, silk, or substitutes for any of the foregoing, whether or not the soles are composed of leather, wood, or other materials, 35 per centum ad valorem.

"(f) Harness valued at more than $70 per set, single harness valued at more than $40, saddles valued at more than $40 each, saddlery, and parts (except metal parts) for any of the foregoing, 35 per centum ad valorem; saddles made wholly or in part of pigskin or imitation pigskin, 35 per centum ad valorem; saddles and harness, not specially provided for, parts thereof, except metal parts, and leather shoe laces, finished or unfinished, 15 per centum ad valorem.

"(g) The Secretary of the Treasury shall prescribe methods and regulations for carrying out the provisions of this paragraph."

And the Senate agree to the same.

Amendment numbered 797: That the House recede from its disagreement to the amendment of the Senate numbered 797, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1532. (a) Gloves made wholly or in chief value of leather, whether wholly or partly manufactured, shall be dutiable at the following rates, the lengths stated in each case being the extreme length (including the unfolded length of cuffs or other appendages) when stretched to their fullest extent, namely: Men's gloves not over twelve inches in length, $6 per dozen pairs; women's and children's gloves not over twelve inches in length, $5.50 per dozen pairs; for each inch or fraction thereof in excess of twelve inches, 50 cents per dozen pairs: *Provided*, That, in addition thereto, on all the foregoing there shall be paid each of the following cumulative duties: When machine seamed, otherwise than overseamed, $1 per dozen pairs; when seamed by hand, $5 per dozen pairs; when lined with cotton, wool, silk, or other fabrics, $3.50 per dozen pairs; when trimmed with fur, $4 per dozen pairs; when lined with leather or fur, $5 per dozen pairs: *Provided further*, That all the foregoing shall be dutiable at not less than 50 per centum ad valorem: *Provided further*, That glove tranks, with or without the usual accompanying pieces, shall be subject to 75 per centum of the duty provided for the gloves in the fabrication of which they are suitable.

"(b) Gloves wholly or in chief value of leather made from horsehides or cowhides (except calfskins), whether wholly or partly manufactured, 25 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 798: That the House recede from its disagreement to the amendment of the Senate numbered 798, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Artificial flies, snelled hooks, leaders or casts, finished or unfinished, 55 per centum ad valorem; fishing rods and reels, and parts thereof, finished or unfinished, not specially provided for, 55 per centum ad valorem; fish hooks, artificial baits, and all other fishing tackle and parts thereof, fly books, fly boxes, fishing baskets or creels, finished or unfinished, not specially provided for, except fishing lines, fishing nets, and seines, 45 per centum ad valorem: *Provided*, That any prohibition of the importation of feathers in this act shall not be construed as applying to artificial flies used for fishing, or to feathers used for the manufacture of such flies"; and the Senate agree to the same.

Amendment numbered 799: That the House recede from its disagreement to the amendment of the Senate numbered 799, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Candles, 27½ per centum ad valorem; manufactures"; and the Senate agree to the same.

Amendment numbered 800: That the House recede from its disagreement to the amendment of the Senate numbered 800, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "; manufactures of chip roping, 25 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 817: That the House recede from its disagreement to the amendment of the Senate numbered 817, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Sponges, commercially known as sheepswool, 30 per centum ad valorem; sponges, commercially known as"; and the Senate agree to the same.

Amendment numbered 824: That the House recede from its disagreement to the amendment of the Senate numbered 824, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "50 cents"; and the Senate agree to the same.

Amendment numbered 825: That the House recede from its disagreement to the amendment of the Senate numbered 825, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "30 per centum"; and the Senate agree to the same.

Amendment numbered 827: That the House recede from its disagreement to the amendment of the Senate numbered 827, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Black leads for pencils, not in wood or other material, and black leads exceeding six one-hundredths of one inch in diameter, 6 cents"; and the Senate agree to the same.

Amendment numbered 830: That the House recede from its disagreement to the amendment of the Senate numbered 830, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "photographic dry plates, not specially provided for, 20 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 848: That the House recede from its disagreement to the amendment of the Senate numbered 848, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "or driven across the northern boundary line by the owner for temporary pasturage purposes only" and a comma; and the Senate agree to the same.

Amendment numbered 849: That the House recede from its disagreement to the amendment of the Senate numbered 849, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "eight months in the case of the northern boundary line, and, in the case of the southern boundary line, within three"; and the Senate agree to the same.

Amendment numbered 851: That the House recede from its disagreement to the amendment of the Senate numbered 851, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Arrowroot, crude or manufactured, and arrowroot starch and flour"; and the Senate agree to the same.

Amendment numbered 887: That the House recede from its disagreement to the amendment of the Senate numbered 887, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1640. Burrstones, manufactured or bound up into millstones."

And the Senate agree to the same.

Amendment numbered 888: That the House recede from its disagreement to the amendment of the Senate numbered 888, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1641"; and the Senate agree to the same.

Amendment numbered 891: That the House recede from its disagreement to the amendment of the Senate numbered 891, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1642"; and the Senate agree to the same.

Amendment numbered 892: That the House recede from its disagreement to the amendment of the Senate numbered 892, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1643"; and the Senate agree to the same.

Amendment numbered 938: That the House recede from its disagreement to the amendment of the Senate numbered 938, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "(notwithstanding any other provision of this act) those grades of"; and the Senate agree to the same.

Amendment numbered 1083: That the House recede from its disagreement to the amendment of the Senate numbered 1083, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: "and in the case of individuals returning from abroad, all professional books, implements, instruments, and tools of trade, occupation, or employment" and a comma; and the Senate agree to the same.

Amendment numbered 1084: That the House recede from its disagreement to the amendment of the Senate numbered 1084, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a colon and the following: "*Provided further*, That a resident of the United States shall not take advantage of the exemption herein granted within a period of thirty days from the last exemption claimed"; and the Senate agree to the same.

Amendment numbered 1114: That the House recede from its disagreement to the amendment of the Senate numbered 1114, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "prescribe. Such marking, stamping, branding, or labeling shall be as nearly indelible and permanent as the nature of the article will permit. The Secretary of the Treasury may, by regulations prescribed hereunder, except any article from the requirement of marking, stamping, branding, or labeling if he is satisfied that such article is incapable of being marked, stamped, branded, or labeled or can not be marked, stamped, branded, or labeled without injury, or except at an expense economically prohibitive of the importation, or that the marking, stamping, branding, or labeling of the immediate container of such article will reasonably indicate the country of origin of such article" and a period; and the Senate agree to the same.

Amendment numbered 1120: That the House recede from its disagreement to the amendment of the Senate numbered 1120, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "The provisions of this section relating to goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or/and indentured labor, shall take effect on January 1, 1932; but in no case shall such provisions be applicable to goods, wares, articles, or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States" and a period; and the Senate agree to the same.

Amendment numbered 1126: That the House recede from its disagreement to the amendment of the Senate numbered 1126, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 319. DUTY ON COFFEE IMPORTED INTO PORTO RICO:

"The Legislature of Porto Rico is hereby empowered to impose tariff duties upon coffee imported into Porto Rico, including coffee grown in a foreign country coming into Porto Rico from the United States. Such duties shall be collected and accounted for as now provided by law in the case of duties collected in Porto Rico."

And the Senate agree to the same.

Amendment numbered 1152: That the House recede from its disagreement to the amendment of the Senate numbered 1152, and agree to the same with an amendment as follows: On page 157 of the Senate engrossed amendments, line 23, strike out "January" and insert "July"; and the Senate agree to the same.

Amendment numbered 1158: That the House recede from its disagreement to the amendment of the Senate numbered 1158, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"(b) Review of appraiser's decision.—A decision of the appraiser that foreign value, export value, or United States value can not be satisfactorily ascertained shall be subject to review in reappraisement proceedings under section 501; but in any such proceedings, an affidavit executed outside of the United States shall not be admitted in evidence if executed by any person who fails to permit a Treasury attaché to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise."

And the Senate agree to the same.

Amendment numbered 1161: That the House recede from its disagreement to the amendment of the Senate numbered 1161, and agree to the same with an amendment as follows: On page 162 of the Senate engrossed amendments, line 18, strike out "(d)" and insert "(e)"; and the Senate agree to the same.

Amendment numbered 1168: That the House recede from its disagreement to the amendment of the Senate numbered 1168, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"(d) Exceptions by regulations.—The Secretary of the Treasury may by regulations provide for such exceptions from the requirements of this section as he deems advisable."

And the Senate agree to the same.

Amendment numbered 1235: That the House recede from its disagreement to the amendment of the Senate numbered 1235, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "case, which shall be paid out of any appropriations available for the collection of the revenue from customs" and a period; and the Senate agree to the same.

Amendment numbered 1239: That the House recede from its disagreement to the amendment of the Senate numbered 1239, and agree to the same with an amendment as follows: On page 181 of the Senate engrossed amendments, lines 17 and 18, strike out "United States Court of Customs and Patent Appeals" and insert "United States Customs Court," and on page 182 of the Senate engrossed amendments, lines 5 and 6, strike out "United States Court of Customs and Patent Appeals" and insert "United States Customs Court"; and the Senate agree to the same.

The committee of conference have not agreed on the following amendments:

DISAGREEMENT AS TO SUBSTANCE

Amendments numbered 195, 364, 369, 370, 371, 372, 373, 376, 394, 395, 396, 885, 893, 903, 904, 1004, 1006, 1035, 1091, 1092, 1093, 1095, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1138, 1139, 1140, 1141, and 1151.

DISAGREEMENT AS TO CLERICAL AMENDMENTS DEPENDING ON AMENDMENT NUMBERED 1140

Amendments numbered 1156, 1157, and 1171.

AGREEMENT AS TO SUBSTANCE BUT DISAGREEMENT AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

Amendments numbered 901, 914, 919, 934, 950, 953, 962, 964, 983, 992, 1031, 1032, 1047, 1064, 1071, 1109, and 1179.

DISAGREEMENT SOLELY AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

Amendments numbered 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 902, 905, 906, 907, 908, 909, 910, 911, 913, 915, 916, 917, 920, 921, 922,

923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 940, 942, 945, 946, 947, 948, 951, 952, 954, 955, 956, 957, 958, 959, 960, 961, 963, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 984. 985, 987, 989, 993, 995, 997, 999, 1002, 1003, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1066, 1067, 1068, 1070, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089, 1090, 1094, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1111, and 1112.

W. C. HAWLEY,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

REED SMOOT,
JAMES E. WATSON,
SAMUEL M. SHORTRIDGE,
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. 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, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

TITLE I—DUTIABLE LIST

On amendment No. 1: The House bill, in referring to our possessions in Samoa, used the descriptive phrase "the island of Tutuila." The Senate amendment uses the phrase "American Samoa"; and the House recedes.

SCHEDULE 1. CHEMICALS, OILS, AND PAINTS

The following amendments make clerical changes and the House recedes: 35, 46, 54, 56, 59, 60, 61, 62, 63, 64, 70, and 183.

The following amendments make changes in subdivision references; and the House recedes: 44, 45, and 53.

The following amendments make changes in paragraph numbers and in references to paragraph numbers; and the House recedes: 75, 77, 78, 79, 82, 90, 91, 93, 95, 96, 97, 99, 100, 105, 107, 110, 114, 116, 117, 119, 120, 122, 123, 125, 126, 128, 130, 131, 133, 134, 135, 137, 139, 140, 142, 143, 144, 145, 146, 148, 150, 154, 156, 157, 173, 174, 175, 176, 177, 178, 179, 180, 182, 184, 185, 186, 187, 188, and 189.

On amendments Nos. 2 and 3: The House bill imposed a duty of three-fourths of 1 cent per pound on acetic acid containing by weight not more than 65 per cent of acetic acid, and of 2 cents per pound on that containing by weight more than 65 per cent. The Senate amendments increase these rates to 2 and 3 cents, respectively. The House recedes on amendment No. 2 with an amendment making the rate 1⅜ cents per pound in the first bracket and the Senate recedes on amendment No. 3.

On amendment No. 4: This amendment reduces from 5 cents to 2½ cents per pound the rate of duty imposed by the House bill on acetic anhydride; and the House recedes with an amendment making the rate 3½ cents per pound.

On amendment No. 5: This amendment reduced from 1½ cents to 1 cent per pound the rate of duty imposed by the House bill on boric acid; and the House recedes.

On amendment No. 6: This amendment reduces from 18 to 17 cents per pound the rate of duty imposed by the House bill on citric acid; and the House recedes.

On amendment No. 7: The House bill imposed a duty of 4 cents per pound on formic acid. The Senate amendment strikes out the reference to formic acid, the effect of which is to make formic acid dutiable at 25 per cent under the basket clause of paragraph 1; and the House recedes with an amendment making the rate 3 cents per pound.

On amendments Nos. 8, 9, and 10: The House bill imposed a duty of 6 cents per pound on tannic acid, tannin, and extracts of nutgalls, containing by weight of tannic acid less than 50 per cent; 12 cents per pound on that containing 50 per cent or more and not medicinal; and 22 cents per pound on that containing 50 per cent or more and medicinal. The Senate amendments reduce these rates to 4 cents, 10 cents, and 18 cents per pound, respectively; and the House recedes with amendments on amendments Nos. 8 and 9, making those rates 5 and 11 cents, respectively, and recedes on amendment No. 10.

On amendments Nos. 11 and 852: These amendments remove sulphide of arsenic and arsenious acid (white arsenic) from the free list and impose the following duties thereon: Arsenious acid or white arsenic, crude or refined, 2 cents per pound; sulphide and other arsenic salts and compounds, not specially provided for, containing 10 per cent or more of arsenic determined as arsenious acid or white arsenic, 2 cents per pound of arsenious acid or white arsenic contained therein; and the Senate recedes on both amendments.

On amendment No. 12: This amendment reduces from 10 cents to 6 cents per pound the rate of duty imposed by the House bill on gallic acid; and the House recedes.

On amendments Nos. 13 and 846: The House bill imposed a duty of one-half of 1 cent per pound on nitric acid. The Senate amendments place this article on the free list; and the House recedes on both amendments.

On amendment No. 14: The House bill does not specifically mention oleic acid or red oil, which fell under the basket clause of paragraph 1 at 25 per cent ad valorem. The Senate amendment specifically enumerates this article and imposes a specific duty thereon of 1½ cents per pound; and the House recedes with an amendment making the rate 20 per cent ad valorem.

On amendments Nos. 15 and 16: The House bill imposed a duty of 2 cents per pound on phosphoric acid containing by weight less than 80 per cent of phosphoric acid and 3½ cents per pound on that containing 80 per cent or more. The Senate amendments make all phosphoric acid dutiable at 2 cents per pound; and the House recedes on both amendments.

On amendment No. 17: The Senate amendment reduces from 15 cents to 10 cents per pound the rate imposed by the House bill on pyrogallic acid; and the House recedes with an amendment making the rate 12 cents per pound.

On amendment No. 18: This amendment imposes on carbon dioxide, weighing with immediate containers and carton 1 pound or less per carton, a duty of 1 cent per pound on contents, immediate containers and carton. Under the House bill the rate was 25 per cent, under the basket clause of paragraph 1. The House recedes.

On amendment No. 19: The Senate amendment reduces from 25 to 20 per cent the duty imposed by the House bill on acetone and ethyl methyl ketone, and their homologues, and acetone oil; and the House recedes.

On amendment No. 20: The Senate amendment reduces from three-tenths of 1 cent to one-fifth of 1 cent per pound the rate of duty imposed by the House bill on aluminum sulphate, alum cake or aluminous cake, containing not more than 15 per cent of alumina and more iron than the equivalent of one-tenth of 1 per cent of ferric oxide; and the House recedes.

On amendment No. 21: The House bill imposed a duty of one-fourth of 1 cent per pound on ammonium sulphate. Senate amendment No. 21 strikes out this provision, with the effect of transferring ammonium sulphate to the free list; and the House recedes.

On amendment No. 22: The House bill imposed a duty of 2 cents per pound on antimony oxide. The Senate amendment makes this article dutiable at the same rate as antimony regulus or metal, viz, 2 cents per pound under paragraph 376; and the Senate recedes.

On amendment No. 23: The Senate amendment reduces from $1 to 50 cents per pound the rate of duty imposed by the House bill on amber and amberoid unmanufactured, not specially provided for; and the House recedes.

On amendment No. 24: The House bill imposed a duty of 4 cents per pound and 30 per cent ad valorem on synthetic gums and resins not specially provided for. The Senate amendment strikes out this provision, the effect of which was to make the classification doubtful; and the Senate recedes.

On amendment No. 25: The House bill imposed a duty of 20 per cent ad valorem on bleached shellac. The Senate amendment strikes out the reference to bleached shellac in this paragraph, the effect of which is to make it free of duty under the free list provision for "lac" (par. 1707 of the Senate bill); and the House recedes.

On amendment No. 26: The Senate amendment reduces from $1.50 to $1 per pound the rate of duty imposed by the House bill on caffeine; and the House recedes with an amendment making the rate $1.25 per pound.

On amendment No. 27: The Senate amendment reduces from 90 cents to 60 cents per pound the rate of duty imposed by the House bill on caffeine citrate; and the House recedes with an amendment making this rate 75 cents per pound.

On amendment No. 28: Amendment 28 strikes out the duty imposed by the House bill of 1 cent per pound on impure tea, tea waste, tea siftings and sweepings, for manufacturing purposes, in bond. Amendment 1064 transfers these items to the free list. The House recedes on amendment No. 28.

On amendments Nos. 29, 889, and 890: Under the House bill crude calcium acetate was on the free list, with a proviso that if any country, dependency, province, or other subdivision of government should impose a duty on calcium acetate when imported from the Untied States, an equal duty should be imposed upon such article coming into the United States from such country, dependency, province, or other subdivision of government. Senate amendment No. 29 makes crude calcium acetate dutiable at 1½ cents per pound, while amendment No. 889 strikes out the reference to calcium acetate on the free list, and amendment No. 890 eliminates the countervailing duty in view of the action on amendment No. 29. The House recedes on amendment No. 29 with an amendment making the rate of duty 1 cent per pound, and recedes on amendments Nos. 889 and 890.

On amendment No. 30: This amendment reduces from 2½ cents to 1 cent per pound the rate of duty imposed by the House bill on carbon tetrachloride; and the House recedes.

On amendment No. 31: This amendment reduces from 6 cents to 4 cents per pound the rate of duty imposed by the House bill on chloroform; and the House recedes.

On amendment No. 32: The Senate amendment reduces from 35 to 25 per cent the rate of duty imposed by the House bill on tetrachloroethane and trichloroethylene; and the House recedes with an amendment making this rate 30 per cent ad valorem.

On amendment No. 33: The Senate amendment increases from 2½ cents to 5½ cents per pound the rate of duty imposed by the House bill on casein or lactarene and mixtures of which this article is the component material of chief value, not specially provided for; and the House recedes.

On amendment No. 34: The House bill imposed a duty of four-tenths of 1 cent per pound on chalk or whiting or Paris white, dry, ground, or bolted. The Senate amendment changes this rate to 25 per cent ad valorem; and the Senate recedes.

On amendments Nos. 36 and 941: The House bill imposed a duty of 10 cents per pound on crude chicle. The Senate amendments transfer this article to the free list; and the House recedes on both amendments.

On amendment No. 37: The Senate amendment reduces from 15 cents to 5 cents per pound the rate of duty imposed by the House bill on chicle refined or advanced in value by drying, straining, or any other process or treatment whatever beyond that essential to the proper packing; and the House recedes.

On amendment No. 38: This amendment imposed a duty of 20 cents per ounce on ethyl-hydrocupreine and salts and compounds thereof, which under the House bill were of doubtful classification; and the House recedes.

On amendment No. 39: This is a clarifying amendment; and the House recedes.

On amendments Nos. 47, 51, and 52: The House bill imposed a duty of 45 per cent ad valorem and 7 cents per pound on synthetic indigo and sulphur black, based on American selling price, or if there is no similar competitive domestic article, then on the United States value. The Senate amendments transfer synthetic indigo, "Colour Index No. 1177," and sulphur black, "Colour Index No. 978," to a separate subparagraph at the rate of 20 per cent ad valorem and 3 cents per pound on the same basis as the values under the House bill; and the House recedes on amendments 47 and 51, and recedes on amendment 52 with an amendment making a change in a section reference.

On amendments Nos. 50 and 124: The House bill retained the provision of the 1922 act specifying vanillin in paragraph 61 at 45 per cent ad valorem. The effect of language of existing law retained in the House bill in paragraph 28 was to make this article dutiable under paragraph 28 at 45 per cent ad valorem and 7 cents per pound, based on American selling price, or if there is no similar competitive domestic article, then on the United States value. The Senate amendments make a clarifying amendment by striking out the reference to vanillin in paragraph 61 and specifying it by name in paragraph 28; and the House recedes on both amendments.

On amendments Nos. 51 and 52: See amendment No. 47.

On amendments Nos. 55, 57, and 58: These amendments are made necessary by the action of the Senate in providing more than one specific duty in this paragraph; and the House recedes on all these amendments.

On amendment No. 68: The Senate amendment reduces from 35 cents to 30 cents per pound the rate of duty imposed by the House bill on collodion and other liquid solutions of pyroxylin, of other cellulose esters or ethers, or of cellulose; and the House recedes.

On amendment No. 69: This amendment is a clarifying amendment to make certain that the rate provided will apply to all waste wholly or in chief value of cellulose acetate; and the House recedes.

On amendment No. 71: The House bill imposed a duty of 45 per cent ad valorem on transparent sheets of cellulose, not exceeding three one-thousandths of 1 inch in thickness, chiefly used for wrapping, by whatever name known. The Senate amendment substitutes for this a duty of 45 per cent ad valorem on sheets, bands, and strips (whether known as cellophane or by any other name whatsoever), exceeding 1 inch in width but not exceeding three one-thousandths of 1 inch in thickness, made by any artificial process from cellulose, a cellulose hydrate, a compound of cellulose (other than cellulose acetate), or a mixture containing any of the foregoing, by solidification into sheets, bands, or strips; and the House recedes.

On amendment No. 72: The Senate amendment reduces from 35 to 30 per cent the rate of duty imposed by the House bill on compounds of cellulose, known as vulcanized or hard fiber, made wholly or in chief value of cellulose; and the House recedes.

On amendments Nos. 73 and 74: The House bill imposed a duty of one-fourth of 1 cent per pound on gentian, of 1 cent per pound on sarsaparilla root, of 25 per cent ad valorem on belladonna, digitalis, henbane, and stramonium, and of 10 cents per pound on ergot. Amendments Nos. 73 and 74 strike these articles off the dutiable list and amendment No. 992 places them on the free list. The House recedes on amendment No. 74 (striking out the duty on ergot) and recedes on amendment No. 73 with an amendment placing a duty of 20 per cent ad valorem on digitalis.

On amendment No. 76: Under the House bill amyl acetate is dutiable under the basket clause of this paragraph at 25 per cent ad valorem. The Senate amendment imposes a specific duty on this article of 7 cents per pound; and the House recedes.

On amendment No. 80: This amendment reduces from 2 cents to 1½ cents per pound the duty imposed by the House bill on formaldehyde solution or formalin; and the House recedes with an amendment making the rate 1¾ cents per pound.

On amendment No. 81: The House bill imposed a duty of 25 per cent ad valorem on hexamethylenetetramine. The Senate amendment changes this rate to 11 cents per pound; and the House recedes.

On amendment No. 83: The House bill imposed a duty of 20 per cent ad valorem and 5 cents per pound on edible gelatin valued at less than 40 cents per pound. The Senate amendment retains the ad valorem rate at 20 per cent, but reduces the specific rate to 3½ cents per pound; and the Senate recedes.

On amendments Nos. 84, 85, 86, and 87: The House bill imposed a duty of 25 per cent ad valorem and 2 cents per pound on gelatin, glue, glue size, and fish glue, not specially provided for, valued at less than 40 cents per pound, and of 25 per cent ad valorem and 8 cents per pound on that valued at 40 cents or more per pound. Senate amendments Nos. 84 and 86 reduce the ad valorem rates in both cases to 20 per cent, and amendments Nos. 85 and 87 reduce the specific rates to 1½ cents per pound and 7 cents per pound, respectively; and the Senate recedes on all these amendments.

On amendments Nos. 88 and 89: These amendments increase from 25 per cent to 30 per cent ad valorem the rate of duty imposed by the House bill on casein glue; and the House recedes on both amendments.

On amendment No. 92: The Senate amendment reduces from 20 to 10 per cent ad valorem the rate of duty imposed by the House bill on ink and ink powders not specially provided for; and the House recedes with an amendment making the rate 15 per cent on drawing inks and 10 per cent on ink and ink powders not specially provided for.

On amendment No. 94: This amendment reduces from 20 cents to 10 cents per pound the rate of duty imposed by the House bill on iodine, resublimed; and the House recedes.

On amendment No. 98: This amendment reduces from 25 per cent to 20 per cent ad valorem the rate of duty imposed by the House bill on extracts of licorice in pastes, rolls, or other forms; and the House recedes.

On amendment No. 101: The House bill did not specifically mention manufactures of carbonate of magnesia, which would probably be dutiable under paragraph 214 at 30 per cent ad valorem. The Senate amendment specifically mentions such articles and imposes a duty of 2 cents per pound thereon; and the House recedes.

On amendment No. 102: The Senate amendment reduces from 1 cent to one-half of 1 cent per pound the duty imposed by the House bill on magnesium sulphate or Epsom salts; and the House recedes with an amendment making the rate three-fourths of 1 cent per pound.

On amendment No. 103: The House bill imposed a duty of one-fourth of 1 cent per pound on kieserite. Amendment 103 strikes out this provision and amendment 964 transfers this article to the free list; and the House recedes on amendment 103.

On amendment No. 104: The Senate amendment reduces from 7 cents to 5 cents per pound the rate of duty imposed by the House bill on magnesium oxide or calcined magnesia; and the Senate recedes.

On amendment No. 106: The following table shows the duties upon menthol, natural crude camphor, natural refined camphor, and synthetic camphor, as proposed by the House bill, the Senate amendment, and as agreed to in conference:

Commodity	House bill	Senate amendments	Conference agreement
Menthol	75 cents per pound	30 cents per pound	50 cents per pound.
Natural crude camphor	1 cent per pound	1 cent per pound	1 cent per pound.
Natural refined camphor	6 cents per pound	5 cents per pound	5 cents per pound.
Synthetic camphor	1 cent per pound	do	Do.

The Senate amendment also contains a provision (retained under the conference agreement) the effect of which is to reduce the duty on synthetic camphor to 1 cent per pound if the President finds (1) at the end of three years after the enactment of the act, that the domestic production of synthetic camphor by quantity did not exceed 25 per cent of domestic consumption during the preceding six months, or (2) at the end of four years, that during the preceding six months the domestic production did not exceed 30 per cent of domestic consumption, or (3) at the end of five years, that during the preceding six months the domestic production did not exceed 50 per cent of such consumption.

On amendments Nos. 108 and 109: The House bill imposed a duty of 10 cents per gallon on crude sperm oil and 14 cents per gallon on sperm oil refined or otherwise processed. The Senate amendment reduces these rates to 6 cents and 12 cents per gallon, respectively; and the Senate recedes on both amendments.

On amendment No. 111: The Senate amendment increases from 4 19/100 cents to 4½ cents per pound the rate of duty imposed by the House bill on linseed or flaxseed oil, and combinations and mixtures in chief value of such oil; and the House recedes.

On amendments Nos. 112 and 113: The House bill imposed a duty of 8½ cents per pound on olive oil weighing with immediate container less than 40 pounds, the duty being based upon contents and "containers." The Senate amendments increase this rate to 9½ cents per pound on contents and "container"; and the House recedes on both amendments.

On amendment No. 115: The House bill imposed a duty of 5 cents per pound on soybean oil. The Senate amendment changes this rate to 2 8/10 cents per pound but not less than 45 per cent ad valorem; and the House recedes with an amendment making the rate 3½ cents per pound but not less than 45 per cent ad valorem.

On amendment No. 118: The Senate amendment reduces from 4 cents to 3 cents per pound the rate of duty imposed by the House bill on hydrogenated or hardened oils and fats; and the Senate recedes.

On amendments Nos. 121 and 998: The House bill imposed a duty of 25 per cent ad valorem on eucalyptus oil. Senate amendment No. 121 strikes out the reference to eucalyptus oil in paragraph 58 and amendment No. 998 places it on the free list. The House recedes on amendment No. 121 with an amendment making the rate 15 per cent ad valorem, and the Senate recedes on amendment No. 998.

On amendment No. 124: See amendment No. 50.

On amendment No. 127: The House bill imposed a duty of 25 per cent ad valorem on bath salts, whether or not having medicinal properties. The Senate amendment retains the 25 per cent rate on bath salts not perfumed, but increases the rate on perfumed bath salts (whether or not having medicinal properties) to 75 per cent ad valorem; and the House recedes.

On amendments Nos. 129 and 1011: The House bill imposed a duty of 15 per cent ad valorem on London purple. The Senate amendments transfer this article to the free list; and the House recedes on both amendments.

On amendment No. 132: The following table shows the duties upon paints, colors, and pigments, commonly known as artists', school, students', or children's paints or colors, as proposed by the House bill, the Senate amendments, and as agreed to in conference:

Commodity	House bill	Senate amendments	Conference agreement
Paints, colors, and pigments, commonly known as artists' colors, etc.:			
When in tubes, jars, cakes, pans, etc., not over 1½ pounds net weight—			
Valued at less than 20 cents per dozen pieces—			
Not assembled	40 per cent	1 cent each	¾ of 1 cent each.
Assembled	70 per cent	70 per cent	70 per cent.
Valued at 20 cents or more per dozen pieces—			
Not assembled—			
In tubes or jars	2 cents each plus 40 per cent	40 per cent	2 cents each plus 40 per cent.
In cakes, pans, etc	1¼ cents each plus 40 per cent	do	1¼ cents each plus 40 per cent.
Assembled	70 per cent	70 per cent	70 per cent.
In bulk or in any form over 1½ pounds net weight	40 per cent	8¼ cents per ounce	8¼ cents per ounce.

The Senate amendment also contained a provision that no paints, etc., should take the above rates on assemblies unless imported in the identical form, container, and assortment of merchandise customarily and generally sold to the ultimate consumer or user. This provision as modified in conference provides that the paints shall not be considered as assembled unless assembled in such form and container and with such assortment of merchandise, as to be suitable for sale at retail to artists, students, or children as a paint set, kit, or color outfit.

On amendment No. 136: The House bill imposed a duty of 3 cents per pound on all ultramarine blue, dry, in pulp, or ground in or mixed with oil or water, and on all wash and other blues containing ultramarine. The Senate amendment increases the rate to 4 cents per pound in the case of any of the foregoing valued at more than 10 cents per pound, but retains the House rate on those valued at 10 cents per pound or less; and the House recedes:

On amendment No. 138: The Senate amendment reduces from 25 to 20 per cent the rate of duty imposed by the House bill on bone black or bone char and on blood char; and the House recedes.

On amendment No. 141: Under the House bill carbon black was not specifically enumerated, and was dutiable under paragraph 73 of the House bill at 20 per cent ad valorem. The Senate amendment specifically provides for this article at the lower rate of 15 per cent ad valorem; and the Senate recedes.

On amendment No. 147: The House bill imposed a duty of 22 cents per pound and 20 per cent ad valorem on vermilion reds containing quicksilver, dry or ground in or mixed with oil or water. The Senate amendment eliminates the ad valorem rate and increases the specific rate to 35 cents per pound; and the House recedes.

On amendment No. 149: The House bill imposed a duty of 1¾ cents per pound and 20 per cent ad valorem on lithopone and other combinations or mixtures of zinc sulphide and barium sulphate containing by weight 30 per cent or more of zinc sulphide. The Senate reduces this rate to 1¾ cents per pound; and the House recedes with an amendment making the rate 1¾ cents per pound and 15 per cent ad valorem.

On amendment No. 151: The Senate amendment reduces from 18 cents to 13 cents per pound the rate of duty imposed by the House bill on potassium citrate; and the House recedes with an amendment making the rate 14 cents per pound.

On amendment No. 152: The Senate amendment reduces from 2¼ cents to 1½ cents per pound the rate of duty imposed by the

House bill on potassium chlorate and potassium perchlorate; and the House recedes.

On amendment No. 153: The Senate amendment reduces from 5½ cents to 1 cent per pound the rate of duty imposed by the House bill on refined potassium nitrate or saltpeter; and the House recedes.

On amendment No. 155: This amendment makes dutiable at 25 per cent ad valorem lithium, beryllium, and caesium, which under the House bill were probably free of duty as metals unwrought. The House recedes.

On amendments Nos. 158 and 1045: The House bill imposed a duty of one-fourth of 1 cent per pound on sodium bicarbonate or baking soda. The Senate amendments transfer this article to the free list; and the House recedes on both amendments.

On amendments Nos. 159 and 879: The House bill imposed a duty of one-eighth of 1 cent per pound on refined sodium borate or borax. The Senate amendments transfer this article to the free list; and the Senate recedes on both amendments.

On amendments Nos. 160 and 1043: The House bill imposed a duty of 1½ cents per pound on sodium chlorate. The Senate amendments transfer this article to the free list; and the Senate recedes on both amendments.

On amendment No. 161: The Senate amendment reduces from 15 cents to 12 cents per pound the rate of duty imposed by the House bill on sodium citrate; and the House recedes.

On amendment No. 162: The Senate amendment reduces from 2¾ cents to 2 cents per pound the rate of duty imposed by the House bill on sodium formate; and the House recedes.

On amendment No. 163: The House bill imposed a duty of 3½ cents per pound on sodium oxalate. The Senate amendment changes this rate to 25 per cent ad valorem; and the House recedes with an amendment making the rate 2½ cents per pound.

On amendments Nos. 164 and 165: The House bill imposed a duty of 1 cent per pound on sodium phosphate (except pyro phosphate) containing by weight less than 45 per cent of water, and 2 cents per pound on sodium phosphate (except pyro phosphate) not specially provided for. Senate amendment No. 164 increases the rate on that containing by weight less than 45 per cent of water to 1½ cents per pound, and amendment No. 165 reduces the rate on that not specially provided for to three-fourths of 1 cent per pound; and the House recedes on both amendments.

On amendment No. 166: The Senate amendment reduces from 1¾ cents to 1½ cents per pound the rate of duty imposed by the House bill on sodium silicofluoride; and the House recedes.

On amendment No. 167: The Senate amendment reduces from $4 to $2 per ton the rate of duty imposed by the House bill on anhydrous sodium sulphate; and the House recedes with an amendment making the rate $3 per ton.

On amendments Nos. 168 and 169: The House bill imposed a duty of three-eighths of 1 cent per pound on sodium sulphide containing not more than 35 per cent of sodium sulphide, and three-fourths of 1 cent per pound on that containing more than 35 per cent. The Senate amendments increase these rates, respectively, to one-half of 1 cent per pound and 1 cent per pound; and the Senate recedes on both amendments.

On amendments Nos. 170, 171, and 172: The House bill imposed a duty of three-eighths of 1 cent per pound on sodium silicate, sulphite, bisulphite, metabisulphite, and thiosulphate. Senate amendments Nos. 170 and 172 increase the rate on sodium sulphite, bisulphite, and metabisulphite to one-half of 1 cent per pound, and amendment No. 171 reduces the rate on sodium silicate and thiosulphate to one-fourth of 1 cent per pound. The Senate recedes on all these amendments.

On amendments Nos. 181 and 1073: Under paragraph 1784 of the House bill, turpentine, gum and spirits of, and rosin were free of duty. Senate amendment No. 1073 strikes out the reference to these articles on the free list, and amendment No. 181 imposes a duty thereon of 10 per cent ad valorem. The House recedes on amendment No. 1073, and recedes on amendment No. 181 with an amendment making the rate 5 per cent ad valorem.

SCHEDULE 2—EARTHS, EARTHENWARE, AND GLASSWARE

The following amendment makes a clerical change, and the House recedes: 196.

The following amendment makes a change in paragraph number, and the Senate recedes: 192.

The following amendments make changes in paragraph and subparagraph references, and the House recedes: 197, 245, 250, and 252.

On amendment No. 190: This is a clerical amendment made necessary by amendments Nos. 191 and 193. The Senate recedes.

On amendment No. 191: The House bill did not specifically enumerate glazed earthen tiles commercially or commonly known as strips, or glazed earthern tiles commercially or commonly known as trimmers or trim, both such articles being dutiable at 10 cents per square foot (but not less than 50 nor more than 70 per cent ad valorem) if valued at not more than 40 cents per square foot; or 60 per cent ad valorem if valued at more than 40 cents per square foot. The Senate amendment specifically enumerates such strips and trimmers or trim and imposes the following duties: On strips of one color not exceeding 1 inch in width, 1¼ cents each; stenciled, regardless of color, not exceeding 1 inch in width, 1½ cents each; all the foregoing, if embossed or decorated except by stenciling, and all other strips, 60 per cent ad valorem; on trimmers or trim, one-fourth of 1 cent per square inch, but not less than 60 per cent. The Senate recedes.

On amendment No. 193: The House bill did not specifically enumerate so-called quarries or quarry tiles measuring seven-eighths of an inch or over in thickness, such articles being dutiable at the rates in paragraph 202 (a) of the House bill. The Senate amendment specifically enumerates these tiles and reduces the rate to 30 per cent ad valorem; and the Senate recedes.

On amendment No. 194: This amendment increases from five-sixteenths of 1 cent per pound to fifteen thirty-seconds of 1 cent per pound the House rate on crude magnesite; and the House recedes.

On amendment No. 198: The House bill imposed a duty of 50 per cent ad valorem on statues, statuettes, and bas-reliefs, wholly or in chief value of plaster of Paris, not specially provided for. The Senate amendment increases this rate to 60 per cent ad valorem; and the House recedes.

On amendment No. 199: The House bill imposed a duty of fifty-five one-hundredths of 1 cent per pound on wholly or partly manufactured pumice stone. The Senate amendment increases this rate to three-fourths of 1 cent per pound; and the House recedes.

On amendment No. 200: This amendment is a clarifying amendment changing the word "or" to "and"; and the House recedes.

On amendment No. 201: The House bill did not enumerate bentonite, which was dutiable as a clay or earth, not specially provided for, at $1 per ton if unwrought and unmanufactured or $2 per ton if wrought or manufactured. The Senate amendment specifically enumerates this article and makes the rates $1.50 and $3.25 per ton, respectively; and the House recedes.

On amendment No. 202: The Senate amendment reduces from $1.50 to $1 per ton the rate of duty imposed by the House bill on crude feldspar; and the House recedes.

On amendment No. 203: Under the House bill clays or earths artificially activated with acid or other material were not specifically provided for and were of doubtful classification. The Senate amendment specifically enumerates such clays or earths and imposes thereon a duty of one-fourth of 1 cent per pound and 30 per cent ad valorem; and the House recedes.

On amendments Nos. 204, 206, and 1056: The House bill imposed a duty of $4 per ton on silica crude, and of $7.50 per ton on silica suitable for use as a pigment, both when not specially provided for. Senate amendment No. 204 strikes out this language and amendment No. 206 restores crude silica, not specially provided for, at the reduced rate of $3.50 per ton, while amendment No. 1056 places silica, not specially provided for, on the free list. Amendment No. 206 also imposes a duty of $3.50 per ton on sand containing 95 per cent or more of silica and suitable for use in the manufacture of glass, not specially provided for, which was on the free list under paragraph 1770 of the House bill. The House recedes on amendment No. 204 with an amendment restoring silica, crude, not specially provided for, at $3.50 per ton, and recedes on amendment No. 1056. The House recedes on amendment No. 206 with an amendment making dutiable at $2 per ton sand containing 95 per cent or more of silica and not more than six-tenths of 1 per cent of oxide of iron and suitable for use in the manufacture of glass.

On amendment No. 205: The House bill imposed a duty of $8.40 per ton on fluorspar. The Senate amendment makes this rate applicable to fluorspar containing not more than 93 per cent of calcium fluoride, but reduces to $5.60 per ton the rate on fluorspar containing above 93 per cent of calcium fluoride; and the House recedes with an amendment making the content dividing line 97 per cent instead of 93 per cent.

On amendment No. 206: See amendment No. 204.

On amendment No. 207: This amendment rewrites and amplifies the House provisions in respect to mica. The House recedes

with an amendment making clarifying changes in respect of phlogopite. The following table shows the duties as proposed by the House bill, the Senate amendment, and the conference agreement:

Mica	House bill	Senate amendments	Conference agreement
Unmanufactured:			
Valued not above 15 cents per pound	4 cents per pound	4 cents per pound	4 cents per pound.
Valued above 15 cents per pound	2 cents per pound plus 25 per cent.	4 cents per pound plus 25 per cent.	4 cents per pound plus 25 per cent.
Cut or stamped to dimensions, shape, or form	30 per cent	40 per cent	40 per cent.
Films or splittings (not to dimensions):			
Not above 0.0012 inch thick	do	Films and splittings, 25 per cent	Films and splittings, 25 per cent.
Above 0.0012 inch thick	do	Films and splittings, 40 per cent	Films and splittings, 40 per cent.
Films or splittings (dimensioned)	40 per cent as manufactured	Films and splittings, 45 per cent	Films and splittings, 45 per cent.
Plates, built-up, and manufactures of	40 per cent	40 per cent	40 per cent.
Waste and scrap:			
Valued not above 5 cents per pound	20 per cent	25 per cent	25 per cent.
Valued above 5 cents and not above 15 cents per pound	do	4 cents per pound	4 cents per pound.
Valued above 15 cents per pound	do	4 cents per pound plus 25 per cent.	4 cents per pound plus 25 per cent.
Ground	do	20 per cent	20 per cent.
Phlogopite, untrimmed, of size stipulated:			
Valued not above 15 cents per pound	do	15 per cent	15 per cent.
Valued above 15 cents per pound	do	do	Do.

On amendment No. 208: The House bill imposed a duty of three-eights of 1 cent per pound on talc, steatite, or soapstone, and French chalk when ground, washed, powdered, or pulverized (except toilet preparations). The Senate amendment makes this duty 25 per cent ad valorem; and the House recedes with an amendment making this rate 35 per cent ad valorem.

On amendment No. 209: The House bill imposed upon decorated earthenware a duty of 10 cents per dozen pieces and 50 per cent ad valorem. The Senate amendment strikes out the specific rate and increases the ad valorem to 55 per cent; and the Senate recedes.

On amendments Nos. 210, 211, and 213: The House bill imposed upon china and porcelain, not decorated, etc., a duty of 10 cents per dozen pieces and 60 per cent ad valorem, and upon the decorated, etc., a duty of 10 cents per dozen pieces and 70 per cent ad valorem. Senate amendments 210 and 211 strike out the specific duties of 10 cents per dozen pieces and amendment No. 213 imposes an additional duty of 10 cents per dozen separate pieces on all "tableware, kitchenware, and utensils." The House recedes on amendments Nos. 210 and 211 and recedes on amendment No. 213 with an amendment making it more clear that the utensils specified are only table and kitchen utensils.

On amendment No. 212: Under the House bill any china or porcelain containing 25 per cent or more of calcined bone was dutiable at the rates applicable under that paragraph to articles not containing that percentage of calcined bone. The Senate amendment reduces the rate on such articles to 50 per cent ad valorem if not decorated, etc., and to 55 per cent if decorated, etc.; and the Senate recedes.

On amendment No. 214: The House bill imposed upon graphite or plumbago, crude or refined, if crystalline lump, chip, or dust, a duty of 25 per cent ad valorem and of 1¼ cents per pound if crystalline flake. The Senate amendment eliminates the House classification and makes all crystalline graphite dutiable at 2 cents per pound; and the House recedes with an amendment restoring the House classification and making the rates, respectively, 30 per cent ad valorem and 1.65 cents per pound.

On amendment No. 215: The House bill contained a definition of the term "crystalline flake." The Senate amendment eliminates this definition but inserts definitions of the terms "amorphous" and "crystalline"; and the Senate recedes.

On amendment No. 216: The House bill imposed a duty of 45 per cent ad valorem on carbons and electrodes, of whatever material composed, and wholly or partly manufactured, for producing electric arc light. The Senate amendment increases to 60 per cent the rate of duty on such articles if less than one-half inch in diameter or of equivalent cross-sectional area; and the House recedes.

On amendments Nos. 217, 219, 220, and 242: Amendment 219 (together with amendments Nos. 217 and 242) imposes a rate of 65 per cent on glass rods, which under the House bill were dutiable either at 85 per cent under subparagraph (a) of paragraph 218, or at 50 per cent under paragraph 230, or at 40 per cent under paragraph 231, and a rate of 40 per cent ad valorem on rods of fused quartz or silica, which under the House bill were dutiable at 50 per cent under subparagraph (a) of paragraph 218, or at 30 per cent under paragraph 214, and a rate of 65 per cent on glass canes, which under the House bill were dutiable at 50 per cent under paragraph 230. Amendments Nos. 219 and 220 reduce from 65 per cent to 55 per cent the rate of duty imposed by the House bill on gauge glass tubes. The House recedes on amendments Nos. 217, 219, and 242, and recedes on amendment No. 220 with an amendment making the rate on gauge glass tubes 60 per cent.

On amendment No. 218: This is a clarifying amendment; and the House recedes.

On amendment No. 221: The House bill imposed a duty of 65 per cent ad valorem upon illuminating articles of every description, including chimneys, globes, shades, and prisms, for use in connection with artificial illumination, finished or unfinished, composed wholly or in chief value of glass. The Senate amendment increases the duty on globes and shades to 70 per cent ad valorem; and reduces the other duties as follows: Prisms, glass chandeliers, and articles in chief value of prisms, to 30 per cent; chimneys, to 55 per cent; all other, to 60 per cent ad valorem. The amendment also adds a proviso that parts, not specially provided for, wholly or in chief value of glass (including cased glass), shall be subject to the same rate of duty as the articles of which they are parts. The House recedes with an amendment eliminating as surplusage the words "including cased glass" wherever they appear in the Senate text, and making the rate on prisms, glass chandeliers, and articles in chief value of prisms, 60 per cent.

On amendment No. 222: The House bill imposed a duty of 70 per cent ad valorem on bottles and jars, wholly or in chief value of glass, of the character used or designed to be used as containers of perfume, talcum powder, toilet water, or other toilet preparations, and on bottles, vials and jars, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers. The Senate amendment limits the application of the subparagraph in the case of bottles, vials, and jars, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers, to such articles when suitable for use and of the character ordinarily employed for the holding or transportation of merchandise. It reduces to 25 per cent the duty on all articles in the subparagraph made by automatic machine and increases to 75 per cent the duty on such articles when otherwise produced. The amendment further provides that for the purposes of the subparagraph no regard shall be had to the method of manufacture of the stoppers or covers. The House recedes.

On amendment No. 223: The House bill provided that the specific rates of duty on cylinder, crown, and sheet glass should not be less than 50 per cent ad valorem. The Senate amendment strikes out this minimum duty; and the House recedes with an amendment retaining the House provision but limiting the application of the minimum duty to glass weighing less than 16 but not less than 12 ounces per square foot.

On amendment No. 224: The House bill provides that cylinder, crown, and sheet glass, imported in boxes, shall contain 50 square feet, as nearly as sizes will permit, and the duty shall be computed thereon according to the actual weight of the glass. The Senate amendment denies entry to such glass unless packed in units containing 50 square feet or 100 square feet, or multiples of either; and the House recedes with an amendment striking out certain surplus language.

On amendment No. 225: The House bill imposes upon rolled glass, not sheet glass, whether or not fluted, figured, ribbed, or rough, or the same containing a wire netting within itself, various specific duties per square foot according to size and weight, with the proviso that such glass when ground wholly or in part, and rolled or sheet glass not less than one-fourth of 1 inch in thickness when obscured in any manner, should be subject to the same rate of duty as plate glass. The Senate amendment eliminates the specific duties per square foot, im-

poses a duty of 1½ cents per pound, and strikes out the proviso (which is reinserted with changes by amendment No. 229 as a separate subparagraph); and the House recedes.

On amendment No. 226: The House bill imposed on plate glass, by whatever process made, exceeding 384 but not exceeding 720 square inches, a duty of 19 cents per square foot and on all above that, 22 cents per square foot. The Senate amendment makes the rate 17 cents if such glass exceeds 384, but does not exceed 1,008 square inches, and 19¾ cents per square foot above that; and the House recedes with an amendment inserting an additional bracket at the rate of 17½ cents per square foot on plate glass exceeding 720, but not exceeding 1,008 square inches.

On amendment No. 227: The House bill provided that the duty in the case of plate glass measuring one-half of 1 inch or over should not be less than 50 per cent ad valorem. The Senate amendment makes the dividing line three-eighths of 1 inch; and the Senate recedes.

On amendment No. 228: The House bill imposed on plate glass containing a wire netting within itself, not exceeding 384 square inches, a duty of 17 cents per square foot. The Senate amendment reduces this duty to 13½ cents per square foot; and the House recedes with an amendment making the rate 15 cents per square foot.

On amendment No. 229: The House bill by a proviso in paragraph 221, stricken out by amendment No. 225, provided that rolled, cylinder, crown, and sheet glass, when ground in whole or in part, and rolled or sheet glass not less than one-fourth of 1 inch in thickness when obscured in any manner, should be subject to the same rate of duty as plate glass. Amendment 229 inserts a new subparagraph at the end of paragraph 222 and provides that rolled, cylinder, crown, and sheet glass, not plate glass, if ground wholly or in part (whether or not polished) otherwise than for the purpose of ornamentation, or if one-fourth of 1 inch or more in thickness and obscured by coloring prior to solidification, shall be subject to the duties provided for plate glass in subparagraph (a) or (b) of this paragraph; if any of the foregoing is subjected to any of the processes specified in paragraph 224, the additional duty provided therein shall apply. The House recedes.

On amendment No. 230: The House bill imposed a duty of 17 cents per square foot on plate, cylinder, crown, and sheet glass, by whatever process made, when made into mirrors, finished or partly finished, exceeding in size 144 square inches and not exceeding 384 square inches. The Senate amendment reduces this duty to 13½ cents per square foot; and the House recedes with an amendment making the rate 15 cents per square foot.

On amendment No. 231: This amendment makes applicable to rolled glass the additional duty of 5 per cent ad valorem provided by the House bill on plate, cylinder, crown, or sheet glass subjected to certain processes, such as obscuration, coloring, etc.; and the House recedes.

On amendment No 232: This amendment strikes out certain language as surplusage; and the House recedes.

On amendment No. 233: The House bill imposed upon cylinder, crown, and sheet glass, and amendment 231, agreed to by the conference, imposes upon rolled glass an additional duty of 5 per cent ad valorem if colored. Amendment No. 233 excepts from this additional duty by reason of coloring, glass not less than one-fourth of 1 inch in thickness when obscured by coloring prior to solidification, which glass under the action of the conference heretofore referred to in connection with amendment No. 229, has already been made dutiable at the plate-glass rates. The House recedes.

On amendment No. 234: The House bill imposed a duty of 50 per cent ad valorem on optical glass or glass used in the manufacture of lenses or prisms for spectacles, or for optical instruments or equipment, or for optical parts, scientific or commercial, in any and all forms. The Senate amendment reduces this duty to 45 per cent; and the Senate recedes.

On amendment No. 235: This amendment makes a change in the House text for purposes of clarity; and the House recedes.

On amendment No. 236: This amendment makes it clear that prism binoculars are not to be classified as opera or field glasses, being provided for in subparagraph (a); and the House recedes.

On amendment No. 237: This amendment makes a change in the House text for purposes of clarity; and the House recedes.

On amendment No. 238: The House bill imposed a duty of 30 per cent ad valorem on incandescent electric-light bulbs and lamps, with filaments. The Senate amendment makes this rate applicable to such bulbs with filaments of carbon or other nonmetallic material, but reduces the rate to 20 per cent in respect of such bulbs containing metal filaments; and the House recedes.

On amendment No. 239: The House bill imposed a duty of 50 per cent ad valorem on glass mirrors, not specially provided for, not exceeding in size 144 square inches, with or without frames or cases. The Senate amendment excepts framed or cased mirrors in chief value of gold, platinum, or silver; and the House recedes.

On amendment No. 240: This amendment strikes out as surplusage the proviso in the House bill which provides that no mirror in a frame or case (unless such mirror, exclusive of the frame or case, is the component of chief value) shall be classified under paragraph 230, if it has a substantial use other than as a mirror; and the House recedes.

On amendment No. 241: This amendment rewrites the provision of the House bill for glass ruled or etched in any manner, and manufactures of such glass, without change in rate; and the House recedes.

On amendment No. 242: The House bill imposed a duty of 40 per cent ad valorem on opal, enamel, or cylinder glass rods. The Senate amendment eliminates rods (see amendment 217); and the House recedes.

On amendment No. 243: The House bill imposed an additional duty of 3 cents per superficial foot on slabs and paving tiles of marble, breccia, or onyx, if rubbed or polished. The Senate amendment makes this rate applicable to such articles if rubbed in whole or in part, but increases the additional duty to 6 cents per superficial foot if polished in whole or in part, whether or not rubbed; and the House recedes.

On amendments Nos. 244 and 887: The House bill imposed a duty of 15 per cent ad valorem on burrstones, manufactured or bound up into millstones. Senate amendment No. 244 strikes out this duty and amendment No. 887 places such articles on the free list. The House recedes on amendment No. 244 and recedes on amendment No. 887 with an amendment making a change in paragraph number.

On amendments Nos. 246 and 247: The House bill imposed a duty of 60 per cent ad valorem upon granite suitable for use as monumental, paving, or building stone, if pitched or lined, and excepted such granite from the 25 cents per cubic foot duty on unmanufactured granite. The Senate amendments strike out the words "pitched, lined"; and the Senate recedes on both amendments.

On amendment No. 248: The House bill imposed a duty of 25 cents per cubic foot on travertine stone, unmanufactured, or not dressed, hewn, or polished. The Senate amendment reduces the duty to 20 cents per cubic foot; and the Senate recedes.

On amendment No. 249: The House bill imposed a duty of $1.75 per ton on grindstones, finished or unfinished. Senate amendment No. 249 strikes out this provision and amendment No. 950 places these articles upon the free list. The House recedes on amendment No. 249.

On amendment No. 251: The House bill imposed a duty of 15 per cent ad valorem on slate, slates, slate chimney pieces, mantels, slabs for tables, roofing slates, and all other manufactures of slate, not specially provided for. The Senate amendment increases this duty to 25 per cent ad valorem; and the House recedes.

SCHEDULE 3.—METALS AND MANUFACTURES OF

The following amendments make changes in paragraph, subparagraph, and clause references, and the House recedes: 280, 352, 353, 354, 356, 357, 361, and 362.

On amendment No. 253: The House bill imposed a duty of $1.12½ per ton on iron in pigs and iron kentledge. The Senate amendment reduces this rate to 75 cents per ton; and the Senate recedes.

On amendments Nos. 254 and 269: Under the House bill granular or sponge iron was dutiable in paragraph 303 at various rates, depending on the value of the article, the lowest rate being $4.48 per ton and the average rate being $6.72 per ton. Amendment No. 269 strikes out the reference to this article in paragraph 303 and amendment No. 254 inserts it in paragraph 301 at the rate of 75 cents per ton. The House recedes on amendment No. 269 and recedes on amendment No. 254, with an amendment making the rate $2.25 per ton.

On amendments Nos. 255 and 256: These amendments specifically mention hammer scale, roll scale, and mill scale. Under the House bill these articles are dutiable as scrap steel or iron at the same rate (75 cents per ton), and the House recedes on both amendments.

On amendment No. 257: The House bill imposed an additional duty of 4 cents per pound on the chromium content in excess of two-tenths of 1 per cent in the products provided for in paragraph 301. The Senate amendment reduces this additional duty to 3 cents per pound; and the House recedes.

On amendment No. 258: The House bill imposed a duty of 1 cent per pound on the metallic manganese content of manganese ore or concentrates containing in excess of 30 per cent of metallic manganese. The Senate amendment makes the duty applicable whenever the content is in excess of 10 per cent manganese, and includes within the provision ferruginous manganese ore (which was free of duty under the House bill, prob-

ably as a crude mineral) and manganiferous iron ore (which was free of duty under paragraph 1698 of the House bill); and the House recedes.

On amendments Nos. 259 and 260: The House bill imposed a duty of 60 cents per pound on the tungsten content and 25 per cent ad valorem on ferrotungsten, metallic tungsten, tungsten powder, tungstic acid, and all other compounds of tungsten. The Senate amendments rewrite the House text transferring ferrotungsten to subparagraph (h) of paragraph 302 without change of rate; increasing the rate on lumps, grains, or powders of tungsten metal, tungsten carbide, or of mixtures or combinations containing tungsten metal or tungsten carbide, to 60 cents per pound on the tungsten content and 50 per cent ad valorem; and increasing the rate on tungstic acid and all other compounds of tungsten n. s. p. f. to 60 cents per pound on the tungsten content and 40 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 261: The House bill imposed a duty of 5 cents per pound on silicon aluminum, aluminum silicon, alsimin, ferrosilicon aluminum, and ferroaluminum silicon. The Senate amendment reduces the rate on silicon aluminum and aluminum silicon to 3½ cents per pound, changes the rate on ferrosilicon aluminum and ferroaluminum silicon to 25 per cent ad valorem, strikes out the trade name "alsimin" (which remains dutiable as ferrosilicon aluminum or ferroaluminum silicon), and makes the foregoing rates applicable only when aluminum is not the component material of chief value; and the Senate recedes.

On amendments Nos. 262 and 263: The House bill imposed a duty of 3½ cents per pound on the chromium content of ferrochrome or ferrochromium containing 3 per cent or more of carbon, and 30 per cent ad valorem on that containing less than 3 per cent, and the same rate on chrome metal or chromium metal. The Senate amendments reduce these rates, respectively, to 2½ cents per pound and 25 per cent ad valorem; and the House recedes on amendment No. 262 and the Senate recedes on amendment No. 263.

On amendment No. 264: Under the House bill tantalum and tantalum alloys n. s. p. f. are not specifically mentioned and are probably free of duty as metals unwrought, not specially provided for. The Senate amendment imposes a duty of 25 per cent ad valorem on tantalum and on specified tantalum alloys; and the House recedes.

On amendment No. 265: The House bill imposed a duty of $2 per pound on cerium metal. The Senate amendment reduces this rate to $1 per pound; and the Senate recedes.

On amendment No. 266: The House bill imposed a duty of $2 per pound and 25 per cent ad valorem on ferrocerium and all other cerium alloys. The Senate amendment retains the ad valorem rate but reduces the specific rate to $1 per pound; and the Senate recedes.

On amendments Nos. 267 and 268: Under the House bill ductile columbium or niobium metal was dutiable under subparagraph (n) of paragraph 302 at 25 per cent ad valorem and ductile nonferrous alloys of columbium or niobium metal were dutiable at 40 per cent ad valorem as ductile nonferrous alloys of tantalum under subparagraph (r). The Senate amendments make these products dutiable under subparagraph (r) at 40 per cent ad valorem; and the House recedes.

On amendment No. 269: See amendment No. 254. The House recedes.

On amendment No. 270: The House bill imposed a duty of two-tenths of 1 cent per pound on muck bars, pieces thereof except crop ends, bar iron, and round iron in coils or rods, iron in slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig iron, except castings, when valued at not more than 1 cent per pound. The Senate amendment eliminates this bracket, the effect of which is to increase the rate on such articles to three-tenths of 1 cent per pound; and the House recedes.

On amendment No. 271: The House bill imposed a duty of two-tenths of 1 cent per pound on steel ingots, cogged ingots, blooms and slabs, by whatever process made; die blocks or blanks; billets and bars, whether solid or hollow; shafting; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; hammer molds or swaged steel; gun-barrel molds not in bars; concrete reinforcement bars; all descriptions and shapes of dry sand, loam, or iron molded steel castings; sheets and plates and steel not specially provided for; all the foregoing valued at not over 1 cent per pound; the Senate amendment eliminates this bracket, the effect of which is to increase the rate on such articles to three-tenths of 1 cent per pound; and the House recedes.

On amendment No. 272: The House bill imposed an additional duty of 1.3 cents per pound on hollow bars and hollow drill steel valued at more than 4 cents per pound. The Senate amendment eliminates this additional duty; and the House recedes with an amendment making the additional duty three-fourths of 1 cent per pound.

On amendment No. 273: In addition to the duties provided for in paragraphs 303, 304, 307, 308, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 327, and 328, the House bill imposed an additional ad valorem duty on all steel or iron, in all forms and shapes, by whatever process made, and by whatever name designated, whether cast, hot or cold rolled, forged, stamped, or drawn, when such steel or iron contains any alloying element in excess of certain designated percentages; and additional cumulative specific duties on the vanadium tungsten, molybdenum, or chromium contained in such steel or iron in excess of certain designated percentages. The Senate amendment rewrites the House text so as to subject to the additional duties the iron and steel in all the articles enumerated or described in such paragraphs as well as in the materials; and the House recedes.

On amendment No. 274: Under the House bill one of the cumulative duties referred to in the explanation of amendment No. 273 was a duty of 4 cents per pound on the chromium content in excess of two-tenths of 1 per cent. The Senate amendment reduces the rate to 3 cents per pound (applicable as explained in connection with amendment No. 273); and the House recedes.

On amendment No. 275: The House bill imposed a duty of seven-twentieths of 1 cent per pound on boiler or other plate iron or steel, except crucible plate steel and saw plate steel, not thinner than one hundred and nine one-thousandths of 1 inch, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves, all the foregoing valued at 1 cent per pound or less. The Senate amendment eliminates this bracket, the effect of which is to increase the rate on such articles to five-tenths of 1 cent per pound; and the House recedes.

On amendments Nos. 276, 277, and 278: The Senate amendments eliminate the term "building forms" since it has no meaning in the trade; and the House recedes.

On amendment No. 279: The House bill imposed a duty of 20 per cent ad valorem on rivet, screw, fence, and other iron or steel wire rods, whether round, oval, or square, or in any other shape, nail rods and flat rods up to 6 inches in width ready to be drawn or rolled into wire or strips, all the foregoing in coils or otherwise valued at over 4 cents per pound. The Senate amendment changes this rate to six-tenths of 1 cent per pound; and the House recedes.

On amendments Nos. 281 and 282: See amendment No. 284.

On amendment No. 283: The House bill imposed a duty of 40 per cent ad valorem on wire rope. The Senate amendment reduces this rate to 35 per cent; and the House recedes.

On amendments Nos. 284, 281, and 282: Under the House bill, wire composed of tungsten or molybdenum was dutiable under subparagraph (a) of paragraph 316 at 25 per cent ad valorem if uncovered, and at 35 per cent ad valorem if covered. Senate amendments Nos. 281 and 282 except tungsten and molybdenum wire from the provisions of subparagraph (a) and amendment No. 284 specifically provides for such wire at 60 per cent ad valorem. The House recedes on amendments Nos. 281 and 282. Ingots and shot containing tungsten or molybdenum are dutiable in the House bill under paragraph 302 at 60 cents per pound on the tungsten content and 25 per cent ad valorem if of tungsten, and if of molybdenum at 50 cents on the molybdenum content and 15 per cent ad valorem. Bars, sheets, or other forms (except wire) not specially provided for, containing more than 50 per cent of tungsten or molybdenum or their carbides, are dutiable under the House bill at 50 per cent in paragraph 398, and scrap of the same materials, probably is dutiable under the provision for waste, not specially provided for, in paragraph 1555. Senate amendment No. 284 makes all the foregoing dutiable at 60 per cent ad valorem; and the House recedes on this amendment with an amendment making the rate 50 per cent ad valorem in the case of ingots, shot, bars, and scrap, but retaining the 60 per cent rate in the case of sheets, wire, or other forms.

On amendment No. 285: The House bill imposed a duty of 55 per cent ad valorem on Fourdrinier wires and cylinder wires, suitable for use in paper-making machines (whether or not parts of or fitted or attached to such machines), and on woven-wire cloth suitable for use in the manufacture of Fourdrinier wires or cylinder wires. The Senate amendment reduces this rate to 40 per cent ad valorem; and the House recedes with an amendment making the rate 50 per cent ad valorem.

On amendments Nos. 286 and 287: The House bill excepted from the provisions of this paragraph autoclaves, catalyst chambers or tubes, converters, reaction chambers, scrubbers, separators, shells, stills, ovens, soakers, penstock pipes, cylinders,

containers, drums, and vessels, any of the foregoing provided for in paragraph 327 (relating to castings of iron). The Senate amendments except from the paragraph any of the foregoing made of cast steel, and any of the foregoing made of cast iron whether or not provided for in paragraph 327; and the House recedes on both amendments.

On amendment No. 288: The House bill refers to articles of a certain diameter, and the Senate amendment specifies that the diameter of the articles provided for in this paragraph shall be determined as the largest inside diameter, exclusive of nonmetallic lining; and the House recedes.

On amendment No. 289: The House bill imposed a duty of 40 per cent ad valorem on autoclaves, catalyst chambers or tubes, converters, reaction chambers, scrubbers, separators, shells, stills, ovens, soakers, penstock pipes, cylinders, containers, drums, and vessels, any of the foregoing composed wholly or in chief value of iron or steel, by whatever process made (see amendments Nos. 286 and 287), wholly or partly manufactured, if over 20 inches in diameter (see amendment No. 288) and having metal walls 1¼ inches or more in thickness, and parts for any of the foregoing. The Senate amendment reduces this rate to 25 per cent; and the House recedes with an amendment making the rate 35 per cent ad valorem.

On amendment No. 290: The House bill imposed a duty of 30 per cent ad valorem on cast-iron pipe of every description, and cast-iron fittings for cast-iron pipe. The Senate amendment reduces this rate to 25 per cent; and the House recedes.

On amendments Nos. 291 and 389: Under the House bill, molders' patterns wholly or in chief value of metal were dutiable under the basket clause of the metal schedule (par. 398) at 50 per cent ad valorem, and those wholly or in chief value of wood were provided for in paragraph 413 of the House bill at 40 per cent ad valorem. Senate amendment No. 389 strikes out the reference to molders' patterns in paragraph 413 of the House bill and amendment No. 291 specifically provides for all molders' patterns, of whatever material composed, for the manufacture of castings, at 50 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 292: Under the House bill, staples, in strip form, for use in paper fasteners or stapling machines were dutiable in this paragraph as staples not specially provided for at six-tenths of 1 cent per pound. The Senate amendment specifically provides for this article and increases the rate to 10 cents per pound; and the House recedes with an amendment making the rate 2 cents per pound.

On amendment No. 293: The House bill imposed a duty of 11 cents per pound and 55 per cent ad valorem on table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for, composed wholly or in chief value of aluminum. The Senate amendment eliminates the specific duty and reduces the ad valorem duty to 25 per cent; and the House recedes with an amendment making the rate 8½ cents per pound and 40 per cent ad valorem.

On amendment No. 294: The House bill imposed an additional duty of 10 per cent ad valorem on table, household, kitchen, and hospital utensils, provided for in this paragraph when containing electrical heating elements as constituent parts thereof. The Senate amendment strikes out this additional duty; and the House recedes with an amendment making it clear that the rates specified in paragraph 339 apply to the articles named therein whether or not the articles contain such electrical heating elements.

On amendments Nos. 295 and 296: The House bill imposed a duty of $1.50 per thousand and 50 per cent ad valorem on crochet needles or hooks. The Senate amendments reduce this rate to $1.15 per thousand and 40 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 297: The House bill imposed a duty of 50 per cent ad valorem on tape, knitting, and all other needles, not specially provided for, on bodkins of metal, and on needlecases or needlebooks furnished with assortments of needles or combinations of needles and other articles. The Senate amendment reduces this rate to 45 per cent ad valorem; and the House recedes.

On amendment No. 298: Under the House bill belt buckles, trouser buckles, waistcoat buckles, shoe or slipper buckles, and parts thereof, made wholly or partly of iron, steel, or other base metal, valued at more than $1.66⅔ per hundred, were dutiable under paragraph 1527 (c) (2) at the following cumulative rates: 1 cent each and in addition thereto three-fifths of 1 cent per dozen for each 1 cent the value exceeds 20 cents per dozen, and 50 per cent ad valorem. The Senate amendment removes this class of buckles from paragraph 1527 by specifically providing for them at a rate of 20 cents per hundred, plus an additional duty of 20 per cent ad valorem; and the Senate recedes.

On amendment No. 299: The House bill imposed a duty of 15 cents per gross on pens, not specially provided for, of plain or carbon steel and 18 cents per gross on those of other metal. The Senate amendment makes all metallic pens, not specially provided for, dutiable at 12 cents per gross; and the Senate recedes.

On amendment No. 300: The Senate amendment eliminates the term "drill bits," as it is not an accurate trade designation, and inserts in lieu thereof the more accurate designation "drills"; and the House recedes.

On amendment No. 301: This amendment makes clear that the 50 per cent rate provided in paragraph 352 will be confined to metal-cutting tools; and the House recedes.

On amendment No. 302: The House bill imposed a rate of 60 per cent ad valorem on certain tools containing more than certain percentages of vanadium, tungsten, molybdenum, or chromium. The Senate amendment makes this rate also applicable to cutting tools not for metal cutting; and the House recedes.

On amendment No. 303: This amendment makes it clear that the provisions of paragraph 352, imposing duties on certain metal-cutting and other cutting tools, shall not apply to holding or operating devices; and the House recedes.

On amendment No. 304: This amendment makes it clear that the rates imposed by paragraph 353 on electrical telegraph apparatus, wholly or in chief value of metal, shall apply to electrical telegraph printing and typewriting apparatus; and the House recedes.

On amendment No. 305: The Senate amendment excepts laboratory instruments from paragraph 353 (electrical instruments), the effect of which is to transfer them to paragraph 360, which provides for laboratory instruments; and the House recedes.

On amendment No. 306: The House bill imposed a duty of 40 per cent ad valorem on all articles suitable for producing, rectifying, modifying, controlling, or distributing electrical energy; electrical telegraph, telephone, signaling, radio, welding, ignition, wiring, therapeutic, and X-ray apparatus, instruments, and devices; and articles having as an essential feature an electrical element or device, such as electric motors, fans, locomotives, portable tools, furnaces, heaters, ovens, ranges, washing machines, refrigerators, and signs; all the foregoing, and parts thereof, finished or unfinished, wholly or in chief value of metal, and not specially provided for. The Senate amendment reduces this rate to 30 per cent; and the House recedes with an amendment making the rate 35 per cent ad valorem.

On amendment No. 307: The House bill imposed a duty of 2 cents each and 50 per cent ad valorem on penknives, pocketknives, clasp knives, pruning knives, budding knives, erasers, manicure knives, and all knives by whatever name known, including such as are denominatively mentioned in this act, which have folding or other than fixed blades or attachments, valued at not more than 40 cents per dozen. The Senate amendment reduces the specific rate to 1 cent each but retains the ad valorem rate at 50 per cent; and the House recedes with an amendment making the specific rate 1¼ cents each.

On amendment No. 308: Under the House bill hand forceps were dutiable under this paragraph at 60 per cent ad valorem, and manicure or pedicure nippers were dutiable under paragraph 361 at 10 cents each and 60 per cent ad valorem if valued at not more than $2 per dozen, or 20 cents each and 60 per cent ad valorem if valued at more than $2 per dozen. Senate amendment No. 308 strikes out the reference to hand forceps, which in effect makes this article dutiable under paragraph 359, if surgical or dental forceps, or under paragraph 360, if scientific or laboratory forceps. The amendment also specifically provides for manicure and pedicure nippers at 60 per cent ad valorem without the additional specific duty. The House recedes.

On amendment No. 309: In addition to the specific duties provided on straight razors and parts thereof, finished or unfinished, the House bill imposed an ad valorem duty of 45 per cent. The Senate amendment reduces this ad valorem rate to 30 per cent; and the House recedes.

On amendment No. 310: This is a clarifying amendment; and the House recedes.

On amendment No. 311: The House bill imposed a duty of 70 per cent ad valorem on surgical instruments and parts thereof, including hypodermic needles, hypodermic syringes, and forceps, composed wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished. The Senate amendment reduces this rate to 45 per cent; and the House recedes with an amendment making the rate 55 per cent ad valorem, except that the rate on any of the foregoing in part

of the metals enumerated, but in chief value of glass, is retained at 70 per cent.

On amendment No. 312: The House bill imposed a duty of 60 per cent ad valorem on dental instruments and parts thereof, including hypodermic needles, hypodermic syringes, and forceps, wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished. The Senate amendment reduces this rate to 35 per cent; and the House recedes with an amendment agreeing to the 35 per cent rate, except that the rate on any of the foregoing in part of the metals enumerated, but in chief value of glass, is retained at 60 per cent.

On amendment No. 313: The Senate amendment eliminates the term "philosophical" as applied to instruments, apparatus, etc., as being no longer in commercial use, the intent being sufficiently covered by the words "scientific and laboratory" and "surveying and mathematical"; and the House recedes.

On amendments Nos. 314 and 315: The House bill imposed a duty of 40 per cent ad valorem on drawing instruments and parts thereof, wholly or in chief value of metal, and not plated with gold, silver, or platinum, finished or unfinished, not specially provided for. The Senate amendments increase the rate to 60 per cent, the designation being changed to "drawing instruments, and parts thereof, wholly or in chief value of metal"; and the House recedes on both amendments with an amendment making the rate 45 per cent ad valorem.

On amendment No. 316: This amendment is made necessary by the conference agreement on amendment No. 308; and the House recedes.

On amendment No. 317: The House bill imposed a duty of 10 cents each and 60 per cent ad valorem on pliers other than slip joint, pincers, nippers, of all kinds (see amendment No. 316), and hinged hand tools for holding and splicing wire, finished or unfinished, valued at not more than $2 per dozen, and a duty of 20 cents each and 60 per cent ad valorem on all the foregoing valued at more than $2 per dozen. The Senate amendment eliminates both brackets and the specific rates, making all the foregoing dutiable at 60 per cent regardless of value; and the House recedes with an amendment restoring the House classification retaining the ad valorem rate, but changing the specific rates, respectively, to 5 cents each and 10 cents each.

On amendment No. 318: The House bill imposed a duty of 25 per cent ad valorem on muzzle-loading muskets, shotguns, rifles, and parts thereof. Amendment No. 318 strikes out the House provisions and amendment No. 983 transfers these articles to the free list. The House recedes on amendment No. 318.

On amendment No. 319: Under the House bill bells (except carillons) were dutiable under paragraph 398 as manufactures of metal not specially provided for. The Senate amendment specifically provides for bells (except church and similar bells and carillons), finished or unfinished, and parts thereof, at 70 per cent ad valorem; and the House recedes with an amendment making the rate 50 per cent ad valorem.

On amendments Nos. 320, 322, 323, and 324: The Senate amendments strike out the designations "double or single barreled breech-loading and repeating" and "breech-loading and repeating" and "breech-loading" when applied to shotguns or rifles as being surplusage, all muzzle-loading arms being specifically provided for; and the House recedes on all these amendments.

On amendment No. 321: The House bill imposed a duty of $10 each plus an additional duty of 45 per cent ad valorem on double or single barreled breech-loading and repeating shotguns, rifles, and combination shotguns and rifles, valued at more than $25 each. The Senate amendment (see also amendment No. 320) retains this rate in the case of any of the foregoing valued at more than $25 each and not more than $50 each, and changes the basic rate on those valued at more than $50 each from $10 each to 20 per cent ad valorem, retaining the additional duty of 45 per cent ad valorem; and the House recedes.

On amendments Nos. 322, 323, and 324: See amendment No. 320.

On amendments Nos. 325 and 326: Under the House bill, parts and fittings for pistols and revolvers, automatic, single-shot, magazine, or revolving, were dutiable at the same rates as pistols and revolvers, viz: $2 each if valued at not more than $4 each; $2.50 each when valued at more than $4 and not more than $8 each; and $3.50 each when valued at more than $8 each; and in addition thereto, on all the foregoing, 55 per cent ad valorem. The Senate amendments remove parts and fittings from the classification with pistols and revolvers and provide for them at 50 per cent ad valorem in lieu of the specific duties, at the same time retaining the additional duty of 55 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 327: Under the existing law a duty is imposed upon watch movements at specific rates, based upon the number of jewels contained therein, the rates running from 75 cents each on watch movements having less than 7 jewels to $10.75 each on those having more than 17 jewels, while watchcases and parts of watches were dutiable at 45 per cent ad valorem. Jewels for watches, clocks, meters, or compasses were dutiable at 10 per cent ad valorem, and enameled dials for watches or other instruments at 3 cents each and 45 per cent ad valorem. The House bill completely rewrites the language of the existing law, and provides a new basis of classification, depending upon the physical characteristics of the mechanism. The provisions of the paragraph are made to apply to time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, whether or not designed to be worn or carried on or about the person, if less than 1.77 inches wide and if having any type of stem, rim, or self-winding mechanism, and watch movements designed or intended to be worn or carried on or about the person, any of the above if completely assembled, whether or not in cases, containers, or housings. The basic rates are adjusted according to the size of the movements and run from $1.25 each on those more than 1½ inches wide to $2.50 each on those six-tenths of 1 inch or less in width, with a reduction in these rates of 40 per cent if such movements have only 1 jewel or no jewels, and an additional duty of 20 cents for each jewel in excess of 7. The House bill also imposes an additional duty of $1 for each adjustment with a minimum adjustment rate of $3 in the case of all watches containing 15 or more jewels and 1 inch or more in diameter, and a further duty of $1 each if constructed or designed to operate for a period in excess of 47 hours without rewinding, or if self-winding, or if a self-winding device may be incorporated therein. Parts (except pillar or bottom plates) not constituting a subassembly, and mainsprings, are made dutiable at 65 per cent ad valorem; pillar or bottom plates were subjected to one-half the amount of duty borne by the complete movement; and each subassembly was subjected to the same rate of duty as the complete movement. On jewels, a duty of 10 per cent ad valorem was imposed, and on dials whether or not attached to movements, a duty of 5 cents each and 45 per cent ad valorem. Cases were made dutiable at various rates, depending upon the component material, and whether or not set with precious, semiprecious, or imitation precious or semiprecious stones. The Senate amendment strikes out the House text and restores the language and rates of existing law. The House recedes with an amendment, using the House bill as a basis, making certain changes in language and certain changes in substance. The principal changes in substance are as follows:

(1) The amendment takes out of the operation of the paragraph all time-keeping and time-measuring mechanisms not designed to be, or such as are not ordinarily, worn on or carried about the person.

(2) The minimum $3 adjustment rate of the House bill has been removed.

(3) Movements, etc., having more than 17 jewels, whether adjusted or unadjusted, and whether with or without dials, are given a flat rate of $10.75 each in lieu of the rates fixed in the House bill.

(4) Parts for repair purposes to the extent of 4 per cent of the value of any shipment of complete movements, etc. (except plates, bridges, and jewels), whether or not constituting subassemblies, are made dutiable at 45 per cent ad valorem, the same rate as in the present act. Assemblies and subassemblies (other than those to which the 45 per cent rate applies) are made dutiable as follows: 3 cents for each piece of material except jewels (20 cents each), and except pillar or bottom plates (half the duty on the complete movement, etc.), and except balance assemblies (50 cents for the entire assembly). No assembly or subassembly is to be subject to more duty than the duty on the complete movements, etc., nor to a less duty than 45 per cent.

(5) The dial duty of the House bill is not imposed on dials attached to movements having more than 17 jewels.

On amendment No. 328: Under the existing law a duty is imposed on clocks and clock movements, including lever clock movements, and clockwork mechanisms, cased or uncased, whether imported complete or in parts, and any device or mechanism having an essential operating feature intended for measuring time, distance, or fares, or the flowage of water, gas, electricity, or similar uses, or for regulating or controlling the speed of arbors, drums, disks, or similar uses, or for recording, indicating, or performing any operation or function at a predetermined time or times, any of the foregoing whether wholly or partly complete or knocked down, based on the number of jewels in the escapement and on the value, at rates running from 35 cents each and 45 per cent ad valorem on those having no jewels, to $4 each and 45 per cent ad valorem on those with over four jewels, while cases and casings for clockwork mechanisms imported separately were dutiable at 45 per cent ad

valorem; and parts not specially provided for at 50 per cent ad valorem (jewels for clocks dutiable under paragraph 367 at 10 per cent ad valorem under both House bill and Senate amendment).

The House bill entirely rewrites the language, providing classification primarily on the basis of whether completely assembled or in subassemblies or parts. The paragraph of the House bill applies to the following: Clocks, clock movements, including lever movements, clockwork mechanisms, time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, synchronous and subsynchronous motors of less than one-fortieth of 1 horsepower, and any mechanism, device, or instrument intended or suitable for measuring time, distance, speed, or fares, or the flowage of water, gas, or electricity, or similar uses, or for regulating, indicating, or controlling the speed of arbors, drums, disks, or similar uses, or for recording or indicating time, or for recording, indicating, or performing any operation or function at a predetermined time or times, all the above (except the articles enumerated or described in par. 367), if completely assembled, whether or not in cases, containers, or housings. The House bill also provides rates for complete movements, etc, and for subassemblies of two or more pieces (except plates) of from 55 cents each and 65 per cent ad valorem to $4.50 each and 65 per cent ad valorem, with an additional cumulative duty of 25 cents for each jewel or substitute for jewel. The House bill also provides rates on plates of one-half the duty on the complete movement, on cases of 45 per cent ad valorem, on dials 50 per cent ad valorem, and on other parts 65 per cent. The House bill also separately mentions taximeters and provides a rate of 85 per cent ad valorem.

The House recedes with amendments making a few changes in language and some changes in substance. The important changes in substance are as follows:

(1) Synchronous and subsynchronous motors of less than one-fortieth of 1 horsepower, valued at more than $3 each, not including the value of gears or other attachments, are removed from the operation of the paragraph.

(2) Parts (except plates and jewels), to the extent of 1½ per cent of the value of complete movements, etc., in any shipment are made dutiable at 45 per cent, the same rate as in the present act. Assemblies and subassemblies, not containing plates and not bearing the 45 per cent rate for repair parts, are made dutiable at 65 per cent plus 3 cents for each part or piece of material except jewels, which carry a specific rate of 25 cents instead of 3 cents. Subassemblies containing plates are dutiable at the rate provided on the plate plus 5 cents for each other piece of material except in the case of jewels, which are dutiable at 25 cents instead of 5 cents. No assemblies or subassemblies shall be subject to a greater amount of duty than would be borne by the complete movement, etc., for which suitable.

On amendment No. 329: The House bill imposed a duty of 25 per cent ad valorem on automobiles, automobile bodies, automobile chassis, motor cycles, and parts of the foregoing, not including tires, all the foregoing whether finished or unfinished, and provided for a countervailing duty of not more than 50 per cent. The Senate amendment rewrites the House text and retains the 25 per cent rate on automobile trucks valued at $1,000 or more each, automobile truck and motor bus chassis valued at $750 or more each, automobile truck bodies valued at $250 or more each, motor busses designed for the carriage of more than 10 persons, and bodies for such busses, all the foregoing whether finished or unfinished. On all other automobiles, automobile chassis, and automobile bodies, and motor cycles, all the foregoing, finished or unfinished, the Senate amendment reduces the rate to 10 per cent ad valorem, and on parts (except tires and parts wholly or in chief value of glass, finished or unfinished, not specially provided for) the amendment retains the House rate of 25 per cent ad valorem. The amendment also strikes out the countervailing duty. The House recedes with an amendment retaining the Senate text, but restoring the countervailing duty.

On amendment No. 330: The House bill imposed on bicycles, and parts thereof, a duty of 30 per cent ad valorem, and provided for a countervailing duty of not more than 50 per cent. The Senate amendment strikes out the countervailing-duty provision; and the Senate recedes.

On amendments Nos. 331 and 332: The House bill limited the provision for steam engines by adding the word "reciprocating," and made special provision for turbines at the rate of 30 per cent ad valorem. The Senate amendments have the effect of restoring turbines to the classification of "steam engines" at 15 per cent ad valorem; and the Senate recedes on amendment No. 331 and the House recedes on amendment No. 332 with an amendment restoring the House provision but fixing the rate on steam turbines at 20 per cent ad valorem.

On amendment No. 333: The House bill imposes a duty of 30 per cent ad valorem on printing presses, not specially provided for. Bookbinding and paper-box machinery were classifiable under the House provision in this paragraph for machines, n. s. p. f., at 30 per cent ad valorem. The Senate amendment reduces the rate to 25 per cent ad valorem; rewrites the House language so as to read "printing machinery (except for textiles)"; and specifically enumerates in this classification "bookbinding machinery, and paper-box machinery"; and the House recedes.

On amendment No. 334: The House bill imposes a duty of 45 per cent ad valorem on machines for knitting full-fashioned hosiery. The Senate amendment strikes out this House language, the effect of which is to classify the item as knitting machines in this paragraph, dutiable at 40 per cent ad valorem; and the House recedes.

On amendment No. 335: This amendment reduces from 40 to 35 per cent ad valorem the House rate on textile machinery, finished or unfinished, not specially provided for; and the Senate recedes.

On amendment No. 336: The House bill imposes a duty of 40 per cent ad valorem on punches, shears, and bar cutters, intended for use in fabricating structural or other rolled iron or steel shapes. The Senate amendment strikes out this House provision, the effect of which is to make these items dutiable at 30 per cent ad valorem as "machine tools"; and the Senate recedes.

On amendment No. 337: This amendment reduces from 30 to 25 per cent the House rate on machines, finished or unfinished, no specially provided for; and the House recedes with an amendment making the rate 27½ per cent ad valorem.

On amendments Nos. 338 and 339: The House bill provides that parts, wholly or in chief value of metal, of any of the machinery dutiable under this paragraph, shall be dutiable at the same rate of duty as the articles of which they are parts. Senate amendment 338 adds, after the word "parts," where it first appears, the words "not specially provided for"; and the House recedes. Amendment No. 339 adds after the words, "in chief value of metal," the words "or porcelain," thus transferring porcelain parts from paragraph 212 where they would be dutiable at the House rates at 10 cents per dozen pieces and 60 per cent ad valorem; and the House recedes.

On amendment No. 340: The House bill imposed a duty of 30 per cent ad valorem on forks, hoes, and rakes. The Senate amendment strikes out this provision, the effect of which would be to make the items except hay forks automatically fall in the classification "agricultural implements" on the free list; and the Senate recedes.

On amendments Nos. 341 and 342: The House bill imposes the following duties: Aluminum, aluminum scrap, and alloys (except those provided for in paragraph 302) in which aluminum is the component material of chief value, in crude form, 5 cents per pound; in coils, plates, sheets, bars, rods, circles, disks, blanks, strips, rectangles, and squares, 9 cents per pound. The Senate amendments reduce these rates to 2 and 3½ cents per pound, respectively; and the House recedes with amendments making these rates, respectively, 4 cents per pound and 7 cents per pound.

On amendment No. 343: The Senate amendment reduces from 40 to 35 per cent ad valorem the rate of duty imposed by the House bill on aluminum foil less than six one-thousandths of 1 inch in thickness; and the Senate recedes.

On amendment No. 344: The House bill imposed on bronze powder, or Dutch metal powder, or aluminum powder, in leaf, a duty of 6 cents per 100 leaves and 25 per cent ad valorem. The Senate amendment strikes out the ad valorem rate, but leaves unchanged the specific rate; and the House recedes with an amendment making the rate 6 cents per 100 leaves and 10 per cent ad valorem.

On amendment No. 345: This amendment reduces from one-half of 1 cent to three-eights of 1 cent per 100 square inches, the House rate on stamping and embossing materials of bronze powder, or Dutch metal powder, or aluminum powder, mounted on paper or equivalent backing, and releasable from the backing by means of heat and pressure; and the House recedes.

On amendment No. 346: The House bill imposed a duty of 6 cents per pound and 20 per cent ad valorem on tinsel wire, made wholly or in chief value of gold, silver, or other metal. The Senate amendment strikes out the ad valorem duty but leaves the specific duty unchanged; and the House recedes with an amendment making the ad valorem rate 10 per cent.

On amendment No. 347: The House bill imposed a duty of 6 cents per pound and 30 per cent ad valorem on lame or lahn, made wholly or in chief value of gold, silver, or other metal. The Senate amendment strikes out the ad valorem rate but leaves the specific rate unchanged; and the House recedes with an amendment making the ad valorem rate 20 per cent.

On amendment No. 348: The House bill imposed a duty of 6 cents per pound and 45 per cent ad valorem on bullions and metal threads made wholly or in chief value of tinsel wire, or lame or lahn. The Senate amendment reduces the ad valorem rate to 20 per cent but leaves the specific rate unchanged; and the House recedes with an amendment making the ad valorem rate 35 per cent.

On amendment No. 349: This amendment reduces from 55 to 30 per cent ad valorem, the House rate on beltings and other articles made wholly or in chief value of tinsel wire, metal thread, lame or lahn, or of tinsel wire, lame or lahn and india rubber, bullions, or metal threads, not specially provided for; and the House recedes with an amendment making the rate 45 per cent ad valorem.

On amendment No. 350: This amendment reduces from 65 to 40 per cent ad valorem the House rate on woven fabrics, ribbons, fringes, and tassels, made wholly or in chief value of any of the materials or articles referred to above under amendments Nos. 346-349; and the House recedes with an amendment making the rate 55 per cent ad valorem.

On amendment No. 351: The House bill imposed a duty on illuminating or lighting fixtures, lamps, lamp bases, candelabra, and candlesticks, any of the foregoing and parts thereof, finished or unfinished, not specially provided for, if wholly or in chief value of base metal or alloy, 50 per cent ad valorem; if wholly or in chief value of, or plated with platinum, gold, or silver, 65 per cent ad valorem. The Senate amendment strikes out the House language, the effect of which is to throw the items into the basket clause of the metal schedule. The House recedes.

On amendments Nos. 355 and 1005: The House bill imposed a duty of 1 cent per pound on nickel oxide. Amendment No. 355 strikes out the House language, and amendment No. 1005 transfers this item to the free list; and the House recedes on both amendments.

On amendments Nos. 358, 359, and 360: These are perfecting amendments to extend the sampling in bond privilege to lead-bearing flue dust; and the House recedes.

On amendment No. 363: The House bill imposed the following duties on zinc in zinc-bearing ore: Containing less than 10 per cent zinc, free; containing 10 per cent and less than 20 per cent zinc, one-half cent per pound; containing 20 per cent and less than 25 per cent zinc, 1 cent per pound; containing 25 per cent or more, 1½ cents per pound. The Senate amendment imposes a duty of 1½ cents per pound on all zinc in ore, except pyrites containing not more than 3 per cent zinc; and the House recedes.

On amendment No. 365: The House bill imposed a duty of 72 per cent ad valorem on print rollers. The Senate amendment retains the ad valorem rate and imposes an additional specific rate of $5 each; and the House recedes.

On amendment No. 366: The House bill imposed a duty of 60 per cent ad valorem on embossing rollers. The Senate amendment reduces the rate to 30 per cent ad valorem and adds the perfecting clause "of steel or other metal"; and the House recedes.

On amendment No. 367: The House bill imposed a duty of 50 per cent ad valorem on certain hand tools specifically enumerated. The Senate amendment reduces this rate to 40 per cent and valorem. The House recedes with an amendment making the rate 45 per cent.

On amendment No. 368: The House bill imposed a duty of 50 per cent ad valorem on articles or wares not specially provided for, of base metal and not plated with platinum, gold, or silver, and not colored with gold lacquer. The Senate amendment changed the rate to 40 per cent; and the House recedes with an amendment making the rate 45 per cent ad valorem.

SCHEDULE 4.—WOOD AND MANUFACTURES OF

On amendment No. 378: The House bill imposes a duty of 40 per cent ad valorem on plywood. The Senate amendment provides that birch and alder plywood shall be subject to an additional duty of 10 per cent ad valorem; and the House recedes.

On amendment No. 382: The House bill imposes a duty of 25 per cent ad valorem on boxes, barrels, and other articles containing certain fruit, but provides that the thin wood, so called, comprising the sides, tops, and bottoms of fruit boxes of the growth or manufacture of the United States, exported as fruit-box shooks, may be reimported in completed form, filled with fruit, by the payment of duty at one-half the rate imposed on similar boxes of entirely foreign growth and manufacture; but proof of the identity of such shooks shall be made under regulations to be prescribed by the Secretary of the Treasury. The Senate amendment rewrites this provision and includes fruit-barrel staves; and the Senate recedes.

On amendment No. 384: Bamboo stems were free of duty under the House bill. The Senate amendment specifically provides for bamboo stems suitable for rug poles and imposes a duty thereon of 45 per cent ad valorem; and the Senate recedes.

On amendment No. 388: This amendment increases from 15 to 20 cents per gross the House duty on spring clothespins; and the House recedes.

On amendment No. 389: This amendment strikes out "molders' patterns," made necessary by the Senate action in connection with amendment No. 291, and makes parts of furniture, not specially provided for, dutiable at the same rate as the finished article; and the House recedes.

On amendment No. 390: In the House bill, wood moldings and carvings to be used in architectural and furniture decoration, are not specifically mentioned, but are classified as manufactures of wood or bark, not specially provided for, dutiable at 33⅓ per cent ad valorem. The Senate amendment specifically names these items and imposes a duty thereon of 40 per cent ad valorem; and the House recedes.

On amendments Nos. 391 and 392: The House bill imposes a duty of 55 per cent on bentwood furniture, wholly or partly finished. Senate amendment No. 391 makes parts of bentwood furniture dutiable at the same rate as the furniture; and amendment No. 392 reduces the House rate to 40 per cent ad valorem; and the House recedes on amendment No. 391 and recedes on amendment No. 392 with an amendment making the rate 47½ per cent ad valorem.

On amendment No. 393: In the House bill, paintbrush handles, wholly or in chief value of wood, are not specifically mentioned, but are classified as "manufactures of wood or bark, not specially provided for," and dutiable at 33⅓ per cent ad valorem. The Senate amendment specifically names this item, but makes no change in the duty; and the House recedes.

SCHEDULE 5.—SUGAR, MOLASSES, AND MANUFACTURES OF

On amendments Nos. 397 and 398: The House bill imposed a duty of 3.3 cents per gallon on molasses and sugar sirups, not specially provided for, testing not above 48 per cent total sugars; and, if testing above 48 per cent total sugars, of 0.6 of 1 cent additional for each per cent of total sugars and fractions of a per cent in proportion. The Senate amendments reduce these rates, respectively, to one-fourth of 1 cent and 0.275 of 1 cent; and the House recedes.

On amendments Nos. 399 and 400: The House bill imposed a duty of 7½ cents per pound on maple sugar, and 5 cents per pound on maple sirup. The Senate amendments increase these rates to 8 cents per pound and 5½ cents per pound, respectively; and the House recedes.

On amendment No. 401: The House bill imposed a duty of $3 per ton on sugarcane in its natural state. The Senate amendment reduces this rate to $2 per ton; and the House recedes with an amendment making the rate $2.50 per ton.

On amendment No. 402: This amendment makes no change in the rate on sugar candy and confectionery not specially provided for, but is made necessary by the action of the Senate in connection with amendment No. 403; and the House recedes.

On amendment No. 403: The House bill imposes a duty of 40 per cent ad valorem on sugar after being refined, when tinctured, colored, or in any way adulterated. The Senate amendment provides that the ad valorem rate on such sugar shall not be less than the rate of duty provided in paragraph 501 for sugar of the same polariscopic test; and the House recedes.

SCHEDULE 6.—TOBACCO AND MANUFACTURES OF

On amendments Nos. 404 and 405: The House bill imposed the following duties on wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together; if unstemmed, $2.50 per pound; if stemmed, $3.15 per pound. The Senate amendments reduce these rates, respectively, to $2.10 and $2.75; and the House recedes with amendments making the rates $2.27½ and $2.92½, respectively.

SCHEDULE 7.—AGRICULTURAL PRODUCTS AND PROVISIONS

The following amendments make changes in paragraph and subparagraph numbers and the House recedes: 450, 453, 464, 466, 469, 471, 472, 476, 477, 478, 479, 482, 487, 488, 489, 491, 493, 495, 503, 504, 507, 508, 509, 512, 515, 517, 518, 520, 522, 526, 530, 533, 535, 536, 540, 542, and 555.

On amendments Nos. 406, 407, 408, and 409: The House bill imposed a duty of 2 cents per pound on cattle weighing less than 800 pounds each, and 2½ cents per pound on cattle weighing 800 pounds or more each. The Senate amendments impose a duty of 2½ cents per pound on cattle weighing less than 700 pounds each, and 3 cents per pound on cattle weighing 700 pounds or more each; and the House recedes on all these amendments.

On amendment No. 410: Under the House bill, dried blood albumen was free of duty. The Senate amendment makes dried

blood albumen dutiable at 12 cents per pound, if light, and 6 cents per pound, if dark; and the House recedes.

On amendments Nos. 411 and 414: The House bill imposed a duty of 5 cents per gallon on whole milk, fresh or sour, and provides that when this class of milk contains more than 7 per cent of butterfat it shall be dutiable as cream. The Senate amendment No. 411 increases from 5 to 6½ cents the rate of duty, and amendment No. 414 lowers from 7 to 5½ the percentage of butterfat content making fresh or sour milk dutiable as cream; and the House recedes on both amendments.

On amendment No. 412: This amendment increases from 48 cents per gallon to 56.6 cents per gallon the House duty on cream, fresh or sour; and the House recedes.

On amendment No. 413: This amendment increases from 1¾ to 2 1/10 cents per gallon the House duty on skimmed milk, fresh or sour, and buttermilk; and the House recedes.

On amendment No. 414: See amendment No. 411. The House recedes.

On amendments Nos. 415, 416, 417, and 418: The House bill imposed the following rates of duty on condensed or evaporated milk: In air-tight containers, unsweetened, 1.4 cents per pound; sweetened, 2¼ cents per pound; all other, 2 cents per pound. Senate amendments Nos. 415, 417, and 418 increase these rates, respectively, to 1.8, 2¾, and 2.53 cents per pound; and amendment No. 416 confines the 2¾ cents rate on the sweetened to such as is contained in air-tight containers. The House recedes on all these amendments.

On amendments Nos. 419, 420, 421, and 422: The House imposed a duty of 4¾ cents per pound on dried whole milk, 10½ cents per pound on dried cream, and 2½ cents per pound on dried skimmed milk and dried buttermilk. The Senate amendments Nos. 419, 420, and 421 increase these rates, respectively, to 6 1/10, 12½, and 3 cents per pound; and amendment No. 422 provides that dried skimmed milk containing more than 3 per cent of butterfat, and dried buttermilk containing more than 6 per cent of butterfat, shall be dutiable as dried whole milk; and dried whole milk containing more than 35 per cent of butterfat shall be dutiable as dried cream; and the House recedes on all these amendments.

On amendment No. 423: This amendment increases from 30 per cent to 35 per cent the House duty on malted milk, and compounds or mixtures of or substitutes for milk or cream; and the House recedes.

On amendments Nos. 424 and 425: The House bill imposed a duty of 7 cents per pound, but not less than 35 per cent ad valorem on cheese and substitutes therefor. The Senate amendments increase this duty to 8 cents per pound, but not less than 42 per cent ad valorem, and provide further that cheese made of sheep's milk and commonly known as "Romano" or "Pecorino," "Romanello or Kefalotyri or Vize, and Casseri," shall be dutiable at 8 cents per pound, and Feta White cheese at 5 cents per pound. The House recedes on amendment No. 424 and recedes on amendment No. 425 with an amendment making the ad valorem rate 40 per cent, but striking out the references to cheese made of sheep's milk and commonly known as "Romano" or "Pecorino," "Romanello or Kefalotyri or Vize, and Casseri," and "Feta White."

On amendment No. 426: This amendment increases from 6 to 8 cents per pound the House duty on live chickens, ducks, geese, turkeys, and guineas (except baby chicks); and the House recedes.

On amendment No. 427: This amendment increases from 8 cents to 10 cents per pound the House duty on dead chickens, ducks, geese, and guineas, dressed or undressed, fresh, chilled, or frozen; and the House recedes.

On amendment No. 428: The Senate amendment increases from 8 to 11 cents per pound the rate of duty imposed by the House bill on whole eggs, egg yolk, and egg albumen, frozen or otherwise prepared or preserved, and not specially provided for, whether or not sugar or other material is added; and the House recedes.

On amendment No. 429: The House bill imposed a duty of 18 cents per pound on dried whole eggs, dried egg yolk, and dried egg albumen, whether or not sugar or other material is added. The Senate amendment increases the rate on whole eggs to 36 cents per pound, increases the rate on egg albumen to 60 cents per pound, and that on egg yolk to 30 cents per pound, and specifically enumerates spraying as one of the drying processes included in the House bill in general terms. The Senate recedes.

On amendment No. 430: The House bill imposed a duty of $30 per head on horses and mules valued at not more than $150 per head, and a duty of 20 per cent ad valorem when valued at more than $150 per head. Amendment No. 430 excepts from these duties horses imported for immediate slaughter, and amendment No. 953 places such animals on the free list. The House recedes on amendment No. 430.

On amendment No. 431: The House bill imposed a duty of 2 cents per pound on halibut, salmon, mackerel, and swordfish, and 1 cent per pound on other fish, not specially provided for, when fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced. The Senate amendment permits the removal also of the fins; and the House recedes.

On amendment No. 432: The House bill imposed a duty of 2 cents a pound on frozen halibut, if whole, or beheaded, or eviscerated, or both, but not further advanced. The Senate amendment increases the rate to 5 cents per pound; and the Senate recedes.

On amendments Nos. 433, 434, and 435: The House bill imposed on cod, haddock, hake, pollock, and cusk, when pickled or salted (except when packed in oil or in oil and other substance, and except when packed in air-tight containers weighing with their contents not more than 15 pounds each), the following duties: When neither skinned nor boned, 1¾ cents per pound when containing not more than 43 per cent of moisture by weight, and 1¼ cents per pound when containing more than 43 per cent of moisture by weight; when skinned or boned, whether or not dried, 2½ cents per pound. The Senate amendments reduce these rates, respectively, to 1¼ cents, three-fourths of 1 cent, and 2 cents per pound; and the House recedes on all these amendments.

On amendments Nos. 436, 437, and 438: The Senate amendments strike out the word "sea" as applied to herring. The House recedes on all these amendments.

On amendment No. 439: The House bill imposed a duty of 15 per cent ad valorem on crab meat, crab paste, and crab sauce. The Senate amendment rewrites the House language to read "crab meat, fresh or frozen (whether or not packed in ice), or prepared or preserved in any manner, including crab paste and crab sauce," but makes no change in the rate of duty; and the House recedes.

On amendment No. 440: This amendment reduces from 35 to 30 per cent ad valorem the House duty on clams, clam juice, or either in combination with other substances, packed in air-tight containers; and the Senate recedes.

On amendment No. 441: The House bill imposed a duty on caviar and other fish roe for food purposes: Sturgeon, 30 per cent ad valorem; other, 20 cents per pound. The Senate amendment provides that if any of the foregoing roe is boiled and packed in air-tight containers, whether or not in bouillon or sauce, it shall be dutiable at 30 per cent ad valorem; and the House recedes.

On amendment No. 442: Under the House bill oysters were not specifically mentioned but were classified as shellfish, not specially provided for, in the free list. The Senate amendment imposes a duty of 8 cents per pound, including weight of immediate container, on oysters, oyster juice, or either in combination with other substances, packed in air-tight containers; and the House recedes.

On amendment No. 443: This amendment increases from 15 to 16 cents per bushel of 32 pounds, the House duty on oats, hulled or unhulled; and the House recedes.

On amendment No. 444: The House bill imposed a duty of 42 cents per bushel on wheat. The Senate amendment provides that wheat which is unfit for human consumption shall be dutiable at 10 per cent ad valorem; and the House recedes.

On amendments Nos. 445, 446, and 994: Under paragraph 1726 of the House bill, oil cake and oil-cake meal are free of duty. Senate amendment 445 provides that soybean oil cake and soybean oil-cake meal shall be dutiable at three-tenths of 1 cent per pound; amendment No. 446 provides that all other vegetable oil cake and oil-cake meal shall also be dutiable at three-tenths of 1 cent per pound; and amendment No. 994 strikes out the reference to oil cake and oil-cake meal in the free list; and the House recedes on all three amendments.

On amendment No. 447: This amendment strikes out the House duty of 10 per cent ad valorem and substitutes the rate of one-half of 1 cent per pound on unground or ground screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds; and the Senate recedes.

On amendments Nos. 448 and 449: The House bill imposed a duty of 2 cents per pound on cherries in their natural state or dried. Senate amendment 448 strikes out the words "or dried" and substitutes the words "or frozen if not sweetened," and amendment 449 provides that cherries "dried, desiccated, or evaporated" shall be dutiable at 6 cents per pound. The House recedes on amendment 449 and recedes on amendment 448 with an amendment omitting the words inserted by the Senate amendment.

On amendments Nos. 451 and 452: The House bill imposed a duty of 5½ cents per pound on cherries sulphured, or in brine, with stems and pits, and 9½ cents per pound with stems or pits removed. The Senate amendments strike out the words "stems and" in the first bracket and "stems or" in the second; and the House recedes.

On amendments Nos. 454 and 455: The House bill imposed a duty of 5½ cents per pound and 40 per cent ad valorem on cherries, candied, crystallized, glacé, maraschino, or prepared or preserved in any manner. Amendment No. 454 specifically enumerates cherries "frozen if sweetened," and amendment No. 455 increases the duty to 9½ cents per pound and 40 per cent ad valorem. The House recedes on amendment No. 455 and recedes on amendment No. 454 with an amendment striking out the words "if sweetened" in the matter proposed to be inserted by the Senate amendment.

On amendment No. 456: This amendment increases from 6 to 8 cents per proof gallon the House duty on vinegar; and the House recedes.

On amendments Nos. 457 and 458: The House bill imposed on orange, grapefruit, and lemon peel the following duties: Crude, dried, or in brine, 2 cents per pound; candied or otherwise prepared or preserved, 8 cents per pound. Senate amendment No. 457 provides that "other fruit" peel shall be included in these provisions, and amendment No. 458 adds "crystallized, or glacé" to the forms of peel dutiable at 8 cents; and the House recedes on both amendments.

On amendment No. 459: This amendment adds "crystallized, or glacé" to the forms of citrons or citron peel made dutiable at 6 cents per pound by the House bill; and the House recedes.

On amendment No. 460: Under the House bill, fig paste was dutiable at 35 per cent ad valorem as fruit paste in paragraph 750. The Senate amendment specifically includes fig paste in the bracket with fresh or dried figs at 5 cents per pound; and the House recedes.

On amendment No. 461: The House bill imposed a duty on dates as follows: Fresh or dried, unpitted, 1 cent per pound; pitted or prepared or preserved, not specially provided for, 35 per cent ad valorem. The Senate amendment provides, in lieu of the House rates, the following duties: Dates, fresh or dried, with pits, 1 cent per pound; with pits removed, 2 cents per pound; any of the foregoing in packages weighing with the immediate container not more than 10 pounds each, 7½ cents per pound; prepared or preserved, not specially provided for, 35 per cent ad valorem; and the House recedes.

On amendment No. 462: This amendment increases from 2 to 2½ cents per pound the House duty on lemons; and the House recedes.

On amendment No. 463: Under the House bill mangoes are not specifically mentioned, but are classified as fruits in their natural state, not specially provided for, dutiable at 35 per cent ad valorem. The Senate amendment puts mangoes in a separate paragraph and makes the duty 15 cents per pound; and the House recedes.

On amendment No. 465: This amendment increases from 35 to 50 cents per crate the House duty on pineapples; and the House recedes.

On amendments Nos. 467 and 468: The House bill imposed a duty of one-half of 1 cent per pound on dried plums, prunes, and prunelles. Senate amendment No. 468 increases this duty to 2 cents per pound; and amendment No. 467 adds the designation "desiccated, or evaporated." The House recedes on both amendments.

On amendments Nos. 470 and 1117: The House bill did not specifically mention avocados or avocado pears, also known as alligator pears. Senate amendment No. 470 makes this fruit dutiable at 15 cents per pound, and amendment No. 1117 prohibits the importation of avocados unless they have a fat content of not less than 8 per cent by weight by chemical analysis, and are 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. The House recedes on amendment No. 470 and the Senate recedes on amendment No. 1117.

On amendments Nos. 473, 474, and 475: The House bill imposed a duty of 35 per cent ad valorem on candied, crystallized, or glacé apricots, figs, dates, peaches, pears, plums, prunes, prunelles, berries, and other fruits, not specially provided for. Senate amendment No. 474 increases the rate to 40 per cent ad valorem, and amendments Nos. 473 and 475 eliminate the provisions for "fruit peels," made necessary by Senate amendment No. 457; and the House recedes on all three amendments.

On amendment No. 480: The House bill imposed a duty on imitation almonds. The Senate amendment changes this wording to "almond substitute"; and the House recedes.

On amendment No. 481: In the House bill chestnuts (including marrons), candied, crystallized, or glacé, or prepared or preserved in any manner, are not specifically mentioned, but are classified in paragraph 759 of the House bill at 35 per cent ad valorem, or under paragraph 506 at 40 per cent. The Senate amendment specifically enumerates these items and makes them dutiable at 25 cents per pound; and the House recedes.

On amendments Nos. 483 and 484: The House bill imposed a duty of 2 cents per pound on cream or Brazil nuts, not shelled, and 6 cents per pound if shelled. The Senate amendments reduce these rates, respectively, to 1 cent per pound and 3 cents per pound; and the House recedes with amendments making the rates, respectively, 1½ cents per pound and 4½ cents per pound.

On amendment No. 485: Pignolia nuts and pistache nuts are not specifically mentioned in the House bill, but are classified for duty in paragraph 759 of the House bill as edible nuts not specially provided for at 5 cents per pound if not shelled and 10 cents per pound if shelled. The Senate amendment specifically provides for these nuts at the lower rate of 1 cent per pound, no distinction being made between those which are shelled and those which are not shelled; and the Senate recedes, the effect of which is to place these nuts in the basket clause. (See amendment No. 492.)

On amendment No. 486: The Senate amendment provides that nuts included in the paragraph which are blanched shall be subject to the same rate of duty as if not blanched; and the House recedes.

On amendment No. 490: In the House bill, pecans are not specifically mentioned, but are classified in paragraph 759 as "edible nuts, not specially provided for," bearing a rate of duty, if not shelled, of 5 cents per pound, and if shelled, 10 cents per pound. The Senate amendment makes specific mention of pecans, but makes no change in the duties; and the House recedes.

On amendment No. 492: The Senate amendment reduces the rate of duty imposed by the House bill on edible nuts, not specially provided for, from 5 cents per pound if not shelled, and from 10 cents per pound if shelled, to 1 cent per pound in both cases, and makes this rate applicable whether or not such nuts are blanched. The House recedes with an amendment making the rates 2½ cents and 5 cents per pound, respectively, except that cashew nuts are dutiable at 2 cents per pound.

On amendment No. 494: This amendment increases from 63 to 65 cents per bushel the House duty on flaxseed; and the House recedes.

On amendment No. 496: The Senate amendment increases from 5 cents to 8 cents per pound the House rate on alfalfa seed; and the House recedes.

On amendment No. 497: The Senate amendment increases from 5 cents to 8 cents per pound the rate of duty imposed by the House bill on alsike clover seed; and the House recedes.

On amendment No. 498: The Senate amendment increases from 6 cents to 8 cents per pound the House rate on red clover seed; and the House recedes.

On amendment No. 499: The Senate amendment increases from 3 cents to 4 cents per pound the House rate on sweet clover seed; and the House recedes.

On amendment No. 500: In the House bill rye grass seed is not specifically mentioned, but it is classified in paragraph 761 in the provision for "all other grass and forage crop seeds not specially provided for," bearing a duty of 2 cents per pound. The Senate amendment specifically mentions this item and makes the rate of duty thereon 3 cents per pound; and the House recedes.

On amendment No. 501: This amendment makes a clerical change; and the House recedes.

On amendment No. 502: The House bill imposed a duty of 10 cents per pound on bent-grass seed. The Senate amendment adds, in parentheses, the botanical name, "genus agrostis," and increases the rate of duty to 40 cents per pound; and the House recedes.

On amendment No. 505: The House bill made all cowpeas dutiable under this paragraph. The Senate amendment limits the duties provided for to "black-eye cowpeas," and amendment No. 1032 transfers all other cowpeas to the free list. The House recedes on amendment No. 505.

On amendment No. 506: The Senate amendment increases from 2½ to 3 cents per pound the House rate on dried beans not specially provided for and on dried black-eye cowpeas (see amendment No. 505); and the House recedes.

On amendment No. 510: The House bill imposed a duty of 60 per cent ad valorem on mushrooms, fresh, or dried or otherwise prepared or preserved. The Senate amendment changes this rate to 10 cents per pound and 45 per cent ad valorem if fresh or dried, and 10 cents per pound on drained weight and 45 per cent

ad valorem if otherwise prepared or preserved; and the House recedes.

On amendment No. 511: The House bill imposed a duty of 30 per cent on truffles, fresh, or dried or otherwise prepared or preserved. Amendment No. 511 strikes out this duty and amendment No. 1071 transfers truffles to the free list. The House recedes on amendment No. 511.

On amendments Nos. 513 and 514: The House bill imposed certain duties on peas and chickpeas or garbanzos. Amendment No. 513 strikes out chickpeas or garbanzos and amendment No. 1032 places them on the free list. The House bill made the duty on green or unripe peas and chickpeas or garbanzos 2 cents per pound. Amendment No. 514 makes the rate 3 cents per pound on green peas. The Senate recedes on amendment No. 513 and the House recedes on amendment No. 514 with an amendment making the rate on peas, green or unripe, 3 cents per pound, and the rate on chickpeas or garbanzos, green or unripe, 2 cents per pound.

On amendment No. 516: This amendment increases from 2 to 2½ cents per pound the House duty on onions; and the House recedes.

On amendment No. 519: This amendment increases from 40 to 50 per cent ad valorem the House rate on tomatoes prepared or preserved in any manner; and the House recedes.

On amendment No. 521: This amendment reduces from 25 to 20 cents per 100 pounds the House duty on turnips and rutabagas; and the Senate recedes.

On amendment No. 523: In the House bill celery, lettuce, and cabbage are not specifically mentioned, but are classified as vegetables in their natural state, not specially provided for, bearing a duty of 50 per cent ad valorem. The Senate amendment specifically names these items and makes the duty 2 cents per pound; and the House recedes.

On amendments Nos. 524, 525, and 527: The House bill imposed a duty of 50 per cent ad valorem on crude horse-radish, while prepared horse-radish was not specially mentioned. Senate amendments Nos. 524 and 525 make the rate of duty on crude horse-radish 3 cents per pound, while amendment No. 527 makes prepared horse-radish dutiable with prepared vegetables not specially provided for at 35 per cent ad valorem; and the House recedes on all these amendments.

On amendment No. 528: Under the House bill, sauerkraut was not specifically mentioned, but was dutiable at 35 per cent ad valorem as a prepared vegetable not specially provided for. The Senate amendment specifically provides for sauerkraut at 50 per cent ad valorem; and the House recedes.

On amendment No. 529: The House bill imposed a duty of 6 cents per pound on pimientos, packed in brine or in oil, or prepared or preserved in any manner. Under the House bill this duty is applicable whether the pimientos thus packed, prepared, or preserved, are whole or are cut, sliced, or otherwise reduced in size. The Senate amendment inserts the words "whole, cut, sliced, or otherwise reduced in size" with intent to clarify the provision; and the Senate recedes on this amendment as surplusage.

On amendments Nos. 531 and 532: These amendments increase from 1½ to 2 cents per pound the House duty on crude chicory; and the House recedes.

On amendment No. 534: The House bill imposed a duty of 40 per cent ad valorem on cocoa and chocolate, sweetened, prepared in any manner. The Senate amendment rewrites the House language so as to make the duty 4 cents per pound on sweetened cocoa and chocolate in bars or blocks weighing 10 pounds or more each, the 40 per cent ad valorem rate being retained on sweetened cocoa and chocolate in any other form, whether or not prepared; and the House recedes.

On amendment No. 537: The Senate amendment increases from $4 to $5 per ton the House rate on hay; and the House recedes.

On amendment No. 538: The Senate amendment increases from $1 to $1.50 per ton the House rate on straw; and the House recedes.

On amendment No. 539: The Senate amendment increases from $10 to $20 per ton the House rate on broomcorn; and the House recedes.

On amendment No. 541: This amendment increases from 75 cents to $1.50 per pound the House duty on lupulin; and the House recedes.

On amendments Nos. 543, 544, 545, 546, 547, 548, 549, 550, 552, 553, and 554: The House bill imposed the following duties: Anise seeds, 2 cents per pound; caraway seeds, 1 cent per pound; cardamom seeds, 10 cents per pound; cassia, cassia buds, and cassia vera, unground, 2 cents per pound; cloves, unground, 3 cents per pound; clove stems, unground, 2 cents per pound; cinnamon and cinnamon chips, unground, 2 cents per pound; coriander seeds, one-half of 1 cent per pound; cummin seeds, and fennel seeds, 1 cent per pound; ginger root, not preserved or candied, unground, 2 cents per pound; mace, unground, 4 cents per pound; nutmegs, unground, 2 cents per pound; black or white pepper, unground, 2 cents per pound; and pimento (allspice), unground, 1 cent per pound. The first 11 amendments above enumerated strike out these provisions, and amendment No. 1047 transfers these items to the free list. The House recedes on the first 11 of these amendments.

On amendment No. 551: This amendment increases from 8 to 10 cents per pound the House duty on mustard, ground, or prepared in bottles or otherwise; and the House recedes.

On amendment No. 556: In the House bill all cotton is on the free list. This amendment imposes a duty of 7 cents per pound on cotton having a staple of 1⅛ inches or more in length; and the House recedes.

SCHEDULE 8.—SPIRITS, WINES, AND OTHER BEVERAGES

On amendment No. 557: The House bill imposes a duty of $5 per proof gallon on brandy and other spirits manufactured or distilled from grain or other materials, cordials, liqueurs, arrack, absinthe, kirschwasser, ratfia, and bitters of all kinds containing spirits, and compounds and preparations of which distilled spirits are the component material of chief value and not specially provided for. The Senate amendment reduces to $2.60 per proof gallon any such articles, compounds, and preparations, if unfit for beverage use; and the Senate recedes.

On amendment No. 558: This amendment inserts a subparagraph letter; and the House recedes.

On amendment No. 559: The House bill imposed certain specific duties on fruit juices according to alcoholic content. The Senate amendment provides, in the case of concentrated juice of lemons, oranges, or other citrus fruits, fit for beverage purposes, and of sirups containing such juice, that the specific rate per gallon be applied to the quantity of unconcentrated natural juice employed to make the concentrated product, as shown by chemical analysis; and the House recedes.

On amendment No. 560: This amendment permits high-proof fruit spirits made in distilleries connected with wineries for use in the fortification of wines to be withdrawn and used, under the same laws and regulations applicable to the withdrawal and use of alcohol for all nonbeverage purposes; and the House recedes.

SCHEDULE 9.—COTTON MANUFACTURES

On amendment No. 561: The House bill imposed a duty of 25 per cent ad valorem on cotton sewing thread, and on crochet, darning, embroidery, and knitting cottons, put up for handwork, in lengths not exceeding 840 yards. The Senate amendment changes the House rate to one-half of 1 cent per 100 yards, but not less than 20 nor more than 35 per cent ad valorem and provides that in no case shall the duty be assessed on a less number of yards than is marked on the goods as imported; and the House recedes.

On amendment No. 562: The House bill imposed certain ad valorem duties on cotton cloth, not bleached, printed, dyed, or colored, according to the yarn cotton. The Senate amendment provides that no such cloth shall be subject to a less duty than fifty-five one-hundredths of 1 cent per average number per pound; and the House recedes.

On amendment No. 563: Under the House bill tire fabric or fabric for use in pneumatic tires, including cord fabric, was dutiable as cotton cloth at various rates, depending on yarn count, etc. The Senate amendment imposes a rate of 25 per cent ad valorem on such fabric; and the House recedes.

On amendment No. 564: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 565: This amendment reduces from 55 to 45 per cent ad valorem the House rate on tapestries and other Jacquard-figured upholstery cloths (not including pile fabrics or bedticking) in the piece or otherwise, wholly or in chief value of cotton or other vegetable fiber; and the Senate recedes.

On amendments Nos. 566 and 567: The House bill imposed a duty of 35 per cent ad valorem on cotton blankets. Senate amendment No. 566 includes blanket cloth, napped or unnapped, and reduces the ad valorem rate to 30 per cent, and Senate amendment No. 567 provides a minimum specific rate of 14¼ cents per pound; and the House recedes on both amendments.

On amendments Nos. 568 and 569: The House bill imposes a duty of 30 per cent ad valorem on candle wicking. The Senate amendments change the duty to 10 cents per pound and 12½ per cent ad valorem; and the House recedes on both amendments.

On amendment No. 570: The House bill imposed a duty of 40 per cent on belts, belting, and ropes, for the transmission of power, of cotton or other vegetable fiber or of cotton or other vegetable fiber and india rubber. The Senate amendment strikes

out this provision and substitutes a duty of 30 per cent on belts and belting, for machinery, of cotton or other vegetable fiber or of cotton or other vegetable fiber and india rubber; and a duty of 40 per cent on rope used as belting for textile machinery, of cotton. The House recedes.

On amendments Nos. 571, 572, and 573: The House bill imposed the following duties on gloves and mittens, wholly or in chief value of cotton or other vegetable fiber: Made of fabric knit on a warp-knitting machine, 60 per cent ad valorem; made of fabric knit on other than a warp-knitting machine, 50 per cent ad valorem. Senate amendment 571 makes the rates applicable to such gloves and mittens whether finished or unfinished; and amendments 572 and 573 reduce the rates to 30 and 25 per cent, respectively. The House recedes on amendment No. 571 and the Senate recedes on amendments Nos. 572 and 573.

On amendment No. 574: Under the House bill shirts of cotton, not knit or crocheted, were not specifically mentioned and were dutiable as cotton clothing not specially provided for at the rate of 37½ per cent ad valorem. The Senate amendment specifically mentions such shirts and increases the duty to 45 per cent ad valorem; and the House recedes.

On amendment No. 575: This amendment increases from 55 to 75 per cent ad valorem the rate of duty imposed by the House bill on rag rugs, wholly or in chief value of cotton, of the type commonly known as "hit-and-miss"; and the House recedes.

On amendment No. 576: This amendment reduces from 45 to 35 per cent ad valorem the rate of duty imposed by the House bill on chenille rugs, wholly or in chief value of cotton; and the House recedes with an amendment making the rate 40 per cent.

On amendments Nos. 577 and 840: Under paragraph 1555 of the House bill a duty of 2 cents per pound was imposed on cotton wiping rags. Senate amendment No. 840 strikes the House provision from the bill and amendment No. 577 imposes a duty of 3 cents per pound on rags, including wiping rags, wholly or in chief value of cotton, except rags chiefly used in paper making; and the House recedes on both amendments.

On amendment No. 578: This amendment makes a change in paragraph number; and the House recedes.

On amendment No. 579: This amendment imposes an additional duty of 10 cents per pound on the cotton, having a staple of 1⅛ inches or more in length, contained in articles enumerated or described in Schedule 9; and the House recedes with an amendment excepting the articles in paragraph 922 of the Senate bill from the additional duty.

SCHEDULE 10.—FLAX, HEMP, JUTE, AND MANUFACTURES OF

On amendment No. 580: This amendment increases from 1½ to 2 cents per pound the rate of duty imposed by the House bill on hemp and hemp tow; and the House recedes.

On amendment No. 581: This amendment increases from 3 to 3½ cents per pound the rate of duty imposed by the House bill on hackled hemp; and the House recedes.

On amendment No. 582: This amendment reduces from 11 to 9 cents per pound the rate of duty imposed by the House bill on twist, twine, and cordage, composed of two or more jute yarns or rovings twisted together, the size of the single yarn or roving of which is 5-pound or finer; and the House recedes.

On amendment No. 583: The House bill imposed on single yarns in the gray, of flax, hemp, or ramie, or a mixture of any of them, not finer than 60 lea, specific rates of duty per pound, with a minimum of 27½ and a maximum of 37½ per cent ad valorem; and on those finer than 60 lea an ad valorem rate of 25 per cent; and additional specific rates per pound on any of the foregoing when boiled, bleached, dyed, or otherwise treated. The Senate amendment eliminates these rates and imposes a duty of 35 per cent ad valorem on yarns not finer than 60 lea, and of 25 per cent ad valorem on those finer than 60 lea; and the House recedes.

On amendment No. 584: The House bill imposed on threads, twines, and cords, composed of two or more yarns of flax, hemp, or ramie, or a mixture of any of them, twisted together, specific rates of duty per pound and additional specific rates per pound if boiled, bleached, dyed, or otherwise treated, with a proviso for a minimum ad valorem duty of 32½ per cent. The Senate amendment eliminates these rates on such articles and makes the rate 40 per cent ad valorem; and the House recedes.

On amendments Nos. 585 and 586: The House bill imposed on cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns, wholly or in chief value of manila (abaca), sisal, henequen, or other hard fiber, a duty of 2½ cents per pound, and, in addition thereto, on any of the foregoing smaller than three-fourths of 1 inch in diameter, 15 per cent ad valorem. Senate amendment No. 585 reduces the specific rate to 2 cents per pound; and amendment No. 586 strikes out the additional ad valorem rate. The House recedes on amendment No. 585, and the Senate recedes on amendment No. 586.

On amendment No. 587: The House bill provided that gill nettings, nets, webs, and seines, and other nets for fishing, wholly or in chief value of flax, hemp, or ramie, and not specially provided for, shall be subject to the highest duty per pound imposed upon any of the thread, twines, or cord of which the mesh is made, plus 10 per cent ad valorem. The Senate amendment strikes out the House provision as to rates and imposes a flat rate of 45 per cent ad valorem; and the House recedes.

On amendments Nos. 588, 589, 590, and 591: Under paragraph 1009 (a) of the House bill, woven fabrics, not including articles finished or unfinished, of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value (except such as are commonly used as paddings or interlinings in clothing), exceeding 30 and not exceeding 100 threads to the square inch, counting the warp and filling, weighing not less than 4 and not more than 12 ounces per square yard, and exceeding 12 inches but not exceeding 36 inches in width, were dutiable at a rate of 55 per cent ad valorem. Such woven fabrics commonly used for paddings or interlinings in clothing were provided for in paragraph 1009 (b) of the House bill, according to thread count and weight, at 55 per cent ad valorem, if made of flax or hemp, and at 50 per cent ad valorem if made of jute. Senate amendments Nos. 589 and 590 increase to 4½ ounces the weight basis and reduce to 24 inches the width basis for assessing duties on the articles contained in paragraph 1009 (a). Senate amendment No. 588 strikes out the exception in paragraph 1009 (a) in the case of such fabrics used as paddings or interlinings in clothing; and amendment No. 591 strikes paragraph 1009 (b) from the bill. The Senate recedes on all these amendments.

On amendment No. 592: This amendment makes a change in subparagraph letter; and the Senate recedes.

On amendment No. 593: This amendment reduces from 55 to 45 per cent ad valorem the rate of duty imposed by the House bill on woven fabrics, in the piece or otherwise, wholly or in chief value of vegetable fiber, except cotton, filled, coated, or otherwise prepared for use as artists' canvas; and the House recedes.

On amendment No. 594: The House bill imposed a duty of 35 per cent ad valorem on plain-woven fabrics, not including articles finished or unfinished, wholly or in chief value of flax, hemp, ramie, or other vegetable fiber, except cotton, weighing less than 4 ounces per square yard. The Senate amendment increases the maximum weight to 4½ ounces per square yard, in conformity with the action of the Senate in respect of amendment No. 589; and the Senate recedes.

On amendment No. 595: The House bill imposed a duty of 50 per cent on handkerchiefs of vegetable fiber, except cotton, hemmed or hemstitched, or unfinished having drawn threads. The Senate amendment subjects such articles to an additional duty of 1 cent each if made with hand-rolled or hand-made hems; and the House recedes.

On amendment No. 596: This amendment makes a clerical change; and the House recedes.

On amendment No. 597: This amendment increases from 40 to 42 per cent ad valorem the rate of duty imposed by the House bill on inlaid linoleum; and the House recedes.

SCHEDULE 11.—WOOL AND MANUFACTURES OF

On amendment No. 598: This amendment includes "Kerry" and "Haslock" among the "carpet" wools enumerated under paragraph 1101 (a); and the House recedes.

On amendments Nos. 599 and 600: The House bill imposed a duty of 24 cents per pound on scoured "carpet" wools and camel's hair. Senate amendment 599 increases the House rate to 27 cents, and amendment 600 provides that the duty shall apply only to the clean content of the scoured wool; and the House recedes.

On amendment No. 601: This amendment reduces from 23 to 22 cents per pound of clean content, the rate of duty imposed by the House bill on "carpet" wools or hair of the camel, on the skin; and the House recedes.

On amendment No. 602: The House bill imposed a duty of 26 cents per pound of clean content on "carpet" wools and hair of the camel, if sorted, or matchings. The Senate amendment reduces the duty to 25 cents per pound and makes it apply to such articles only if not scoured; and the House recedes.

On amendment No. 603: This amendment strikes out the House provision which allows a tolerance of not more than 10 per cent of wools not finer than 44s in each bale or package of wools imported under paragraph 1101 as not finer than 40s; and the Senate recedes.

On amendments Nos. 604, 605, 606, 607, 608, and 609: The House bill provided for the remission or refund of duties paid on wools provided for in paragraph 1101 and hair of the camel, imported under bond, upon proof within four years from date of importation or withdrawal from bonded warehouse that the wools or hair have been manufactured into yarns to be used in the manufacture of certain permitted articles, viz: Rugs, carpets, or other floor covering, or knit or felt boots or heavy fulled lumbermen's socks; and also provides a penalty for their use in the manufacture of articles other than those specified. Amendment No. 604 changes the 4-year period to a 3-year period; and the House recedes. Amendment No. 605 provides that duties shall be remitted or refunded only in case the yarns have actually been used in the manufacture of the permitted articles; and the House recedes. Amendments Nos. 606 and 608 add press cloth and camel's hair belting to the list of permitted articles; and the House recedes. Amendments Nos. 607 and 609 exclude from the list of permitted articles knit or felt boots and heavy fulled lumbermen's socks; and the Senate recedes.

On amendment No. 610: Under the House bill wools and hair in the grease were defined to include only those which were shorn from the animal without any cleansing, that is, in their natural condition. Under the Senate amendment wools and hair cleansed only by shaking, willowing, and burr-picking are permitted to be imported as wools and hair in the grease. The House recedes.

On amendment No. 611: The House provides that washed wool and hair shall be considered such as have been washed, with water only, on the animal's back or on the skin. The Senate amendment amplifies the House definition to include all wool and hair, not scoured, with a higher clean yield than 77 per cent; and the House recedes.

On amendment No. 612: This amendment excludes from the definition of scoured wools and hair such wools as have been cleansed only by shaking, willowing, burr-picking, or carbonizing; and the House recedes.

On amendment No. 613: This amendment provides that for purposes of the wool schedule skirtings shall not be considered as sorted wools or hair, or matchings; and the House recedes.

On amendment No. 614: The House bill provided that for the purposes of the wool schedule sorted wool or hair or matchings should be wools and hair in which the identity of individual fleeces had been destroyed, and also provided that fleeces which had been classed but not skirted, or skirted but not classed, or both classed and skirted, but from which the backs had not been removed, should not be considered as sorted. Inasmuch as in the case of a fleece which has been classed but from which the back has not been removed the identity of the individual fleece could never be considered to have been destroyed, the Senate amendment strikes out any reference to classed fleeces as redundant; and the House recedes.

On amendment No. 615: The following table shows the rates provided in the House bill, the Senate amendment, and the conference agreement on wools not provided for in paragraph 1101 and not finer than 44s:

	House bill	Senate amendments	Conference agreement
In the grease or washed	24 cents per pound of clean content	34 cents per pound of clean content	29 cents per pound of clean content.
Scoured	24 cents per pound	37 cents per pound of clean content	32 cents per pound of clean content.
On the skin	23 cents per pound of clean content	32 cents per pound of clean content	27 cents per pound of clean content.
Sorted or matchings	26 cents per pound of clean content	35 cents per pound of clean content	30 cents per pound of clean content.

The House bill also provided that in the case of wools imported as not finer than 44s, a tolerance of not more than 10 per cent of wools not finer than 40s might be allowed in each bale or package. The Senate amendment strikes out all the House language, the effect of which is to transfer the wools included within the House provision to Senate bill paragraph 1102. The House recedes with an amendment changing the rates to the amounts shown in the above table, and with a clarifying amendment limiting the duties on sorted or matchings to those not scoured, but retaining the tolerance provision.

On amendment No. 616: This amendment makes a change in subparagraph number; and the Senate recedes.

On amendments Nos. 617, 618, 619, and 620: The following table shows the rates provided in the House bill, the Senate amendment, and the conference agreement on wools not provided for in paragraph 1101 and finer than 44s, and hair of the Angora goat, Cashmere goat, alpaca, and other like animals:

	House bill	Senate amendments	Conference agreement
In the grease or washed	34 cents per pound of clean content	34 cents per pound of clean content	34 cents per pound of clean content.
Scoured	34 cents per pound	37 cents per pound of clean content	37 cents per pound of clean content.
On the skin	33 cents per pound of clean content	32 cents per pound of clean content	32 cents per pound of clean content.
Sorted or matchings	36 cents per pound of clean content	35 cents per pound of clean content	35 cents per pound of clean content.

The Senate amendment also includes a clarifying provision limiting the duties on sorted wools or hair or matchings to those not scoured. The House recedes on all these amendments.

On amendments Nos. 621, 622, and 623: These amendments are made necessary by the action of the Senate in striking out the tolerance provisions in amendments Nos. 603 and 615. The Senate recedes on all three amendments.

On amendments Nos. 624, 625, 626, 627, 628, 629, 630, and 631: The following table shows the rates on wool wastes provided in the House bill, the Senate amendments, and the conference agreement:

Article	House bill (rate per pound)	Senate amendment (rate per pound)	Conference agreement (rate per pound)
Top waste, slubbing waste, roving waste, and ring waste:	*Cents*	*Cents*	*Cents*
(a) Not carbonized	34	37	37
(b) Carbonized	41	37	37
Garnetted waste:			
(a) Not carbonized	26	26	26
(b) Carbonized	33	26	26
Noils:			
(a) Not carbonized	21	23	23
(b) Carbonized	28	30	30
Thread or yarn waste:			
(a) Not carbonized	18	25	25
(b) Carbonized	25	25	25
Card or burr waste:			
(a) Not carbonized	18	16	16
(b) Carbonized	25	23	23
All other wool wastes not specially provided for:			
(a) Not carbonized	18	24	24
(b) Carbonized	25	24	24
Shoddy:			
(a) Not carbonized	18	24	24
(b) Carbonized	25	24	24
Wool extract	25	24	24
Mungo:			
(a) Not carbonized	10	10	10
(b) Carbonized	17	10	10
Wool rags:			
(a) Not carbonized	8	18	18
(b) Carbonized	15	18	18
Flocks:			
(a) Not carbonized	8	8	8
(b) Carbonized	15	8	8

The House recedes on all these amendments.

On amendment No. 632: This amendment provides that wool and hair of the kinds provided for in the wool schedule, if carbonized, shall be subject to duty at the rate of 37 cents per pound and 20 per cent ad valorem; and the House recedes.

On amendment No. 633: The House bill provided that if wool and hair of the kinds provided for in the wool schedule were

advanced beyond the washed and scoured condition, but not further advanced than roving, they should be dutiable at the rate of 37 cents per pound and 20 per cent ad valorem. The Senate amendment applies this rate in the case such wool or hair is not advanced beyond roving, but is advanced beyond both the washed and scoured condition, or beyond the washed condition, when not scoured, or beyond the scoured condition, when not washed; and the House recedes.

On amendments Nos. 634, 635, and 636: The following table shows the rates provided in the House bill, the Senate amendments, and the conference agreement on yarn, wholly or in chief value of wool:

Valued at—	House bill	Senate amendments	Conference agreement
Not more than 50 cents per pound	27 cents per pound and 30 per cent.	40 cents per pound and 35 per cent.	40 cents per pound and 35 per cent.
More than 50 cents per pound but not more than $1 per pound	40 cents per pound and 35 per cent.	do	Do.
More than $1 per pound but not more than $1.50 per pound	40 cents per pound and 40 per cent.	40 cents per pound and 45 per cent.	40 cents per pound and 45 per cent.
More than $1.50 per pound	40 cents per pound and 45 per cent.	40 cents per pound and 50 per cent.	40 cents per pound and 50 per cent.

The House recedes on all three amendments.

On amendments Nos. 637 and 638: The House bill imposed the following duties on woven fabrics weighing not more than 4 ounces per square yard, wholly or in chief value of wool, valued at not more than 80 cents per pound, 40 cents per pound and 50 per cent ad valorem; valued at more than 80 cents but not more than $1.25 per pound, 50 cents per pound and 50 per cent ad valorem; valued at more than $1.25 but not more than $2 per pound, 50 cents per pound and 55 per cent ad valorem; valued at more than $2 per pound, 50 cents per pound and 60 per cent ad valorem: *Provided*, That if the warp of any of the foregoing is wholly of cotton, or other vegetable fiber, the duty on the fabric, valued at not more than $1 per pound, shall be 40 cents per pound and 50 per cent ad valorem; valued at more than $1 per pound, 40 cents per pound and 55 per cent ad valorem. Amendment No. 637 eliminates the lower bracket on such woven fabrics not having a cotton or vegetable fiber warp, thus subjecting all of such fabrics valued at not more than $1.25 per pound to a duty of 50 cents per pound and 50 per cent ad valorem. Amendment No. 638 subjects such woven fabrics having a warp of cotton or other vegetable fiber and valued at more than $1.50 per pound to a duty of 40 cents per pound and 60 per cent ad valorem. The House recedes on both amendments.

On amendments Nos. 639 and 640: The following table shows the rates provided in the House bill, the Senate amendments, and the conference agreement, on woven fabrics, weighing more than 4 ounces per square yard, wholly or in chief value of wool:

Valued at—	House bill	Senate amendments	Conference agreement
Not more than 60 cents per pound	25 cents per pound and 40 per cent.	50 cents per pound and 50 per cent.	50 cents per pound and 50 per cent.
More than 60 cents per pound but not more than 80 cents per pound	40 cents per pound and 50 per cent.	do	Do.
More than 80 cents per pound but not more than $1.25 per pound	50 cents per pound and 50 per cent.	do	Do.
More than $1.25 per pound but not more than $1.50 per pound	do	50 cents per pound and 55 per cent.	50 cents per pound and 55 per cent.
More than $1.50 per pound but not more than $2 per pound	50 cents per pound and 55 per cent.	do	Do.
More than $2 per pound	50 cents per pound and 60 per cent.	50 cents per pound and 60 per cent.	50 cents per pound and 60 per cent.

The House recedes on both amendments.

On amendment No. 641: The House bill subjected woven felts and articles made thereof (including belts and belting, endless or otherwise), finished or unfinished, wholly or in chief value of wool, to the rates provided in paragraph 1109 (a) of the House bill, which rates varied from 26 cents per pound and 40 per cent ad valorem to 50 cents per pound and 60 per cent ad valorem, depending upon value. The Senate amendment adds to the provision jackets and other articles of machine clothing, woven as units, wholly or in chief value of wool. The rates on all the articles in the amendment have been changed by amendments Nos. 639 and 640; and the House recedes.

On amendments Nos. 642 and 643: The House bill imposed the following duty on blankets and similar articles (including carriage and automobile robes and steamer rugs), made of blanketing, wholly or in chief value of wool, not exceeding three yards in length, valued at not more than 50 cents per pound, 20 cents per pound and 30 per cent ad valorem; valued at more than 50 cents but not more than $1 per pound, 30 cents per pound and 36 per cent ad valorem; valued at more than $1 but not more than $1.50 per pound, 33 cents per pound and 37½ per cent ad valorem; valued at more than $1.50 per pound, 40 cents per pound and 40 per cent ad valorem. The House bill also provided that on such articles exceeding three yards in length the same duty should be paid as on woven fabrics of wool weighing more than 4 ounces per square yard. Senate amendment No. 642 makes certain that the duties specified in the paragraph will be applicable to such articles as units or in the piece, finished or unfinished, and amendment No. 643 eliminates the lower bracket and makes the duty of 30 cents and 36 per cent ad valorem applicable to all such articles valued at not more than $1 per pound. The House recedes on both amendments.

On amendment No. 644: The House bill imposed duties on felts, not woven, wholly or in chief value of wool, valued at not more than 50 cents per pound, 20 cents per pound and 30 per cent ad valorem; valued at more than 50 cents but not more than $1.50 per pound, 30 cents per pound and 35 per cent ad valorem. The Senate amendment eliminates the first bracket of the House bill, thus making the rate of 30 cents per pound and 35 per cent ad valorem applicable to such felts valued at not more than $1.50 per pound; and the House recedes.

On amendment No. 645: This amendment makes certain that the rates of duty imposed upon hose, half hose, gloves, and mittens, wholly or in chief value of wool, shall apply to the unfinished as well as the finished article; and the House recedes.

On amendment No. 646. The House bill imposed duties on clothing and articles of wearing apparel of every description, not knit or crocheted, manufactured wholly or in part, wholly or in chief value of wool, valued at not more than $2 per pound, 26 cents per pound and 40 per cent ad valorem; valued at more than $2 but not more than $4 per pound, 33 cents per pound and 45 per cent ad valorem; valued at more than $4 per pound, 50 cents per pound and 50 per cent ad valorem. The Senate amendment eliminates the first bracket of the House bill, thus making the rate of 33 cents per pound and 45 per cent ad valorem applicable to such clothing and articles of wearing apparel valued at not more than $4 per pound; and the House recedes.

On amendment No. 647: The House bill imposed a duty of 40 cents per pound and 75 per cent ad valorem on bodies, hoods, forms, and shapes, for hats, bonnets, caps, berets, and similar articles, manufactured wholly or in part of wool felt, and an additional duty of 25 per cent per article if pulled, stamped, blocked, or trimmed, including finished hats, bonnets, caps, berets, and similar articles. The Senate amendment eliminates the additional duty, limits the application of the subparagraph to articles wholly or in chief value of wool felt, and reduces to 33 cents per pound and 50 per cent ad valorem the rates imposed by the House bill; and the Senate recedes.

On amendment No. 648: The House bill imposed a duty of 50 cents per square foot but not less than 60 per cent ad valorem on oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom; carpets, rugs, and mats, of oriental weave or weaves, made on a power-driven loom; chenille Axminster carpets, rugs, and mats, whether woven as separate carpets, rugs, or mats, or in rolls of any width; all the foregoing, plain or figured. The Senate

amendment imposes a duty of 50 cents per square foot but not less than 45 per cent ad valorem on oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom, plain or figured, whether woven as separate carpets, rugs, or mats, or in rolls of any width, and makes the rate 60 per cent ad valorem in the case of the other carpets and rugs covered in the paragraph; and the House recedes.

On amendment No. 649: Under the House bill mixed fabrics containing more than 17 per cent of wool but not in chief value thereof are dutiable according to the component material of chief value. The Senate amendment makes these fabrics dutiable, in paragraph 1122, as follows: That proportion of the amount of the duty on the article, computed under this schedule, which the amount of wool bears to the entire weight, plus that proportion of the amount of the duty on the article, computed as if this paragraph had not been enacted, which the weight of the component materials other than wool bears to the entire weight. The House recedes with an amendment changing the word "article" to the word "fabric," in two places.

SCHEDULE 12.—SILK MANUFACTURES

On amendment No. 650: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 651: This amendment reduces from 50 to 45 per cent ad valorem the rate of duty imposed by the House bill on spun silk or schappe silk yarn, or yarn of silk and rayon or other synthetic textile, and roving, bleached, dyed, colored, or plied; and the Senate recedes.

On amendment No. 652: This amendment imposes a duty of 60 per cent ad valorem on woven fabrics in the piece, not exceeding 30 inches in width, whether woven with fast or split edges, wholly or in chief value of silk, including umbrella silk or Gloria cloth. These fabrics under the House bill were dutiable at 55 per cent ad valorem. The amendment also decreases from 65 to 60 per cent the rate on any of the foregoing if Jacquard-figured, and on Jacquard-figured woven fabrics in the piece, wholly or in chief value of silk, not specially provided for; and the House recedes with an amendment restoring the 65 per cent rate on the Jacquard-figured.

On amendment No. 653: This amendment reduces from 70 to 65 per cent ad valorem the rate of duty imposed by the House bill on silk velvets (other than ribbons), if the pile is wholly cut or wholly uncut; and the House recedes.

On amendment No. 654: This amendment reduces from 75 to 70 per cent ad valorem the rate of duty imposed by the House bill on silk velvets (other than ribbons), if the pile is partly cut; and the House recedes.

On amendment No. 655: This amendment reduces from 65 to 60 per cent ad valorem the rate of duty imposed by the House bill on silk clothing and articles of wearing apparel, not specially provided for; and the Senate recedes.

SCHEDULE 13.—MANUFACTURES OF RAYON OR OTHER SYNTHETIC TEXTILE

On amendment No. 656: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 657: The House bill imposed the following duties on rayon yarn, if singles, weighing 150 deniers or more per length of 450 meters, 45 per cent ad valorem; weighing less than 150 deniers, 50 per cent ad valorem; and, in addition, any of the foregoing plied shall be subject to an additional duty of 5 per cent ad valorem, and provided that none of the foregoing shall be subject to a less rate of duty than 45 cents per pound. The Senate amendment rewrites the House provisions to include, at the same rate as single yarns, filaments of rayon or other synthetic textile, exceeding 30 inches in length, single or grouped. The amendment reduces the minimum specific duty to 40 cents per pound and subjects yarns to an additional cumulative duty of 50 cents per pound if having more than 20 turns twist per inch. The House recedes with an amendment reinstating the minimum specific duty of 45 cents per pound and reducing the additional cumulative dufy on high-twist yarns to 45 cents per pound.

On amendment No. 658: This amendment is necessary by reason of the Senate action in connection with amendment No. 692; and the House recedes.

On amendments Nos. 659 and 660: The House bill imposed a duty of 20 per cent ad valorem on filaments of rayon or other synthetic textile, other than waste, whether known as cut fiber, staple fiber, or by any other name. Senate amendment No. 660 increases this rate to 25 per cent ad valorem, and amendment No. 659 limits the application of the provision to such filaments of rayon or other synthetic textile as do not exceed 30 inches in length; and the House recedes on both amendments.

On amendments Nos. 661 and 662: These amendments are necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 663: The House bill imposed a duty of 10 cents per pound and 30 per cent ad valorem on rayon sliver or tops. The Senate amendment includes roving in this provision and changes the wording to conform to the Senate action in connection with amendment No. 692; and the House recedes.

On amendment No. 664: This amendment increases from 10 to 12½ cents per pound the rate of duty imposed by the House bill on spun yarn of rayon, and changes the wording to conform to the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 665 and 666: These amendments are made necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes on both amendments.

On amendment No. 667: Under the House bill yarn of rayon or other synthetic textile put up for handwork, and sewing thread of rayon or other synthetic textile, are dutiable at 55 per cent ad valorem but not less than 45 cents per pound. The Senate amendment leaves the ad valorem rate unchanged but reduces the minimum rate to 40 cents per pound; and the Senate recedes.

On amendment No. 668: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 669: Under the House bill rayon or other synthetic textile in bands or strips not exceeding 1 inch in width, suitable for the manufacture of textiles, is dutiable at 45 per cent ad valorem but not less than 45 cents per pound. The Senate amendment leaves the ad valorem rate unchanged but reduces the minimum rate to 40 cents per pound; and the Senate recedes.

On amendment No. 670: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 671: Under the House bill woven fabrics in the piece, wholly or in chief value of rayon or other synthetic textile, not specially provided for, are dutiable at 45 cents per pound and 60 per cent ad valorem and 10 per cent ad valorem additional if Jacquard-figured. The Senate amendment reduces the specific duty from 45 to 40 cents per pound, but leaves the ad valorem duty unchanged; and the Senate recedes.

On amendment No. 672: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 673: Under the House bill, pile fabrics (including pile ribbons), wholly or in chief value of rayon or other synthetic textile, and all articles made or cut from such pile fabrics, are dutiable at 45 cents per pound, and, in addition, if the pile is wholly cut or wholly uncut, 60 per cent ad valorem, and, if the pile is partly cut, 65 per cent ad valorem. The Senate amendment reduces the specific rate on both classes of pile fabrics to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 674: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 675: Under the House bill fabrics with fast edges, not exceeding 12 inches in width, and articles made therefrom; tubings, garters, suspenders, braces, cords, tassels, and cords and tassels of rayon or other synthetic textile, or of rayon or other synthetic textile and India rubber, not specially provided for, are dutiable at 45 cents per pound and 60 per cent ad valorem and 10 per cent ad valorem additional if Jacquard-figured. The Senate amendment reduces the specific rate to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 676: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 677: Under the House bill knit fabric, in the piece, wholly or in chief value of rayon or other synthetic textile, is dutiable at 45 cents per pound and 60 per cent ad valorem. The Senate amendment reduces the specific rate to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 678: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 679: Under the House bill gloves, mittens, hose, half-hose, underwear, outerwear, and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of rayon or other synthetic textile, are dutiable at 45 cents per

pound and 65 per cent ad valorem. The Senate amendment reduces the specific rate to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 680: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 681 and 682: Under the House bill handkerchiefs and woven mufflers, wholly or in chief value of rayon or other synthetic textile, finished or unfinished, not hemmed, are dutiable at 45 cents per pound and 60 per cent ad valorem; if hemmed or hemstitched, 45 cents per pound and 65 per cent ad valorem. The Senate amendments reduce the specific rates to 40 cents per pound, but leave the ad valorem rates unchanged; and the Senate recedes on both amendments.

On amendment No. 683: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 684 and 685: Under the House bill clothing and wearing apparel of rayon or other synthetic textile, not specially provided for, are dutiable at 45 cents per pound and 70 per cent ad valorem. The Senate amendments reduce these rates to 40 cents per pound and 65 per cent ad valorem. The Senate recedes on amendment No. 684 (the specific rate) and the House recedes on amendment No. 685.

On amendments Nos. 686, 687, 688, and 689: These amendments are necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes on all these amendments.

On amendments Nos. 690 and 691: Under the House bill manufactures of filaments, fibers, yarns, or threads, and textile products made of bands or strips (not exceeding 1 inch in width), of rayon or other synthetic textile, not specially provided for, are dutiable at 45 cents per pound and 70 per cent ad valorem. The Senate amendments reduce these rates to 40 cents per pound and 65 per cent ad valorem. The Senate recedes on amendment No. 690 (the specific rate) and the House recedes on amendment No. 691.

On amendment No. 692: The House bill provided that the term "rayon" whenever used in this act means the product made by any artificial process from cellulose, a cellulose hydrate, a compound of cellulose, or a mixture containing any of the foregoing, which product is solidified into filaments, fibers, bands, strips, or sheets, whether such products are known as rayon, staple fiber, visca, or cellophane, or as artificial, imitation, or synthetic silk, wool, horsehair, or straw, or by any other name whatsoever. The Senate amendment does not change this definition, but applies it also to the term "other synthetic textile," which term the Senate, by numerous other amendments, uses in conjunction with the word "rayon" wherever it appears in the House bill. This amendment makes no change in the legal effect of the House bill; and the House recedes.

SCHEDULE 14.—PAPERS AND BOOKS

On amendment No. 693: This amendment eliminates the House provision for a countervailing duty on uncoated printing paper provided for in paragraph 1401; and the Senate recedes.

On amendments Nos. 694 and 717: Paragraph 1402 relates to paper board, wallboard, pulpboard, cardboard, and leatherboard, not processed; and paragraph 1413, to the same products, processed. The Senate amendments more clearly define the processing terms used in the House bill and make them uniform in both paragraphs, without change in rates; and the House recedes on both amendments.

On amendments Nos. 695 and 696: These amendments increase from 25 to 30 per cent ad valorem the rate of duty imposed by the House bill on manufactures of pulp, not specially provided for; and the House recedes on both amendments.

On amendment No. 697: The House bill imposed compound rates of duty on papers commonly or commercially known as tissue paper, and on certain other papers enumerated in paragraph 1404, according to weight per ream. The Senate amendment makes certain that the duties imposed shall apply to such articles whether white or printed; and the House recedes.

On amendment No. 698: Under the House bill india and bible paper weighing 10 pounds or more and less than 18 pounds to the ream is dutiable at 4 cents per pound and 15 per cent ad valorem. The Senate amendment makes such paper weighing between 18 and 20½ pounds per ream also subject to this rate; and the House recedes.

On amendment No. 699: In the House bill paper wadding, and pulp wadding, and manufactures of such wadding are not specifically mentioned but are classified as crêpe paper at the rate of 6 cents per pound and 15 per cent ad valorem. The Senate amendment specifically enumerates such articles without change in rate; and the House recedes.

On amendment No. 700: The House bill imposed a duty of 20 per cent ad valorem upon plain basic paper ordinarily used in the manufacture of paper commonly or commercially known either as blue print or brown print, and plain basic paper ordinarily used for similar purposes; and a duty of 25 per cent ad valorem on sensitized paper commonly or commercially known either as blue print or brown print, and similar sensitized paper; and a duty of 5 per cent ad valorem on unsensitized basic paper, and baryta coated paper, to be sensitized for use in photography; and a duty of 30 per cent ad valorem on sensitized paper, to be used in photography. The Senate amendment strikes out these duties and substitutes a duty of 3 cents per pound and 10 per cent ad valorem on plain basic paper for albumenizing, sensitizing, baryta coating, or for photographic processes by using solar or artificial light; and a duty of 3 cents per pound and 20 per cent ad valorem on albumenized or sensitized paper or paper otherwise surface coated for photographic purposes. The Senate recedes.

On amendment No. 701: The House bill imposed the following duties on transparencies, printed lithographically or otherwise, in not more than five printings (bronze printing to be counted as two printings), 40 per cent ad valorem; in more than five printings (bronze printing to be counted as two printings), 50 per cent ad valorem, with a proviso that all invoices shall state the number of separate printings actually employed in the production of the transparency. The Senate amendment eliminates the House classification and proviso and imposes a duty of 25 cents per pound on transparencies; and the Senate recedes.

On amendments Nos. 702 and 703: Under the House bill ceramic decalcomanias, weighing not over 100 pounds per thousand sheets, are dutiable at $1.40 per pound and 15 per cent ad valorem; weighing over 100 pounds per thousand sheets, 35 cents per pound and 15 per cent ad valorem. The Senate amendments reduce the specific rates, respectively, to $1.25 and 30 cents per pound, without change in the ad valorem rates; and the House recedes on both amendments.

On amendments Nos. 704, 705, and 706: The House bill fixed eight one-thousandths of 1 inch in thickness as the dividing line for the assessment of duties on all articles not specially provided for in paragraph 1406. The Senate amendments make this dividing line twelve one-thousandths of 1 inch; and the House recedes on all these amendments.

On amendments Nos. 707, 708, and 709: The House bill imposed the following additional duties on all articles other than those hereinbefore provided for in paragraph 1406: If exceeding eight and not exceeding twenty one-thousandths of 1 inch in thickness, if either die-cut or embossed, 1 cent per pound; if both die-cut and embossed, 2 cents per pound; exceeding twenty one-thousandths of 1 inch in thickness, 10 cents per pound. The dividing line was changed from eight to twelve one-thousandths of 1 inch in thickness by amendment No. 706, explained above, and amendments Nos. 707, 708, and 709 reduce the rates respectively to one-half of 1 cent, 1 cent, and 7½ cents per pound. The House recedes on amendments 707, 708, and 709 with amendments making the rates, respectively, three-fourths of 1 cent, 1½ cents, and 8¾ cents per pound.

On amendments Nos. 710 and 711: The House bill imposed a duty on paper envelopes, not specially provided for. Senate amendment 710 provides that these duties shall apply whether the envelopes are filled or unfilled, and whether the contents are dutiable or free; and amendment 711 further provides that when the contents of such envelopes are subject to an ad valorem rate of duty or a duty based in whole or in part upon the value thereof, the envelopes shall be dutiable at the rate applicable to their contents, but not less than the rates provided for the envelopes; and the House recedes on both amendments.

On amendment No. 712: The House bill imposed a duty of 30 per cent ad valorem on paper commonly or commercially known as wall paper, composed in chief value of paper, printed, lithographed, dyed, or colored, but not wholly or partially covered with linseed oil cement, or flock. The Senate amendment strikes out the House text and imposes a duty of 10 per cent ad valorem on hanging paper, not printed, lithographed, dyed, or colored; and of 1½ cents per pound and 20 per cent ad valorem on such paper if printed, lithographed, dyed, or colored; and the House recedes.

On amendment No. 713: The House bill imposed a duty of 30 per cent ad valorem on filtering paper. The Senate amendment changes this rate to 5 cents per pound and 15 per cent ad valorem; and the House recedes.

On amendment No. 714: This amendment reduces from 30 to 20 per cent ad valorem the rate of duty imposed by the House bill on uncoated and undecorated cover paper; and the Senate recedes.

On amendment No. 715: This amendment provides that exported books of domestic manufacture, when returned to the United States after having been advanced in value or improved in condition by any process of manufacture or other means, shall, under rules and regulations prescribed by the Secretary of the Treasury, be dutiable only on the cost of materials added and labor performed in a foreign country; and the House recedes.

On amendment No. 716: Under the House bill greeting cards, valentines, and other social and gift cards are dutiable at 35 per cent ad valorem; in the form of folders and booklets, 45 per cent ad valorem. The Senate amendment rewrites the House language, and provides that any of these items, with text, shall be dutiable at 45 per cent ad valorem; without text, 30 per cent ad valorem; and the House recedes.

On amendment No. 717: See amendment No. 694. The House recedes.

On amendment No. 718: Under the House bill ribbon flycatchers are not specifically mentioned, but are classified as a manufacture of paper not specially provided for, at 35 per cent ad valorem. The Senate amendment specifically names the article and imposes a duty thereon of 45 per cent ad valorem; and the Senate recedes.

On amendment No. 719: In the House bill, paper tubes, used for holding yarns or thread, are not specifically mentioned, but are classified in this paragraph as a manufacture of paper, not specially provided for, at 35 per cent ad valorem. The Senate amendment specifically enumerates the articles and imposes thereon a duty of 2 cents per pound and 25 per cent ad valorem, if parallel; and of 5 cents per pound and 35 per cent ad valorem, if tapered; and the House recedes with an amendment making the specific rates 1 cent and 3 cents per pound, respectively, and making no change in the ad valorem rates.

SCHEDULE 15.—SUNDRIES

The following amendments make clerical changes, and the House recedes: Nos. 720, 735, 739, and 807.

The following amendments make changes in paragraph, subparagraph, and clause numbers, letters, and references thereto, and the House recedes: Nos. 728, 766, 818, 843, and 844.

The following amendments make changes in paragraph numbers, and the Senate recedes: 789 and 792.

On amendment No. 721: The House bill imposed a duty of 30 per cent ad valorem on molded, pressed, or formed articles in part of asbestos containing any binding agent, coating, or filler, other than hydraulic cement. The Senate amendment reduces the rate of duty to 25 per cent ad valorem, and excludes from the provisions of this subparagraph the foregoing articles containing synthetic resin as a binding agent, coating, or filler; and the House recedes.

On amendment No. 722: Under the House bill, golf tees are not specifically mentioned, but are included within the general terms of paragraph 1502 at 30 per cent ad valorem. The Senate amendment specifically names this item, without change in rate of duty; and the House recedes.

On amendment No. 723: The House bill imposed a duty of 60 per cent ad valorem on fabrics and articles not ornamented with beads, spangles, or bugles, nor embroidered, tamboured, appliquéd, or scalloped, composed wholly or in chief value of beads or spangles (other than imitation pearl beads, beads in imitation of precious or semiprecious stones, and beads in chief value of synthetic phenolic resin). The Senate amendment strikes out the word "phenolic" as applied to resin, making the exception applicable to beads composed of any synthetic resin; and the House recedes.

On amendment No. 724: The House bill imposed a duty of 2 cents per inch and 20 per cent ad valorem on imitation solid pearl beads valued at not more than 5 cents per inch. The Senate amendment makes such beads dutiable at 60 per cent ad valorem; and the House recedes with an amendment making the rates as follows: Valued at not more than one-fourth of 1 cent per inch, 60 per cent ad valorem; valued at more than one-fourth of 1 cent and not more than 1 cent per inch, one-half of 1 cent per inch and 60 per cent ad valorem; valued at more than 1 cent per inch but not more than 5 cents per inch, 1 cent per inch and 40 per cent ad valorem.

On amendment No. 725: The House bill imposed a duty of 4 cents per inch and 40 per cent ad valorem on iridescent imitation solid pearl beads, valued at not more than 10 cents per inch. The Senate amendment makes the rate of duty 90 per cent ad valorem; and the House recedes.

On amendment No. 726: The House bill imposed a duty of 75 per cent ad valorem on beads composed in chief value of synthetic phenolic resin. The Senate amendment strikes out the word "phenolic"; and the House recedes.

On amendment No. 727: This amendment strikes out the duty imposed by the House bill of 20 per cent on hat braids, wholly of ramie, and the duty of 40 per cent on manufactures of hat braids wholly of ramie. Amendment No. 729 transfers hat braids wholly of ramie, suitable for making or ornamenting hats, bonnets, or hoods to paragraph 1504 of the Senate bill at the rate of 15 per cent if not bleached, dyed, colored, or stained, and 25 per cent if bleached, dyed, colored, or stained. Amendment No. 731 transfers hats made of hat braid wholly of ramie to the rates provided for straw hats in subparagraph (b) of paragraph 1504 of the Senate bill. The House recedes on amendment No. 727.

On amendment No. 729: This amendment, besides its effect already referred to in connection with amendment No. 727, imposes upon braids and plaits, wholly or in chief value of ramie, suitable for making or ornamenting hats, bonnets, or hoods, a duty of 15 per cent if not bleached, dyed, colored, or stained, and 25 per cent if bleached, dyed, colored, or stained. The House recedes with a clarifying amendment.

On amendment No. 730: This amendment imposes upon hat braids, etc., wholly or in chief value of straw, hemp, etc. (including ramie), containing a substantial part of rayon or other synthetic textile but not in chief value thereof, a duty of 45 per cent ad valorem; and the House recedes.

On amendments Nos. 731, 732, and 733: The House bill imposed a duty of $4 per dozen and 50 per cent ad valorem on hats, bonnets, and hoods of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark, or manila hemp, if blocked or trimmed, whether or not bleached, dyed, colored, or stained, and $4 per dozen and 60 per cent ad valorem if sewed. Senate amendment No. 731 adds ramie to the list of materials, and amendment No. 732 strikes out the specific duty on the blocked or trimmed, and makes the rate 78 per cent ad valorem. Amendment No. 733 strikes out the specific duty on the sewed, and makes the rate 88 per cent ad valorem. The House recedes on amendment No. 731 and recedes on amendment No. 732 with an amendment making the rate $3.50 per dozen and 50 per cent ad valorem, and the Senate recedes on amendment No. 733.

On amendment No. 734: This amendment specifically provides for hats, bonnets, and hoods wholly or in chief value of braids not provided for in paragraph 1504, if such braid is composed of a substantial part of rayon or other synthetic textile, but not wholly or in chief value thereof, and makes the rate of duty thereon 90 per cent ad valorem. Under the House bill such hats, bonnets, and hoods are dutiable under paragraph 1529 at 90 per cent. The House recedes.

On amendment No. 736: The House bill imposed a duty of 50 per cent ad valorem on tooth and toilet brushes other than those specially provided for. The Senate amendment makes these brushes dutiable at 1 cent each and 50 per cent ad valorem; and the House recedes.

On amendments Nos. 737 and 738: These amendments reduce from 50 to 40 per cent ad valorem the rate of duty imposed by the House bill on hair pencils in quills or otherwise; and the House recedes on both amendments.

On amendment No. 740: Under the House bill stoppers composed wholly or in chief value of cork, over three-fourths of an inch in diameter measured at the larger end, are dutiable at 25 cents per pound, and at 31 cents per pound if three-fourths of 1 inch or less in diameter measured at the larger end. The Senate amendment rewrites the House text, making a distinction between stoppers made of natural and those of artificial cork. If composed of natural cork, the rates are the same as in the House bill; if of artificial, composition, or compressed cork, the rates are reduced, respectively, to 10 and 12½ cents per pound; and the House recedes.

On amendment No. 741: This amendment reduces from $2 to $1.50 per pound the rate of duty imposed by the House bill on perforated cork penholder grips; and the Senate recedes.

On amendment No. 742: This amendment reduces from 12½ to 10 cents per pound the rate of duty imposed by the House bill on disks, wafers, and washers, three-sixteenths of 1 inch or less in thickness, made from artificial, composition, or compressed cork; and the Senate recedes.

On amendments Nos. 743 and 744: These are clarifying amendments; and the House recedes.

On amendment No. 745: This amendment reduces from 2¾ cents to 1½ cents per board foot the rate of duty imposed by the House bill on cork insulation wholly or in chief value of cork, cork waste, or granulated or ground cork, in blocks, slabs, boards, or planks; and the House recedes with an amendment making the rate 2½ cents per board foot.

On amendment No. 746: This amendment reduces from 5 to 4 cents per pound the rate of duty imposed by the House bill on

cork pipe coverings, cork fitting covers, and cork lags, wholly or partly manufactured, coated or uncoated; and the Senate recedes.

On amendment No. 747: The House bill imposed the following duties: Dolls and doll clothing, composed in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529 (a), 90 per cent ad valorem; dolls and toys, composed wholly or in chief value of any product provided for in paragraph 31, having any movable member or part, 1 cent each and 60 per cent ad valorem; not having any movable member or part, 1 cent each and 50 per cent ad valorem; parts of dolls or toys, composed wholly or in chief value of any product provided for in paragraph 31, 1 cent each and 50 per cent ad valorem; and on all other dolls, parts of dolls (including clothing), doll heads, and toy marbles, of whatever material composed, 70 per cent ad valorem. The Senate amendment strikes out the House text and makes dolls, parts of dolls, doll heads, toy marbles, toy games, toy containers, toy favors, and toy souvenirs, of whatever material composed, dutiable at 70 per cent ad valorem, and under a provision of amendment No. 748, doll clothing is excluded from the paragraph for separate assessment. The House recedes with an amendment reinstating the House text and rates and including toy games, toy containers, toy favors, and toy souvenirs at the 70 per cent rate.

On amendment No. 748: This amendment defines the term "toy" as an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development, and further provides that doll clothing shall not be classified under this paragraph but shall be assessed separately. The House recedes with an amendment striking out the reference to doll clothing, in conformity with the action of the conferees on amendment No. 747.

On amendment No. 749: The House bill provided that none of the articles enumerated in the toy paragraph (par. 1513) should be subject to a less amount of duty than would be payable without regard to the paragraph, except that any article named therein composed wholly or in chief value of china, porcelain, parian, bisque, earthenware, or stoneware should be classified under the paragraph. The Senate amendment strikes out this proviso; and the House recedes.

On amendment No. 750: This amendment imposes a duty of 1 cent per pound on garnet in grains, ground, pulverized, refined, or manufactured, which under the House bill was on the free list if in grains not ground, the other forms being dutiable at 30 per cent ad valorem. The House recedes.

On amendment No. 751: This amendment imposes a duty of 20 per cent ad valorem on manufactures of which garnet is the component material of chief value, not specially provided for; and the House recedes.

On amendment No. 752: This amendment imposes a duty of 60 per cent ad valorem on any of the articles provided for in paragraph 1514 (relating to abrasives, etc.), if containing more than specified percentages of certain alloying materials; and the House recedes.

On amendment No. 753: This amendment increases from 8 cents per pound to 25 cents per pound the duty imposed by the House bill on firecrackers more than five-sixteenths of 1 inch outside diameter, or more than 1¾ inches in length; and the House recedes.

On amendment No. 754: This amendment increases from 2 cents to 2¾ cents per thousand the rate of duty imposed by the House bill on friction or lucifer matches imported otherwise than in boxes containing not more than 100 matches each; and the House recedes.

On amendment No. 755: Under the House bill match splints and skillets for match boxes were not specially mentioned but were dutiable at 33⅓ per cent ad valorem as manufactures of wood, not specially provided for. The Senate amendment specifically enumerates these items, and makes the splints dutiable at 1 cent per thousand and the skillets at 12 cents per thousand; and the House recedes.

On amendment No. 756: This amendment reduces from 40 to 30 per cent ad valorem the rate of duty imposed by the House bill on percussion caps, cartridges, and cartridge shells empty; and the House recedes.

On amendment No. 757: The House bill imposed a duty of 20 per cent ad valorem on feathers and downs, on the skin or otherwise, crude or not dressed, colored, or otherwise advanced or manufactured in any manner, not specially provided for, and of 60 per cent ad valorem on feathers and downs dressed, colored, or otherwise advanced or manufactured in any manner, including quilts of down and other manufactures of down. The Senate amendment makes the duty 11 cents per pound on crude feathers and downs compressed to a density of not less than 10 pounds per cubic foot, and makes the rate 95 cents per pound on feathers and downs dressed, colored, or otherwise advanced or manufactured in any manner, whether compressed or not, and retains the House rate on quilts and other manufactures of down; and the Senate recedes.

On amendment No. 758: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 759 and 760: The House bill imposed the following duties: Natural grasses, grains, leaves, plants, shrubs, herbs, and trees, and parts thereof, not specially provided for, when bleached, 50 per cent ad valorem; when colored, dyed, painted, or chemically treated, 75 per cent ad valorem. The Senate amendments reduce these rates, respectively, to 25 and 50 per cent ad valorem; and the Senate recedes on both amendments.

On amendment No. 761: The House bill imposed a duty of 25 per cent ad valorem on plates, mats, and crosses of dressed dog, goat, or kid skins. The Senate amendment reduces this duty to 10 per cent and makes a clarifying amendment. The House recedes with an amendment restoring the rate of duty in the House bill and making a clarifying amendment.

On amendments Nos. 762 and 763: These are clarifying amendments; and the House recedes.

On amendment No. 764: Under the House bill articles of wearing apparel wholly or partly manufactured, wholly or in chief value of dog, goat, or kid skins, not specially provided for, were dutiable at 50 per cent ad valorem under subparagraph (e) of paragraph 1519. The Senate amendment makes these articles dutiable at 15 per cent. The House recedes with an amendment making the rate 35 per cent.

On amendment No. 765: The House bill imposed a compound duty of 36 cents per pound and 40 per cent ad valorem on press cloth of camel's hair. The Senate amendment strikes out the specific rate but retains the ad valorem; and the House recedes with an amendment making the rate 40 per cent ad valorem but not less than 25 cents per pound.

On amendments Nos. 767, 768, 769, and 770: Senate amendment No. 767 reduces from $1.50 to $1.25 per dozen the rate of duty imposed by the House bill on hats, caps, bonnets, and hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than $6 per dozen; amendment No. 768 reduces the rate on those valued at more than $6 and not more than $9 per dozen from $3 to $2.50 per dozen; amendment No. 769 reduces the rate on those valued at more than $24 and not more than $30 per dozen from $12 to $10 per dozen; and amendment No. 770 reduces the rate on those valued at more than $30 and not more than $48 per dozen from $13 to $11 per dozen. The House recedes on amendments Nos. 767 and 768, and the Senate recedes on amendments Nos. 769 and 770.

On amendment No. 771: Under the House bill silk or opera hats in chief value of silk are not specifically mentioned, but are dutiable under paragraph 1210 as silk wearing apparel not specially provided for, at 65 per cent ad valorem. The Senate amendment specifically names these hats and imposes thereon a duty of $2 each and 75 per cent ad valorem; and the House recedes with an amendment making the duty applicable only to men's hats.

On amendment No. 772: The House bill imposed a duty of 80 per cent ad valorem on jewelry wholly or in chief value of gold or platinum, and imposed a higher rate on jewelry composed of any other material and valued above 20 cents per dozen pieces. The Senate amendment makes dutiable under the 80 per cent rate instead of the higher rate jewelry of which the metal part is wholly or in chief value of gold or platinum even though the gold or platinum is not the component material of chief value of the whole article. The House recedes.

On amendment No. 773: The House bill imposed on jewelry (other than that described in connection with the last amendment) a duty of 1 cent each and, in addition, three-fifths of 1 cent per dozen for each 1 cent the value exceeds 20 cents per dozen, and in addition thereto 50 per cent ad valorem. The Senate amendment changes the rate to 80 per cent ad valorem; and the Senate recedes.

On amendment No. 774: The House bill provided that none of the jewelry described in subparagraph (a) of paragraph 1527 should be subject to a less amount of duty than would be payable if the article was not dutiable under paragraph 1527. The Senate amendment strikes out this proviso, the effect of which is to make all the articles in subparagraph (a) dutiable at the various rates provided therein, even though subject to a higher rate under some other paragraph. The Senate recedes.

On amendments Nos. 775 and 776: The House bill imposed a duty of 80 per cent on articles valued above 20 cents per dozen

pieces, designed to be worn on apparel or to be carried on or about or attached to the person, such as and including buckles, card cases, cigarette cases, cuff buttons, match boxes, etc., if wholly or in chief value of gold or platinum, and imposed a higher rate on such articles wholly or in chief value of any other metal. The Senate amendments make dutiable under the 80 per cent rate instead of the higher rate such articles of which the metal part is wholly or in chief value of gold or platinum, even though the gold or platinum is not the component material of chief value of the whole article. The House recedes on both amendments.

On amendment No. 777: The House bill imposed a duty of 10 per cent ad valorem on diamonds and other precious stones, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken, not set, and on diamond dust. Senate amendment No. 777 strikes out the House language, and amendment No. 919 transfers these items to the free list; and the House recedes on amendment No. 777.

On amendment No. 778: This amendment reduces from 20 to 10 per cent ad valorem the rate of duty imposed by the House bill on pearls and parts thereof, drilled or undrilled, but not set or strung (except temporarily); and the House recedes.

On amendment No. 779: This amendment reduces from 20 to 10 per cent ad valorem the rate of duty imposed by the House bill on diamonds, coral, rubies, cameos, and other precious stones and semiprecious stones, cut but not set, and suitable for use in the manufacture of jewelry; and the House recedes.

On amendment No. 780: The House bill imposed on imitation half pearls not coated with fish-scale solution a duty of 20 per cent ad valorem. The Senate amendment strikes out the words "not coated with fish-scale solution," so that all imitation half pearls, whether or not coated with fish-scale solution, will be subject to the 20 per cent duty; and the House recedes.

On amendments Nos. 781 and 782: The House bill provided that imitation solid pearls, unpierced, pierced, or partially pierced, loose or mounted, of whatever shape, color, or design, shall bear the same rate of duty as is applicable to imitation solid pearl beads. Senate amendment No. 781 includes within this provision iridescent imitation solid pearls, and amendment No. 782 makes a change in language for purposes of clarification; and the House recedes on both amendments.

On amendment No. 783: Under the House bill lace window curtains (other than those provided for in par. 320) were included within the lace and embroidery paragraph of the bill at 90 per cent ad valorem without specific enumeration. The Senate amendment specifically names these articles in the paragraph; and the House recedes.

On amendment No. 784: The House bill excepted from the 90 per cent duty in paragraph 1529 (a) boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for, and such footwear the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, rayon, silk, or substitutes, even though such articles are ornamented or embroidered, and also excepts the articles provided for in paragraphs 1702 and 1721 of the House bill. The Senate amendment makes the exception apply to all articles on the free list and to such footwear the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, or silk, or substitutes. The House recedes with an amendment making the exception apply as in the House bill as well as to all articles on the free list.

On amendment No. 785: The House bill excepted from the 90 per cent duty imposed on lace articles and embroideries in paragraph 1529 (a) the handkerchiefs and body-supporting garments and wearing apparel to which such garments are attached, in part of lace, or embroidered, enumerated in subparagraphs (b) and (c), respectively, of the House bill. The Senate amendment removes the exception in the case of body-supporting garments; and the House recedes with an amendment making a necessary change in subparagraph reference.

On amendment No. 786: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 787: This amendment removes from the 90 per cent ad valorem rate imposed in paragraph 1529 (a) on embroidered hose and half hose, such hose and half hose in chief value of cotton or wool if the embroidery is commonly known as clocking and does not exceed 1 inch in width or 6 inches in length, exclusive of the fork, and subjects them to the lower rates of duty provided in the cotton and wool schedules. The House recedes on this amendment with an amendment subjecting such hose and half hose to a duty of 75 per cent ad valorem.

On amendment No. 788: This amendment imposes on laces 3 inches or less in width, and on laces suitable for conversion into laces 3 inches or less in width, an additional duty of one-half of 1 cent per yard for each one-half inch or fraction thereof in width, and imposes on nets and netting certain additional specific duties per square yard, according to the number of holes per square inch. The Senate recedes.

On amendments Nos. 790 and 791: The House bill imposed a duty of 4 cents each and 40 per cent ad valorem on handkerchiefs wholly or in part of lace or embroidered, etc. Amendment No. 790 makes the rate on handkerchiefs of lace 90 per cent ad valorem. Amendment No. 791 makes the rate on embroidered handkerchiefs 90 per cent and imposes an additional duty of 1 cent each if such handkerchiefs are made with hand-rolled or hand-made hems. The Senate recedes on amendment No. 790. The House recedes on amendment No. 791 with an amendment imposing the following duties on both lace and embroidered handkerchiefs: If valued at not more than 70 cents per dozen, 3 cents each and 40 per cent ad valorem; valued at more than 70 cents per dozen, 4 cents each and 40 per cent ad valorem, plus an additional duty of 1 cent each on such handkerchiefs valued at not more than 70 cents per dozen if made with hand-rolled or hand-made hems.

On amendment No. 793: The House bill imposed duties of 60 and 75 per cent ad valorem on body-supporting garments and on wearing apparel or articles to which a body-supporting garment is attached. The Senate amendment provides that when such wearing apparel or article is so attached, it shall not be subject to a less rate of duty than if it were imported separately; and the House recedes.

On amendment No. 794: The House bill imposed a duty of 60 per cent ad valorem on elastic fabrics of whatever material composed, knit, woven, or braided, in part of india rubber, more than 12 inches in width. The Senate amendment removed the limitation as to width; and the House recedes.

On amendments Nos. 795, 949, 967, and 968: The House bill imposed on hides and skins of cattle of the bovine species a duty of 10 per cent ad valorem, and duties of 12½, 15, and 20 per cent on various leathers made from such hides or skins. Leather made from the skins of other animals was made dutiable at 25 per cent ad valorem, but if to be used in the manufacture of shoes, or if cut into shoe forms the duty was 10 per cent. The House bill also imposed a duty of 30 per cent ad valorem on fancy leather of all kinds. Boots and shoes of leather were made dutiable at 20 per cent and boots or shoes with vegetable or animal fiber uppers were made dutiable at 35 per cent. Harness, saddles, and saddlery, and parts thereof (except metal parts), were made dutiable at rates of 15 per cent and 35 per cent. The Senate amendments transfer hides and skins of cattle of the bovine species and boots and shoes of leather to the free list. The Senate amendments also make chamois skins, pianoforte, pianoforte-action, player-piano-action leather, and enameled upholstery leather, and bag, strap, case, football, and glove leather, and seal, sheep, goat, and calf leather, other than shoe leather, dutiable at 20 per cent. All other leather is placed on the free list. Boots and shoes of animal or vegetable fiber uppers are made dutiable at 35 per cent. Harness valued at more than $70 per set and single harness and saddles valued at more than $40, and parts (except metal parts) for any of the foregoing are made dutiable at 35 per cent. The House recedes on amendment No. 795 with an amendment restoring the provisions of the House bill, making certain clarifying changes, and reducing from 25 per cent to 10 per cent the duty on vegetable-tanned rough leather made from goat or sheep skin (including those commercially known as India-tanned goat or sheep skins). The Senate recedes on amendments Nos. 949, 967, and 968.

On amendment No. 796: The House bill imposed a duty of 35 per cent ad valorem on bags, baskets, belts, satchels, cardcases, pocketbooks, jewel boxes, portfolios, and other boxes and cases, not jewelry, wholly or in chief value of leather or parchment and manufactures of leather, rawhide, or parchment, or of which leather, rawhide, or parchment is the component material of chief value, not specially provided for, and a duty of 50 per cent ad valorem on any of the foregoing permanently fitted and furnished with traveling, bottle, drinking, dining or luncheon, sewing, manicure, or similar sets. The Senate amendment reduces these rates, respectively, to 30 per cent ad valorem and 45 per cent ad valorem, and restores moccasins to this paragraph at 30 per cent ad valorem, which were dutiable under paragraph 1530 (e) of the House bill at 20 per cent ad valorem; and the Senate recedes.

On amendment No. 797: The House bill imposed the following duties on gloves wholly or in chief value of leather, which duties are based upon extreme length of the gloves (including the un-

folded length of cuffs or other appendages): Men's gloves not over 12 inches in length, $6.50 per dozen pairs; women's and children's gloves not over 12 inches in length, $5.50 per dozen pairs; an additional duty of 50 cents per dozen pairs on such gloves for each inch or fraction thereof in excess of 12; and cumulative duties of $1 per dozen pairs when machine seamed but not overseamed; $5 per dozen pairs when seamed by hand; $3.50 per dozen pairs when lined with fabrics; $4 per dozen pairs when trimmed with fur; and $5 per dozen pairs when lined with leather or fur. The House bill also imposed a minimum duty of 50 per cent ad valorem and provided that glove tranks should be subject to 75 per cent of the duty provided for the gloves in the fabrication of which they are suitable. Gloves of horsehides or cowhides (except calfskins) are dutiable under the House bill at 25 per cent. The Senate amendment makes gloves of leather dutiable at the following rates: Men's gloves, $6 per dozen pairs; women's and children's gloves of sheep or lamb leather, not over 14 inches in length, $4 per dozen pairs, and if in excess of 14 inches in length, 25 cents per dozen pairs additional for each inch; women's and children's gloves (not of sheep or lamb leather) not over 14 inches in length, $5 per dozen pairs and 25 cents per dozen pairs for each inch in excess of 14. Under the Senate amendment the extreme length does not include the unfolded length of cuffs or other appendages. The Senate amendment also imposes cumulative duties of $2 per dozen pairs if lined with fabric and $4 per dozen pairs if lined with leather or fur. Gloves of horsehides or cattle hides (except calfskins) under the Senate amendment are dutiable at $1.50 per dozen pairs. Glove tranks are subject to 75 per cent of the duty provided for the gloves in the fabrication of which they are suitable. The House recedes with an amendment restoring the provisions of the House bill, but making the base rate on men's gloves $6 per dozen pairs.

On amendment No. 798: The House bill imposed a duty of 65 per cent ad valorem on artificial flies, snelled hooks, leaders or casts, finished or unfinished, and of 55 per cent ad valorem on fishhooks, fishing rods and reels, artificial baits, and all other fishing tackle and parts thereof, fly books, fly boxes, fishing baskets or creels, finished or unfinished, not specially provided for, except fishing lines, fishing nets, and seines. The Senate amendment rewrites the House text, subjecting all such articles to a duty of 45 per cent ad valorem. The House recedes with an amendment restoring the House classification, but imposing a duty of 55 per cent ad valorem on artificial flies, snelled hooks, leaders or casts, finished or unfinished, and on fishing rods and reels, and parts thereof; and of 45 per cent ad valorem on all the other articles enumerated in the paragraph.

On amendment No. 799: The House bill imposed a duty of 35 per cent ad valorem on all candles. The Senate amendment eliminates this specific provision, the effect of which is to make wax candles dutiable at 20 per cent ad valorem as manufactures of wax, not specially provided for, while other handles would be dutiable as a nonenumerated manufactured article at the same rate under paragraph 1558 of the Senate bill; and the House recedes with an amendment restoring the House language but changing the rate to 27½ per cent ad valorem.

On amendment No. 800: The House bill imposed a duty of 50 per cent ad valorem on manufactures of chip roping. The Senate amendment eliminates this specific provision, the effect of which is to make this item dutiable at 25 per cent ad valorem as a manufacture of chip not specially provided for; and the House recedes with an amendment restoring the House language but making the rate 25 per cent ad valorem.

On amendment No. 801: Under the House bill floor coverings of sponge rubber were not specifically mentioned, but were dutiable at 40 per cent ad valorem in paragraph 1021 as floor coverings not specially provided for. The Senate amendment specifically names these articles, and imposes a duty thereon of 25 per cent ad valorem; and the Senate recedes.

On amendments Nos. 802, 803, and 804: The House bill imposed a duty on laminated products of which any synthetic resin or resinlike substance provided for in paragraph 28 (coal-tar products) is the chief binding agent. Amendment No. 802 extends these duties so as to apply to laminated products of which any synthetic resin or resinlike substance is the chief binding agent; and the House recedes. Amendment 803 is a clarifying amendment in respect of these duties; and the House recedes. The House bill imposed a duty of 50 cents per pound and 40 per cent ad valorem on manufactures wholly or in chief value of any of the foregoing laminated products. Amendment 804 imposes the same duty on manufactures wholly or in chief value of any other product of which any synthetic resin or resinlike substance is the chief binding agent, thus including molded products as well as laminated products; and the House recedes.

On amendment No. 805: The House bill imposed a duty of 60 per cent ad valorem on pipe organs or pipe-organ player actions and parts thereof. The Senate amendment provides that on pipe organs or pipe-organ player actions and parts thereof especially designed and constructed for installation and use in a particular church, or in a particular public auditorium at which it is not customary to charge an admission fee, which are imported for that specific use, and which are so installed and used within one year from the date of importation, the rate of duty shall be 40 per cent ad valorem; and the House recedes.

On amendment No. 806: This amendment reduces from 60 to 40 per cent ad valorem the rate of duty imposed by the House bill on chin rests for violins; and the House recedes.

On amendment No. 808: This amendment reduces from 60 to 40 per cent ad valorem the rate of duty imposed by the House bill on strings for musical instruments composed wholly or in part of catgut, other gut, oriental gut, or metal; and the House recedes.

On amendments Nos. 809 and 1108: The House bill imposed a duty of $1.25 each and 35 per cent ad valorem on violins, violas, violoncellos, and double basses, of all sizes. Senate amendment No. 809 provides that this duty shall apply only to such of the articles named as are made after the year 1800; and amendment No. 1108 transfers to the free list those made in the year 1800 or before; and the House recedes on both amendments.

On amendments Nos. 810 and 811: The House bill imposed a duty of 20 per cent ad valorem on all carillons, and parts thereof. Senate amendment No. 810 increases this rate to 25 per cent ad valorem; and amendment No. 811 provides that religious and educational societies and institutions, or individuals for philanthropic, charitable, or patriotic purposes, may import free of duty any carillon consisting of not less than 30 bells of different sizes and weights, and parts thereof, for installation and use in or on one building, and not for sale; and the Senate recedes on both amendments.

On amendments Nos. 812 and 816: The House bill provided that any article chiefly used for the amusement of children, or any part of any such article, shall not be classified under the musical instruments paragraphs (1541 and 1542 of the Senate bill). The Senate amendments strike out these provisos in view of the new wording in the toy paragraph (see amendment No. 748), which accomplishes the same purpose; and the House recedes.

On amendment No. 813: Under the House bill dictophones are not specifically mentioned, but are dutiable at 30 per cent ad valorem under the provision for phonographs, gramophones, graphophones, and similar articles. The Senate amendment specifically enumerates dictophones, but makes no change in the duty; and the House recedes.

On amendments Nos. 814 and 815: The House bill imposed a duty of 8 cents per thousand and 45 per cent ad valorem on needles for phonographs, gramophones, graphophones, and similar articles. Senate amendment No. 815 eliminates the specific rate but retains the ad valorem rate at 45 per cent, and amendment No. 814 specifically enumerates needles for dictophones; and the House recedes on amendment No. 814, and the Senate recedes on amendment No. 815.

On amendment No. 816: See amendment No. 812.

On amendment No. 817: This amendment increases from 25 to 40 per cent ad valorem the rate of duty imposed by the House bill on sponges commercially known as sheepswool; and the House recedes with an amendment making the rate 30 per cent ad valorem.

On amendments Nos. 819, 820, and 822: These are clarifying amendments to make certain that the subparagraph is confined solely to works of art. The House recedes on all three amendments.

On amendment No. 821: Under the House bill statuary, sculptures, or copies, replicas, or reproductions of the same, not specially provided for, which are works of art, are dutiable at 20 per cent ad valorem. The Senate amendment limits the House provision to such of these articles as are valued at not less than $2.50 each, the effect of which is to make articles valued at less than $2.50 each dutiable according to the component material of chief value; and the House recedes.

On amendment No. 823: Under the House bill paintings in oil, mineral, water, or other colors, pastels, and drawings and sketches in pen and ink, pencil, or water color, are free of duty if original, while if not original they are either dutiable under paragraph 1547 of the House bill at 20 per cent ad valorem as works of art, not specially provided for, or under other paragraphs according to the nature and description of the article. The Senate amendment imposes a duty of 20 per cent ad valorem on any of the foregoing, whether or not works of art, suitable as designs for use in the manufacture of textiles, floor coverings, wall paper, or wall coverings; and the House recedes.

On amendments Nos. 824 and 825: The House bill imposed a duty of 60 cents per gross and 35 per cent ad valorem on pencils of paper, wood, or other material not metal, filled with lead or other material, pencils of lead, crayons (including chalk crayons and charcoal crayons or fusains), not specially provided for. The Senate amendments reduce this rate to 45 cents per gross and 25 per cent ad valorem; and the House recedes on both amendments with amendments making the rate 50 cents per gross and 30 per cent ad valorem.

On amendment No. 826: This amendment provides that on any of the pencils provided for in paragraph 1549 (a), valued at more than $5.75 per gross, the maximum duty shall be $1 per gross; and the Senate recedes.

On amendment No. 827: Under the House bill black pencil leads not in wood or other material are dutiable at 6 cents per gross. The Senate amendment includes at this rate black leads for holders and black leads of graphite or of graphite and clay exceeding 0.06 of an inch in diameter. The House recedes with an amendment making clarifying changes but without change of the rate or classification provided in the Senate amendment.

On amendments Nos. 828 and 829: The House bill imposed a duty of 72 cents per dozen and 40 per cent ad valorem on mechanical pencils. The Senate amendments give mechanical pencils a separate classification and change the rate to 45 cents per gross and 40 per cent ad valorem; and the House recedes.

On amendment No. 830: The House bill imposed a duty of 25 per cent ad valorem on photographic dry plates, not specially provided for. The Senate amendment reduces this rate to 20 per cent ad valorem, and provides that when such dry plates are panchromatic, the rate shall be 10 per cent; and the House recedes with an amendment making the rate 20 per cent ad valorem on such plates whether or not panchromatic.

On amendments Nos. 831, 832, and 833: The House bill imposed a duty of 25 per cent ad valorem on photographic films, sensitized but not exposed or developed, of every kind except motion-picture films having a width of 1 inch or more, and imposed a duty of 0.4 of 1 cent per linear foot on motion-picture films, sensitized but not exposed or developed, of the standard width of 1⅜ inches, while all other widths of 1 inch or more were dutiable in equal proportion thereto. The Senate amendments eliminate the distinction between motion-picture films and other photographic films and make all sensitized but not exposed or developed films dutiable at 0.2 of 1 cent per linear foot of the standard width of 1⅜ inches, and other widths in proportion thereto; and the Senate recedes on all these amendments.

On amendments Nos. 834 and 988: The House bill imposed a duty of 2 cents per linear foot on all photographic-film negatives, in any form, for use in connection with moving-picture exhibits or for making or reproducing pictures for such exhibits, exposed but not developed. Senate amendment No. 834 excepts from the duty undeveloped negative moving-picture film of American manufacture exposed abroad for silent or sound news reel; and amendment No. 988 transfers this film to the free list; and the House recedes on both amendments.

On amendments Nos. 835 and 894: The House bill imposed a duty of 60 per cent ad valorem on cigarette books, cigarette-book covers, and on cigarette paper in all forms, except cork paper. Senate amendment No. 835 strikes out the House provision, and amendment No. 894 transfers these items to the free list; and the Senate recedes.

On amendment No. 836: This amendment reduces from 60 to 40 per cent ad valorem the rate of duty imposed by the House bill on umbrellas, parasols, and sunshades covered with material other than paper or lace, not embroidered or appliquéd; and the House recedes.

On amendments Nos. 837, 838, and 839: The House bill imposed a duty of 75 per cent ad valorem on handles and sticks for umbrellas, parasols, sunshades, and walking canes, wholly or in chief value of synthetic phenolic resin. Senate amendment No. 838 eliminates the word "phenolic," and amendments Nos. 837 and 839 make clerical changes; and the House recedes on all these amendments.

On amendment No. 840: See amendment No. 577.

On amendment No. 841: The House bill imposed a duty of 30 per cent ad valorem on bleached beeswax, while crude beeswax was free of duty under paragraph 1791 of the House bill as wax not specially provided for. The Senate amendment imposes a duty of 12 per cent ad valorem on crude beeswax, and reduces the rate on bleached beeswax to 25 per cent ad valorem; and the Senate recedes.

On amendment No. 842: Under the House bill stamping and embossing materials of pigments, mounted on paper or equivalent backing and releasable from the backing by means of heat and pressure, are dutiable at 5 cents per pound and 15 per cent ad valorem under paragraph 1405 as surface-coated papers. The Senate amendment specifically provides for these items in a separate classification and makes the rate thereon three-eighths of 1 cent per hundred square inches; and the House recedes.

TITLE II.—FREE LIST

The following amendments make changes in paragraph numbers, and the Senate recedes: 853, 858, 859, 860, 862, 863, 864, 865, 866, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 880, 881, 882, 883, 884, and 886.

The following amendments make changes in paragraph numbers, and the House recedes with amendments making further changes in paragraph numbers: 888, 891, and 892.

The following amendments make clerical changes, and the House recedes: 912, 924, and 1065.

On amendment No. 845: The House bill, in referring to our possession in Samoa, used the descriptive phrase "the island of Tutuila." The Senate amendment uses the phrase "American Samoa"; and the House recedes.

On amendment No. 846: See amendment No. 13. The House recedes.

On amendment No. 847: Under the House bill milk cans were not specifically enumerated, but were dutiable under the basket clause of the metal schedule. The Senate amendment transfers this item to the free list; and the Senate recedes.

On amendments Nos. 848 and 849: The House bill provided that horses, mules, asses, cattle, sheep, and other domestic animals which have strayed across the boundary line into any foreign country, or which are driven across such boundary line by the owner for temporary pasturage purposes only, together with the offspring, shall be dutiable unless brought back to the United States within eight months, in which case they shall be free of duty. Senate amendment No. 848 eliminates the provision for free entry of such animals as are driven across the boundary line, and amendment No. 849 limits the time within which strayed animals may be returned free of duty to three months. The House recedes on both amendments, with amendments permitting driving or straying across the boundary line between the United States and Canada and the free return of the animals within eight months, but permitting no free return of animals if driven into Mexico and allowing free return of animals strayed into Mexico only if returned within three months.

On amendment No. 850: The House bill permits animals, poultry, and fish to be temporarily brought into the United States under bond for a period not exceeding six months, for the purpose of breeding, exhibition, or competition for prizes offered by any agricultural, polo, or racing association. The Senate amendment confines this privilege to animals and poultry; and the House recedes.

On amendment No. 851: Under the House bill, arrowroot starch was not specifically mentioned, but was dutiable under paragraph 85 of the House bill at 1½ cents per pound as starch not specially provided for. The Senate amendment transfers manufactured arrowroot, including starch and flour, to the free list; and the House recedes with an amendment making a clarifying change in language.

On amendment No. 852: See amendment No. 11. The Senate recedes.

On amendment No. 854: The House bill exempts from duty articles the growth, produce, or manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means, but confines this exemption to such articles when imported by or for the account of the person who exported them from the United States. The Senate amendment strikes out this limitation, the effect of which is to extend the privilege to persons other than those by or for the account of whom the articles were exported; and the Senate recedes.

On amendment No. 855: The House bill exempts from duty iron or steel drums of either domestic or foreign manufacture, used for the shipment of acids, or other chemicals, which shall have been actually exported from the United States. The Senate amendment includes within this provision drums of other metal than steel or iron; and the House recedes.

On amendment No. 856: The House bill exempts from duty bags of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, but confines this exemption to such domestic bags as may be imported by the exporter thereof. The Senate amendment strikes out this limitation, making such bags exempt from duty whether or not imported by the exporter thereof; and the Senate recedes.

On amendment No. 857: The House bill permitted to certain persons, under certain conditions, the free importation of certain containers and coverings of American manufacture, but attached the condition that upon reimportation duty should be paid equal to any drawback allowed on exportation. The Senate

amendment provides that if such coverings and containers are not unusual they shall be relieved from the repayment of drawback if used as coverings and containers of merchandise not subject to an ad valorem rate of duty; and the House recedes.

On amendment No. 861: This amendment makes certain that plantains shall be admitted free of duty; and the House recedes.

On amendments Nos. 867 and 868: Under the House bill bread is exempted from duty if yeast was the leavening substance used in its preparation. The Senate amendment further limits this provision to such bread as is light raised, and is commonly known as bread, the effect of which is to make so-called Swedish bread and similar bread dutiable at 30 per cent ad valorem under paragraph 733 of the Senate bill; and amendment No. 868 makes bread dutiable in the case of imports from a country which imposes a tariff on bread imported from the United States; and the Senate recedes on both amendments.

On amendment No. 879: See amendment No. 159. The Senate recedes.

On amendment No. 887: See amendment No. 244. The House recedes with an amendment making a change in paragraph number.

On amendments Nos. 889 and 890: See amendment No. 29. The House recedes.

On amendment No. 894: See amendment No. 835. The Senate recedes.

On amendment No. 900: Under the House bill cocoa or cacao beans are free of duty. The Senate amendment makes certain that shells of such beans shall also be free of duty; and the House recedes.

On amendment No. 918: The House provision excludes sulphocyanides or thiocyanides, thiocyanates, and nitroprussides from this paragraph. The Senate provision also excludes these compounds and, in addition, excludes ferrocyanides, ferricyanides, and cyanates, the effect of which is to make them dutiable under paragraph 5 at 25 per cent; and the House recedes.

On amendments Nos. 938 and 939: The House bill placed on the free list guano, basic slag, manures, and all other substances used chiefly for fertilizer, not specially provided for, but provided that no article specified by name in Title I should be free of duty under this provision. Senate amendment No. 939 extends the application of this paragraph to substances used chiefly as an ingredient in the manufacture of fertilizers and strikes out the clause excepting articles specified by name in Title I. Amendment No. 938 makes the provisions of the paragraph applicable, notwithstanding any other provision of the act. The House recedes on amendment No. 939 and recedes on amendment No. 938 with an amendment making a clarifying change.

On amendment No. 941: See amendment No. 36. The House recedes.

On amendments Nos. 943 and 944: Under the House bill gunpowder, sporting powder, and all other explosive substances not specially provided for, are free of duty, with a proviso that if any country, dependency, province, or other subdivision of government imposes a duty on any article specified in the paragraph, when imported from the United States, an equal duty shall be imposed upon such article coming into the United States from such country, dependency, province, or other subdivision of government. Senate amendment No. 943 excepts from the provisions of this paragraph explosive substances wholly or in chief value of cellulose esters, and amendment No. 944 strikes out the countervailing duty provisions. The House recedes on amendment No. 943 and the Senate recedes on amendment No. 944.

On amendment No. 949: See amendment No. 795. The Senate recedes.

On amendments Nos. 967 and 968: See amendment No. 795. The Senate recedes.

On amendment No. 986: The House bill admitted free of duty nets or finished sections of nets for use in otter trawl fishing, if composed wholly or in chief value of manila or vegetable fiber. The Senate amendment limits this provision to such nets composed wholly or in chief value of manila. The House recedes.

On amendment No. 988: See amendment No. 834. The House recedes.

On amendments Nos. 990 and 991: The Senate amendments make certain that kapok seed and rubber seed shall be admitted free of duty; and the House recedes.

On amendment No. 994: See amendments Nos. 445 and 446. The House recedes.

On amendment No. 996: The House bill exempted from duty fish, the product of American fisheries (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) landed in a foreign country and there not further advanced than beheaded, eviscerated, packed in ice, and frozen. The Senate amendment permits the removal of the fins; and the House recedes.

On amendment No. 998: See amendment No. 121. The Senate recedes.

On amendment No. 1000: The House bill admitted free of duty olive oil and palm-kernel oil rendered unfit for use as food or for any but mechanical or manufacturing purposes. The Senate amendment includes within this provision rapeseed, sunflower, and sesame oil when so denatured; and the House recedes.

On amendment No. 1001: The House bill admitted free of duty Chinese and Japanese tung oil. The Senate amendment makes free of duty all tung oil; and the House recedes.

On amendment No. 1005: See amendment No. 355. The House recedes.

On amendment No. 1007: This amendment places on the free list pads for horses; and the Senate recedes.

On amendment No. 1011: See amendment No. 129. The House recedes.

On amendment No. 1030: The Senate amendment places on the free list scientific instruments, apparatus, and devices, of a kind not offered for sale in the United States by domestic producers and imported for research purposes by any college or university, and not for sale, subject to such regulations as the Secretary of the Treasury may prescribe; and the Senate recedes.

On amendment No. 1042: The Senate amendment makes clear that both crude and refined sodium nitrate shall be free of duty; and the House recedes.

On amendment No. 1043: See amendment No. 160. The Senate recedes.

On amendment No. 1044: This amendment transfers refined salt cake from the free list where it appears in the House bill to the dutiable list under paragraph 81 of the Senate bill; and the House recedes.

On amendment No. 1045: See amendment No. 158. The House recedes.

On amendment No. 1054: Under the House bill, statuary imported in good faith for presentation without charge to, and for the use of, any corporation or association organized and operated exclusively for religious purposes, is placed on the free list. The Senate amendment excepts from this provision casts of plaster of Paris, or of compositions of paper or papier-mâché; and the House recedes.

On amendment No. 1056: See amendment No. 204. The House recedes.

On amendment No. 1069: This amendment transfers from one place in the free list to another, alloys in chief value of tin not specially provided for; and the House recedes.

On amendment No. 1073: See amendment No. 181. The House recedes.

On amendment No. 1083: The Senate amendment exempts from duty, in the case of any individual returning from abroad, all professional books, implements, instruments, and tools of trade, occupation, or employment, taken by him out of the United States to foreign countries, without regard to their value; and the House recedes with an amendment making clerical changes.

On amendment No. 1084: The House bill provided for the admission free of duty of articles not exceeding $100 in value acquired abroad by residents of the United States for personal or household use or as souvenirs or curios not bought on commission or intended for sale. The Senate amendment provides that a resident of the United States shall not take advantage of this exemption within a period of 30 days from the last exemption claimed, and further provides that no courtesy of the port, free entry, or special privileges or preferences in the examination of merchandise or baggage shall be extended to any person whomsoever who is subject to the payment of customs duties; and the House recedes with an amendment striking out the proviso in respect of courtesy of the port, etc.

On amendment No. 1088: The House bill places all witherite on the free list. The Senate amendment limits the House provision to witherite, crude, unground, the effect of which is to make all other forms dutiable under paragraph 214 at 30 per cent ad valorem as an earthy or mineral substance not specially provided for; and the House recedes.

On amendment No. 1097: Under the House bill, Christmas trees were not specifically enumerated, but were dutiable at 10 per cent ad valorem under paragraph 1557 of the House bill as an unenumerated article. The Senate amendment places Christmas trees on the free list; and the Senate recedes.

On amendments Nos. 1100 and 1101: The House bill places on the free list original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen, ink, pencil, or water colors, artists' proof etchings unbound, and engravings and woodcuts unbound, and original sculptures or statuary, including not more than two replicas or reproductions of the

same, but provides that the words "painting," "sculpture," and "statuary," as used in this paragraph shall not be understood to include any articles of utility, nor such as are made wholly or in part by stenciling or any other mechanical process. Senate amendment No. 1100 includes within the operation of this limitation the terms "drawing" and "sketch," and amendment No. 1101 further excludes from the paragraph such articles for industrial use; and the House recedes on both amendments.

On amendment No. 1106: Under the House bill, all rugs and carpets were excepted from the provision for the free entry of works of art. The Senate amendment confines the exception to those made after the year 1700, the effect of which is to make those made during or prior to the year 1700 free of duty if works of art; and the House recedes.

On amendment No. 1107: The House bill places on the free list works of art (except rugs and carpets), collections in illustration of the progress of the arts, works in bronze, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art of ornamental character or educational value which shall have been produced more than 100 years prior to the date of importation. The Senate amendment makes this provision apply only to such articles as shall have been produced prior to the year 1830; and the House recedes.

On amendment No. 1108: See amendment No. 809. The House recedes.

On amendment No. 1110: The House bill placed on the free list Venetian glass mosaics which are works of art. The Senate amendment strikes out the House provision, the effect of which is to make these articles dutiable at 60 per cent ad valorem under paragraph 218 (f) of the Senate bill as an article composed wholly or in chief value of glass, not specially provided for; and the House recedes.

TITLES III AND IV.—SPECIAL AND ADMINISTRATIVE PROVISIONS

On amendment No. 1113: This amendment restores the specific requirement of the existing marking law, omitted from the House bill, that the marking must be in a conspicuous place; and the House recedes.

On amendment No. 1114: The House bill required the marking of every imported article and its immediate container, and the package in which imported, and delegated to the Secretary of the Treasury authority to make such exceptions as he deemed advisable. The Senate amendment strikes out this general authority in the Secretary of the Treasury to make exceptions and provides that the Secretary of the Treasury may except any article from the requirement of marking but only if the article is incapable of being marked, or can not be marked without injury, or if the expense is economically prohibitive of importation, or if the marking of the immediate container will reasonably indicate the country of origin of the article. The amendment also restores the requirement of existing law that the marking shall be as nearly indelible and permanent as the nature of the article will permit. The House recedes with amendments providing that the Secretary of the Treasury may except an article from the marking requirements if "he is satisfied that" the article is incapable of being marked, or can not be marked without injury, or except at an expense economically prohibitive, or that the marking of the immediate container will reasonably indicate the country of origin of the article.

On amendment No. 1115: The Senate amendment makes the penalties provided for violation of the marking provisions applicable to the covering or obscuring of any mark with intent to conceal the information given thereby; and the House recedes.

On amendment No. 1116: The House bill retained the existing law prohibiting the importation of certain obscene articles and articles of immoral use or tendency and extended the prohibition to cover books, papers, pamphlets, and other articles containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon the President of the United States. The Senate amendment strikes out the entire section of the House bill but restores the prohibitions against importation, except that the matter regarding treason or insurrection is specifically limited to treason or insurrection against the United States, and the prohibition against matter containing any threat to take the life of or inflict bodily harm upon the President of the United States is extended to cover such threats toward any person in the United States. In addition, the Senate amendment provides that the Secretary of the Treasury may, in his discretion, notwithstanding the prohibitions against importation, admit the so-called classics or books of recognized and established literary or scientific merit, and that he may, in his discretion, admit such classics or books only when imported for noncommercial purposes. However, the Senate amendment specifically provides that the prohibited articles shall be held by the collector to await the action of the district court, and that no protest shall be taken to the United States Customs Court from the decision of the collector. Upon the seizure the collector is required to transmit information thereof to the district attorney of the proper district, who thereupon is to institute proceedings for the forfeiture, confiscation, and destruction of the book or matter seized. In any such proceedings a trial by jury may be demanded, and the same right of review is given as in ordinary actions or suits. The House recedes.

On amendment No. 1117: This amendment is discussed in connection with amendment No. 470; and the Senate recedes.

On amendment No. 1118: The House bill retained existing law prohibiting the importation of goods, wares, articles, and merchandise manufactured wholly or in part by convict labor. The Senate amendment extends the prohibition to goods, wares, articles, and merchandise "mined or produced"; and the House recedes.

On amendment No. 1119: This amendment extends the prohibition against importation of convict-made goods, discussed under amendment No. 1118, to similar products of forced labor or indentured labor under penal sanctions; and the House recedes.

On amendment No. 1120: This amendment postpones until January 1, 1932, the effective date of the provisions prohibiting the importation of goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or indentured labor under penal sanctions. The House recedes with an amendment providing that such provisions shall in no case be applicable to goods, wares, articles, or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States. This will prevent the application of these provisions to articles such as rubber and tea, which are not produced in the United States, and articles as to which our domestic production does not satisfy our consumptive needs.

On amendment No. 1121: This amendment defines "forced labor," referred to in connection with amendments Nos. 1119 and 1120, to mean work or service exacted under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; and the House recedes.

On amendment No. 1122: This amendment makes a clerical change; and the House recedes.

On amendment No. 1123: This amendment extends the privilege of temporary free importation under bond for exportation within a limited period to include articles imported by illustrators and photographers for use solely as models in their own establishments, in illustrating catalogues, pamphlets, or advertising matter; and the House recedes.

On amendment No. 1124: The House bill contains an addition to existing law permitting refund of duties in the case of merchandise not conforming to sample or specification, if within 10 days after release from customs custody the merchandise is returned to customs custody for exportation. The Senate amendment extends this period to 30 days; and the House recedes.

On amendment No. 1125: The House bill provided that there shall be no allowance of drawback unless the completed article is exported (or shipped to the Philippine Islands) within five years after importation of the imported merchandise. The Senate amendment reduces this period to three years; and the House recedes.

On amendment No. 1126: This amendment empowers the Legislature of Porto Rico to impose duties upon coffee imported into Porto Rico, including coffee produced in a foreign country coming into Porto Rico from the United States. The duties, less the cost of collection, are to be covered into the Treasury of Porto Rico, to be expended as required by law for the Government and benefit thereof. The amendment also provides that the United States Customs and Postal Services shall assist the Porto Rican officials in the collection of such duties. The House recedes with amendments providing that the duties may be imposed upon coffee "grown" in a foreign country, instead of coffee "produced," in order that the authority will extend to coffee imported into the United States, processed, and then shipped to Porto Rico, and providing that the duties shall be collected in the manner now provided by law in the case of duties collected in Porto Rico.

On amendment No. 1127: This amendment authorizes the Secretary of the Treasury and the Postmaster General, with the advice and consent of the President, to enter into reciprocal agreements with foreign countries to provide for the entry free of duty in the respective countries of advertising matter sent to individual addresses. A specific exemption is made in the case of matter printed or produced in a foreign country advertising

the sale of articles by persons carrying on business in the United States; and the House recedes.

On amendment No. 1136: This amendment directs the Tariff Commission to ascertain and report to Congress within eight months from the passage of the act the approximate average cost per barrel to oil refineries on the Atlantic seaboard over a 3-year period of domestic crude petroleum and the present approximate cost per barrel of crude petroleum from Lake Maracaibo, Venezuela, delivered to the same points; and the House recedes.

On amendment No. 1137: This amendment makes a clerical change; and the House recedes.

On amendments Nos. 1142, 1143, and 1144: The House bill retains the provisions of existing law with respect to appeals from the findings of the Tariff Commission in cases involving unfair practices in the import trade. Such appeals may be taken to the United States Court of Customs and Patent Appeals upon questions of law only, the findings of the commission as to the facts being conclusive if supported by evidence. The Senate amendments provide in effect for an appeal from the findings of the commission on questions both of law and fact; and the Senate recedes.

On amendment No. 1145: The House bill retains the provision of existing law which permits a review by the United States Supreme Court upon certiorari of a judgment of the United States Court of Customs and Patent Appeals in cases involving unfair practices in the import trade. The Senate amendment eliminates the provision relating to such review by the Supreme Court upon certiorari, leaving the judgment of the United States Court of Customs and Patent Appeals final and not subject to review; and the House recedes.

On amendment No. 1146: The Senate amendment provides that before any article is excluded from entry because of unfair practices in connection with its importation or sale the domestic manufacturer or producer who files a complaint with the commission, or whose rights are injured, shall furnish a bond to protect the persons who suffer damages because of such exclusion in the event the complaint is determined to be unfounded. Suits for recovery upon such bonds may be maintained in district courts of the United States; and the Senate recedes.

On amendment No. 1147: The House bill provides that the decision of the President as to the exclusion from entry of any article under section 337 shall be conclusive. The Senate amendment eliminates this provision; and the Senate recedes.

On amendment No. 1148: The House bill provides that in cases where the President has reason to believe that attempts are being made to enter articles in violation of section 337 but has not sufficient information to satisfy himself of the violation, he may request the Secretary of the Treasury to forbid entry pending investigation but that the Secretary may permit entry under bond. The Senate amendment provides that in all such cases the articles shall be entitled to entry under bond; and the House recedes.

On amendment No. 1149: The Senate amendment defines the term "United States" as used in sections 337, 338, and 340 in order to make it clear that the benefits of such sections extend to Porto Rico; and the House recedes.

On amendment No. 1150: The Senate amendment restores the definition of "foreign country" contained in existing law, for the purpose of clarity; and the House recedes.

On amendment No. 1152: This amendment directs the Tariff Commission to convert the rates imposed by the present bill to rates based upon "domestic value," defined by the amendment as the wholesale selling price in the United States of such or similar imported merchandise, or, if none such, then an estimated value based on the wholesale selling price in the United States of comparable merchandise, with necessary adjustments for differences. The action of the commission is to be based upon importations during the period from July 1, 1927, to June 30, 1929, and the commission is directed to report back to Congress the result of its work as soon as practicable, but in no event later than January 1, 1932. The Secretary of the Treasury and the Secretary of Commerce are directed to furnish to the commission, upon request, any data or information in their respective departments relating to the importation, entry, appraisement, and classification of merchandise and the collection of duties thereon. The House recedes with an amendment extending the time within which the commission shall report until July 1, 1932.

On amendment No. 1153: The Senate amendment establishes the office of consumers' counsel to represent the interests of the consuming public in proceedings before the Tariff Commission; and the Senate recedes.

On amendment No. 1154: The Senate amendment makes it unlawful for any person to interfere with or influence any member or employee of the Tariff Commission in the execution of the functions of the commission, and imposes a penalty for violations; and the House recedes.

On amendment No. 1155: A similar amendment is discussed under amendment No. 1; and the House recedes.

On amendment No. 1158: The House bill made the determination of the appraiser that foreign or export value could not be ascertained final and conclusive, subject only to appeal to the Secretary of the Treasury. The Senate amendment eliminates this provision. The House recedes with an amendment providing, in lieu of the provision proposed by the House, that the decision of the appraiser that foreign value, export value, or United States value can not be ascertained shall be subject to review in reappraisement proceedings; but in any such proceeding an affidavit executed outside of the United States shall not be admitted in evidence if executed by any person who fails to permit a Treasury attaché to inspect his books, papers, records, accounts, documents, or correspondence pertaining to the value or classification of the merchandise.

On amendments Nos. 1159 and 1160: These amendments make clerical changes; and the Senate recedes.

On amendment No. 1161: "United States value" is defined in existing law as the freely offered wholesale price of "such or similar" merchandise in the principal market of the United States, with deductions for duty, a commission (not to exceed 6 per cent), or profits (not to exceed 8 per cent), and certain costs and expenses. The House bill enlarged this definition so as to permit (in any case where a United States value as now defined could not be ascertained) an estimated value based upon the domestic wholesale selling price of a domestic or imported article comparable in construction or use, with appropriate adjustments for differences between the imported article and the article used as a basis for the comparison. The Senate amendment restores the existing law; and the House recedes with an amendment changing the subdivision letter.

On amendments Nos. 1162 and 1163: These amendments make clerical changes; and the Senate recedes.

On amendment No. 1164: This amendment extends the provisions of existing law, continued in the House bill, authorizing overtime compensation for certain customs officers and employees assigned to duty in connection with lading or unlading at night or on Sunday or a holiday, to customs officers and employees assigned to duty at night or on Sunday or a holiday in connection with the entering or clearing of vessels or the issuing or recording of their marine documents or other instruments. The extra compensation is payable by the carrier in the same manner and upon the same terms and conditions as now provided by law in the case of the officers and employees now entitled to receive extra compensation; and the House recedes.

On amendment No. 1165: This amendment makes a clerical change; and the Senate recedes.

On amendment No. 1166: This amendment provides that if articles named under Title II of the act, imported in railroad freight cars from a contiguous foreign country, are subjected to inspection, all expense incident to the movement of the car to and from the place of inspection, unloading and reloading of the car, or expense otherwise made necessary by the inspection, shall be paid by the Government, provided the inspection disclosed no evidence of intention to evade the customs laws, or of a purpose to introduce articles the admission of which is punishable by law; and the Senate recedes.

On amendment No. 1167: Under existing law the cost of equipment and repair parts or materials for and repairs upon vessels documented under the laws of the United States, purchased or made in a foreign country, are dutiable unless the owner or master furnishes good and sufficient evidence that the vessel, while in the regular course of her voyage, was compelled to put into a foreign port and purchase such equipment, parts, or materials, or make such repairs, to secure the safety of the vessel to enable her to reach her port of destination. The House bill extended this provision so as to permit an exemption if the equipment or material was purchased or the expense of repairs incurred to maintain the vessel in a seaworthy condition, or to repair damages suffered or to replace equipment damaged or worn out during the voyage, or to maintain such vessel in a sanitary and proper condition for the carriage of cargo or passengers. The Senate amendment restores existing law except that the exemption may be granted only if the equipment or repairs are to secure the "safety and seaworthiness" of the vessel to enable her to reach her port of destination; and the House recedes.

On amendment No. 1168: The House bill authorized the Secretary of the Treasury to provide by regulations for such exceptions from or additions to the requirements as to the contents of the invoice as he might deem advisable. The Senate

amendment eliminates this provision; and the House recedes with an amendment restoring the provision for making exceptions but striking out the authority to provide for additions.

On amendment No. 1169: The House bill provides that invoices for merchandise shipped to the United States from the Philippine Islands or any of its other possessions may be certified by the collector of customs or the person acting as such, or by his deputy. The Senate amendment specifies the other possessions to which this provision is applicable, but omits Porto Rico, which is a customs collection district and is treated as part of the United States for tariff purposes; and the House recedes.

On amendment No. 1170: The House bill provided that a person making entry on a duplicate bill of lading should be the sole consignee. The Senate amendment makes this provision applicable with respect to a person making entry on a carrier's certificate. This was made necessary by the action of the Senate (amendment No. 1175) permitting entry on a carrier's certificate. The House recedes, in accordance with the action of the conferees on amendment No. 1175.

On amendment No. 1172: This amendment makes a clerical change; and the House recedes.

On amendment No. 1173: The House bill provides that the requirements as to production of the original bill of lading shall not apply in the case of an entry on a duplicate bill of lading The Senate amendment extends the exception to entry on carrier's certificate (see amendment No. 1175). The House recedes, in accordance with the action of the conferees on amendment numbered 1175.

On amendment No. 1174: This amendment subjects to a penalty of $50 any person making entry who fails to comply with the law requiring the attachment as a part of the entry or the inclusion therein of an accurate statement specifying, in terms of the official statistical enumeration, the kinds and quantities of all merchandise imported and the value of the total quantity of each kind of article; and the Senate recedes.

On amendment No. 1175: The House bill retained the provisions of existing law relating to entry upon the original bill of lading but provided an alternative method, permitting entry on a duplicate bill of lading signed or certified to be genuine by the issuing carrier. The House bill further provided that no merchandise so entered should be released from customs custody except to such carrier but that the person so making entry should be liable for the payment of all additional and increased duties. The Senate amendment preserves in substance the House provision except that the duplicate bill of lading must be signed or certified by the carrier bringing the merchandise to the port at which entry is to be made, instead of the issuing carrier, and the provision making the person who makes entry liable for all additional and increased duties is omitted. The Senate amendment added a third method for making entry, namely, by a person certified by the carrier to be the owner or consignee of the merchandise or an agent thereof. The Senate amendment further provides that merchandise shall be released from customs custody only to or upon the order of the carrier bringing the merchandise to the port at which entry is made, except that merchandise in a bonded warehouse shall be released only to or upon the order of the warehouse proprietor; and that if entry is upon an original bill of lading it shall be returned to the person making entry. The collector is relieved of all liability in respect of the delivery of merchandise released from customs custody in accordance with the above provisions; and if recovery should be had in any suit or proceeding against a collector in respect of release of merchandise, in the performance of his official duty, and if the court certifies that there was probable cause or that the collector acted under orders of the Secretary of the Treasury or other proper officer, no execution shall issue but the amount recovered shall be paid out of the Treasury. The House recedes.

On amendments Nos. 1176 and 1177: Under existing law and the House bill a consignee is not liable for any additional or increased duties if he files the so-called owner's declaration. The Senate amendments provide in addition that the consignee shall not be liable for any other obligation or liability stipulated in any bond given at the time of entry if he files a supplemental bond of the owner conditioned that he will assume the liability of the consignee under the latter's bond; and the Senate recedes.

On amendment No. 1178: Under the House bill there could be no amendment of entry after the invoice or the merchandise comes under the observation of the appraiser, assistant appraiser, examiner, or examiner's clerk, or any person acting as such; except that in the case of articles dutiable under paragraph 27 or 28 amendment of entry may be made at any time before the invoice or the merchandise comes under the observation of the appraiser. The Senate amendment adopts existing law which permits amendment in any case at any time before the invoice or the merchandise has come under the observation of the appraiser; and the House recedes.

On amendment No. 1180: This amendment makes a clerical change; and the House recedes.

On amendment No. 1181: This amendment, which strikes out the requirement of notice of appraisement where the appraisement is made on a basis of value different from the basis stated in the entry, and the exception subjecting the ordinary reappraisement proceedings to the provisions relating to review of the appraiser's decision by the Secretary of the Treasury, was made necessary by the action of the Senate (amendment No. 1158) giving finality to the appraiser's decision in certain cases. The House recedes, in accordance with the action of the conferees on amendment No. 1158.

On amendment No. 1182: The House bill provides that the judge of the United States Customs Court shall determine the dutiable value of the merchandise. The judge is guided by the same definition of value as the appraiser, and to avoid confusion the Senate amendment strikes out the word "dutiable"; and the House recedes.

On amendment No. 1183: This amendment changes the designation "special agents" to "customs agents"; and the House recedes.

On amendment No. 1184: The House bill required the appraiser to report the value of the merchandise within 120 days after entry but provided that the Secretary of the Treasury might, upon application, grant such extension as he deemed necessary. The Senate amendment strikes out this provision; and the House recedes.

On amendments Nos. 1185 and 1186: These amendments make clerical changes which are necessary in connection with amendment No. 1184; and the House recedes.

On amendments Nos. 1187 and 1188: The House bill permits entry at a higher value because of advances by the appraiser in similar cases pending on request for review by the Secretary of the Treasury. These amendments, made necessary by the action of the Senate (amendment No. 1158) relating to finality of the appraiser's decision, strike out the House provision; and the House recedes, in accordance with the action of the conferees on amendment No. 1158.

On amendment No. 1189: The House bill permits liquidation in accordance with the final appraisement in the case of entry pending reappraisement if the action was taken in good faith, after due diligence on the part of the importer. The Senate amendment eliminates the requirement of due diligence; and the House recedes.

On amendment No. 1190: The House bill made the entered value the final appraised value in case of failure of the appraiser to make return within the period prescribed. The Senate amendment, in conformity with the action of the Senate (amendment No. 1184) striking out the time limit on the appraiser's return, strikes out the House provision; and the House recedes, in accordance with the action of the conferees on amendment No. 1184.

On amendments Nos. 1191, 1192, and 1193: These amendments make clerical changes, necessary by reason of the Senate action (amendment No. 1184) striking out the time limit on the appraiser's return; and the House recedes.

On amendments Nos. 1194, 1195, 1196, and 1197: The House bill authorizes allowance in the estimation and liquidation of duties where the importer abandons to the United States, within 10 days after entry in case of merchandise not sent to the appraiser's stores, or within 10 days after release in the case of examination packages, any merchandise representing 5 per cent or more of the total value of merchandise of the same class or kind entered in the invoice and, within the 10-day period, delivers the portion so abandoned to such place as the collector directs. The effect of the Senate amendments is to increase this period to 30 days; and the House recedes.

On amendment No. 1198: This amendment permits authorized representatives of American labor organizations or associations, in respect of merchandise in the manufacture or production of which members of such organizations or associations take part, to complain, appeal, or protest in respect of the appraisement or classification of merchandise in the same manner as American manufacturers, producers, and wholesalers; and the Senate recedes.

On amendment No. 1199: This amendment transfers all functions of the Secretary of the Treasury with respect to the appointment and fixing of the compensation of clerks and other employees of the United States Customs Court, and with respect to the official records, papers, office equipment, and other property of such court, to the Attorney General, and transfers to the Department of Justice all unexpended amounts allotted for the

expenses of operation of the United States Customs Court from any appropriation for collecting the revenue from customs; and the House recedes.

On amendment No. 1200: The effect of this amendment is to exclude the time during which a protest is pending from the computation of the 2-year period within which reliquidation may be had on account of fraud; and the House recedes.

On amendment No. 1201: The House bill authorized the detail to the District of Columbia from the field force of the Customs Service of not to exceed eight persons in connection with the enforcement of the act. The Senate amendment increases the number to 10; and the House recedes.

On amendments Nos. 1202 and 1203: These amendments make clerical changes; and the Senate recedes.

On amendment No. 1204: Under existing law and the House bill the importation of merchandise bearing an American trademark owned by a citizen or corporation of the United States and registered by a person domiciled in the United States is prohibited unless written consent of the owner of the trade-mark is produced at the time of making entry. The Senate amendment eliminates the provision relating to the consent of the owner, the effect of which is to absolutely prohibit the importation of such merchandise; and the Senate recedes.

On amendment No. 1205: This amendment prohibits the importation of merchandise of foreign manufacture if the merchandise, or the package in which it is inclosed, bears a notice of patent under the laws of the United States; and the Senate recedes.

On amendments Nos. 1206 and 1207: These amendments make clerical changes; and the Senate recedes.

On amendments Nos. 1208 and 1209: These amendments make it certain that the injunction proceedings contained in the present law and the House bill for violation of the prohibition against importation of merchandise bearing an American trademark shall not be extended to the case of merchandise bearing American patent notice (see amendment No. 1205); and the Senate recedes, in conformity with the action of the conferees on amendments Nos. 1204 and 1205.

On amendment No. 1210: The House bill added a new provision prohibiting the importation of wild mammals or birds, or parts or products thereof, from any country having restrictive laws or regulations in respect of the taking, killing, possession, or exportation to the United States of any such wild mammals or birds, or the exportation to the United States of any part or product thereof, unless accompanied by the certification of the American consul for the district in which is located the port or place from which the mammal or bird was exported from such country, that such articles have not been acquired or exported in violation of the laws or regulations of the country from which they come. Exceptions are made in the case of prohibited importations, articles imported for scientific or educational purposes, and migratory game birds taken during the open season by bona fide sportsmen. The Senate amendment strikes out the House provision (see discussion under amendment No. 1211); and the Senate recedes.

On amendment No. 1211: This amendment restores in substance the language of the House bill stricken out by Senate action in amendment No. 1210 (with certain changes in phraseology), except that the matter restored refers to laws of a foreign country restricting exportation generally and does not specify exportation to the United States. Since it is clear that a general restriction on exportation would include exportation to the United States, the Senate recedes.

On amendment No. 1212: Under existing law and the House bill merchandise may be entered, under Treasury regulations, at the port of arrival, for transportation in bond without appraisement to any other designated port, there to be entered in accordance with the provisions relating to entry generally. The Senate amendment strikes out this provision and provides for the transportation in bond, by a bonded carrier, without entry or appraisement, to the designated port, and specifically declares that no paper, manifest, or other similar document shall be required to be filed by the importer or consignee in connection with such transportation; and the Senate recedes.

On amendments Nos. 1213, 1215, 1216, 1218, 1219, 1222, and 1224: The warehouse period for all merchandise is fixed in the House bill and existing law at three years. The effect of these amendments is to reduce the period for which grain may be stored in bonded warehouse from 3 years to 10 months. All the legal consequences resulting during or after the 3-year period in the case of other merchandise will, in the case of grain, under the Senate amendments, result during or after, respectively, the 10-month period; and the House recedes.

On amendments Nos. 1214, 1217, and 1220: An amendment similar to these amendments is discussed under amendment No. 1; and the House recedes.

On amendment No. 1221: The House bill limits the time within which "loss, theft, injury or destruction" of merchandise in bonded warehouse must occur in order that there may be abatement or refund of duties in respect thereof. There is no provision in the bill for abatement or refund in case of loss or theft in bonded warehouse, and this amendment clarifies the language of the House provision accordingly by striking out the words "loss" and "theft"; and the House recedes.

On amendment No. 1223: The House bill provided that no abatement or refund shall be made in respect of the injury or destruction of merchandise in bonded warehouse occurring after the expiration of three years from the date of importation, or in any case after the expiration of 24 hours after the issuance of a permit for removal. The Senate amendment strikes out the latter limitation; and the House recedes.

On amendment No. 1225: Under existing law if any merchandise is found on board of or after having been unladen from any vessel or vehicle, which is not included or described in the manifest or does not agree therewith, the master of the vessel or the person in charge of the vehicle is liable to a penalty equal to the value of the merchandise so found or unladen. The House bill extended this liability to the owner of the vessel or vehicle. The Senate amendment strikes out the provision imposing the penalty upon the owner; and the Senate recedes.

On amendment No. 1226: Under existing law if any merchandise described in the manifest is not found on board the vessel or vehicle the master or other person in charge is subject to a penalty of $500. The House bill extended this liability to the owner of the vessel or vehicle. The Senate amendment strikes out the provision imposing the penalty upon the owner; and the Senate recedes.

On amendment No. 1227: Under existing law (sec. 594, tariff act of 1922) and the House bill (sec. 594) a common-carrier vessel is not liable to seizure or forfeiture to recover penalties for violation of the customs laws unless it appears that the owner or master of the vessel was at the time of the alleged illegal act a consenting party or privy thereto. The House bill provided that where the merchandise found on board or after being unladen, unmanifested, is smoking opium, the penalty of $25 per ounce, for which the master or owner is liable, shall constitute a lien upon the vessel which may be enforced by a libel in rem, notwithstanding the above provision as to common carriers. The Senate amendment makes an exception and provides that the master or owner of a common-carrier vessel shall not be liable to the penalty, and the vessel not held subject to the lien, if it appears to the satisfaction of the court that neither the master nor any of the officers nor the owner knew, and could not, by the exercise of the highest degree of care and diligence, have known, that the opium was on board; and the House recedes.

On amendment No. 1228: This amendment provides that for the purposes of the act smoking opium and other narcotic drugs not possessed by a person registered and lawfully authorized to possess the same shall be considered excisable merchandise upon which the duties have not been paid, or which has been brought into the United States contrary to law; and the Senate recedes.

On amendment No. 1229: This amendment makes a clerical change; and the House recedes.

On amendments Nos. 1230 and 1231: The effect of these amendments is to authorize the court, in forfeiture proceedings under the customs laws, upon request of the Secretary of the Treasury, to provide in its decree for the delivery to the Secretary of the Treasury of the vessel, vehicle, merchandise, or baggage forfeited, for sale by the Secretary of the Treasury in any customs district in which the sale thereof may be permitted; and the House recedes.

On amendment No. 1232: This amendment makes clerical change; and the House recedes.

On amendments Nos. 1233 and 1234: These amendments change the designation "special agent" to "customs agent"; and the House recedes.

On amendment No. 1235: The House bill makes a permanent and indefinite appropriation for the payment of awards of compensation to informers. The Senate amendment strikes out this provision and restores existing law, which provides that such awards shall be paid from moneys appropriated for that purpose, requiring estimates in advance and specific appropriation. The House recedes with an amendment providing that such awards shall be paid from any appropriations available for the collection of the revenue from customs.

On amendment No. 1236: The House bill authorizes the Secretary of the Treasury by regulations to require the production of landing certificates in the case of merchandise exported from the United States. The Senate amendment extends this authority to cargo destined to ports in the United States other

than the port of entry at which the vessel first arrived; and the House recedes.

On amendment No. 1237: The 1922 act, in addition to the specific powers conferred by the act, authorized the Secretary of the Treasury to make such rules and regulations as "may be necessary" to carry out the provisions of the act. Under the regulation section of the House bill the Secretary was authorized to make such rules and regulations as "he may deem necessary." The Senate amendment restores the language of the existing law; and the House recedes.

On amendment No. 1238: Under the House bill the authority of the Secretary of the Treasury to make general regulations to carry out the act was extended to include regulations "to protect the customs revenue." The Senate amendment eliminates this provision; and the House recedes.

On amendment No. 1239: Under existing law the Secretary of the Treasury may revoke the license of a customhouse broker subject to a statutory review of the Secretary's decision by the United States district court. The House bill authorized the Secretary of the Treasury to provide for suspension or revocation but gave no statutory court review. The Senate amendment permits the broker to obtain a review of the Secretary's decision as to revocation or suspension in the United States Court of Customs and Patent Appeals; and the House recedes with an amendment providing that the review shall be by the United States Customs Court.

On amendment No. 1240: The House bill requests the President to make a survey, by such agency or agencies as he may designate or appoint, of bases of valuation for assessment of duties, particularly with a view to determining the extent to which values in the United States may properly be used as a basis, and to submit a report to Congress with such recommendations for legislation as he deems advisable, including such formulæ as he may propose for adjusting the rates of duty imposed by this act to conform to any change in basis he may recommend. The Senate amendment directs the Tariff Commission to make the investigation and broadens its scope, requiring a detailed consideration of existing customs practice, specific difficulties met with, and the indicated remedies. In addition, the Treasury Department is requested to make a complete investigation of undervaluation under the tariff act of 1922. The Senate recedes.

On amendment No. 1241: The House bill authorized the Secretary of the Treasury, pursuant to the air commerce act of 1926, to provide by regulations for the application to civil air navigation of any of the provisions of the act or regulations promulgated thereunder relating to customs administration. The Senate amendment extends this provision to include authority in the Secretary of Commerce to provide in like manner for the application of the provisions or regulations relating to the entry and clearance of vessels; and the House recedes.

On amendment No. 1242: The House bill amended the customs reorganization act of March 4, 1923, so as to authorize the payment of the travel and subsistence expenses of the families of customs officers and employees on official transfers in foreign countries, and the expense of transporting the remains of customs officers and employees who die while in, or in transit to, foreign countries in the discharge of official duty, to this country for interment, and the ordinary and necessary expenses of such interment. The Senate amendment (a) rephrases and clarifies this provision without reenacting the provisions of the 1923 act, so as to avoid any possible doubt of the application of the subsistence expense act of 1926, which has superseded the 1923 act in some respects. The Senate amendment (b) also removes the limitation on the amount of household effects and personal property for the transfer of which allowance may be made on official transfers of customs officers and employees. Under existing law no allowance may be credited for travel or shipping expenses incurred on a foreign ship by a customs officer or employee except upon proof satisfactory to the Comptroller General of the necessity of incurring such expenses. The Senate amendment (c) requires the crediting of allowances in such cases if the Secretary of the Treasury certifies to the Comptroller General that transportation on such foreign ship was necessary to protect the revenue. The House recedes.

On amendment No. 1243: Section 195 of the Judicial Code provides that final decisions of the Court of Customs and Patent Appeals, in cases appealed from the Customs Court, may be reviewed by the Supreme Court upon application by either party, in any case in which a constitutional or treaty question is involved, or in any other case if the Attorney General files a certificate to the effect that the case is of such importance as to render expedient its review by the Supreme Court. The Senate amendment repeals this limitation, the effect of such repeal being to permit either party to apply in his own discretion; and the House recedes.

On amendment No. 1244: The effect of this amendment is to make uncertified checks, United States notes, and national bank notes receivable in payment of customs duties; and the House recedes.

On amendment No. 1245: This amendment provides that "customs attachés" shall hereafter be known as "Treasury attachés"; and the House recedes.

On amendment No. 1246: This amendment authorizes the appointment of an additional deputy commissioner of customs; and the House recedes.

On amendments Nos. 1247, 1249, 1250, and 1251 make changes in section numbers; and the House recedes.

On amendment No. 1248: The House bill repealed the provisions of existing law requiring that importation packages of cigars shall contain not less than 3,000. The Senate amendment strikes out this repealing provision; and the Senate recedes.

On amendment No. 1252: This amendment changes the year specified in the short title from "1929" to "1930"; and the House recedes.

On amendment No. 1253: The Senate amendment provides for the suspension by the President of the duties upon imported articles whenever the United States Customs Court finds that full conditions of unrestrained competition among domestic producers and distributors of such articles do not prevail. Complaints may be filed in such court by any citizen of the United States or by the consumer's counsel (see amendment No. 1153) alleging that such conditions of competition do not prevail with respect to the production, distribution, or sale of any dutiable articles. Upon the filing of any such complaint the court causes notice to be given by publication through the Treasury Decisions and Commerce Reports that it will hold a hearing on a specified date when relevant testimony and argument may be offered. Following the hearing the court reports its findings to the President. If the findings show that such conditions of competition do not prevail the President is required to issue a proclamation within one month suspending the duties upon the articles in question. The suspension continues until it is established before the court, and the court finds, that such full conditions of competition have been restored. The court is given power to make reasonable rules and regulations governing its procedure. The Senate recedes.

The committee of conference have not agreed on the following amendments:

DISAGREEMENT AS TO SUBSTANCE

On amendments Nos. 195 and 893, relating to cement.

On amendments Nos. 364, 885, 903, 904, 1004, and 1006, relating to silver.

On amendment No. 369, relating to logs of fir, spruce, cedar, or western hemlock.

On amendment No. 370, relating to cedar lumber and timber.

On amendment No. 371, relating to softwood lumber and timber, and to railroad ties and telephone, telegraph, trolley, and electric-light poles of any wood.

On amendment No. 372, relating to maple, birch, and beech flooring and other lumber and timber.

On amendments Nos. 373 and 1035, relating to shingles.

On amendment No. 376, relating to cabinet woods.

On amendments Nos. 394, 395, and 396, relating to sugar.

On amendments Nos. 1091, 1092, 1093, and 1095, relating to the free list provisions on lumber, timber, and railroad ties and telephone, telegraph, trolley, and electric-light poles.

On amendment No. 1128, relating to export debentures.

On amendments Nos. 1129, 1130, 1131, 1132, 1133, 1134, and 1135, relating to organization of the tariff commission.

On amendment No. 1138, relating to information to be furnished to Members of Congress.

On amendment No. 1139, relating to cost of production investigations.

On amendments Nos. 1140, 1141, and 1151, relating to flexible tariff.

DISAGREEMENT AS TO CLERICAL AMENDMENTS DEPENDING ON AMENDMENT NO. 1140

On the following amendments, clerical in nature, the committee of conference have not agreed, since these amendments depend upon the action with respect to amendment No. 1140, relating to flexible tariff:

On amendments Nos. 1156, 1157, and 1171.

AGREEMENT AS TO SUBSTANCE BUT DISAGREEMENT AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

On amendment No. 901: The House bill placed coffee on the free list. This amendment excepts from free entry coffee imported into Porto Rico in the event that a duty is imposed thereon under authority of section 319, which section is inserted in Title III of the bill by amendment No. 1126, upon which the

House has receded with certain amendments. The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but were unable to recede on account of their inability to agree with the managers on the part of the Senate on the paragraph number, due to the fact that certain substantive amendments (e. g., amendment No. 893, the free-list provision as to cement) are in disagreement, and the correct numbering of this paragraph can not be determined until those substantive amendments are disposed of.

On amendment No. 914: The House bill exempted from duty metallic mineral substances in a crude state, and metals unwrought, whether capable of being wrought or not, not specially provided for. The Senate amendment confines the exemption to metallic mineral substances in a crude state, such as drosses, skimmings, residues, brass foundry ash, and flue dust, not specially provided for. The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 919: The House bill placed upon the free list glaziers' and engravers' diamonds, unset, and miners' diamonds. This amendment also inserts on the free list diamonds and other precious stones, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken. Amendment No. 777 (upon which the House has receded) strikes these articles out of the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 919, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 934: The House bill provided for the free importation, under regulations prescribed by the Secretary of the Treasury and the Secretary of Agriculture, of game animals and birds for stocking purpose when imported by United States or State game officials. The Senate amendment extends this provision to such animals and birds imported by other persons, and also permits the free importation of game animals and birds killed in foreign countries by residents of the United States and imported by them for noncommercial purposes. The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 950: This amendment places grindstones upon the free list, such stones having been stricken from the dutiable list by amendment No. 249, upon which the House has receded. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 950, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 953: This amendment places on the free list horses and mules imported for immediate slaughter, which by amendment No. 430 (upon which the House has receded) are excepted from duty under the agricultural schedule. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 953, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 962: The House bill named as an item on the free list "Junk, old." Most of the articles coming within this designation having been placed on the dutiable list by the House bill or Senate amendments agreed to, or being free under some other paragraph of the free list, the Senate amendment strikes out these words and substitutes the phrase "Waste rope" as being for all substantial purposes the only item left to come under the designation of "Junk, old." The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 964: This amendment places on the free list kieserite, which by amendment No. 103 (upon which the House has receded) are excepted from duty under the chemical schedule. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 964, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 983: This amendment places on the free list muzzle-loading firearms and parts thereof, which by amendment No. 318 (upon which the House has receded) are excepted from duty under the metals schedule. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 983, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 992: The Senate, by amendments Nos. 73 and 74, having stricken out of the dutiable provisions of the chemical schedule gentian, sarsaparilla root, belladonna, digitalis, henbane, stramonium, and ergot, by amendment No. 992 inserted these articles on the free list. On amendments Nos. 73 and 74 the House agreed to striking from the dutiable list these articles, with the exception of digitalis, which under the House bill was dutiable at 25 per cent and which by the action of the conferees on amendment No. 73 was retained in the chemical schedule at 20 per cent. In accordance with this action, the managers on the part of the House favored recession on amendment No. 992 with an amendment striking digitalis from the items inserted on the free list by this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1031: This amendment places on the free list sea herring, fresh or frozen, whether or not packed in ice, and whether or not whole, which under the House bill were dutiable under paragraph 717 (a). The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1032: This amendment places on the free list cowpeas not specially provided for. Senate amendment No. 505 (upon which the House has receded) limited the application of the duties placed by the House on cowpeas to black-eye cowpeas. Amendment No. 1032 also places on the free list chickpeas or garbanzos in pursuance of amendment No. 513 (upon which the Senate has receded), which removed these articles from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on amendment No. 1032 with an amendment striking chickpeas or garbanzos from the items inserted on the free list by this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1047: This amendment places on the free list certain spices and spice seeds which the Senate by amendments Nos. 543 to 550, inclusive, and Nos. 552 to 554, inclusive (upon which the House has receded), struck from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1047, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1064: This amendment places on the free list impure tea, tea waste, and tea siftings and sweepings, for manufacturing purposes in bond, the Senate having by amendment No. 28 (upon which the House has receded) stricken these articles from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1064, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1071: This amendment places on the free list truffles, fresh, or dried or otherwise prepared or preserved, the Senate having by amendment No. 511 (upon which the House has receded) stricken these articles from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1071, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1109: This amendment places on the free list Gobelin tapestries used as wall hangings, which under the House bill were dutiable according to the component material of chief value. The managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1109, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1179: This amendment provides that antique furniture shall enter the United States at ports which shall be designated by the Secretary of the Treasury, and that if any article described in the "antique" paragraph of the free list and imported for sale is rejected as unauthentic with respect to its antiquity, a penalty of 25 per cent of the value of the article shall be imposed. If any such article is passed as authentic, the question of its authenticity shall not thereafter be raised by the Government in any proceeding brought for the purpose of collecting the penalty. The managers on the part of

the House favored recession upon this amendment with an amendment providing for a duty of 25 per cent instead of a penalty, and striking out the provision preventing raising of the question of authenticity, ordinary customs procedure being applicable in such cases. However, since amendment No. 1179 contains a cross reference to the "antique" paragraph by number, and since the action on amendment No. 1105 determines the proper number of that paragraph, and since amendment No. 1105 for the reason given above in connection with amendment No. 901, is in disagreement, the managers on the part of the House were unable to agree on this amendment.

DISAGREEMENT SOLELY AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

The committee of conference have not agreed on the following amendments, due to their inability to determine upon the paragraph number involved, because certain substantive amendments (e. g., amendment No. 893, the free-list provision as to cement) are in disagreement, and the proper paragraph number involved can not be determined until those substantive amendments are disposed of:

On amendments Nos. 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 902, 905, 906, 907, 908, 909, 910, 911, 913, 915, 916, 917, 920, 921, 922, 923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 940, 942, 945, 946, 947, 948, 951, 952, 954, 955, 956, 957, 958, 959, 960, 961, 963, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 984, 985, 987, 989, 993, 995, 997, 999, 1002, 1003, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1066, 1067, 1068, 1070, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089, 1090, 1094, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1111, and 1112.

W. C. HAWLEY,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

PERMISSION TO ADDRESS THE HOUSE

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Indiana [Mr. DUNBAR] asks unanimous consent that he may address the House for 10 minutes. Is there objection?

Mr. TILSON. Mr. Speaker, reserving the right to object, is it something that can not wait for an hour or so, until we have general debate?

Mr. DUNBAR. I would say to the gentleman from Connecticut [Mr. TILSON] that in the debate on the compensation bill, the matter of the indebtedness of the French Government was brought into controversy. I made a statement and the gentleman from New York [Mr. WAINWRIGHT] produced a letter from the Assistant Secretary of the Treasury which was supposed to deny my statement. It did not deny my statement, and I wish to make myself clear.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. WAINWRIGHT. I would like to say that the letter was asked for from the Treasury Department. There was no desire to directly controvert anything that the gentleman from Indiana [Mr. DUNBAR] said, but, in confirmation of a statement that I personally made to which exception was taken, and I believe that that letter, coming from such a high authoritative source, abundantly sustains the assertion that I made on the floor of the House.

Mr. TILSON. Will the gentleman from Indiana [Mr. DUNBAR] withdraw his request and come in under the general debate this afternoon?

Mr. DUNBAR. At what time may I expect to be heard?

Mr. TILSON. Any time this afternoon. We hope to take up an appropriation bill, and I am sure the gentleman from Ohio [Mr. MURPHY] will give the gentleman from Indiana [Mr. DUNBAR] liberal time. The gentleman will not have to be confined to 10 minutes.

Mr. DUNBAR. I am supposed to attend a meeting of the Committee on Flood Control this afternoon, and for that reason I was asking permission to address the House at this time. But if I may be permitted to address the House before 2 o'clock, that will be satisfactory.

Mr. TILSON. Of course, such a promise could not be made at this time.

The SPEAKER. Is there objection?

Mr. TILSON. Mr. Speaker, I shall not object if the gentleman from Indiana has another engagement.

There was no objection.

SETTLEMENT OF FOREIGN DEBTS

Mr. DUNBAR. Mr. Speaker and Members of the House, as I have stated, in the debate on the compensation bill last week the matter of our debt settlement with France was called into question. In that debate I spoke as follows:

I want to say that I agree with him.

That was the gentleman from Oklahoma [Mr. HASTINGS].

You take the settlement of our debt with France, and it has been heralded all over the land and all over the world that France has discharged its obligation to the United States. To what extent did she discharge her obligation to the United States?

Then I went on to say:

If France had commenced in 1925 to pay the Government 2⅛ per cent interest annually on the amount of money she owed us and paid that for 62 years, then the proposition which we accepted from France would be equivalent to our cancelling the debt at that time.

And even then to her advantage.

That is true and it is not disputed by the letter which the gentleman from New York [Mr. WAINWRIGHT] inserted in the CONGRESSIONAL RECORD.

The gentleman from New York [Mr. WAINWRIGHT] said:

Mr. Chairman, during the course of debate on this bill yesterday in the speech of the gentleman from Indiana [Mr. DUNBAR], the question of the foreign debts—maybe irrelevantly—was projected into the debate.

Here is the quotation from the Undersecretary of the Treasury:

The debt settlements concluded by the United States with these governments provide that the principal indebtedness as funded will be repaid in full over a period of 62 years with interest thereon at varying rates.

I do not deny that statement, and it does not refute any statement which I made. The gentleman from Oklahoma [Mr. HASTINGS] has this in the RECORD. The letter is made to say that France will pay us $4,025,000,000; that she will pay us interest to the amount of $2,822,000,000, making a total of $6,847,000,000.

Now, the statement of the gentleman from New York [Mr. WAINWRIGHT] in that respect is true. In another respect it is misleading, and in another respect it is not true. I made the statement that if France would pay us 2⅛ per cent annually for 62 years it would be equivalent at the end of 62 years of cancelling the debt that France owed us.

The amount of funded debt was $4,025,000,000. The interest on that at 2⅛ per cent annually amounts to $81,000,000. In the course of 62 years the interest at 2 per cent annually would amount to $5,406,000,000 or $1,380,000,000 more money than France owed us, so that my statement was right—that the settlement we made with France was less than a 2⅛ per cent interest rate and the cancellation of the principal. Then the interest they would have paid into the Federal Treasury could have been used by our Government for the liquidation of its own debt and which in the end would have amounted to more than $6,847,674,104.17, which will be the amount of the combined principal and interest paid by France covering a period of years.

Now, suppose we put it on a basis of 4¼ per cent interest. And let me tell you here that we are paying for $13,000,000,000 all the way from 4 to over 5 per cent interest, so that if the Government had accepted the 2⅛ per cent interest for the period of 62 years then the debt would have been liquidated. So the United States at the end of 62 years would have been richer financially. In the book issued by the Secretary of the Treasury in 1927, in which are mentioned the settlement of our foreign debts, you will find, according to Mr. Mellon's own statement, that the present value of the debt from France, liquidated on the basis of 4¼ per cent interest, would amount to $1,906,000,000, or more than $200,000,000 less than the contract made. In other words, if France had come to us at that time and said, "We will pay you $1,900,000,000 in full settlement of the debt," we would have been in 62 years richer than the settlement agreed upon, and which is to be on long-deferred payment plan.

So, according to Mr. Mellon's own statement, the debt of France at the time of the negotiations amounted, on a present-value basis, to but 47 per cent of the amount France owed the United States.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. DUNBAR. For a question.

Mr. WAINWRIGHT. Is it not a fact that according to this letter the amount the United States will receive or will have received at the conclusion of the 62-year period—assuming, of course, it is lived up to—would be $6,847,674,104?

Mr. DUNBAR. I just said that is true, but that it does not in any way refute the statement which I made.

Mr. WAINWRIGHT. Will the gentleman yield further?

Mr. DUNBAR. For a question.

Mr. WAINWRIGHT. In order to complete my question. The amount of the funded principal, including interest, according to this letter, is $4,025,000,000; in other words, we will have received $2,000,000,000 more than the amount of the funded principal at the end of 62 years.

Mr. DUNBAR. What does the gentleman want to ask me?

Mr. WAINWRIGHT. I want to show that this letter absolutely sustains the statement I made, that we will have received the entire amount of the principal on that debt, with interest over the period of about 2 per cent. This letter absolutely sustains the assertion I made and a similar assertion with regard to the debts of Great Britain and Italy.

Mr. DUNBAR. I want to beg the gentleman's pardon. It does not sustain the position the gentleman took on the floor of this House, because I have given the gentleman the figures. If the Government of France had paid us 2⅛ per cent interest annually, and paid it for 62 years, then at the end of the 62 years she would have paid us no higher rate of interest than 2⅛ per cent, and then there would be practically the cancellation of $4,025,000,000.

Mr. WAINWRIGHT. I do not want to quarrel with the gentleman and this is all in the best of good nature. The gentleman has his view and I have mine.

Mr. DUNBAR. I have my view and my view is correct.

Mr. WAINWRIGHT. I stand on the letter written by the Secretary of the Treasury.

Mr. DUNBAR. The Secretary of the Treasury, in this morning's papers, is authority for the statement that our surplus this year will be $154,000,000, but that is a matter of bookkeeping. It is true that our surplus this year will be $154,000,000, but if we had kept our books in the same way as we did under the Wilson administration our surplus this year would have been nearly $800,000,000. There is nothing in the letter written by the Secretary of the Treasury which denies my statement, that if France had commenced to pay us 2⅛ per cent interest annually, that at the end of 62 years France would have practically liquidated her debt and at no higher rate of interest than 2⅛ per cent paid annually, and this would have been a better settlement for the United States than the one made with France.

Mr. HASTINGS. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. HASTINGS. On the basis of 4¼ per cent interest, the amount we pay on our Liberty bonds, over a period of 62 years we lose in the settlement with France $4,627,225,895.23.

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

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER. Is there objection?

Mr. TILSON. Reserving the right to object, will the gentleman be able to finish in that time?

Mr. DUNBAR. I will if nobody interrupts me.

Mr. TILSON. The gentleman's remarks have injected a matter which really does not belong in the day's proceedings, so I wish the gentleman would cut it short.

The SPEAKER. Is there objection?

There was no objection.

Mr. HASTINGS. Will the gentleman yield?

Mr. DUNBAR. I will yield for one question.

Mr. HASTINGS. On page 7572 of the RECORD I have inserted a table which shows that based upon a 4¼ per cent rate of interest the amount we paid on Liberty bonds, charged throughout the period of 62 years on the various amounts in the settlements with the various countries, we lost $10,705,618,006.90. This table was prepared by the Treasury Department, and surely no man in this House can or will challenge its correctness.

Mr. DUNBAR. I will state to the gentleman that the amount we lose, which is stated by the letter of the Secretary of the Treasury, amounts to more money than the original principal of the debt. I want to ask the gentleman from New York a question. As the gentleman from New York seems to be engaged, I want to show you the method of calculation indulged in with reference to the debt owed by France.

Mr. WAINWRIGHT. What is the gentleman's question?

Mr. DUNBAR. It is too late now. During the first 14 years, according to the public statement of the Secretary of the Treasury, we are supposed to collect from France $985,000,000; of that amount she receives credit in her annual payments of $611,000,000 on account of principal, whereas if she had paid us at the rate of 4¼ per cent she would have paid us in interest in those 14 years something over $2,200,000,000, and on this method of payment we give her credit for $611,000,000 on interest and $373,000,000 for principal, or we give her credit for the first 14 years of payment $1,300,000,000 more than she will pay, calculation made on a 4¼ per cent interest basis.

This is the basis of calculation that is used by the Secretary of the Treasury under our agreement, which gives the appearance, the false appearance, that we are to receive the full amount of our principal and the interest from the French Government.

You will note as you go through this statement of the Secretary of the Treasury that the largest amount we will ever receive from France in one year is $125,000,000, whereas the interest at 4¼ per cent—and let me tell you gentlemen we are paying interest at more than 4 per cent on $13,000,000,000 of our indebtedness—the interest at 4¼ per cent would have amounted annually to approximately $170,000,000, and the most France ever pays in one year on the total of our principal and interest amounts to only $125,000,000.

Take the settlement we made with France on the $400,000,000 she got from us for provisions; she paid us interest for four years, and then under the provisional settlement the interest she paid on the $400,000,000 was made applicable to the payment of the principal in the settlement of this debt.

It is just such calculations as this that mislead the people of this country and cause them to believe that France pays the full amount of her principal, together with the legal rate of interest or the usual rate of interest.

So I say that according to our settlement with France we will not only lose the $4,000,000,000 which the gentleman from Oklahoma [Mr. HASTINGS] has called our attention to, but if the rate of interest which we are paying to-day for money was demanded from France, at the end of 62 years France would owe us $4,627,000,000.

Mr. WAINWRIGHT. Will the gentleman yield for a question?

Mr. DUNBAR. Certainly.

Mr. WAINWRIGHT. Will the gentleman dispute the fact that at the end of 62 years we will have received every dollar of principal on each one of these indebtednesses?

Mr. DUNBAR. I stated that in my opening statement. I answered the gentleman in the affirmative, and he need not have asked that question again. But I reiterate that a contract made on a basis of interest charges of 2⅛ per cent annually with a cancellation of the $4,025,000,000 at the end of 62 years would have been much better for the United States than the contract we did make with France.

The SPEAKER. The time of the gentleman from Indiana has again expired.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY, from the Committee on Appropriations, by direction of that committee, presented a privileged report on the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, which was read, and, with the accompanying papers, referred to the Union Calendar and ordered printed.

Mr. SANDLIN reserved all points of order.

AMERICAN FOREIGN TRADE CORPORATION AND FILS D'ASLAN FRESCO

Mr. IRWIN. Mr. Speaker, by direction of the Committee on Claims, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7356) for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "$54,810" and insert "$24,160."

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

Mr. CRISP. Mr. Speaker, reserving the right to object, I understood the gentleman to say this is done by direction of the committee?

Mr. IRWIN. Yes; by direction of the committee.

Mr. CRISP. And the minority Members were present.

Mr. IRWIN. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

ADDRESS OF HON. WILLIAM A. PITTENGER, OF MINNESOTA

Mr. CLAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a speech made by my colleague, the gentleman from Minnesota [Mr.

PITTENGER] on yesterday at Frederick, Md., on the one hundred and eleventh anniversary of the Odd Fellows.

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

There was no objection.

Mr. CLAGUE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address of the Hon. WILLIAM A. PITTENGER, delivered before the Odd Fellows and Rebekahs of Frederick, Md., at their anniversary exercises held on Sunday, April 27, 1930, in commemoration of the one hundred eleventh anniversary of the founding of Odd Fellowship:

ODD FELLOWSHIP IN THE FIELD OF EDUCATION

I welcome this opportunity to talk to the Odd Fellows of Frederick, Md., and to participate with them in exercises in commemoration of the founding of the Independent Order of Odd Fellows 111 years ago. I feel especially honored on this occasion because, on April 26, 1819, the Independent Order of Odd Fellows was founded in the grand jurisdiction of Maryland. At the city of Baltimore, in one of its taverns, five men met and agreed to institute a lodge. There were no newspaper headlines to mark this event, and these five men little dreamed of the importance and far reaching results of their action on that occasion. The men who met there and founded the first lodge were Thomas Wildey, John Welch, John Duncan, John Cheatham, and Richard Rushworth. They called that lodge Washington Lodge No. 1, I. O. O. F.

To-day, after the lapse of 111 years, a great and powerful fraternity has taken its place among the societies that encircle the globe. The order exists in the principal countries of the world, and its lodges may be found not only in the United States and Canada but in Australasia, Czechoslovakia, Denmark, Germany, Netherlands, Norway, Poland, Sweden, and Switzerland.

The total membership of the order at the present time is approximately 2,500,000 persons. During the year 1928 approximately $6,500,000 was paid out in relief to its members.

It is not within the province of this talk to pay tribute to the founders of Odd Fellowship, but one of those five men at Baltimore on April 26, 1819, was Thomas Wildey, who afterwards, by reason of his long and faithful and distinguished service for the order, became known as the father of Odd Fellowship and attained to the highest rank—namely, that of grand sire or presiding officer of the order.

To-day our grand sire, successor to this distinguished leader, has called upon us, by means of a proclamation, to hold exercises and celebrate our anniversary day. He has directed that these exercises should be for a threefold purpose: First, that we should observe the day with appropriate thanksgiving and ceremonies; second, that the men and women who comprise the membership should rededicate their lives to those things which make for the nobility of character so clearly understood by the founders of the order; third, he has directed that the achievements of the past should be recounted, so as to furnish inspiration for the doing of great deeds in the future.

We are glad on this occasion to carry out the mandates of that proclamation, and we offer up our adoration to Divine Providence for the watchful eye and helpful hand that has led our fraternity along the pathway of usefulness during the past 111 years. We are truly thankful for the opportunity which has come not only to our fraternity but to every fraternity during this period of time to relieve distress and to serve suffering humanity.

Our grand sire has truly said that this organization has grown until its name and unselfish service fill the world and that the happiness of the human race is its one great objective.

It is not my purpose in connection with these anniversary exercises to recount the history and the achievements of the order. Those are known to you and to every member of the order. The long record of relief in times of distress speaks eloquently of the efforts of our membership. When the San Francisco earthquake brought ruin and destruction, the Independent Order of Odd Fellows was on hand with money for relief purposes. It has ever responded to the call of distress in times of national calamity. It was the forerunner of the great program looking forward to the care and education of orphan children as well as safeguarding the aged and infirm in their days of adversity. The Independent Order of Odd Fellows early in its history began the establishment of homes for the children of its deceased members, where they could be trained in the duties of citizenship and where they could be furnished with an education.

Likewise its homes were established for the care of the aged and infirm men and women who had to have this sort of service or else find their way to the poorhouses as charity charges of their municipalities.

This story of service is a bright page in the history of our order. Times without number we might tell of those cases where individual members, in sickness and misfortune, found an organization able, ready, and willing to minister to their needs.

The Independent Order of Odd Fellows has over 15,000 subordinate lodges wherein men hold membership and over 10,000 subordinate lodges wherein women hold membership. Its work is accomplished through these lodges or units.

On this day, throughout the world, in the lodge rooms of these various units, men and women are holding exercises similar in character to those which are taking place on this occasion. With enthusiasm and with determination of purpose we here and now join with our members wherever they may be in renewing our allegiance to the great purpose of our order.

Your grand master in the jurisdiction of Maryland some months ago expressed very aptly the purpose for which we here rededicate our future course of action. He expressed the great purpose of Odd Fellowship as follows:

"To be a guardian to the widow.
"To be a father to the fatherless.
"To be a shield to its members in the sunset of life.
"To uplift humanity.
"To war against dishonesty.
"To teach true fraternity.
"To educate its members in parliamentary law.
"To teach the fatherhood of God and the brotherhood of man."

I do not claim that he has covered the whole field. Perhaps he has included some principles which you might exclude, and perhaps he has omitted some aims which you might consider important. Certainly, the ritual of Odd Fellowship should not be overlooked. That ritual provides the degrees or the ceremony of initiation by which a nonmember may become united with us in the work of the order. It recognizes the place of religion in the world. It develops and expounds a philosophy of right living and lays down a rule of conduct toward our fellowmen. In harmony with the spirit of our ritualistic teachings let us rededicate our lives to the accomplishment of the aims of the order.

Our grand sire, in his proclamation, gave permission to recount the achievements of the past, but he also said the purpose should be to furnish inspiration for the doing of greater deeds in the future. As I said some time ago, those here present are familiar with the history of the order and with its record, and I will not further call attention to them. While our order is world-wide, those who instituted Odd Fellowship very wisely provided that matters of political, sectarian, and controversial character should be excluded from the lodge room. They placed no limitation, however, upon a discussion of the general duties which a member, as an individual, owes to his Government, his State, and his community.

I do not here depart from the rule and do not yield to the temptation to call attention to the multitude of problems in which our citizenship is interested. We have the great problem of chain stores, mergers, and monopolies. We have the problem of the tariff. We have the problem of labor-saving machinery displacing labor in industry, bringing with it unemployment, pension discussion, and numerous other questions. We have the World Court and the League of Nations and the Disarmament Conference. We have the constant discussion on prohibition; and there are other subjects, all of a controversial character, with which Odd Fellowship, as an institution, has no concern and no connection. With these matters every individual has direct concern and direct connection. The obligation to study them, discuss them, and settle them can not be avoided under our form of government, where the individual voters are supposed to control and direct the policy of legislation and the conduct of the affairs of government; where individuals are the masters and not its servants.

While I am not going to discuss controversial matters, I call attention to the great value of education and educational institutions in the happiness of mankind. An educated citizen is the greatest safeguard of democracy; an ignorant citizen a danger and a menace. I think therefore I may properly say that in the program for the future, within the province of Odd Fellowship, the field of education has a peculiar significance.

The Sovereign Grand Lodge has recognized something of the truth of this point of view. One of our accomplishments for the future is a recognition of the part that education plays in training and developing citizenship and in perpetuating our American institutions. The grand sire has very appropriately recognized the importance to all of us, as citizens, of this great field of human endeavor. Under date of February 6, 1930, he directed the attention of the members of the order to the educational foundation established by the Sovereign Grand Lodge in September, 1927. The purposes of this foundation was to assist the sons and daughters of Odd Fellows and Rebekahs to go to schools of higher learning. This foundation opens up a wide field of opportunity. There is nothing more tragic than a young man or a young woman, anxious to learn, anxious to go to school, and yet deprived of that opportunity through the death of their father or mother. Surely we can do nothing of more lasting importance on this occasion than to give serious consideration to the appeal of the grand sire in connection with the education foundation. The success or failure of this great movement in Odd Fellowship, this recognition that the promotion of education is within the province of our order, rests entirely upon the subordinate lodges. From them must come the support for this movement. Inspired as our membership must be by the great record of service which is behind us, on this birthday of Odd Fellowship those achievements should give us new inspiration to carry out our program for the future.

So to-day I want to discuss the value of education—its selfish worth, if you please, to the individual and to the country in which we live.

In the United States we have a system of public schools maintained by taxation. These schools are free to all children. They are the pride of our people. We have a great system of colleges and universities, some privately endowed and some maintained at Government expense. In all of these schools of learning the youth of America are given an opportunity to enter.

When we want to be oratorical and rhetorical we boast that this is the land of opportunity, where the youth of the land, no matter how poor, have the right to grasp the torch of knowledge and to fit themselves for the responsibilities of democracy. Enormous sums of money are spent each year upon our educational institutions. In every way, by private action and public law, the enlightenment of the individual is made possible in the present day.

This condition, however, is in bold contrast to the early days on the North American Continent. It is in bold contrast to those days in the Old World when education was the privilege of the few and ignorance the accepted lot of the multitude. We do not have to go far back in history to those times when human begins were treated as chattels, and, like other property, passed from the owner of one great estate to the one who succeeded him by virtue of inheritance. Those were the days when Beowulf wore an iron collar around his neck, and on that collar was chiseled the name of the lord of the manor to whom he belonged, along with other property situated on the estate. The very thought that this chattel should learn to read and write was entirely impossible.

This same spirit was manifested on the shores of America when Lord Berkeley, in the colony of Virginia, expressed the wish that education would never become free; that he hoped the day would never come when schools should be established for the masses; that people were happy in their ignorance; and that education for them was a dangerous experiment.

These were the happy days of monarchy and oligarchy, the times when political power and governmental action rested upon the theory of the divine right of kings.

In spite of these handicaps and false theories, there were men of vision and courage. They rebelled against the existing institutions and a new change in government came about, a new political theory was born, and the heresy of an early day that boldly proclaimed that all men are created free and equal and endowed with certain inalienable rights, including life, liberty, and the pursuit of happiness, has now become an accepted part of our civilization.

Hand in hand with this change and development in political thought came a new viewpoint relating to education. This change had its early beginnings in New England, where those sturdy pioneers resolved that the blessings of education should be a part of the heritage which they would leave to their children.

I do not here trace the progress or the growth of educational institutions. With that story you are all familiar. You know the story of education in our present-day existence.

It has become traditional with our people to fight illiteracy. The fathers and the mothers in the various local towns and villages have seen to it that schoolhouses were built and teachers employed and the advantages of education made possible for their posterity. They have never required that the Federal Government take over their obligations in this regard. Rather they have resented any interference with their right and their duty to provide proper educational facilities for their children.

There may be differences of opinion as to the purpose of education. Some may argue that the acquisition of facts is its object. By others, the claim may be made that the youth should be taught to think and study. With some, its practical advantages meet with favor and, in this age of specialization, they would have our schools teach the youth a trade or fit them for industrial work. In my opinion, the great fundamental purpose of education is to seek for the truth. There is no greater duty and no greater privilege of citizenship than this, "Ye shall know the truth and the truth shall make you free."

It was Columbus, fighting the prejudice and ignorance of his times, who exploded the theory that the world was flat. It was Galileo who gave us the science of astronomy. It was Franklin who found electricity. So, in all times, men who have sought the truth have had to fight the battles of the common people in their efforts to free the world from superstition, ignorance, and the errors of the past.

Under our form of government, a constitution safeguarding the rights of the people, it is ever imperative that the men and women who want to discharge the duties of citizenship in a proper way should search for the truth.

No sounder philosophy has ever been uttered than the thought expressed by Thomas Jefferson when he said that our Government existed by the consent of those who are governed.

We have a legislative body to make the laws, an executive department to veto those that are improper and enforce those which do not violate the rights of the people. We have a judiciary to protect the people against the encroachments of both of these other branches of government.

Emerging from an old world where the rights of man had been trampled under foot for ages, the founders of our form of government wisely privided that all rights and all authority not granted to governmental agencies should remain in the people. With the greatest of care, they declared inviolate the right of freedom of speech and freedom of the press. Their philosophy was a philosophy of individualism which called for a form of government where every man was privileged to live his own life in his own way, to fight his own battles, and to enjoy the fruits of his own labor. They were the foes of paternalism. They recognized this doctrine as a danger to free institutions.

No citizen to-day can fail to note present-day tendencies which threaten the Republic. The growing habit for people to be led and to be taught to think alike and act alike has been recognized by our best thinkers. This tendency has been called "canned thinking." It is easy to drift along with those who have a definite purpose and program in view. It is easy to follow the "ruts" of yesterday. Those who would break away from tradition find many forms of punishment to await them.

I quote from an address made some years ago, and I commend it to the careful consideration of every right-thinking person to-day:

"The minds of the American people are as Ford cars—all alike. Standardized thinking makes communities as dull as ditch water. The great development of America did not come by mass thinking. It came by expression of individual thinking, by the free activity of minority groups. The present tendency to conformity in thinking is making the people of the Nation walk in lock step like wooden soldiers.

"The danger of any community is getting its ideas handed down to it. Too many people are trying to look, act, and talk like the president of their chamber of commerce. Any expression of individual opinion that departs from the accepted standard gets them in wrong. This mass thinking is blocking the real progress of America."

In connection with these apt remarks, I want to say that the only way to overcome this danger is by developing independence in thought and independence in action. If our scheme of education fails to do this, then it falls far short of its great purpose.

Time will not permit a discussion of the tendencies and conditions which now exist to threaten the well-being of our people; but there is one problem which will probably increase. I refer to propaganda methods which affect every phase of our existence. If legislation is desired, if public approval of some measure or some proposition is sought, the accepted procedure to-day is via the propaganda factory. Someone has said that, if you want a program to succeed, there are three things proper and necessary in its success.

First, after having the frame work of your proposition well in hand, you must line up the recruits. Get people to join something or to sign a petition or to wear a badge, and they at once become friends of the "new movement." They no longer have an open mind, seeking for facts wherever they may be found; their mind becomes a closed book; they become partisans. Whatever the merits of the controversy, the propagandist has succeeded in committing Mr. Individual to a definite program. He does not look for ideas, but he looks for arguments to bolster up the program.

Second, it is well recognized that people like to believe things favorable to their side of a controversy, and they are always eager to give weight to gossip and discussion unfavorable to an adversasry. Consequently, if propaganda is to succeed, there must be carried on a campaign calculated to question the motives of those on the other side of the argument, to charge them with unworthy interests in the same, and, in every way possible, to place them in a disadvantageous position, regardless of the truth.

Third, the propagandist realizes the power of repetition, and any well-organized propaganda factory knows the necessity of constant repetition. I presume most of you have heard of the proverbial character who once told something that was not true and, after repeating it a sufficient number of times, he reached a point where he actually believed the lie himself. Say a thing enough times and it will be accepted as true.

Briefly, these are the propaganda methods, and translated into the every-day language which we use, the "lobby" is the institution which functions daily to control the thought and life of our people. It shapes their daily activities and finds its greatest field of endeavor in the affairs of government at Washington. The multitude of propaganda factories are busy with their legislative programs. So, in every State in these United States, we find the same forces at work.

It, therefore, behooves every one of us to give attention to the one thing which will break down prejudice and restore the rule of reason in determining the procedure for the individual citizen. The most dangerous individual in the world is the propagandist who would rather be consistent than right and who would rather stand by his program than to admit its failure and manifest an honesty of purpose in trying for something better. Education is the only remedy. In it is the hope for saneness and right thinking.

If the educational foundation of the Independent Order of Odd Fellows will help in any degree to develop a type of citizenship so that we

will have men who speak the truth, men who seek the truth, and men who live the truth, it will be one of the great contributions of the order to the human race.

"The world advances and in time outgrows
The laws that in our father's day were best;
And doubtless after us some purer scheme
Will be shaped out by wiser men than we,
Made wiser by the steady growth of truth.
* * * I have no dread of what
Is called for by the instinct of mankind.
Nor think I that God's world would fall apart
Because we tear a parchment more or less.
Truth is eternal, but her effluence,
With endless change is fitted to the hour;
Her mirror is turned forward to reflect
The promise of the future, not the past."

PRIVILEGES OF THE HOUSE

Mr. LUCE. Mr. Speaker, I rise to a question of the privileges of the House and send to the desk the customary resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That a respectful message be sent to the Senate calling the attention of the Senate to the remarks of the Senator from Georgia [Mr. GEORGE], found in the proceedings of the Senate for April 25, 1930, with the request that such action be taken by the Senate as will eliminate from the RECORD such remarks as are in violation of proper parliamentary practice and the proper comity existing between the two Houses.

Mr. CRISP. Mr. Speaker, I make the point of order that the resolution as read does not present any question of privilege. I am frank to say I am not familiar with the language in the RECORD to which the resolution refers, but the resolution as sent to the desk and as read does not present any question of privilege.

The SPEAKER. The Chair thinks the language should be read, so that the House may know the language the gentleman objects to.

Mr. LUCE. I will ask the Clerk to read the third paragraph, second column, on page 7705 of the RECORD of the proceedings of Friday.

The SPEAKER. The Clerk will read the paragraph referred to.

The Clerk read as follows:

Yesterday we witnessed what probably we will witness more and more in the House of Representatives, to wit, the House broke away from its masters and expressed itself in resentment against repressive measures and policies pursued by the leadership of the House. The result is that they sent here veterans' legislation which probably is extreme in many respects, but, nevertheless, it is simply the result of the repressive measures which are used in the House to prevent the consideration of legislation by that body fully and fairly as the body itself desires to consider it.

Mr. CRISP. Does the Chair hold that this presents a question of privilege?

The SPEAKER. The Chair is not quite prepared to say. He will hear the gentleman from Massachusetts.

Mr. LUCE. Mr. Speaker, the general parliamentary law and the precedents, numerous in number in the House itself, as well as in the Senate, in general forbid reference in either body to transactions in the other body.

This rule, which may be found copiously discussed in the precedents, is meant to secure that comity between the two branches shall not be lessened by attack or criticism in one body upon what goes on in the other body.

The particular criticism to which attention is here drawn was on the business of the House, its methods, and what is somewhat vaguely known as its leadership.

The leadership of the House, as commonly understood, includes the Speaker, the Republican floor leader, the Committee on Rules, and the steering committee of the majority.

It would be embarrassing for a member of either of these committees to resent the allegations made in the other branch. I am not a member of either committee, and I have consulted with none of the persons who have been attacked by the remarks in question.

But I have been from its start a member of the Committee on World War Veterans' Legislation, and so have been in part personally responsible for the course that is made the subject of criticism. This leads me at least to secure in the RECORD not an argument but a statement of fact. From the beginning of the work of that committee it has been its custom, until this year, whenever a bill relating to veterans was ready for presentation, to ask recognition from the Speaker for a motion to suspend the rules. What this means is perfectly familiar to every Member of the House, but, inasmuch as the preliminary edition of the RECORD has gone to many thousands of readers unacquainted with our procedure, it seems to me fit that they should be informed—and particularly the four millions and more veterans of the World War—should be informed as to the facts in the case.

So I will repeat what is perfectly familiar to the House.

In this matter of weighty legislation one of two courses is usually followed. Either the bill is presented under a special rule which opens it to amendment, or under suspension of the rules wherewith no amendment is possible and debate is limited.

Your Committee on World War Veterans' Legislation has hitherto followed the latter course, and, as one member of its majority, I accept what share of responsibility may come to me for this.

The other course was followed last week, the responsibility being that of the House itself by reason of the pressure that its Members brought to bear upon the Committee on World War Veterans' Legislation and others to secure opportunity for amendments and debate. Whether the decision was wise or not, it is not for me here to discuss. The story of last Thursday's proceedings will have told the public the facts, and it may draw its own conclusions.

Mr. Speaker, this House is the keeper of its own conscience. The House does in its own way what it thinks best for the needs of the Nation. If it be wrong, it is not responsible to any collateral branch of the Government, and its course ought not to be brought in issue by criticism in that body. Therefore, I hope the resolution may prevail.

Mr. CRISP. Mr. Speaker, I may say that I knew nothing of this matter until the resolution was sent to the Clerk's desk this morning. Therefore I have had no opportunity except during the last few moments to look up the matter. I do not believe that the resolution presents a privileged question, and I make the point of order against it.

Now, I am familiar, Mr. Speaker, with the general parliamentary rules that the presiding officers of the respective Houses should control the decorum in debate of the respective Houses so as to keep good will and comity between the two legislative bodies which is essential to good legislation, the bodies being coordinate bodies from a legislative standpoint.

I call the attention of the Speaker to what the press and the RECORD show happened in the Senate, I think last week. The Senator from Nebraska, Mr. NORRIS, took occasion to criticize the head of the House of Representatives, our beloved Speaker, because of some of his official actions in reference to the referring of a joint resolution dealing with a constitutional amendment. The point was made in the Senate that it was violating the rules of the Senate to criticize the other body. The Vice President ruled on a point of order made by the Senator from Ohio, Mr. FESS, that it did not violate the parliamentary rules. He called upon the Senator from Ohio to present a rule which prohibited it, which the Senator from Ohio failed to do, and the Vice President ruled that it was in order.

Our own rules expressly adopted do not deal with this question of decorum in debate, so far as this affects the Members of the other body, but our rules do provide that Jefferson's Manual shall be the controlling rule of the House when not in conflict with the rules that we adopt ourselves. I read from section 364 of Jefferson's Manual:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting of them might beget reflections leading to a misunderstanding between the two Houses.

Mr. Speaker, that is exactly on all fours with what I said before. This House can not take cognizance of debate that occurred in the Senate. It is up to the Senate itself to protect the debate in that body, if that debate reflects upon Members of this House. I have cited a specific instance in the Senate where a reflection or criticism was being made upon the Speaker, the head of this body, and the Vice President ruled that it was in order to so criticize the Speaker in the Senate.

Mr. TILSON. I suggest that the gentleman read the next paragraph following the one he just read, paragraph 366 on page 144 of the manual.

Mr. CRISP. Let me first read section 301 of Jefferson's Manual:

It is highly expedient, says Hatsel, for the due preservation of the privilege of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice

of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner.

Following that precedent from Jefferson's Manual, which is the rule of the House, because our rules are silent upon it, the House has no authority to criticize the record of the proceedings in the Senate. Of course, if the House saw fit, I think it might adopt a resolution and call the attention to the Senate to it, and then it would be up to the Senate to act.

The SPEAKER. The Chair is prepared to rule, and he is going to rule with the gentleman from Georgia.

Mr. CRISP. The gentleman from Georgia has practiced long enough to always stop when the court is with him. [Laughter.]

The SPEAKER. There is not the slightest question that there are several sections of Jefferson's Manual applying to comity between the two Houses, which would cover a case like this, if the Vice President had not made a ruling the other day in which he said that the Senate is not bound in any respects by Jefferson's Manual. The Vice President said:

> The Chair is ready to rule on the question. The Senate has not adopted Jefferson's Manual as a part of the rules of the Senate. It is left to the discretion of Senators as to what they may or may not say about the proceedings of the House in connection with the resolution under consideration.
>
> Mr. FESS. That is not a rule.
>
> The VICE PRESIDENT. The Chair makes that rule now.

The matter under consideration in the Senate at that time was the matter to which the gentleman from Georgia [Mr. CRISP] has just referred. In other words, it is left to the conscience of Senators as to what they may or may not say about the proceedings of the House, and the last thing that the present occupant of the Chair would be willing to rule upon is a question of that sort.

The Chair holds that the resolution of the gentleman from Massachusetts is not privileged.

VOCATIONAL REHABILITATION

Mr. PURNELL. Mr. Speaker, I call up House Resolution 201, by direction of the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 201

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10175, a bill to amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PURNELL. Mr. Speaker, ladies and gentlemen of the House, this resolution will make in order the bill (H. R. 10175) to amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment." The rehabilitation of persons disabled in industry and their subsequent return to civil employment is one of the most laudable undertakings to which the Federal Government or the several States may point and it is for the purpose of extending this rehabilitation work that this bill is brought in under a special rule.

I shall take only a few minutes in presenting the resolution. The Committee on Rules understands that there is little or no opposition to this bill, and we are agreed that it is a matter of extreme importance to the country, particularly to those unfortunates who have become disabled in industry.

In 1920 a program of rehabilitation such as is provided for by this bill was begun by Congress in cooperation with the several States of the Union. The original bill provided for an appropriation of $1,000,000 per year, covering a period of four years. It was, I believe, the intention of Congress, and it has been so held by the Attorney General, that this work should be a continuing work and that the several States should indulge in a continuous participation. As I say, we tried it out for a period of four years. At the end of that time legislation was enacted providing for like appropriations covering another period of six years.

Now, that time is about to elapse. In fact, on June 30 of this year, unless this legislation is passed, this splendid work will be discontinued.

The present bill extends the rehabilitation program for an additional period of three years, carrying an annual appropriation of $1,000,000, and makes some minor changes, one of which, I think, is to increase the minimum allotment to the States from $5,000 to $10,000 per year.

I shall not, in presenting the rule, attempt to go into a detailed explanation of the work that has been accomplished under the existing legislation, except to state that 44 States of the Union have accepted the provisions of this act and are now cooperating with the Federal Government in returning to remunerative employment their disabled citizens. Some of the States, I am informed, appropriate three or four times as much money as they receive from the Government.

The training of an individual costs about $250 each year, whereas it costs from $300 to $500 per year to maintain these persons in idleness at State expense in State institutions. Certainly no further argument is needed in presenting to this House the need for the continuance of this great rehabilitation program.

I sincerely hope the resolution will be agreed to, and that the bill will be speedily passed.

Mr. Speaker, I reserve the balance of my time, and yield 30 minutes to the gentleman from Alabama [Mr. BANKHEAD].

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

Mr. PURNELL. Certainly.

Mr. TUCKER. I wanted to know if this is one of the original 50-50 bills?

Mr. PURNELL. That is right.

Mr. BANKHEAD. Mr. Speaker and Members of the House, I regard this as a very important piece of humanitarian legislation.

The charge has been frequently made on the floor of the House that in the development of our modern legislation here we have been inclined to engage in too much paternalistic legislation, and that there has been too much centralization in the power of the Federal Government. But I believe that this piece of legislation, which was very vigorously attacked when it was enacted by the House of Representatives, has fully justified the purposes behind it at the time it was passed.

I trust I may be pardoned in taking some modest pride in the operation of this bill, inasmuch as I was the original author and sponsor of this legislation in the Congress of the United States. [Applause.]

When I first came to the House of Representatives I was assigned to the Committee on Education, and in our study of the proposals which were subsequently enacted into law for the rehabilitation of crippled and disabled soldiers my attention was attracted to the vast number of people in the United States—men, women, and children—who were injured in the industries of the country, and for whom no legislation of any substantial character had ever been enacted; and with the assistance of some ladies and gentlemen interested in the proposal, a draft of the bill was prepared and referred to the Committee on Education and favorably reported by that committee and subsequently passed by the House.

I am not going to enter into a minute analysis of this pending bill when it is taken up for consideration but in order that there may be some continuing justification for this expenditure on the part of the Federal Government I desire to read into the RECORD, before I shall conclude, a few brief statements showing the effect of this work on this unfortunate class of people who have benefited by the operation of this law. I read from a statement prepared by Mr. John Aubel Kratz, Chief of the Vocational Rehabilitation Service, as follows:

> In the year 1928 there were 24,000 persons killed at their work in the industries of America. For every death in industry there are 5.6 persons permanently disabled, so that in that year 135,000 workers were permanently disabled through industrial accidents and causes arising out of their employment. During this same year 72,000 persons were killed by public accident, and 144,000 persons were permanently disabled through such accidents. Organized statistics on persons disabled through disease and congenital causes are not available. Students of such statistics estimate that annually 36,000 are disabled by disease and 8,000 through congenital conditions. Thus from all causes as many as 323,000 persons are permanently physically disabled each year.
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> Since the national program was inaugurated in 1920, 40,000 disabled persons have been rehabilitated and returned to self-supporting employment. During the fiscal year 1928–29 the States engaged in the service rehabilitated and returned to remunerative employment between 5,000 and 6,000 disabled persons. These persons were fitted for over 500 different kinds of occupations, ranging in skill from laboring jobs to

the professions. The majority of these persons are engaged in the production and distribution departments of manufacturing establishments. A number of them are in independent employment, such as barbering, shoe repairing, and small retail shops. Others are employed in such maintenance service as auto mechanics, radio and typewriter repair, cleaning and dyeing, and the like.

* * * * * * *

Between 15,000 and 16,000 disabled persons are at present in process of rehabilitation under the auspices of State rehabilitation departments.

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The average cost, including all expenses, of rehabilitating these disabled persons does not exceed $300, divided equally between expenditures from Federal and State funds. This cost of rehabilitation is all the more significant when it is contrasted with the cost, between $300 and $500 annually, of maintaining a disabled person at public expense. No service being rendered by the Federal and State Government brings more immediate and profitable results than this constructive program of refitting disabled persons for useful work. Frequently a disabled person is able in the first year after rehabilitation to increase his former earning capacity by an amount equal to the cost of his rehabilitation. The average age of those rehabilitated is 32, at which age life expectancy is 20 or more years. The significance of this investment of public funds is not only that it brings immediate returns, but also that it yields continuous and cumulative profits.

Between 15,000 and 16,000 disabled persons are at present in process of rehabilitation, under the auspices of State rehabilitation departments; and, as has been stated by the gentleman from Indiana [Mr. PURNELL], the average cost, including all expenses of rehabilitating these disabled persons, does not exceed $300, divided equally between expenditures from Federal and State funds. This cost of rehabilitation is all the more significant when it is contrasted with the cost of between $300 and $500 annually of maintaining a disabled person at public expense. No service rendered by the Federal and State Governments brings more immediate and profitable results than this constructive program of rehabilitating persons for useful work.

It seems to me, gentlemen of the House, that there should be no opposition, and I anticipate there will be no opposition, to the extension of the terms of this bill, merely seeking to authorize an appropriation of $1,000,000 a year for three years and an additional authorization of $97,000 to see that each State in the Union which has accepted the benefits of this bill shall receive its minimum allotment of $10,000 per year.

I respectfully submit for your consideration that while in the beginning this bill as well as this character of legislation was very seriously criticized by some of the ablest men in the House of Representatives when the bill was being considered, I believe the great humanitarian reconstructive work that has been accomplished under its provisions has thoroughly justified its expense, and will justify a vote of confidence and a continuation upon your part of the provisions of the existing law. [Applause.]

Mr. HASTINGS. Will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. HASTINGS. I want to congratulate the gentleman from Alabama [Mr. BANKHEAD] for the conspicuous part he has played in the initiation of this legislation and its subsequent support.

I notice that the report of the committee states that 44 States of the Union have availed themselves of the benefits of the provisions of this legislation. I was wondering if the gentleman from Alabama [Mr. BANKHEAD] had in mind the four States that had not availed themselves of the benefits of the provisions of this bill.

Mr. BANKHEAD. I regret very much that, offhand, I can not give that information to the gentleman from Oklahoma [Mr. HASTINGS], but I am sure the chairman of the committee, the gentleman from New York [Mr. REED] will be very glad to furnish the gentleman with the information requested.

Mr. HASTINGS. I would like to know the four States which have not availed themselves of the benefits of the provisions of this bill?

Mr. REED of New York. I will be glad to take that up when I speak on the bill, or I can give it to the gentleman now.

Mr. PURNELL. Will the gentleman from Oklahoma [Mr. HASTINGS] let that come up in the general debate?

Mr. HASTINGS. Very well.

Mr. BANKHEAD. Mr. Speaker, I yield back the balance of my time.

Mr. PURNELL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. REED of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10175), to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, approved June 2, 1920, as amended.

The SPEAKER pro tempore (Mr. KETCHAM). The question is on the motion of the gentleman from New York [Mr. REED].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10175), with Mr. CRAMTON in the chair.

The Clerk read the title of the bill.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. REED] asks unanimous consent that the first reading of the bill be dispensed with. Without objection it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. REED] is recognized for 30 minutes under the rule. The ranking Member on the minority side will control 30 minutes.

Mr. REED of New York. Mr. Chairman and ladies and gentlemen of the committee, the gentleman from Indiana [Mr. PURNELL] I think has made it very clear to the Members of the House the purpose of this legislation. The purpose of the legislation is to authorize the continued participation of the Federal Government in carrying out a program of civilian rehabilitation with the States.

The first introduction which I had to this rehabilitation work was late in the fall of 1917 in France. I was invited by a distinguished educator in France, Professor Delairs, to go to the University of Grignon, an ancient and celebrated agricultural college in France not very far from Paris, to see the work that the French Government was doing in rehabilitating, reestablishing crippled soldiers, regardless of age, in gainful occupations.

I never saw anything that impressed me more and got closer to my heart than the wonderful humanitarian work performed at this little ancient university in France. Young boys who were crippled in the war, and older men, were there. They were being taught some useful, gainful occupation, trained in some particular vocation that would enable them to go back to their little home towns and find employment, and at the same time release some able-bodied man, old or young, to go to the front and fight.

The next introduction I had to this work was at Walter Reed Hospital. I went to Walter Reed Hospital to see a young man from my district who had a shattered limb, and I suggested that on the following Sunday I would be glad to take him and some of his buddies for a ride. The following Sunday I went out to the hospital and the young man from my district came limping along with the aid of a crutch. I asked him where his buddy was. He said, "He is inside and will require some help." I went in and found that his buddy had both legs off close to the hips.

Mr. TUCKER. Were those boys soldiers?

Mr. REED of New York. Those boys were soldiers. We carried this young boy out. I said to him during the course of the conversation, "How do you expect to get along?" He said, "I am getting along fine. The Government is going to give me a chance to get an education." He told me how he lost his legs; how he defended himself with a Colt revolver until the boys came up; how he was notified that he would probably bleed to death before they could get him to the hospital, but yet he pulled through. He seemed very optimistic. He said he was supporting his mother prior to the war in a little town in Pennsylvania; that he had never had chance to finish high school and that even so the war had given him a great opportunity to go abroad and he felt that he had been rather lucky. It struck me at the time that we were rather lucky to have a man of his character and disposition.

I had occasion to visit that little town in western Pennsylvania some years afterwards. I went to his office and called on him. I found him established in his office; I found that he was married and had a home. He walked out with two artificial limbs, and walked almost as well as though they were his natural limbs. He told me he was getting along well; had a good bank account; said he was riding in a Cadillac car and showed me a special certificate issued by the Governor of Pennsylvania authorizing him to drive a Cadillac car although he had two artificial limbs. But, he said he was glad because he had been able to finish his high-school education and had graduated from a 4-year course in a class-A university.

I just mention this as evidence that rehabilitation has been worth while for the soldiers.

There came to my office an educator from France, and I asked him if they were still carrying on the work at the University

of Grignon and at other schools in France. He said, "No; but we have marveled at the wonderful work you have done in the United States of America." He said, "You have broadened your program not only for the care of the soldiers but for the care of people crippled in industry and even those who are crippled by reason of congenital diseases and otherwise."

I can say that every man in this House should be proud of the work that has been accomplished under this act during the last 10 years. During the period of 10 years there have been rehabilitated those men who might have become objects of charity or might have required public support. They have been retrained for new vocations and placed in gainful occupations. To perform this work the Federal Government has appropriated, all told, about $10,000,000. The States have appropriated in the neighborhood of $15,000,000. At any rate, all that has been appropriated by the Federal Government and by the States would probably not exceed $30,000,000.

Let us see what the result has been from an economic point of view. From an economic point of view we find this: We find that the 45,000 people who have been placed in gainful occupations have an average age of around 32; we find they have an average expectancy of about 30 years; and we find that the average earning capacity of the 45,000 people who have been rehabilitated is $26.07 a week. Therefore, we find this from the economic point of view: That these 45,000 people, if employed during the period of their expectancy and at the average wage of $26.07 a week, will return to organized society a total of $2,200,000,000 upon a total investment of some $30,000,000. We might put it another way. There is hardly a community in the United States of America—and certainly there is not a community of any size in any congressional district of this country—where there is not one or more of these people who are crippled and who need training.

If you take one of them and figure that he is going to be a public charge, it is going to cost that community about $300 a year to support him. That is going to be continuous; that is going to be over their whole period of expectancy; and that will mean, if the average age is around 30 or 32, a cost for each cripple, if he becomes a public charge, a total of $9,000. On the other hand, if each one should be rehabilitated under this service it would mean a financial return to organized society of $39,000. I do not know of a community in the United States that is not interested, and vitally interested, in the character of work that has been carried on under this service.

There came before our committee manufacturers, insurance men, welfare workers, people interested in the blind, and people interested in every form of cripple to plead for an extension of this work.

Let us see what this bill proposes to do. This bill proposes to continue an appropriation which has been carried since 1920, an appropriation of $1,000,000 a year. That is the same appropriation we have been carrying right along. It proposes to extend the time to three years. In 1920 we passed this law, and we authorized this expenditure of $1,000,000 for a period of four years. In 1923 we again authorized a continuation of this work for a period of four years at $1,000,000 a year. In this bill we are asking for a further continuation of this work at $1,000,000 a year for three years. The Bureau of the Budget recommended an extension of only two years. I saw the President personally and explained to him that various legislatures meet at various times. Some meet annually, some biennially, and some triennially. The President was perfectly agreeable to extend this work for a period of three years instead of two years.

We have increased the minimum allotment to States from $5,000 to $10,000. The reason for that is that certain States have such a small population that the amount allotted to them is not sufficient to carry out a constructive program of work. Therefore, based upon experience, the committee has increased the amount from $5,000 to $10,000 a year as the minimum allotment, which increases the appropriation for this purpose from $34,000 to $97,000 a year.

Now, I want to picture the humanitarian side of this work.

Mr. MOORE of Virginia. Will the gentleman tell the committee what States have failed to participate?

Mr. REED of New York. Vermont, Delaware, Kansas, and Washington are the four States. I want to say to the gentleman that there are 12 States in the Union which are spending several times more State money in order to carry on this work than they are getting from the Federal Government, and that will probably become increasingly true.

It is very important that this legislation should be passed now and disposed of and passed over at the other end of the Capitol and disposed of, for the reason that some of the legislatures are just concluding their sessions, and they want the assurance that Congress is going along. Failure to pass this legislation now will mean that some 53,000 crippled persons who are looking forward to this service in order to be placed in gainful occupations will be disappointed.

Mr. BRIGGS. Without this legislation you would not have any Federal cooperation in the work at all, since the Veterans' Bureau has discontinued its Federal vocational work?

Mr. REED of New York. Exactly; and if we failed to carry on our part in this work this great program would fail or be seriously impaired, with the exception of a few States like New York, Pennsylvania, and perhaps some others which have quite large organizations to carry it on.

Mr. BRIGGS. Through this work you have made it possible in many of these States for men to be rehabilitated who never had any opportunity under these workmen's compensation acts, Federal or State?

Mr. REED of New York. That is very true.

Mr. BRIGGS. And therefore would have no means of livelihood or support except as public charges in the various communities.

Mr. REED of New York. The only reason I have not gone into specific cases is because there is not a Member of this House who does not know of such specific cases of men, women, and of children over 14 years of age who have been placed in gainful occupations through this service.

Now here is another side of this picture: Until this work was undertaken in a large way the people who have gone out to visit cripples have found that when they went into house after house the parents themselves would deny they had a crippled child, and only by careful investigation and after some explanation were they able to find the child, who would either be under a bed or in some dark closet. The parents themselves would deny they had a crippled child. This was testified by the secretary of the International Society for Crippled Children, who said the reason for this was that in years gone by it had become a tradition that a crippled child was mentally defective. He said that this rehabilitation work had lifted this cloud from the crippled, and the result is now that there is hope for these 400,000 crippled children who can come under the benefit of this act when they arrive at the age of 14, and they wanted to know that the work was going on so they could plan their work for these 400,000 crippled children; that when their work left off the Federal and State rehabilitation service could step in and train the children for gainful employment.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. REED of New York. Yes.

Mr. CLARK of Maryland. Several times the gentleman has referred to the placement of these rehabilitated persons in gainful occupations. Is that actually done?

Mr. REED of New York. Yes; it is actually done. The 45,000 people that have been placed in gainful occupation are not counted unless placed in such gainful occupation.

Mr. CLARK of Maryland. I am just a little surprised that the industries of the country employ crippled, although rehabilitated, persons. It is rather unusual.

Mr. REED of New York. In my State, in Wisconsin, and in many other States the industries themselves have shown the keenest interest in this work, and their compensation laws have been arranged so there will not be double liability in case of another injury to one of the cripples so employed. Industry, welfare workers, heads of compensation departments of the various States are working in perfect harmony in this great program.

Mr. HUDSON. If the gentleman will permit, in further reply to the gentleman from Maryland, this work dovetails with the compensation work of the States and the work is not duplicated at all. They are companion movements.

Mr. REED of New York. Yes; they work absolutely together. [Applause.]

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman.

Mr. HOUSTON of Hawaii. I understand that by reason of the affirmative act of 1924, whereby the act was made applicable to Hawaii, it is not necessary that this bill shall positively state again that Hawaii shall benefit?

Mr. REED of New York. I understand that a former Attorney General has expressed the opinion the act has been construed to be permanent in character.

Mr. HOUSTON of Hawaii. Mr. Chairman, I ask unanimous consent to extend my remarks by appending hereto a letter that carries out this statement.

The CHAIRMAN. The Delegate from Hawaii asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The matter referred to follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION,
Washington, April 5, 1930.

Hon. VICTOR S. K. HOUSTON,
House Office Building, Washington, D. C.

MY DEAR MR. HOUSTON: Several days ago you raised the question by telephone and by letter concerning the application of H. R. 10175 to the Territory of Hawaii.

While this bill specifically applies to the States, the needs of the Territory of Hawaii are covered in Public, No. 35, Sixty-eighth Congress, approved March 10, 1924, under section 5, which reads as follows:

"SEC. 5. The Territory of Hawaii shall be entitled to share in the benefits of the act entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment,' approved June 2, 1920, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of $5,000, to be available for allotment under such act of the Territory."

It is my opinion that the phrase "and in any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States" is sufficient authorization for the Federal board to include in its estimates to the Bureau of the Budget a minimum of $10,000 for the Territory of Hawaii, in the event that H. R. No. 10175 is passed and includes a minimum of $10,000 to each of the States.

In making up the sum of $97,000, provided in line 18 on page 2 of the above bill, the amount which would be necessary to provide a minimum of $10,000 for the Territory of Hawaii was included.

I hope that this statement satisfies your inquiry.

Very truly yours,

J. C. WRIGHT, *Director.*

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman, ladies and gentlemen of the committee, it is a pleasure for me to appear before you to speak for a few minutes in support of this splendid work and to commend the chairman of the committee for the faithful efforts he has made in trying to get this legislation before the House of Representatives.

There have been so many good things said about this work that perhaps some of the things I may say will be more or less repetition. I shall be brief, because there are several gentlemen here who wish time.

When we look back at the inception of this work about nine years ago, as pointed out by my colleague from Alabama [Mr. BANKHEAD], who was one of the first to sponsor this legislation, we find that some of the ablest men of the House opposed it. This was not because they were not in favor of education or in favor of rehabilitation, but because they perhaps had a feeling against the principle of the States matching money appropriated in this way. However, I think the work has more than justified its existence. It has done more good than its most ardent supporters had hoped.

Probably no country ever undertook a more humanitarian or finer thing than the rehabilitation of those who are crippled in industry or made so by other reasons.

It has been asked here if they were completely rehabilitated and put into new occupations. I find, on page 110 of the hearings, a list of about 20 people who were crippled in industry and suffered various handicaps, such as the loss of a limb or some other physical disability. The list shows the work they were doing before rehabilitation and the work they went into afterwards, and we find here, for instance, one farmer who went into the work of a barber. He was in such shape that he could do absolutely nothing on the farm except to be a helpless charge upon his family, but after rehabilitation he began to earn $125 a month. This is true of the others on the list, and taking the entire list the income of the entire number of about 25 was $344 per month before they were rehabilitated, and afterwards their monthly income was $3,564.50, showing an increase of almost 1,000 per cent.

This statement also shows that $293 is the average cost to carry one of these patients through the entire period of rehabilitation and put him into some new industry, whereas it costs annually $300 to keep him as a public charge. Surely this work has justified its existence and that the need is so urgent that we should not only continue this work but expand the program to serve further.

After being rehabilitated a person had an average earning capacity of $74.68 per month. The average earning capacity of all these rehabilitated persons before rehabilitation was about $24.08 per month.

Mr. REED of New York. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. REED of New York. The question has been asked, Does this apply only to cripples of industry? Of course, it does not; it includes every crippled person—from congenital disease and others—anyone above 14 years old requiring rehabilitation.

Mr. CLARK of Maryland. It includes those who are born cripples.

Mr. REED of New York. It does.

Mr. PATTERSON. May I say that in my home district there was one cripple in a rolling chair. To-day he has an important business in a leading city in my district and has money in the bank.

Mr. ABERNETHY. Will the gentleman yield?

Mr. PATTERSON. Certainly.

Mr. ABERNETHY. How many States have taken advantage of this law?

Mr. PATTERSON. Forty-four States.

Mr. ABERNETHY. What States have not taken advantage of it?

Mr. PATTERSON. My colleague, the gentleman from New York, gave that a little while ago. They are the States of Washington, Kansas, Vermont, and Delaware. Those are listed in the hearings. Now, to care for all of these we are not going far enough, I fear, and I wish it could be extended further than what it is. I realize that we have got to be guided by the Budget to some extent, but my own personal feeling is that I want to support the amendment which will be offered, increasing this benefit. I understand that my distinguished colleague from Wisconsin will offer an amendment, and I am in favor of that amendment.

To maintain all of these people during their lifetime would cost at least $3,000,000,000, and this law would change them all into an annual income of almost six or seven hundred dollars apiece for each individual.

The Federal and State Governments together have spent $758,000 annually on this work and have put on the pay roll those rehabilitated to the extent of $5,407,000 annual pay roll. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. HUDSON].

Mr. HUDSON. Mr. Chairman and gentlemen of the committee, an editorial in my leading daily at home starts out in this fashion:

> To put a legless man on his feet, so to speak, may seem something like a joke, when so expressed, but there is a good deal of grim earnestness back of the expression.

Yet that sums up the real purpose of the legislation before us.

I am intensely interested in this legislation because for a period of time I served as one of the commissioners on the Industrial Accident Commission of Michigan. I am tremendously interested in this bill. I want to most thoroughly commend the legislation.

Mr. TUCKER. Will the gentleman yield?

Mr. HUDSON. I yield.

Mr. TUCKER. The gentleman says that he served on the Industrial Accident Commission of Michigan?

Mr. HUDSON. Yes.

Mr. TUCKER. Then they were looking after this?

Mr. HUDSON. Yes.

Now, the number of rehabilitated cases in the State of Michigan by congressional districts is, in the first, 842; second, 91; third, 88; fourth, 57; fifth, 237; sixth, 377; seventh, 46; eighth, 91; ninth, 89; tenth, 76; eleventh, 70; twelfth, 66; making a total of 2,130.

The total population of the eight counties with no cases is only 46,649.

From the experience of our Federal Government in the work of rehabilitation of disabled veterans it was revealed in 1920 that 208,000 people in civilian life suffered permanent physical disability each year.

Now approximately 325,000 people become permanently disabled annually. On June 2, 1920, the Federal civilian vocational rehabilitation act was signed and it became effective July 1, 1920. During the next year the legislature of our State accepted the benefits of the Federal act and Michigan has had rehabilitation service since July 1, 1921. There has been a constant increase in the number of people disabled through industrial and public accident along with the growth of large cities, industrial enterprise, and high-speed transportation. Michigan is one State which has especially experienced this increase.

These disabled people must become a liability on a State or community in the last analysis, unless by this vocational training we redeem them as an asset to the community.

The total cost of all rehabilitation service in Michigan from 1921 to 1929 has been $412,149.02. The 2,130 people rehabilitated have already earned approximately $9,566,256, or twenty-three and two-tenths times the entire amount spent.

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

Mr. HUDSON. Yes.

Mr. BRIGGS. The 45,000 who have been trained indicate a progressive utilization of the stability?

Mr. HUDSON. Yes; I am going to insert in the RECORD graphs that will show that.

Mr. BRIGGS. I think it will be interesting to show which States have accepted this.

Mr. HUDSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by including some graphs, tables, and some letters in reference to this matter.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. HUDSON. Mr. Chairman, under leave to extend my remarks in the RECORD in further support of the civilian vocational rehabilitation legislation, I ask leave to print a most complete survey of the work covered by my State of Michigan in this most important department of human betterment and education. This survey was prepared by Mr. John J. Lee, Michigan State supervisor of civilian vocational rehabilitation.

Following the survey I will append a case of rehabilitation which is most typical of the work accomplished.

SURVEY AND REPORT OF EIGHT YEARS OF REHABILITATION SERVICE IN MICHIGAN, 1921–1929

[Prepared by John J. Lee, State supervisor, division of civilian vocational rehabilitation, department of public instruction, Lansing, Mich. Webster H. Pearce, superintendent of public instruction and executive officer, State board for vocational education, Lansing, Mich.]

PURPOSE OF THIS REPORT

This survey is prepared for your convenience and to furnish information you will want concerning Michigan's program of rehabilitation when the Federal civilian rehabilitation act is submitted at the next session of Congress.

We have attempted:

1. To collect and present information which will show the service rendered by the division of rehabilitation since it was organized July 1, 1921.

2. To show that from every standpoint of social economy and well-being it is necessary to continue rehabilitation service.

3. To indicate that increased appropriations are necessary to adequately support rehabilitation because there is a constant increase in the number of crippled and disabled people in Michigan and in the United States.

We hope that the information in this report will convince you that rehabilitation in Michigan is an economical, social, and necessary service to the disabled people of our State—that it is a right of the disabled! Finally, we hope that this service will merit your support for the new Federal act when it is introduced.

WEBSTER H. PEARCE,
Superintendent of Public Instruction.
JOHN J. LEE,
State Supervisor of Rehabilitation.

FOREWORD

From the experience of our Federal Government in the rehabilitation of soldiers disabled in the World War, it was revealed in 1920 that 208,000 people in civilian life suffered permanent physical disability each year. Accordingly, on June 2, 1920, the Federal civilian vocational rehabilitation act was signed and it became effective July 1, 1920. During the next year the legislature of our State accepted the benefits of the Federal act, and Michigan has had rehabilitation service since July 1, 1921.

The Michigan acceptance act is dependent upon Federal participation. The present Federal act expires July 1, 1930. Hence, a reenactment of the Federal law or the passage of a new law is necessary if rehabilitation service is to be continued.

There has been a constant increase in the number of people disabled through industrial and public accidents along with the growth of large cities, industrial enterprise, and high-speed transportation. Michigan is one State which has especially experienced this increase. Statistics furnished by the Federal Board for Vocational Education indicate that now approximately 325,000 people become permanently disabled annually and that there are now over 3,000,000 disabled people in the United States. In spite of safety legislation and traffic regulation the problem is a growing one.

Michigan has carried a comparatively conservative program, yet during 1928–29 expended 93.6 per cent of its total appropriation. With the same increase in demands for service this year that we have experienced during the last five years, we will not have adequate funds to carry us throughout this present year without refusing service to many deserving people.

DEFINITION

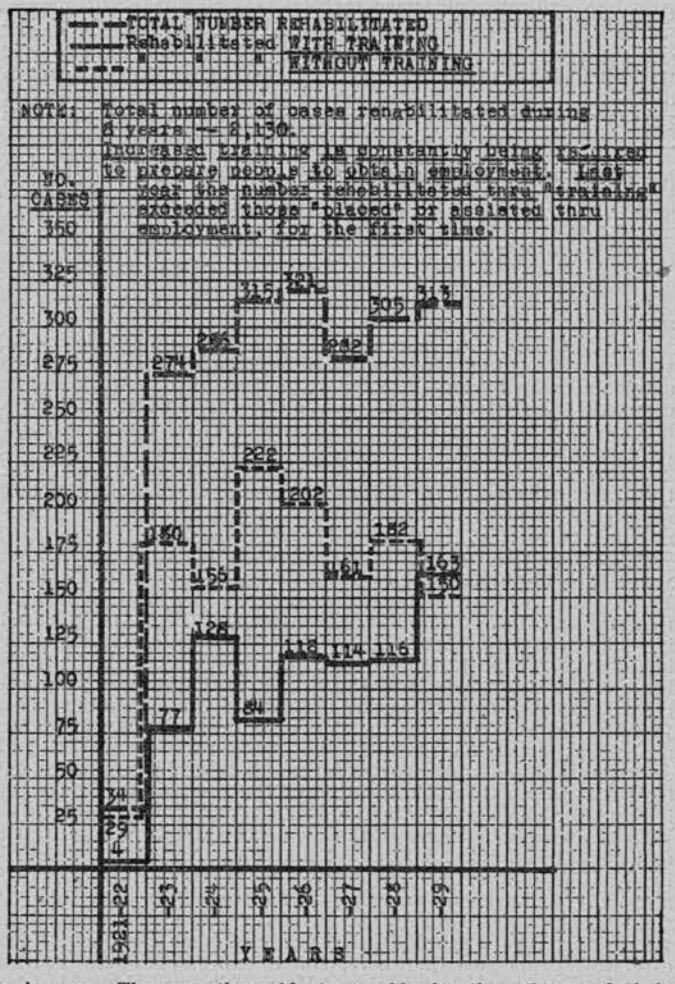
Civilian vocational rehabilitation is a service of vocational counseling, guidance, training, and placement for disabled people which prepares them for work they can do successfully in spite of their handicap, and thus become self-supporting. It is financed equally by our State and Federal Governments.

REHABILITATION HELPS TO SOLVE OUR MAJOR SOCIAL PROBLEMS

Rehabilitation reduces unemployment, poverty, and dependency—three of our major social problems! It helps guarantee disabled citizens of our State a fundamental right and opportunity—the right to work and earn a living!

Through rehabilitation over 300 crippled people who were unemployable are taught a trade and are established on a self-supporting basis each year. They are then able to provide for themselves and their dependents. Through the counseling and advice of the rehabilitation staff hundreds more are able to find their own jobs and become successfully employed.

GRAPH SHOWING NUMBER REHABILITATED, BY YEARS, IN MICHIGAN



On July 1, 1928, 760 people were being served by the division of rehabilitation in Michigan. During the fiscal year 1928–29, 1,342 new cases were reported, so that during the last year 2,102 were benefited by this service. With their dependents, the number totals at least 5,000 people.

SENATOR COUZENS DEFINES A FUNDAMENTAL RIGHT

In the survey of April, 1929, Senator COUZENS said: "It is a fundamental right, and no society can consider itself successfully organized unless it guarantees to every man the opportunity to preserve himself and his family against suffering and want. * * * A man discontented, suffering, and out of work is a danger to society."

Rehabilitation is the service of our State and Federal Governments, which carries this opportunity to people who have been disabled and who are not successfully employed.

SOME FACTS OF PARTICULAR INTEREST

1. A law providing for the continuation of rehabilitation must be enacted at the next session of Congress or rehabilitation service will end, not only in Michigan but in 43 other States.

2. The Federal act appropriates $1,000,000 annually, which is allotted to States according to population. Michigan receives $34,846.64.

3. An equal appropriation made by the State makes a total of $69,693.28 available annually for rehabilitation service.

4. Michigan ranks sixth among States in the amount of its appropriation and fifth in the number of people reestablished and made self-supporting.

5. During eight years 10,141 people have applied for rehabilitation service. Approximately two-thirds of this number, after receiving the service of vocational counseling and advice from the rehabilitation staff, were able to obtain their own job and become successfully established in employment.

6. With their dependents in addition to these disabled people, the division of rehabilitation has served directly or indirectly at least 25,000 people in Michigan during the last eight years and helped to make them self-supporting, self-respecting, and able to enjoy the sacred rights our country stands for.

7. Two thousand one hundred and thirty people have been rehabilitated by vocational training, artificial appliances, or placement service furnished by the division of rehabilitation.

8. The average cost per rehabilitated case in Michigan during the eight years, counting all money spent, has been only $193.45.

9. Offices are maintained at Lansing, Detroit, and Grand Rapids.

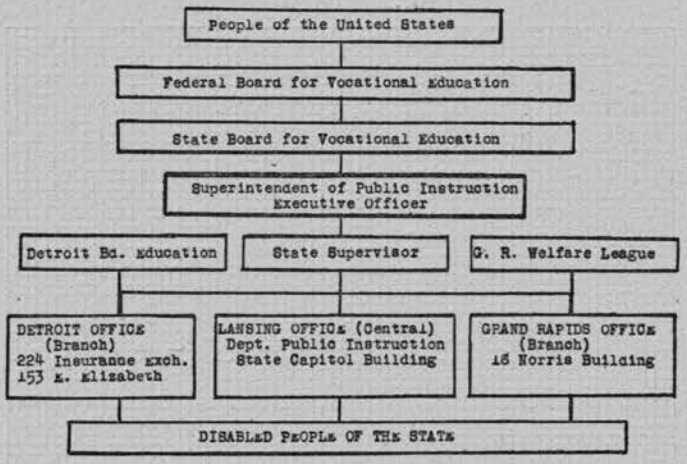
10. The service is administered as a division of the State department of public instruction under the authority of the State board for vocational education.

HOW REHABILITATION IS FINANCED

The Federal Government appropriates $1,000,000 annually and allots it to States on the basis of population. Each State matches this appropriation. Michigan matches the $34,846.64 received from the Federal Government, making a total annual appropriation of $69,693.28.

ADMINISTRATIVE ORGANIZATION OF REHABILITATION IN MICHIGAN

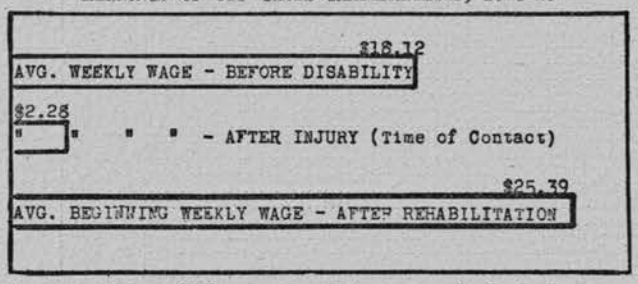
The Federal act requires that the division of rehabilitation be administered as a form of vocational education under the State board for vocational education and as a division in the department of public instruction. The graph below represents the administrative organization of the division of rehabilitation in Michigan.



REHABILITATION PAYS

The total cost of all rehabilitation service in Michigan, 1921–1929, has been $412,149.02. The 2,130 people rehabilitated have already earned approximately $9,566,256, or twenty-three and two-tenths times the entire amount spent.

EARNINGS OF 313 CASES REHABILITATED, 1928–29



NOTE.—In 195, or 62.3 per cent, of these cases the beginning wage of these handicapped people was higher than their maximum wage had ever been previous to injury.

Amount of money received and spent, by years, in Michigan for rehabilitation

Year	Amount used	Amount not used	Number cases rehabilitated	Average cost per case	Per cent funds used
1921–22	$23,127.86	$45,565.42	34	$709.64	34.6
1922–23	68,773.68	919.60	274	250.99	98.7
1923–24	50,687.03	19,006.25	286	177.23	72.7
1924–25	44,599.06	25,094.22	315	141.58	64.0
1925–26	46,723.54	22,969.74	321	145.68	67.1
1926–27	53,957.48	15,735.80	282	191.34	77.6
1927–28	58,081.07	11,612.21	305	190.43	83.4
1928–29	65,199.30	4,493.98	313	209.64	93.6
Total	412,149.02	145,397.22	2,130	193.45	

NOTES—

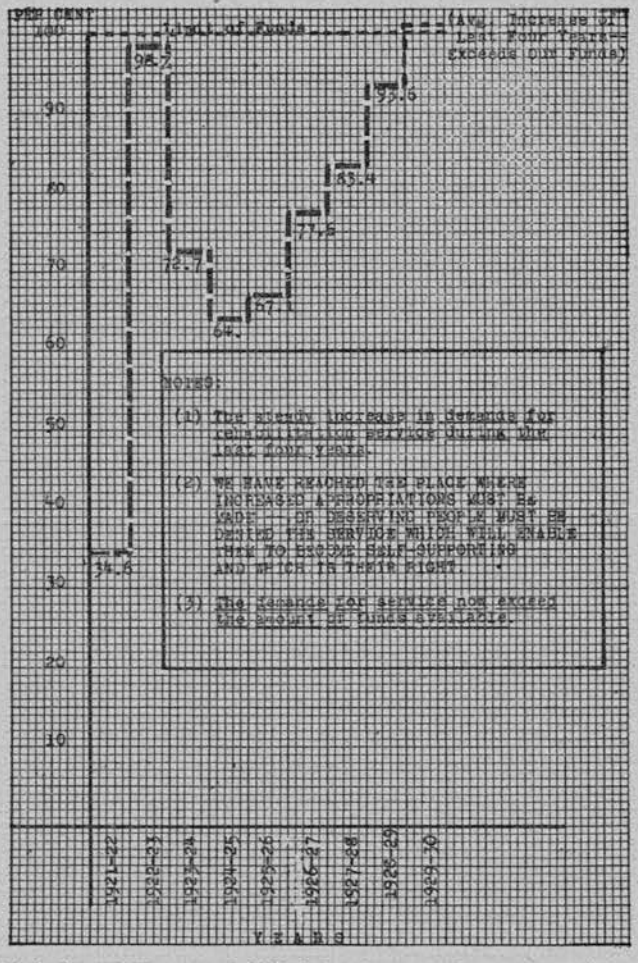
(1) Average cost per rehabilitated case $193.45

(2) Total annual allotment (Federal) 34,846.64
Total annual allotment (State) 34,846.64

Total 69,693.28

(3) The $145,397.22 Michigan did not spend before the demand for service required the entire appropriation was returned to the State and Federal Governments.

GRAPH SHOWING PER CENT OF REHABILITATION FUNDS USED, BY YEARS, 1921–1929



Distribution of 313 cases rehabilitated 1928–29 according to occupation and weekly wage

Occupation	Total number of cases	Wage units					
		Under $10	$10–$20	$20–$30	$30–$40	$40–$50	Over $50
Advertising	2			1	1		
Assembly	7		1	3	2	1	
Auto mechanics	7		1	2	3	1	
Auto sales	1						1
Barber	4			3	1		
Belt maker	1			1			
Bench work	2			2			
Body builder	1				1		
Bookkeeping and accounting	15		7	7	1		
Box making	1			1			
Cabinetmaker	2		1	1			
Car washer	1			1			

Distribution of 313 cases rehabilitated 1928–29 according to occupation and weekly wage—Continued

Occupation	Total number of cases	Wage units					
		Under $10	$10–$20	$20–$30	$30–$40	$40–$50	Over $50
Carpenter	2						2
Cemetery caretaker	1		1				
Chemist	1			1			
Chicken and dairy	8		4	3	1		
Commercial art	4		3		1		
Common labor	3			2	1		
Confectionery store	2				2		
Construction inspector	1				1		
Core cleaning	1			1			
Corn-borer inspection	1				1		
Crane operator	1					1	
Cushion trimmer	10		1	7	2		
Die maker and setter	7				4	2	1
Dispensing board	1				1		
Draftsman	3			2		1	
Draying and trucking	5		1	3	1		
Dressmaking	1		1				
Electrician	5			3	2		
Elevator operator	6		2	4			
Farmer	3			3			
Fashion modeling	1			1			
Fireman	2				1	1	
Foreman (shop)	4					4	
General office work	34	1	19	9	5		
Gluing	1			1			
Grader's helper	1			1			
Heat treat	1				1		
Highway construction	3			2	1		
House man	2		1	1			
Housework	1		1				
Inspector (parts)	9		1	4	4		
Insurance	2			1			1
Interior decorator	1				1		
Janitor	3		1	2			
Jewelry designer and engraver	2		2				
Lawyer	1						1
Lens grinder	1		1				
Linotype operator	1				1		
Machine operator	16		2	5	6		3
Machine repairman	3			2		1	
Machine inspector	2				1	1	
Magazine sales	3		2	1			
Mechanical dentistry	1	1					
Massage and hydrotherapy	2			1	1		
Messenger (special)	3		2	1			
Meter reading	1			1			
Millwright	2			2			
Mimeograph and multigraph	1		1				
Motor assembly	1			1			
Music	1			1			
Oiler	1		1				
Oil-station attendant	1			1			
Order clerk	1		1				
Painting	3			2	1		
Parking-lot manager	1			1			
Paster (auto bodies)	1			1			
Pattern maker	1					1	
Physician [1]	1						
Piano tuning	1		1				
Plumbing	1				1		
Polishing and buffing	4		1	2	1		
Porter	1			1			
Pressing (valet)	1			1			
Printing	2		1	1			
Power plant operator	1			1			
Radio repair	3				3		
Receiving clerk	1				1		
Retail merchant	4		1	1	1	1	
Shaper operator	1					1	
Shoe repairman	3			2	1		
Spindle sanding	2		1		1		
Stenographer	10		8	2			
Stock chaser	3				3		
Stock clerk and checker	5		1	4			
Striper	1					1	
Sweeper (factory)	1				1		
Switchboard operator	1		1				
Surveyor	1				1		
Teacher	7			3	1	2	1
Timekeeper	4			2	2		
Tool crib checker	4			2	2		
Tool grinder	1				1		
Toolmaker	2				2		
Typist	7		6	1			
Watchman	6			2	4		
Watch repair	1		1				
Welding	3			1		2	
Wrapping	3		2	1			
X-ray technician	2			2			
Total	313	2	84	122	74	21	10

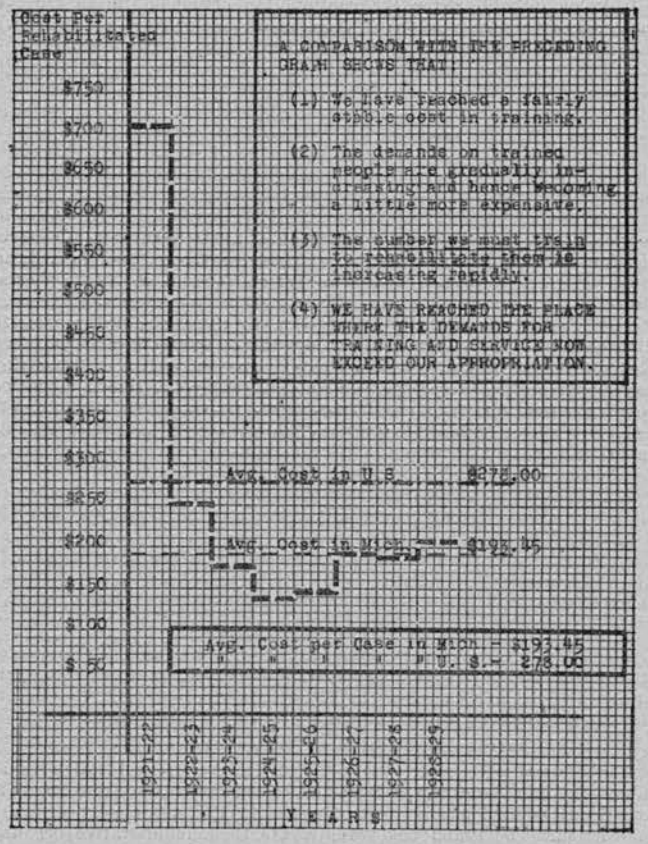
[1] Now an interne without salary beyond maintenance.

NOTE.—These 313 people were prepared for and employed in 103 different occupations.

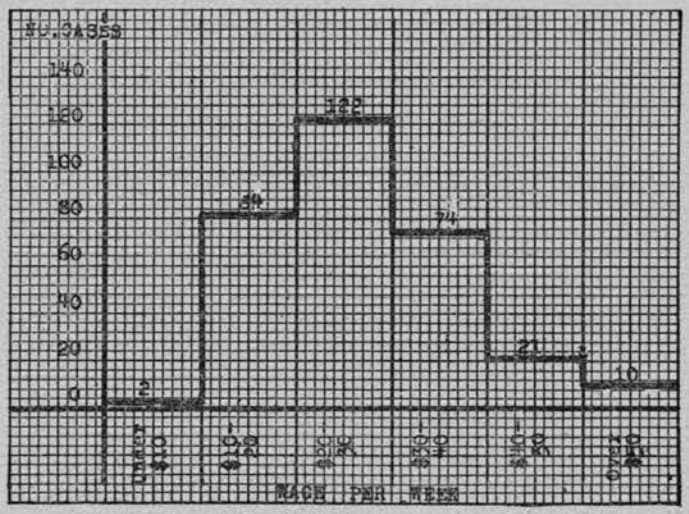
Distribution of cases according to education

Grades	1927–28	1928–29
None	12	13
Grades 1–6	65	63
Grades 7–9	143	147
Grades 10–12	69	78
Other	28	12

GRAPH SHOWING COST OF REHABILITATED CASES BY YEARS, 1921–1929



GRAPH SHOWING DISTRIBUTION OF 313 REHABILITATED CASES ACCORDING TO WAGE PER WEEK



Distribution of rehabilitated cases according to disability

Disability	1927–28	1928–29
Hand	80	75
Hands	3	7
Arm	28	21
Arms	2	2
Leg	81	66
Legs	21	24
Hand and arm	4	3
Hand and leg	2	0
Arm and leg	3	4
Multiple	10	24
Vision	20	25
Hearing	7	10
General debility	13	15
Miscellaneous	31	37

INFORMATION ABOUT THE PROPOSED ACT

1. It is being sponsored by the National Rehabilitation Association in 44 States and by the Federal Board for Vocational Education.

2. It has already received the indorsement of President Hoover and all members of both Committees of Education and Labor in both the House and Senate.

3. It will be introduced in the House by Hon. DANIEL A. REED, chairman of the Committee on Education, and in the Senate by Hon. JESSE H. METCALF, chairman of the Senate Committee on Education and Labor.

SOME PROVISIONS OF THE ACT

1. The administrative provisions will remain the same.

2. The present appropriation of $1,000,000 per year will be increased at the rate of $250,000 per year until it reaches a maximum of $2,500,000. Each State will continue to match the Federal allotment.

Approximate schedule of appropriations and allotment available to Michigan during the next six years

[Based on 1920 census]

Year	Total Federal appropriation, all States	Federal allotment to Michigan	Total available in Michigan
1929-30	$1,000,000.00	$34,846.64	$69,693.28
1930-31	1,250,000.00	43,558.30	87,116.60
1931-32	1,500,000.00	52,296.96	104,593.92
1932-33	1,750,000.00	60,981.62	121,963.24
1933-34	2,000,000.00	69,693.28	139,386.56
1934-35	2,250,000.00	78,404.94	156,809.88
1935-36	2,500,000.00	87,116.60	174,233.20

These figures will be slightly altered on the 1930 census.

INCREASED APPROPRIATIONS NECESSARY TO INCREASED SERVICE

This appropriation will enable the division of rehabilitation to—

1. Serve hundreds of "arrested" cases of tuberculosis after they have been discharged from sanatoria by preparing them for satisfactory employments.

2. Serve scores of injured in public accidents who are not now reported from some of our hospitals.

3. Serve many whom we are now obliged to close out with inadequate service because of the limitation of our funds.

4. Another golden opportunity—the State prison board, wardens, and commissioner of pardons and paroles are now asking our department to rehabilitate disabled inmates of our prisons. We have already started work in this field, and so far have been successful.

NOTE.—The appropriation provided above is not more than is needed in Michigan to give the rehabilitation service the disabled people of Michigan should have.

LEONA KIBBY, A SECOND HELEN KELLER—NOW A TEACHER OF PARTIALLY SIGHTED CHILDREN IN MUSKEGON

I would tell you the story of a young lady who was blind and now sees, who was dependent and is now supporting others, who encountered a double portion of misfortune and who is now successful. It is Miss Leona Kibby.

Miss Mann, a teacher in the Battle Creek High School, reported Miss Kibby after she graduated from high school in June, 1926. Leona had been totally blind until by an operation when 8 years of age she recovered partial vision of one eye. Her father died at an early age and left Leona with two sisters dependent on their mother. Through sacrifice and toil Mrs. Kibby had brought up her little family, and Leona had graduated with honors in spite of her handicap.

A rehabilitation program was planned which had as its objective preparing her to become a teacher of other partially sighted children. Leona, with her partial vision, believed she could help other partially sighted children, so in September, 1926, she enrolled at the Western State Teachers' College. After two years of training, in which she made an excellent record and which was financed by the division of rehabilitation, Leona then pursued training for teaching the blind and partially sighted at the Michigan State Normal College at Ypsilanti. In September, 1928, Miss Kibby was employed in the Muskegon city schools to organize and teach a special class of this kind. She was the happiest girl in the world. She had at last proved her worth. She could do for other handicapped people what society and her State of Michigan had done for her.

The State supervisor observed her with her class of 20 pupils. She could unveil the world and make it brighter. She could inspire, lead, and instruct. She was a master teacher.

One more word must be added. Just as truly as Emerson described the eternal law of compensation rewarding human worth and human toil, Leona Kibby exemplifies it. From her weekly wage of $35 to $40 she is returning to her mother the money earned through menial daily toil which kept her in school. Besides explaining new meanings from a darkened world to her class she is helping her mother educate her younger sisters.

Helen Keller, known and admired the world over for her beautiful character and marvelous spirit, is embodied again in Leona Kibby, the teacher.

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I came into the House to-day not knowing what was going on; but my good friend the gentleman from New York [Mr. REED], the chairman of this committee, and I have fought this battle several times before, so I determined to take a hand in the fight. My friend always touches my heart by his pathetic appeals for the lame and the blind, but we are not to be controlled by our hearts in legislation here. It is a question of policy and of power. My friend goes out to see his boy soldiers at Walter Reed Hospital and talks about what a great thing is to have them rehabilitated and made useful citizens, saving to the commonwealth by their work when they have been rejuvenated. Of course, that is the plain duty of Congress to its crippled soldiers, but this bill is for civilians, not soldiers. We took the boy and sent him to France; he was injured in the war, and under the war powers of the Constitution we are bound by the Constitution and every sense of duty to take care of him.

Mr. REED of New York. Of those 4,000,000 soldiers many are the beneficiaries of this act and are rehabilitated under this act, and they would not get any rehabilitation except for this act.

Mr. TUCKER. But we have an act for rehabilitating soldiers.

Mr. REED of New York. That expired long since. They have to get it under this act.

Mr. TUCKER. Then the gentleman is in a worse position than I had supposed, for if they have to get it under this act, tell me why should the States be required to pay one-half—50-50—of the bill for the soldiers of the United States? And why should you come to Congress and ask that the States be required to help Congress to do what Congress ought to do by itself? No one questions that the object of this legislation is a good one. No one questions that when a man gives his life and limbs to his country, the country that required his services should come and make him whole, if possible, and that we have the right to do under the Constitution, but this bill asks Congress to do this for every man injured in industrial works, which the States alone are responsible for.

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

Mr. TUCKER. Yes.

Mr. HUDSON. Would not the gentleman also rehabilitate the man who has become a useless thing to society through industry and accident as well as through war?

Mr. TUCKER. Yes; but under the Constitution, those hurt in war must be helped by Congress and those in industries by the State.

Mr. HUDSON. We have the power to do it, because we have been doing it.

Mr. TUCKER. Oh, my dear friend, that is a bootlegger's argument—because you have been doing it! [Laughter.]

Mr. HUDSON. I hope the gentleman is not putting me in the class of the bootlegger.

Mr. TUCKER. No, indeed; far from it. Listen. Because we have been doing it! Suppose you have been doing wrong for some time. "Shall we continue in sin that grace may abound?" God firbid. Gentlemen of the House, in this class of legislation you are touching the most dangerous line that you will ever have occasion to touch. There is not in the Constitution of the United States the slightest ground for the claim that this is our duty. What does Judge Marshall say in Gibbons against Ogden? The powers allotted to the States in the Constitution are innumerable, he says, among them inspection laws, quarantine laws, and health laws of every description belong to the State; and my honored friend from Michigan [Mr. HUDSON] has told us here in his humanitarian speech what Michigan has been doing. Tell her to go on doing it. It is her duty, not ours—but it is ours to rehabilitate the soldiers from Michigan.

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

Mr. DOUGLASS of Massachusetts. I yield the gentleman three minutes more.

Mr. TUCKER. Here is Judge Marshall again, who declares that this is not a duty of Congress. There is not a line in the Constitution that gives it to Congress. Let me read what three men have said on this subject who have had a good deal to do with the Constitution of the country. In the case of Gibbons against Ogden Judge Marshall said:

> Congress is not empowered to tax for those purposes which are within the exclusive power of the States.

In the same case Judge Marshall laid down the rule that health laws of every description belong to the State, and he says that you can not appropriate money in Congress for those objects which belong to the States.

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

Mr. TUCKER. Yes.

Mr. SLOAN. Did the gentleman ever weigh against the opinion of Judge Marshall the opinion of the great modern jurist of New York City, who said:

> What is the Constitution among friends and those who would enjoy the Treasury?

Mr. TUCKER. That is right, but of the two I lean slightly to Judge Marshall.

Now, I have quoted Judge Marshall. Time went on, and in 1842, in the great case of Dobbins *v.* The Commissioners of Erie County (16 Peters, 448) Judge Wayne delivered the unanimous opinion of the court, and in that court sat Chief Justice Taney, and Judge Story agreeing with him. They had under consideration a case involving this very question of taxation, and what did they say? Here it is:

> The revenue of the United States is intended by the Constitution to pay the debts and provide for the common defense and general welfare of the United States; to be expended, in particular (that is, to be more particular) in carrying into effect the laws made to execute all the express powers "and all other powers vested by the Constitution in the Government of the United States."

Could language be clearer?

And Judge Taney evidently foresaw that Brother REED at this day was going to use those words, "For the common defense and general welfare of the United States," to mean that Congress could expend money raised by taxation for any purpose they might see fit to do so, whereas they intended those words to apply in particular "to carrying into effect the laws made to execute all the express powers and all other powers vested by the Constitution in the Government of the United States." That is, to pay that money that you get by taxation to carry out any power that belongs to the United States, and none other.

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

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. I am very anxious that the distinguished gentleman from Virginia [Mr. TUCKER] shall have more time. Would it be in order under the rules to ask unanimous consent that he be allowed 10 additional minutes?

The CHAIRMAN. It would not be in order under the resolution.

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I regret very much that I am unable to accede to that request, but if there is any time remaining out of the allotted time I shall gladly give it to the gentleman from Virginia.

Mr. TUCKER. In 1868 Chief Justice Chase rendered a decision in the case of Veazie Bank *v.* Fenno (8 Wallace 541), in which he said, speaking of the taxing powers:

> There are, indeed, certain virtual limitations, arising from the principles of the Constitution itself. It will undoubtedly be an abuse of the power if so exercised as to impair the separate existence and self-government of the States, or if exercised for ends inconsistent with the limited grants of power in the Constitution.

[Applause.]

So that Chief Justice Marshall, a Federalist, and Chief Justice Taney, a Democrat, and Chief Justice Chase, a Lincoln Republican, all say that you can not do it. [Applause.]

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield eight minutes to the gentleman from Arkansas [Mr. GLOVER].

The CHAIRMAN. The gentleman from Arkansas is recognized for eight minutes.

Mr. GLOVER. Mr. Chairman and ladies and gentlemen of the committee, I regret exceedingly to oppose my friend from Virginia [Mr. TUCKER], because I have so high a regard for him. But regardless of the opinion of Justice Marshall, or Justice Taney, or Justice Chase, or justice anybody else, I am going to heartily support this measure.

I can not see how any man can oppose this measure on principle. The gentleman from Virginia says he is opposing it on account of the principle involved. I am supporting it on account of the principle involved in it. I do not believe there has been any money expended by the United States that has had a larger return than the money expended under this bill. It reaches the cripple, it reaches the man who would otherwise be a burden not only on the United States, but on the State in which he lives as well, and instead of making him a peddler of shoestrings or lead pencils on the street, it makes him a man and enables him to support himself and his family. It takes the burden off the United States Government.

The States have an honorable part in it. They contribute half of it, and it is no more than right for the United States Government to contribute the other half, because the disabled man is a citizen of the United States as he is likewise a citizen of a State.

We have now being rehabilitated, as shown by the record of the hearings on this bill, 125 persons in Arkansas who are being trained in useful occupations. In most cases, those persons without vocational training would become charges on the State. There are 500 on the waiting list that would like to take the benefits of this law and will take it as soon as they can get it.

I want to call your attention to page 110 of the hearings, where there is presented a list of 38 persons—a list which was furnished by Mr. Hirst, the superintendent of the department of education in my State, who has charge of this work. I want to read to you from page 110 this one statement:

> The average age of these 38 persons is 23 years. Each, therefore, has a working expectancy of 30 years, during which time the 38 will earn $1,159,200 more than they would have earned had they not been trained for special vocations for which they were physically fitted.

If you get that kind of a return from the money invested, you can not deny that it is the best investment that the Government could make.

I call your attention to page 39 of the hearings, to the statement of a young man who had lost one arm, but had had this training. He was receiving a very small pittance before he got the training; but, according to his statement, now he is earning about $3,000 a year after taking this training. He says, "I would say my earning capacity before was in the neighborhood of from six to seven hundred dollars a year." Now, instead of being a burden on the State or on the Government of the United States, he is eager for the fight; he has a bright mind; he is going on to make, and is making, a good citizen of the United States. We could give you a hundred instances of other young men who are doing the same thing.

I do not want to take up more time in debating this question. I think it is so urgent a duty to vote for this measure that I do not think anybody, except my friend from Virginia [Mr. TUCKER], will claim that the Constitution does not authorize it. He believes that the Constitution does not authorize it. I think the welfare clause of our Constitution absolutely authorizes this, and I think it was put in there for the specific purpose of permitting Congress to exercise its own judgment in taking care of these unfortunates.

I want to congratulate my distinguished chairman [Mr. REED of New York] for the excellent work he has done on the committee. It is a good work, and I would be glad to see it extended further than it is now. I hope that the other four States that are not now cooperating in this work will join in with us and make it unanimous.

Let us make it a unanimous proposition in the United States, that every State is joining hands with the Government and putting in dollar for dollar for humanity, and taking off of the streets men who are helpless, and putting them in a position where they are producing for the National Government, becoming taxpayers, and paying much more than was ever put into them. I thank you. [Applause.]

Mr. DOUGLASS of Massachusetts. I yield to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, this bill proposes to continue an appropriation which has been carried since 1920 of $1,000,000 per year for the next three years and an additional authorization of $97,000 in order that each State in the Union which has accepted the benefits of this vocational rehabilitation act will receive a minimum allotment of $10,000 per annum.

I supported and voted for the original act in 1920, and I am glad that I did, for it has done so much humanitarian work.

There are about 25,000 people killed while at work in the industries of the United States, and for every death in industry about 5 persons disabled, so that there are 125,000 workers permanently disabled through industry accidents.

In 1928 there were 72,000 persons killed by public accidents and 144,000 permanently disabled through such accidents. Many are killed and disabled not only in industry but on the farms and in all classes of employment.

Since 1920, when this work began by the Federal Government and the States, more than 40,000 disabled persons have been rehabilitated and returned to self-supporting employment. During the fiscal year of 1928–29, the States engaged in this service rehabilitated and returned to remunerative employment between 5,000 and 6,000 disabled persons. They were fitted for over 500 different kinds of occupations ranging in skill, from laboring jobs to the professions.

There are between 15,000 to 16,000 disabled persons in the process of rehabilitation under the auspices of this law. The average cost, including all expenses of rehabilitating these disabled persons, does not exceed $300, divided between expenditures from the Federal and State funds. This is more significant when contrasted with the cost of between $300 and $500 for maintaining a disabled person at public expense.

I do not believe that there is a service being rendered by the Federal and State Governments which brings more immediate and profitable results than this constructive work.

I trust that this bill will be promptly enacted into law in order that this constructive work may be continued. It gives me pleasure to support and vote for it. [Applause.]

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman and my colleagues, a great deal has been said about the administrative side of the legislation and about the probability of receiving benefits, and so on. So I would like briefly to call attention to the manner in which this work is accepted by my State. I believe this should go into the RECORD, because there has been very little said about the State's participation and reception of the aid.

Dr. W. S. Cowthon, State superintendent of public instruction of my State, said recently in a letter to me:

> In my opinion, no money spent by the State of Florida for educational purposes has yielded a larger return than have the appropriations made by our State legislature for the rehabilitation of vocationally handicapped persons.

Dr. Claud M. Andrews, the supervisor of vocational rehabilitation of my State, recently wrote me, in part, as follows:

> Many handicapped men and women are now receiving training for various kinds of work and their future is dependent in no small measure on the continuation of this service.

He submits a list of some 25 or 30 persons who have received this training in my State. I understand this list includes only a small percentage of Floridians receiving this training.

I ask unanimous consent, Mr. Chairman, to revise and extend my remarks and include the list of names that I have just mentioned.

The CHAIRMAN. The gentleman from Florida [Mr. GREEN] asks unanimous consent to extend his remarks in the manner indicated. Without objection, it is so ordered.

There was no objection.

Mr. GREEN. The list is as follows:

LIST OF REHABILITATED CASES IN THE STATE OF FLORIDA

Miss Evelyn George, Crescent Apartments, Tampa, Fla.
Mr. Clyde Hamilton, 68 Northeast Eighth Street, Miami, Fla.
Mr. William C. Pope, 151 South Washington Street, St. Augustine, Fla.
Mr. George Foxworth, Reynalds Music House, Pensacola, Fla.
Mr. William C. Dunton, 47 Florida Avenue, St. Augustine, Fla.
Miss Ruth Weldon, 612 Seaman Place, Daytona Beach, Fla.
Miss Nettie L. Simmons, 2287 Northwest Thirty-third Street, Miami, Fla.
Miss Lois Hitchcock, 256 Northeast One hundred and seventeenth Street, Miami, Fla.
Miss Kate Gainer, Smith Furniture Co., Panama City, Fla.
Mr. Lendell Sharer, Pan-American Oil Co., Palmetto, Fla.
Mr. Lewis Clark, 201 Division, Palatka, Fla.
Mr. George W. Adams, box 148, Cordele, Ga.
Mr. J. H. Conerly, Limestone, Fla.
Mr. R. E. Dean, box 531, route 7, South Jacksonville, Fla.
Mr. William Geiger, U. S. S. *Lydonia*, Jacksonville, Fla.
Mr. Olin Kelly, Holt, Fla.
Mrs. J. W. M. King, route 2, Gainesville, Fla.
Miss Lucile Landers, 1748 Northeast Second Avenue, Miami, Fla.
Mrs. E. R. Stuart, National Sanitarium, Johnson City, Tenn.
Mr. John L. Munch, box 121, Stuart, Fla.
Miss Gussie McLeod, Ponce de Leon, Fla.
Mr. J. Frank Weaver, jr., Williston, Fla.
Mr. John Whitten, Ashburn, Ga.
Miss Ruby McDermed, 8040 Northeast First Avenue, Miami, Fla.
Mrs. Virginia Williams, 1507 Lamar Avenue, Tampa, Fla.
Miss Belle Martin, 305 Saunders Street, Plant City, Fla.
Mrs. Iva Woodruff, 2429 Harper Street, Tampa, Fla.
Mr. W. M. Turner, Thirty-sixth and Main Streets, Jacksonville, Fla.
Mr. Jim Proctor, 1301 Pearl Street, Jacksonville, Fla.

The secretary of the Florida Public Health Association, Dr. T. Z. Cason, has also indorsed this work in a brief letter, and I shall ask the Clerk to read in my time his statement. This letter is signed as secretary, therefore, is for the association.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

FLORIDA PUBLIC HEALTH ASSOCIATION,
Jacksonville, Fla., January 18, 1930.

Hon. ROBERT A. GREEN,
Congressman, House of Representatives,
Washington, D. C.

MY DEAR MR. GREEN: House bill No. 7138 which has to do with the Federal appropriation for the rehabilitation of crippled civilians, I believe, comes up for hearing on January 20. As this bill provides for the continuance of an appropriation which has been used jointly with appropriations from the State of Florida for the rehabilitation of disabled persons to such good effect, we are most anxious to see its passage.

In view of the above, the members of this association in their annual meeting yesterday voted that the importance of the passage of this bill be urged upon all of those in whose power this action lies.

Speaking for our members, may I thank you for anything that you may do to insure its passage.

Sincerely,

T. Z. CASON, *Secretary.*

Mr. GREEN. I understand that H. R. 10175 takes the place of H. R. 7138.

The thing which impresses me with this work is that the organizations and State agencies which have had to do with the administration of it and have had a better opportunity to see the benefits of it, are heartily in favor of it.

Another thing which appeals to me more than the monetary side is that it prepares a man to pursue and enjoy a line of industry.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. JOHNSON of Washington. How many persons did the gentleman from Florida say enjoyed the benefits of this legislation under the Federal law in the State of Florida?

Mr. GREEN. Approximately 29 are named in the list recently referred to, but I understand this is only a small percentage of the total number in the State.

Mr. JOHNSON of Washington. Twenty-nine in the entire State of Florida?

Mr. GREEN. Twenty-nine names were recited, but I understand the total number is far greater.

Mr. JOHNSON of Washington. About what is the machinery in a State of the size of Florida to take care of 29 persons? How many employees or clerks or assistants?

Mr. GREEN. It is usually conducted in connection with the State public education department, and in that way the minimum administration expense is had. The cost of administration is negligible compared with benefits derived.

Mr. PATTERSON. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. PATTERSON. I noticed one statement which says that in a State about the size of Florida, during the nine years in which this work has been in progress, 1,125 men and women were rehabilitated, and their income was raised from about $20 a month to $70 a month.

Mr. JOHNSON of Washington. That is a large State?

Mr. PATTERSON. No. This is a small State.

Mr. GREEN. My State has only recently availed itself of the opportunity. Two years ago, I believe, my State made the first appropriation, and the Florida people believe the benefits received from it are sufficient to warrant the State's continued participation.

Hon. T. W. Lawton, superintendent of public instruction for Seminole County, Fla., recently wrote me as follows:

> House bill 7138, introduced by Representative DANIEL REED on December 10, authorizes an appropriation to carry out the provisions of the national rehabilitation act. Unless this bill is passed the good work that is being done for the crippled men and women of Florida must cease.

A large number of other prominent educators of my State, as well as public-health officials and other citizens, have petitioned for the passage of this bill. They desire the continuing of this work, and so do I. The fact that all States except four are now meeting the Federal funds with like State appropriation is evidence that the rehabilitation work should be carried on. The rehabilitation of soldiers by the Veterans' Bureau, I believe, has been completed, but I know of a few, at least, ex-service men who desire a continuation of their rehabilitation training. This bill would permit them to receive further benefits and thus extend their training.

Mr. JOHNSON of Washington. The State of Washington, which I have the honor to represent in part, has not availed itself of this offer, the State having decided that this 50-50 system was a price hung up here to be met by themselves, to be

laid down by the Federal Government on the State, which reduces the power of the State so much. Each time one is put in the State loses.

Mr. GREEN. I trust that the gentleman's State will soon participate in these Federal benefits. The highest degree of happiness is always obtained through the best possible service; therefore rehabilitation, through education and otherwise, of those who are physically infirm not only enables them to earn their own support but gives them that contentment of mind and body which can only come as a result of employment in some capacity where they may render efficient services. I hope the bill will pass, and I would be glad to vote for even a larger Federal appropriation for this worthy cause. [Applause.]

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

Mr. REED of New York. I yield three minutes to the gentleman from Indiana [Mr. HALL].

Mr. HALL of Indiana. Mr. Chairman and gentlemen of the committee, I want to lend full support toward the passage of H. R. 10175 which provides for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment. This humanitarian legislation was inaugurated by the National Government on June 2, 1920, making available to the citizens an appropriation of $1,000,000 annually for a period of four years. This authorization was further extended on June 5, 1923, for a period of six years. This second period of authorization will terminate on June 30, 1930, unless this legislation is quickly enacted into law.

The original act provides that each State can participate in this fund providing the State appropriates an amount equal to that which the Federal Government grants to the State. At the present time 44 States of the United States have accepted the provisions of the national rehabilitation act and are cooperating with the Federal Government in retraining and returning to remunerative employment their disabled citizens.

Only four States have failed to cooperate.

The work which is now being carried on in 35 States of the Union of which Indiana is one will cease should the aid from the Federal Government not be extended further.

On March 10, 1921, the State of Indiana accepted the provisions of the Federal rehabilitation act and since that time has been actively engaged in the work. Since the beginning of the work in Indiana 987 disabled persons have been vocationally rehabilitated and returned to remunerative employment.

During the Federal fiscal year ending June 30, 1929, 145 disabled persons were rehabilitated. Of these 128 received school training and 7 job restoration. The total expenditure, including administration in Indiana, was $37,495.01, or $258.78 for each case. One-half of this amount was paid by the Federal Government and one-half by the State of Indiana.

Our State has been extending this work and developing the program on a basis of continuation of Federal aid. If it is not continued, the work will be seriously handicapped.

We believe that the same reasons exist now for a continuation of the rehabilitation service as were valid when it was inaugurated and that the work has justified itself by its economic usefulness in the assistance it has given to disabled citizens. I am going to incorporate here some typical rehabilitated cases in the eleventh district:

A young man, age 28. Disability, left arm amputated above elbow in employment accident. Approved for a business course in the Logansport Business College, at a total cost of $276.71. Employed as bookkeeper at a salary of $25 per week.

Young man, age 24. Disability, left leg crippled as a result of disease. Approved for a course in watch and clock repairing with the Chicago School of Watch Making, at a total cost of $165. Employed, in business for self, watch, clock, and jewelry repairing, in a thriving town in Indiana. His net income at present is from $20 to $30 per week.

Young man, age 24. Disability, tubercular from overwork and exposure. In a sanitarium six months. Released as an arrested case. Approved for a course in embalming, at a total cost of $226. Employed in undertaking business for self at a salary of from $200 to $300 per month.

Young woman, age 18. Disability, ensmalled legs, weak ankle, as a result of infantile paralysis. Approved for a general business course in Marion Business College, at a total cost of $344.14. Employed as bookkeeper, stenographer-typist at a salary of $25 per week.

Young man, age 21. Disability, curvature of spine, caused from fever in childhood. Approved for general business course in Logansport Business College, at a cost of $219.42. Employed as bookkeeper for a surety company at a salary of $30 per week.

Young woman, age 18. Disability, disabled legs caused by infantile paralysis. Approved for secretarial course in International Business College, Fort Wayne, Ind., at a total cost of $185. Employed as a stenographer-typist at a salary of $15 per week.

Too many of our activities in the past from a governmental standpoint have been caring for those who have been handicapped on a charity basis, when the sounder policy would have been to have given the individual an opportunity of earning a living and making himself or herself a self-supporting citizen.

Too much of our Government's interest has been given to the caring for the results of crime rather than the developing of those agencies which would make less crime.

I sincerely hope this constructive piece of legislation will receive the generous approval of the House. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, it was my privilege to be a member of the Committee on Education 13 years ago when the Federal Board for Vocational Education was established by the so-called Smith-Hughes Act, which was reported by that committee. At that time I contended that that meritorious legislation was constitutional as a preparedness measure under the war power of Congress.

I feel that I was more than justified, as a member of the Committee on Education, in voting several years later for the first bill providing for the rehabilitation of persons injured in industry, and as chairman of that committee I had the honor of reporting and securing the passage by the House of Representatives of a bill to extend and continue the beneficent work already commenced.

It seems to me that anything which encourages the States to protect and increase the man power of the Nation is a measure that can well be justified on the grounds of national defense, without reference to the general welfare clause, which has usually been relied upon. If this measure is unconstitutional, then all of the acts upon the statute books providing for agricultural research and for scientific research of many kinds are unconstitutional.

I hope to have the opportunity of voting in the near future for a measure providing that the United States Public Health Service shall be authorized and directed to enter upon a comprehensive system of intensive research as to the cause and prevention of those diseases of the human body which are not being studied in privately endowed institutions. In my opinion the prevention of sickness and death among all our citizens is more important even than the eradication of insect pests that are destructive to agriculture. We hear a great deal about the conservation of our natural resources. This is a measure for the conservation of the man power, the human resources of the Nation, and I trust this bill will pass by an overwhelming vote. [Applause.]

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

Mr. REED of New York. Mr. Chairman, I yield four minutes to the gentleman from Wisconsin [Mr. SCHAFER], a member of the committee.

Mr. SCHAFER of Wisconsin. Mr. Chairman and members of the committee, I respectfully disagree with my good friend from Virginia, who is opposing this bill upon constitutional grounds. If there were anything to his argument, I should think that some citizen of Virginia would have tested the constitutionality of the act in the courts, and that the State of Virginia, which in part he represents, would have refused to accept its allotment of Federal funds, but it has never refused to accept such allotment.

The trouble with the bill in its present form is that it does not go far enough; the appropriations should be larger. The Committee on Education held extensive hearings on H. R. 7138. At those hearings the representative of the American Federation of Labor testified in behalf of said bill. The testimony of the representative of the American Federation of Labor, appearing on page 47 of the hearings, reads in part as follows:

> We favor this bill as written, and we regret that the money appropriated is not generous enough to meet the real needs of the country.

Edsel B. Ford, the Hudson Motor Car Co., the Western Electric Co., and the Packard Motor Car Co., and many others testified before the committee in favor of H. R. 7138, which not only provides for a continuation of Federal participation in the vocational training work but also provides for an expansion of the program. The Secretary of Labor, the Hon. James J. Davis, whose testimony appears on page 11 of the printed hearings, stated in part as follows:

> I desire to urge upon Congress the imperative need of prompt and favorable action upon legislation extending this service. Not to continue the program would be to break faith with the States and to ter-

minate a movement which has been developing so auspiciously and with every promise of big accomplishments would be disastrous. At such a critical time in the development of the vocational rehabilitation of the disabled, for the Federal Government to withdraw its support would be in effect a repudiation of a movement of far-reaching economic and social significance to the Nation. The rehabilitation program must not only be continued but expanded, if we are to conserve to the fullest extent the efficiency of our man power.

Mr. Chairman and members of the committee, at the proper time I shall offer an amendment containing the appropriation as embodied in the bill (H. R. 7138) for a 4-year period. This is the bill which was supported by many civic associations, by the industrial leaders, by the American Federation of Labor, by the Secretary of Labor, and many others.

Some say that due to opposition from the Budget Bureau we should not expand the program. Ladies and gentlemen of the committee, a few days ago this House passed a bill, a rehabilitation bill, rehabilitating the New York Barge Canal, a bill which clearly forces upon the taxpayers of this Nation an appropriation of millions of dollars each year, for time without limit. I say that if we have these millions to rehabilitate the New York Barge Canal, which will require large expenditures for many years to come, then we can support this expansion program and increase the expenditures for the noble work of rehabilitating human beings. This vocational rehabilitation is no longer a noble experiment. It has been tried and found not wanting, and I hope you will, with practically a unanimous vote, support an amendment which has for its purpose the expansion of the Federal aid. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, as amended (U. S. C., title 29, secs. 31 and 32), is hereby amended to read as follows:

"That in order to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their placement in employment, there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June 30, 1931, the sum of $1,000,000; for the fiscal year ending June 30, 1932, the sum of $1,000,000; and for the fiscal year ending June 30, 1933, the sum of $1,000,000. Said sums shall be allotted to the States in the proportion which their populations bear to the total population in the United States, not including Territories, outlying possessions, and the District of Columbia, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall not be less than a minimum of $10,000 for any fiscal year. And there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1931, June 30, 1932, and June 30, 1933, the sum of $97,000 or so much thereof as may be needed which shall be used for the purpose of providing the minimum allotments to the States provided for in this section.

"All money expended under the provisions of this act from appropriations authorized by section 1 shall be upon the condition (1) that for each dollar of Federal money expended there shall be expended in the State under the supervision and control of the State board at least an equal amount for the same purpose: *Provided*, That no portion of the appropriations authorized by this act shall be used by any institution for handicapped persons except for vocational rehabilitation of such individuals entitled to the benefits of this act as shall be determined by the Federal board; (2) that the State board shall annually submit to the Federal board for approval plans showing (a) the plan of administration and supervision of the work; (b) the qualifications of directors, supervisors, and other employees; and (c) the policies and methods of carrying on the work; (3) that the State board shall make an annual report to the Federal board on or before September 1 of each year on the work done in the State and on the receipts and expenditures of money under the provisions of this act; (4) that no portion of any money authorized to be appropriated by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment, or for the purchase or rental of any lands; (5) that all vocational rehabilitation service given under the supervision and control of the State board shall be available, under such rules and regulations as the Federal board shall prescribe, to any civil employee of the United States disabled while in the performance of his duty."

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 2, in line 6, strike out the sign and figures "$1,000,000" and insert in lieu thereof the sign and figures "$1,250,000."

In line 7, strike out the sign and figures "$1,000,000" and insert in lieu thereof the sign and figures "$1,500,000."

In line 9, strike out the sign and figures "$1,000,000" and insert in lieu thereof the sign and figures "$1,750,000."

In line 9, strike out the period after the sign and figures "$1,000,000," insert a semicolon, and the following: "For the fiscal year ending June 30, 1934, the sum of $2,000,000."

Mr. SCHAFER of Wisconsin. Mr. Chairman, this amendment does not provide the full appropriation as embodied in the original bill, H. R. 7138, which was considered by the Committee on Education and upon which hearings were held. This is a compromise proposition. It carries the appropriations for a 4-year period, identical with the appropriations in the original bill, H. R. 7138.

Now, ladies and gentlemen of the committee, we are told that we must conserve the Nation's funds, that we must stay within the Budget; but if there was ever a case where the Budget is wrong, it is wrong on this great humanitarian and economic problem of rehabilitation. I can not say to the people of my State and the people of the Nation that the American Federation of Labor was wrong; that Mr. Edsel Ford was wrong; that the Western Electric Co. was wrong; that the Hudson Motor Car Co. was wrong; and that the Packard Motor Car Co. was wrong when they testified in behalf of the original bill, with the expansion program contained therein.

Mr. Chairman, 35 States of the Union that now take part in this vocational rehabilitation work depend upon Federal enactment and appropriations for the continuation of their own work. The State legislation providing for the States taking an active part in the work is dependent upon the appropriation of the Federal Government. These 35 States include Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, and West Virginia.

Therefore, since the activity of the State is dependent upon Federal appropriations, we can not look for an expansion program in the near future in these States unless the Federal Government expands the program.

While several States have not cooperated in this noble work, namely, the States of Delaware, Kansas, Vermont, and Washington, I sincerely hope the day is not far distant when they will see the light.

Mr. Chairman, it would be a sad blow to this vocational rehabilitation work if the Federal Government should not continue to participate. On the other hand, if we recognize the wonderful work done under these vocational rehabilitation appropriations by expanding the Federal program and adopting the amendment which I have submitted, we will send word throughout the Nation that the Congress has recognized the need, and thereby stimulate the interest of the States and the people of the various States engaged in this noble work. The adoption of this amendment will act as a beacon light sending out rays of hope to many thousands of our unfortunate, helpless men, women, and children who are cripples from injury or disease.

In closing I want to read a brief article by Nellie M. Winchester, entitled "A Vision."

Some time between midnight and dawn, when ghostly visions come as unwelcome guests and sit beside the restless sleeper, I dreamed I stood beside a mighty chasm, riven by some convulsion of nature, whose distant walls seemed to pierce the somber skies.

Venturing timidly to the brink, I looked into its depths and saw with horror, borne upon the crest of the rushing torrent were the maimed and blind, swept by with piteous cries for help.

One held aloft a mangled, bloody stump; his family, little ragged, famished children, clung to him; a mother lifted her crippled child in silent appeal; a man with blinded eyes; and so they were carried by on the crest of the torrent.

I turned away sick at heart and plucked the sleeve of a passer-by. "What is this," I said, and he answered, "It is the River of Desolation. It has borne its freight of human wreckage since the memory of man." He paused and said, "There is a legend that once many thousands of years ago a man walked among these people and healed them, but this is almost forgotten." He turned away.

Again, I resumed my contemplation of the pitiful human freight.

Suddenly I seemed to feel a presence beside me; turning I beheld a gracious and benign figure, ample of proportions, and bearing upon her serene brow the seal of motherhood of nations.

I said, "Art thou of earth?" She pointed to her breast, across which was written "Rehabilitation."

She spread her arms with a gesture of infinite love and pity over the thronged waves of the River of Desolation. The chasm was filled with light. The crippled and blind climbed the steep ascent and joined the passing throng with happy faces.

I awoke. The sun was shining in my window—a blind beggar led by a little dog passed by.

My colleagues, with all the sincerity of my heart, I ask you to support this meritorious amendment, the Budget recommendation to the contrary notwithstanding. [Applause.]

Mr. REED of New York. Mr. Chairman and gentlemen of the committee, I question whether any person in the House has a greater interest in this character of work than I have [applause], and I believe every Member of the House perhaps has just as great an interest in this great humanitarian and educational work.

I know of no activity of the Federal Government that comes closer to the heart than this particular legislation. I think it was Cicero who once said there is no way by which men can approach nearer to their God than by contributing to the welfare of their fellow creatures.

This has been a great and a splendid work, and I want to say to you that during all the years of this work no man has done more to encourage the work than President Hoover. He has been in a position to be in closest contact with it in a general way and in a specific way.

When I originally introduced this bill I provided for an increase of $250,000 a year each year for a period of four years, just as the proposed amendment provides. I did this, no doubt, for the same reason that the gentleman from Wisconsin is offering the amendment. Upon the face of it, when there are so many cripples in the country, it seemed that the way to perform the work and perform it well and efficiently and to meet the needs of this great number of cripples was to increase the appropriation by a larger sum, but I want to point out to the members of the committee that this work is different in character from ordinary educational work. I know that specific cases from my own district are not interesting to the Members generally, because you have just as many of these cases in your own districts as I have, but this is case work. It is not school work alone, it is case work, and I can take, as an illustration, a case in my own district of a girl who was crawling around on all fours when the rehabilitation people came there. To-day she is upright, walking, working, and helping to support her family when she and her family might have become public charges except for this work. This was case work.

Now, there is a limit to which this work can go. You must carefully train a type of person to deal with these individual cases. If you simply throw this wide open, with literally thousands of dollars that can not be used until the people are trained, what are you going to do? You are not going to help the work, you are going to put on the pay roll an army of people who are not trained for the work, and you are going to discredit the work. This is what you will do.

The Bureau of the Budget and the President naturally recognize this situation and they realize that in this work you have got to go along in an orderly way, moving slowly and cautiously and doing the work well.

Let me warn the members of the committee. Do not let your sympathy run away with you. We are all interested in this work. Let us not overload the proposition; let us not endanger it, but let us proceed in an orderly way. In the course of three years, through orderly procedure, they will develop more trained people, but if we go ahead now and add this vast sum of money to the bill, what do you think is going to happen? The next Congress, when it meets, is going to find that the States are not using this money because they can not use it intelligently, or if it is used they are going to find it has not been used properly. The result of your action will be that you will do injury to the work that you want to help.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. REED of New York. No; I can not yield now. I am very much interested in this work. It is seldom that I stand before the House, but I rely on the good judgment of the Members of this House to act sanely, sympathetically, and wisely. Our committee has studied this question carefully. The cripple is a subject with which no man wants to play politics. Let us be fair to the cripples of this country. Let us proceed in an orderly way. Let us undertake the work as it should be, and then at the end of the three years, as the bill provides, we can take care of any extra load. There has been opposition voiced here to-day on constitutional grounds. I hope the amendment will not carry.

While there has been opposition to this form of legislation—call it education, general welfare, relief, or what not—Congress through almost all its history has acted upon a liberal interpretation of the welfare clause in the Constitution. Congress voted relief to the cod fisheries in 1792; it voted relief to Santo Domingo refugees in 1794; it voted relief to the Venezuela earthquake victims in 1812; and more recently it voted $20,000,000 grain relief for Russia. Whether viewed in the light of precedent or existing necessity, it seems to the committee that the work is justified and should be continued.

Let me insert at this point a brief of Hon. Charles E. Hughes touching the power of Congress to legislate under the "general welfare clause":

THE TAXING POWER

The objects to which the public money may be devoted are implied in the provision of the Constitution relating to the taxing power. This is that Congress shall have power—

"To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States." (Art. I, sec. 8, subd. 1.)

There have been three views, representing serious differences of opinion, as to the meaning and scope of the clause "provide for the common defense and general welfare of the United States."

One view, which at times has been advanced, is that these words do not qualify the preceding clause with respect to the laying of taxes, etc., but confer an independent power. The conclusive reason for rejecting this interpretation is that it would render nugatory the subsequent specification of the powers of Congress, as the Constitution would thus be deemed, in one sweeping clause, to confer upon Congress the authority to do anything which in its judgment might be regarded as conducive to the general welfare of the United States. Accordingly, the accepted view is that this clause does not create an independent power, but qualifies the provision giving the taxing power; that is, it states the purposes for which the taxing power may be exercised.

With this postulate, a second view is that the clause has no separate significance, but is limited and explained by the subsequent enumeration of the powers of Congress, to which it is a mere introduction. (See President Madison's letter to Mr. Stevenson, November 27, 1830; Virginia resolutions, January 7, 1800; 4 Elliot's Deb., 236, 280–281; Tucker on the Constitution, secs. 223–238). It is not questioned that this opinion has been held by eminent men, but we believe it to be inconsistent with accepted principles of constitutional construction and to be opposed to the decided weight of opinion and to the established practice since the Constitution was adopted. As Mr. Justice Story says, "there is a fundamental objection to the interpretation thus attempted to be maintained, which is, that it robs the clause of all efficacy and meaning. No person has a right to assume that any part of the Constitution is useless, or is without a meaning; and a fortiori no person has a right to rob any part of a meaning, natural and appropriate to the language in the connection in which it stands. Now, the words have such a natural and appropriate meaning as a qualification of the preceding clause to lay taxes. Why, then, should such a meaning be rejected"? (Story on the Constitution, sec. 912.) In Holmes *v.* Jennison (14 Pet., pp. 570, 571) it was said by Chief Justice Taney: "In expounding the Constitution of the United States, every word must have its due force, and appropriate meaning; for it is evident from the whole instrument, that no word was unnecessarily used, or needlessly added. * * * No word in the instrument, therefore, can be rejected as superfluous or unmeaning." The arguments in support of this second view would seem to ignore this principle. Their elaboration can not avail to obscure the fact that they endeavor to explain away the express words which qualify the taxing power; instead of expounding and applying, they seek to rewrite the constitutional provision.

The third and prevailing view is that the clause does not confer an independent power, and yet is not superfluous as a mere introduction to, or as limited by, the subjoined enumeration of powers, but has its separate significance as prescribing the limits of the taxing power, and thus, by necessary implication, as defining the objects for which the public money may be appropriated by Congress. This view has the weighty support of Hamilton, Marshall, and Story.

Mr. Hamilton, in his Report on Manufactures (December 5, 1791), said:

"The National Legislature has express authority 'to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare,' with no other qualifications than that 'all duties, imposts, and excises shall be uniform throughout the United States; and that no capitation or other direct tax shall be laid, unless in proportion to numbers ascertained by a census or enumeration, taken on the principles prescribed in the Constitution,' and that 'no tax or duty shall be laid on articles exported from any State.'

"These three qualifications excepted, the power to raise money is plenary and indefinite, and the objects to which it may be appropriated are no less comprehensive than the payment of the public debts, and the providing for the common defense and general welfare. The terms 'general welfare' were doubtless intended to signify more than was expressed or imported in those which preceded; otherwise, numerous exigencies incident to the affairs of a nation would have been left without a provision. The phrase is as comprehensive as any that could have been used, because it was not fit that the constitutional authority of the Union to appropriate its revenues should have been restricted within narrower limits than the 'general welfare,' and because this necessarily embraces a vast variety of particulars, which are susceptible neither of specification nor of definition.

"It is, therefore, of necessity, left to the discretion of the National Legislature to pronounce upon the objects which concern the general welfare, and for which, under that description, an appropriation of money is requisite and proper. And there seems to be no room for a doubt that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce, are within the sphere of the national councils, as far as regards an application of money. The only qualification of the generality of the phrase in question, which seems to be admissible, is this: That the object to which an appropriation of money is to be made be general, and not local; its operation extending in fact or by possibility throughout the Union, and not being confined to a particular spot.

"No objection ought to arise to this construction from a supposition that it would imply a power to do whatever else should appear to Congress conducive to the general welfare. A power to appropriate money with this latitude, which is granted, too, in express terms, would not carry a power to do any other thing not authorized in the Constitution, either expressly or by fair implication." (See also Hamilton's Opinion on the Bank of the United States, February 23, 1791.)

There would seem to be no doubt that President Washington took the same view. (Story on the Constitution, sec. 978, note.)

Mr. Jefferson, in his Opinion on the Bank of the United States, February 15, 1791 (4 Jefferson's Correspondence, 524, 525), says:

"To lay taxes to provide for the general welfare of the United States is to lay taxes for the purpose of providing for the general welfare. For the laying of taxes is the power, and the general welfare the purpose for which the power is to be exercised." (See as to Jefferson's views, 1 Story on the Constitution, sec. 926, note.)

In the paper of President Monroe, entitled "Views of the President of the United States on the Subject of Internal Improvements" (transmitted to Congress in connection with his veto of the Cumberland road bill, May 4, 1822), which Mr. Justice Story describes as "the most thorough and elaborate view which perhaps has ever been taken of the subject," it was argued that the clause in question does not confer upon the Federal Government additional powers of control, but does authorize the laying of taxes and consequently the making of appropriations for purposes within the stated limits, thus enabling Congress to appropriate money in aid of enterprises which the General Government can not undertake or directly control. (See Willoughby on the Constitution, sec. 269; Story on the Constitution, secs. 979–990.) President Monroe said:

"If we look to the second branch of this power, that which authorizes the appropriation of the money thus raised, we find that it is not less general and unqualified than the power to raise it. More comprehensive terms than to 'pay the debts and provide for the common defense and general welfare' could not have been used. So intimately connected with and dependent on each other are these two branches of power that had either been limited the limitation would have had the like effect on the other. * * * Had it been intended that Congress should be restricted in the appropriation of the public money to such expenditures as were authorized by a rigid construction of the other specific grants, how easy would it have been to have provided for it by a declaration to that effect. The omission of such declaration is therefore an additional proof that it was not intended that the grant should be so construed. * * *

"If, then, the right to raise and appropriate the public money is not restricted to the expenditures under the other specific grants according to a strict construction of their powers, respectively, is there no limitation to it? Have Congress a right to raise and appropriate to any and to every purpose, according to their will and pleasure? They certainly have not. The Government of the United States is a limited Government, instituted for great national purposes, and for those only. Other interests are committed to the States, whose duty it is to provide for them. Each government should look to the great and essential purposes for which it was instituted and confine itself to those purposes. * * * My idea is that Congress have an unlimited power to raise money, and that in its appropriation they have a discretionary power, restricted only by the duty to appropriate it to purposes of common defense and of general, not local, national, not State, benefit."

In Gibbons *v.* Ogden (9 Wheat. 1, 199) Mr. Chief Justice Marshall said that "Congress is authorized to lay and collect taxes, etc., to pay the debts, and provide for the common defense and general welfare of the United States." That we are not misconceiving the purport of this quotation is evident from the use which Mr. Justice Story makes of it. (1 Story on the Constitution, sec. 927.)

(See also Mr. Adams's letter to Mr. Stevenson, July 11, 1832; 2 Elliot's Deb., 170, 183, 195, 328, 344; 3 id. 262, 290; 4 id. 226; Mr. Justice Miller's Lectures on the Constitution, pp. 229–231, 235.)

In the course of an exhaustive examination of the question, Mr. Justice Story thus states what is deemed to be the true construction of the constitutional provision (1 Story on the Constitution, secs. 922–924):

"A power to lay taxes for any purposes whatsoever is a general power; a power to lay taxes for certain specified purposes is a limited power. A power to lay taxes for the common defense and general welfare of the United States is not in common sense a general power. It is limited to those objects. It can not constitutionally transcend them. If the defense proposed by a tax be not the common defense of the United States, if the welfare be not general, but special, or local, as contradistinguished from national, it is not within the scope of the Constitution. If the tax be not proposed for the common defense, or general welfare, but for other objects, wholly extraneous (as, for instance, for propagating Mohametanism among the Turks, or giving aids and subsidies to a foreign nation, to build palaces for its kings, or erect monuments to its heroes), it would be wholly indefensible upon constitutional principles. The power, then, is, under such circumstances, necessarily a qualified power. If it is so, how then does it affect or in the slightest degree trench upon the other enumerated powers? * * * Each has its appropriate office and objects; each may exist without necessarily interfering with or annihilating the other (sec. 922). * * * But then, it is said, if Congress may lay taxes for the common defense and general welfare, the money may be appropriated for those purposes, although not within the scope of the other enumerated powers. Certainly, it may be so appropriated; for if Congress is authorized to lay taxes for such purposes, it would be strange, if, when raised, the money could not be applied to them. That would be to give a power for a certain end, and then deny the end intended by the power (sec. 923). * * *

"That the same means may sometimes or often be resorted to to carry into effect the different powers furnishes no objection, for that is common to all governments. That an appropriation of money may be the usual or best mode of carrying into effect some of these powers furnishes no objection, for it is one of the purposes for which the argument itself admits that the power of taxation is given. That it is indispensable for the due exercise of all the powers may admit of some doubt. The only real question is whether, even admitting the power to lay taxes is appropriate for some of the purposes of other enumerated powers (for no one will contend that it will of itself reach or provide for them all), it is limited to such appropriations as grow out of the exercise of those powers. In other words, whether it is an incident to those powers or a substantive power in other cases which may concern the common defense and the general welfare. If there are no other cases which concern the common defense and general welfare, except those within the scope of the other enumerated powers, the discussion is merely nominal and frivolous. If there are such cases, who is at liberty to say that, being for the common defense and general welfare, the Constitution did not intend to embrace them? The preamble of the Constitution declares one of the objects to be to provide for the common defense and to promote the general welfare; and if the power to lay taxes is in express terms given to provide for the common defense and general welfare, what ground can there be to construe the power short of the object—to say that it shall be merely auxiliary to other enumerated powers and not coextensive with its own terms and its avowed objects? One of the best established rules of interpretation, one which common sense and reason forbid us to overlook, is that when the object of a power is clearly defined by its terms, or avowed in the context, it ought to be construed so as to obtain the object and not to defeat it. The circumstance that, so construed, the power may be abused is no answer. All powers may be abused; but are they then to be abridged by those who are to administer them, or denied to have any operation? If the people frame a constitution, the rulers are to obey it. Neither rulers nor any other functionaries, much less any private persons, have a right to cripple it because it is, according to their own views, inconvenient or dangerous, unwise or impolitic, of narrow limits or of wide influence."

These observations are quoted at length, for the argument could not be stated more convincingly and, in the absence of an explicit determination by this court, it is believed that no words are entitled to greater weight. Mr. Justice Story was well acquainted with all opposing views and had critically studied them, and after reviewing the question from every angle and carefully examining the proceedings of the Constitutional Convention, he reached the definite conviction which he sets forth in his commentaries. (Id. secs. 906–932; 967–991.)

While this court has not definitely passed upon the construction of the clause with reference to the scope of the power of appropriation (see United States *v.* Realty Co., 163 U. S., 427, 440), there are general expressions supporting the view that the words—"provide for the common defense and the general welfare of the United States"—are to be taken as qualifying the power to lay taxes. See Gibbons *v.* Ogden, supra. In United States *v.* Gettysburg Electric Railway Co. (160 U. S.

668, 681) it is said: "It (Congress) has the great power of taxation to be exercised for the common defense and general welfare"; and this statement was made as a part of the reasoning of the court in sustaining the power of the United States to condemn land for the preservation of the battle field of Gettysburg as being for a public use, as it made direct appeal to patriotic sentiment and tended to enhance "love and respect for those institutions for which these heroic sacrifices were made" (id. p. 682). When the validity of the sugar bounty provision in the tariff act of October 1, 1890 (26 Stat. 567, par. 231), was challenged, the court found it unnecessary to decide the question (Field *v.* Clark, 143 U. S., 649, 695). Later, when, after the repeal of that provision Congress passed the act of March 2, 1895 (28 Stat., 910, 933), providing a similar bounty upon sugar manufactured and produced before the repeal, it was held that the appropriation was valid as being in the discharge of a moral obligation which Congress was entitled to recognize as a "debt" within the fair meaning of the constitutional provision (United States *v.* Realty Co., supra; Allen *v.* Smith, 173 U. S. 389, 394, 402). Certainly, this court has never decided adversely to the power of Congress to meet by its appropriateness great national needs and has never construed the taxing clause otherwise than in accord with the construction placed upon it by Hamilton, Jefferson, Marshall, Monroe, and Story.

PRACTICAL CONSTRUCTION OF THE POWER OF CONGRESS TO APPROPRIATE THE PUBLIC MONEY

The power to tax and the power to appropriate the moneys raised by taxation are addressed to the same objects. The latter is qualified to the same extent as is the former. To hold otherwise, as Story says, "would be to give a power for a certain end, and then deny the end intended by the power." Congress, from the foundation of the Government, has proceeded upon the view that the powers specified in the subsequent provisions of the Constitution do not limit its authority to appropriate money for the common defense and general welfare of the United States under the clause relating to taxes. Mr. Justice Story thus states the experience of the first 40 years of our history (1 Story on the Constitution, sec. 991):

"In regard to the practice of the Government, it has been entirely in conformity to the principles here laid down. Appropriations have never been limited by Congress to cases falling within the specific powers enumerated in the Constitution, whether those powers be construed in their broad or narrow sense. And in an especial manner appropriations have been made to aid internal improvements of various sorts, in our roads, our navigation, our streams, and other objects of a national character and importance. In some cases, not silently, but upon discussion, Congress has gone the length of making appropriations to aid destitute foreigners and cities laboring under severe calamities; as in the relief of the St. Domingo refugees, in 1794, and the citizens of Venezuela, who suffered from an earthquake in 1812. (See act of February 12, 1794, ch. 2; act of May 8, 1812, ch. 79; 4 Elliot's Debates, 240.) An illustration equally forcible of a domestic character, is in the bounty given in the cod fisheries, which was strenuously resisted on constitutional grounds in 1792, but which still maintains its place in the statute book of the United States." (See act of February 16, 1792, ch. 6; 4 Elliot's Debates, 234–238.)

In addition to the instances mentioned by Mr. Justice Story, we have numerous illustrations afforded by the action of Congress since his day. The annual appropriations show a practically continuous assertion of broad authority in the application of money, as, for example, in support of the Bureau of Education (including the special provision for aiding the education of the blind, act of March 3, 1879, ch. 186, 20 Stat. 467), of the Smithsonian Institution, and of the constantly expanding and varied work of the Department of Agriculture (see, for example, act of August 11, 1916, ch. 313, 39 Stat. pp. 452–456, 463–467, 470). The validity of such action has not been questioned and, as Professor Willoughby says, "the doctrine has become an established one that Congress may appropriate money in aid of matters which the Federal Government is not constitutionally able to administer and regulate." (Willoughby on the Constitution, sec. 269.) Mr. Justice Story sums up the matter by saying (sec. 977): "The argument in favor of the power" (to appropriate money for the common defense and general welfare) "is derived, in the first place, from the language of the clause conferring the power (which, it is admitted, in its literal terms, covers it); secondly, from the nature of the power, which renders it in the highest degree expedient, if not indispensable, for the due operations of the National Government; thirdly, from the early, constant, and decided maintenance of it by the Government and its functionaries, as well as by many of our ablest statesmen, from the very commencement of the Constitution. So that it has the language and intent of the text, and the practice of the Government, to sustain it against an artificial doctrine set up on the other side."

Nothing could better illustrate the accepted principle than the appropriations to aid in agricultural development. Since the year 1839 there has been a constant disbursement of public moneys in the promotion and fostering of agriculture, in disseminating information, distributing seeds, and in aiding agricultural schools. For upward of 60 years—since the act of 1857 (11 Stat. 226)—Congress has made provision for the distribution of cuttings and seeds. It was in that year also that provision was made for investigation as to the consumption of cotton (id.).

The Department of Agriculture was established in 1862 (12 Stat. 387). The act provided as to this department—

"the general designs and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants."

The far-sighted policy of the Morrill Land Grant Act of 1862 (12 Stat. 503) made possible through donations of public land the establishment of institutions for instruction in agriculture throughout the country. Funds have been provided to maintain bureaus of agricultural statistics, for the introduction and protection of insectivorous birds, for laboratories to engage in experimentation in agricultural chemistry (12 Stat. 69). The great pests, or enemies of crops, have been the subject of constant consideration, and frequent appropriations have been made to aid in their elimination (21 Stat. 259; 40 Stat. 374).

In 1884 the Bureau of Animal Industry was established to disseminate information as to domestic animals and their diseases (23 Stat. 277). In 1890 the Weather Bureau was put in charge of the Department of Agriculture (26 Stat. 653), to make more readily available comprehensive information as to matters of special interest to those engaged in the cultivation of the soil.

The Irrigation Survey was established in 1889 under the direction of the Secretary of the Interior (25 Stat. 960), and in 1913 the Bureau of Mines (37 Stat. 681).

The scope of the activities of the Department of Agriculture now embraces those of the Weather Bureau; the Bureau of Animal Industry (including inspection and quarantine work, the eradication of scabies in sheep and cattle, tuberculin and mallein testing, experiments in animal feeding and breeding, including cooperation with State agricultural experiment stations, scientific investigations of hog cholera, and other diseases of animals); the Bureau of Plant Industry (including investigations of diseases of plants, of orchard and other fruits, of forest and ornamental trees and shrubs, of soil bacteriology and plant nutrition, of soil fertility, of plants yielding drugs, poisons, and oils, of cereals and cereal disease, of sugar beets, and generally of crop production, and the purchase and distribution of valuable seeds, bulbs, shrubs, vines, cuttings, and plants); the Forest Service (including various investigations in forestry); the Bureau of Chemistry (embracing various chemical and physical tests and biological investigations of food products); the Bureau of Soils (including investigations of soil types and chemical properties, of productivity and as to possible sources of supply of potash, nitrates, etc.); the Bureau of Entomology (including investigations of insects affecting fruits, orchards, vineyards, and crops); the Bureau of Biological Survey (including the investigation of the food habits of birds and mammals in relation to agriculture); the Division of Publications; the Bureau of Crop Estimates (covering all important data relating to agriculture); the States Relations Service (including farmers' cooperative demonstration work in connection with State organizations, and for the study of methods to combat the cotton boll weevil); the Office of Public Roads and Rural Engineering (including investigations as to farm irrigation and drainage and construction of farm buildings); the Office of Markets and Rural Organization (including investigations of marketing methods, studies of cooperation among farmers in rural credits, and other forms of cooperation in rural communities); and the Federal Horticultural Board (see 39 Stat. 446–476; 1134–1166; 40 Stat. 973–1008).

The Federal appropriations in 1917 in support of agriculture amounted to upward of $29,000,000 and in 1918 to upward of $45,000,000.

There can be no question as to the continuous practical construction of the powers of Congress to raise and appropriate money to the effect that this power is not limited to the objects enumerated in the subsequent provisions, but extends what may properly be deemed to be embraced within the general welfare as expressly provided in the clause which confers the taxing power itself.

As Mr. Chief Justice Marshall said in McCulloch *v.* Maryland (4 Wheat. 316, 401):

"An exposition of the Constitution, deliberately established by legislative acts, on the faith of which an immense property has been advanced, ought not to be lightly disregarded."

Mr. KVALE. Mr. Chairman, I earnestly hope that this body will, after consideration, adopt the Schafer amendment providing for the specified increase of the annual appropriations.

With all respect for him, and with regard for his outstanding ability and sincerity, I can not share the alarm of the chairman of the committee, the gentleman from New York [Mr. REED]. One-quarter of a million dollars, or even a million, spread thin over all of the States of the United States save four, does not seem to me to be a large sum and does not appear to warrant the charge that we are thereby "loading down" the bill, especially when the purposes of the legislation, which he

enumerated, are borne in mind. It looks small, indeed, when compared with some of the appropriations that have been made out of the Treasury during this session of Congress, and for purposes which surely are no more urgent than the one that is here involved.

To the gentleman from Virginia [Mr. TUCKER], whom we all love, and who opposes the bill, I might quote the recommendations and indorsements from the supervisor of the rehabilitation work and from others in his own State, which has been participating in this activity for nine years.

To the gentleman from New York, the chairman of the committee, I might point out with perfect justice that everything he has said for the measure itself applies with equal and even added force to this amendment for added funds. He has shown that the work is more than justified from an economic standpoint; he has dwelt upon the humanitarian phase of it and its appeal for that reason; he has declared it to be a necessary and a worth-while work. He has stated that the work that is done is largely case work. I contend that is an argument for the addition of funds at this time.

These States have had 10 years now in which to train these highly specialized field workers. All of them have more to do than they can attend to. In State after State your committee was told that there is a long waiting list of crippled people waiting patiently for their turn to be given the attention they want and need. And yet every State has expended its funds wisely and conservatively. Expansion has been slow because of the very nature of the work, as the chairman has stated.

That can be proved by observing that of the million dollars annually apportioned among the States only a little more than $650,000 was used during the last fiscal year. This, by the way, was matched by about $900,000 of funds out of the State treasuries. Mr. Chairman, in dollars and cents, the added amount called for in this amendment will be only a few thousand dollars each to the several States in addition to what they are now receiving. And in many of the States where this work has been under way for a longer time, or where it has been stressed, these added thousands are sorely needed.

But here is the point. The real reason that we are asking for this additional amount is that the money we provide in this bill is apportioned among the States on the basis of population. Now, there are a number of States where the census which is being taken will show a heavy increase in population. These States will receive, proportionately, a larger share of this million than they have received in the last 10 years. In other States, where the growth in population has been proportionately slower, there will be an actual decrease of Federal aid. In these States the rehabilitation work will be seriously crippled unless through amendment we make some provision for them. The States that will perhaps be thus affected, it happens, can be shown to be States, as a rule, where this work has had a fine beginning and is now at a point where any retardation would be nothing short of criminal.

There is your situation. Unless we amend this bill, in many States there will be these crippled citizens demanding each their annual cost for care and attention, producing nothing, and adding to the cares of their loved ones, through no fault of their own. They apply for aid and can not receive it. If they could be aided and if less than one year's cost of care could be expended, as explained by the gentleman from Indiana [Mr. PURNELL], in their rehabilitation they would again be self-sustaining, self-supporting, self-respecting, producing members of society. In many States work will actually have to undergo a reduction.

Mr. SCHAFER of Wisconsin. Is it not a fact that the money appropriated in the past has not all been used?

Mr. KVALE. I believe I mentioned that, that only some six hundred thousand and odd dollars out of the million dollars appropriated had been used.

Mr. SCHAFER of Wisconsin. Is it not a fact that not all of this increased amount, if we appropriate it, will be used?

Mr. KVALE. I thank the gentleman for bringing that point to my attention. It is a fact, as developed by careful estimates based on figures for past years. On the basis of the proportion in the last several years, it can be stated that a maximum of $1,100,000 out of the ultimate appropriation, four years hence, of $2,000,000 will be used.

Mr. TABER. If we do not need more than a million dollars, why do we authorize more?

Mr KVALE. Because many States, especially in the South and Middle West, will actually receive less money under the distribution of funds according to the new census than they now receive, despite the fact that their needs are heavier. If some of them do not desire the funds, or do not match them with State funds, the money will, of course, remain in the Treasury.

Mr. TABER. With that situation, they would not need the money.

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

Mr. PATTERSON. Mr. Chairman, ladies and gentlemen of the committee, the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER] is almost identical, as far as it goes, with the original bill which was introduced by the chairman of the committee, on which we had hearings, and which was supported so strongly by not only the great organization of the National Federation of Labor and many others but by many people and by Members of Congress, who appeared before the committee to indorse the legislation. I acknowledge that no man is more enthusiastic about this legislation than is our good chairman, but he has changed his opinion on this because of the Budget, which, I am told, has sent down word that they do not want any more added t this, but to continue it on the same basis, in the face of the fact that all of those who supported the legislation felt the need for an increase. The gentleman from Wisconsin does not go as far as the original bill of the gentleman from New York [Mr. REED]. That bill provided for beginning in 1931, $1,250,000, and increasing that by $250,000 annually until in 6 years it became $2,500,000, which was to continue indefinitely. That was the original program.

In 1929 the educational forces handling this served some 9,000 people, and the estimate is given by one of the members who was in touch with the program that there is an annual need to take care of 53,000. We are touching only one-sixth of the annual need. I sincerely hope that the amendment of the gentleman from Wisconsin will be agreed to. We passed a bill here on Calendar Wednesday, with two or three hours of debate, carrying $110,000,000 for rivers and harbors, and then deny these cripples—53,000 of them annually—proper education, which will increase their earning capacity $600 a year. This House voted an annual tax reduction of $190,000,000, giving money back to those who are most able to pay the taxes. I sincerely hope that the amendment of the gentleman from Wisconsin will be agreed to. I appeal to you in the name of humanity, in the name of those 53,000 who are disabled, in the name of the men who fought our battles, to vote this amendment in. [Applause.]

Mr. SABATH. Mr. Chairman and ladies and gentlemen, the fact that the Ford, the Hudson, the Packard, and other automobile concerns and industries have indorsed this proposition does not appeal or influence me. Twenty-three years ago I introduced a bill providing for workmen's compensation. I was hopeful that all those who were injured due to employment would be taken care of by the industries, or that the respective industry would be obliged to look after and provide for the disabled, maimed, and crippled in course of their employment. I regret that the workmen's compensation laws do not go as far as I had hoped for. It does not, unfortunately, provide for taking care of these unfortunates as I wished and hoped for. For that reason I gladly support any additional legislation that will relieve the thousands upon thousands of unfortunates, as is done under this proposed legislation.

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

Mr. SABATH. Yes.

Mr. PATTERSON. Is the gentleman in favor of this legislation?

Mr. SABATH. Oh, I am in favor of it.

Mr. PATTERSON. Is the gentleman in favor of the Schafer amendment?

Mr. SABATH. I never voted with greater pleasure for legislation than I did for this form of legislation as originally proposed and brought before the House by that very capable gentleman from Alabama [Mr. BANKHEAD]. I am heart and soul for the bill, and I am in favor of the amendment, because I feel we can not appropriate enough to provide for the thousands and thousands of deserving men and women who are deprived of their livelihood through no fault of their own.

Being a Member from the State of Illinois, and the city of Chicago being my home, I am glad to call attention to the fact at this time that it was a Chicagoan Mr. Cooley, superintendent of the Chicago schools, who started the advocacy of vocational education in Washington and throughout the United States some 24 years ago.

I would not call your attention to the fact that it was a Chicagoan who devoted the best years of his life to educate the Nation on this important and humanitarian principle of a State and country's duty to its thousands of disabled citizens were it not for the fact that the press and certain gentlemen at all times are trying to place Chicago in the most unfavorable light and never give it or its thousands of citizens credit for the many splendid contributions in every line of endeavor they have made to the cause of humanity.

I say it was due more to the activities of that gentleman from Chicago that this legislation was enacted then than to any other individual outside of the gentleman from Alabama [Mr. BANKHEAD], who actually succeeded in forcing the legislation through, notwithstanding a great deal of opposition at that time. I feel that we can easily afford to increase the appropriation. If it is not expended it will remain in the Treasury, but it will encourage several reluctant and careless States to take care of their unfortunate disabled and cripples.

I regret exceedingly that the State of Kansas, the only prohibition State in the Union, and the State of Washington have failed to avail themselves of this opportunity to provide for their many disabled citizens. I hope that the amendment will be adopted, because I believe the country will not suffer by appropriating the money, especially when it will not be expended, as some gentlemen fear. In fact, that is a good sign that the work is being conducted by sound, sane, and economical officials. [Applause.]

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

Mr. REED of New York. Mr. Chairman, I do not want to foreclose anybody from speaking, but I would like to know if anybody else desires time?

Mr. BANKHEAD. I would like to have three minutes.

Mr. O'CONNOR of Louisiana. I would like to have two minutes.

Mr. PALMER. I would like to have two minutes.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in seven minutes.

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

There was no objection.

Mr. PALMER. Mr. Chairman, I do not want to detain the committee or add more than a few words. At this time I wish to commend the committee for their noble work, and do not want to take issue with them, but I think they are getting unnecessarily sensitive about adding a trifle to this appropriation, when Uncle Sam extends his hand freely to those who need relief in other directions. I think it is time to stand up and vote for $1,000,000 or $2,000,000. What will that amount to when scattered all over the United States in this noble work? This is a humanitarian question, and here is an opportunity that should not be neglected.

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

Mr. PALMER. Yes.

Mr. PATTERSON. The gentleman will recall that the other day we passed, by unanimous consent, a bill for $1,000,000 to extend more naval work?

Mr. PALMER. Yes; and I understand they are extending relief to every part of the United States and to various parts of the world outside. But in this case what would $2,000,000 amount to?

Back in Missouri, my State, they have accepted this legislation, but up to the present time we have not functioned very lively or done very much to establish this work. This bill is a splendid measure. It is headed in the right direction. It concerns every State and every section throughout the United States. I believe when we can help industry it is time for every man to stand up and show his colors, and if it is possible to give relief we should do so. We are extending relief to others at this time—the laboring and toiling masses throughout our great country. I hope this amendment will prevail. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I think no man on the floor of this House would charge me with not being in active sympathy with the purpose of the extension of this work. Some gentlemen have been kind enough to give me credit for the original passage of this bill. In my remarks on the rule this morning I said the results have fully justified the operation of the act.

Having so great an interest in its success, I believe we should follow the committee. I shall not vote for the amendment of the gentleman from Wisconsin. I oppose it for this reason: Although I realize the great interest of the gentlemen who are sponsoring this bill, and I realize further that this is a practical matter, some Members of the House know that it required a strong effort in the committee to get even a favorable recommendation from the Budget for the amount carried in the bill, and although the gentleman from New York [Mr. REED], who introduced it in the original form carrying the amount now favored by the gentleman from Wisconsin, I think I am violating no rule or revealing no secret when I say that there was very serious objection to extending this amount over $1,000,000, which is provided by this bill and approved by the Bureau of the Budget; and some assurance, as I am informed, had to be given on that question before the committee felt authorized in reporting out this bill. And I want to say to you, gentlemen, as one deeply interested in this program, that the main purpose that we had in mind in originating this bill and the main purpose in extending its provisions will be amply fulfilled by carrying out the present terms of the bill. The object was not to secure an extravagant appropriation from the Federal Treasury, but the main purpose of those who helped enact it was not to secure large funds out of the Federal Treasury but to give to the Federal Government the position of leadership and stimulation in this great humanitarian measure. As a matter of fact, the great burden of these appropriations should be borne by the States, because in its last analysis this is largely a local question for the States to handle. If you carry out the original purpose and original conception, it was not to mulct the Treasury out of a large sum, but only to extend the help and the leadership of the Federal Government in the administration of this humanitarian measure. [Applause.]

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

Mr. O'CONNOR of Louisiana. Mr. Chairman and gentlemen of the committee, some 10 years ago I labored on the floor of this House with the then Representative FESS, our friend the gentleman from Alabama [Mr. BANKHEAD], and others, to enact into law the bill that was then pending and which had in view the purpose that this bill has. I have never regretted the position that I took with respect to that bill, and for that reason I am going to support the bill as reported out by the committee with the amendment that will be offered by the gentleman from Wisconsin [Mr. SCHAFER].

I believe the National Government is obligated to assist those crippled in industry just as it is obligated to help those who were crippled in the war. I would like to ask the chairman of the committee why the committee has seen fit to restrict the operation or extension of this act for a period of three years. Why not establish it as a permanent policy if it be a good policy and a policy that the Government ought to adopt and encourage and carry out?

Secondly, I want to ask the chairman of the committee if he has ever considered in connection with the purposes of this bill the development of it into something like a pension system whereby men who are crippled, brought down to their knees, who lie prostrate as a result of being the soldiers of industry, may be taken care of by a pension through the cooperation of industries, the States, and the National Government.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. O'CONNOR] has expired. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER].

The question was taken; and the Chair being in doubt, the committee divided, and there were—ayes 42, noes 77.

So the amendment was rejected.

Mr. PATTERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. PATTERSON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PATTERSON: Page 2, lines 6, 7, and 9, strike out "$1,000,000" and insert in lieu of each set of figures "$1,250,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. PATTERSON].

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 22, noes 68.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. Section 3 of such act of June 2, 1920, as amended (U. S. C., title 29, sec. 34), is amended to read as follows:

"SEC. 3. That in order to secure the benefits of the appropriations authorized by section 1 any State shall, through the legislative authority thereof (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational education act, approved February 23, 1917 (U. S. C., title 20, ch. 2), to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency, and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State; (4) provide for the supervision and support of the program of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint as custodian for said appropriations its State treasurer,

who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations: *Provided*, That any State which, prior to June 30, 1930, has accepted and otherwise complied with the provisions of the act of June 2, 1920, as amended June 5, 1924, shall be deemed to have accepted and complied with the provisions of this amendment to said act."

Mr. PATTERSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have no idea of delaying the passage of this measure. If we are going to pass it with $1,000,000, all right; but I do want to make a few observations.

This House has refused to increase this sum by an amount of $250,000 to take care of the disabled, crippled people, and one of my good colleagues, one who claims to have been the friend of this legislation from its inception, has intimated on the floor that we might be getting to the point of extravagance because we ask a couple of million dollars for this work.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. McCORMACK of Massachusetts. Does the gentleman want it understood that the gentleman to whom he has referred is not a friend of this measure?

Mr. PATTERSON. No; I did not say that. On the other hand, I can say he is a friend, and a sincere friend, of the legislation. I was only referring to those who feared to increase the amount.

Mr. McCORMACK of Massachusetts. The gentleman's words would imply that, and I wanted the RECORD to indicate the fact.

Mr. PATTERSON. Well, I want to say that in spite of the refusal to increase this sum by $250,000, the other day this House passed $10,000,000 for dock work and other harbor work. Still we failed to increase this amount by $250,000 when it had been shown we are only supplying one-sixth of the needs. It has been shown that every dollar that has been invested in it has been an economical investment, amounting to 1,000 per cent, and that the people who had been rehabilitated were now earning as high as $78 a month, whereas on the average their earnings amounted to $20 a month before rehabilitation; and, too, these unfortunates are made stable citizens. That is the situation which we face to-day.

Not only that, we are afraid we are going to overreach the Budget when something like this comes up. I am in sympathy with these poor unfortunates. Many of them are crippled; many of them will never see the light of day again. They were crippled in industry. I believe the Government can well afford to spend one or two million or five million, if it is necessary, to reach those people and supply the demand and give stimulation to the States in order that they may give more to this work. I sincerely hope it will only be a short while until this Congress will recognize this and set up a permanent program of aiding these unfortunates. It is easy to find Members here, when we try to do something humanitarian, who will talk about the Budget, but, when you ask to build a couple of battleships that will soon become obsolete, then it is time to spend money. If we are going to build a new House Office Building we can spend ten or twelve million dollars for that, but we can not spend $2,000,000 to aid these unfortunate people who have nobody to speak for them. Many of them have nobody to represent them here. Thousands of them can not even vote. I want them to know that I feel for them.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. SCHAFER of Wisconsin. When it came to burdening the taxpayers to the tune of many billions of dollars to rehabilitate foreign nations, who still have sufficient funds to increase their naval and military establishments, we had plenty of votes for the foreign debt settlements.

Mr. PATTERSON. The gentleman from Wisconsin [Mr. SCHAFER] is entirely correct about that. I think we should give serious heed to conditions to-day. I want to be one of the humble Members of this House to express my feelings about this situation.

I, for one, wish to be on record as one Member of this House who shall be glad when this House, as well as the Government, will have an eye to reconstruction and help of humanity from every angle in which this Government participates, and I believe that day will hasten.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and ladies and gentleman of the committee, this is an important measure. Of course, I need not tell you that. That is just a statement that is usually made in order to lay a foundation for other statements.

Time plays some queer tricks in the whirligig. I heard a New Englander say just now that he was opposed to this legislation on the ground that it was a violation of State rights! The distinguished lawyer of whom the South is very proud, intimated that he thought it was unconstitutional. Of course, that might have some force if it were a new question, but this is an old question. All of this suggests that there is something in the statement that when a lawyer alleges the unconstitutionality of an act, he confesses the virtue that lies in that act.

In other words, he is driven as a last extreme, or "dernier resort," to assail the constitutionality of the act. Nine times out of ten lawmakers, sincere, earnest, patriotic Americans who love their country and scorn to give aught other reason why, will assail the constitutionality of proposed legislation with their intellect, though their hearts may tell them the measure is benevolent and will make for the happiness of their forlorn or unfortunate countrymen who would be benefited by the enactment. This is due to the fact that they are strict if not rigid constructionists who sincerely but blindly worship the letter of the law though they killeth the spirit of it. Inasmuch as I am a loose constructionist and believe that the Constitution was established to serve the men and women of our country in generation after generation, I am going to give it that flexibility and interpret with that elasticity of mind as will enable me to vote for any measure I deem of value to the flesh and blood of my day. I can not forget the sententious but inspiring inscription on the tombstone of a Confederate soldier in the crypt under the equestrian statue of Gen. Albert Sidney Johnston in New Orleans, "Before men made constitutions God made men."

I intimated a few minutes ago—I do not know how clearly—that, while I was absolutely in favor of this legislation, I was wondering, in view of the fact that the chairman and all the others alleged its virtue, why it was not made a permanent policy. But I asked, in addition to that, why the chairman and others who had been developing this policy had not developed a pension system for those who are crippled in industry. It appears to me that the pension system is the absolutely logical development of the foundation which we laid 10 years ago. In view of the vast unemployment in our country, it looks to me as though it is a sensible plan to pursue. Instead of putting back the broken in body into industry that is already overcrowded and overmanned with employees why not develop this along logical and humane lines and bring it up to the point where it will not cost any more and give to these men what you are giving to former servants of the Government? Give to those servants of industry that have gone to a crippled condition a pension arranged through the industrial enterprises and the States and the communities and the National Government.

It is a big thing, I think, but I know the chairman is a big man and his committee are big men, and they can think out a plan. One of the stalwarts of the House remarked to me just before I took the floor that it was inconceivable to his mind that anyone would urge a pension for infirm, crippled, or incapacitated employees. Industry itself is doing so right now in a small measure, is my answer. Those who received the very highest honors from our country in the Army and the Navy and on the bench have received and are receiving pensions under another name. And right here let me say that I am aware of the sinister effect that may be given to a meritorious measure by the words that may be used in describing it. "Subsidy" still sticks in our craws and "dole" is used to stigmatize a system that is absolutely unavoidably present in England. She can not let men and women die in the streets of starvation—and the same problem that confronts her now may confront us some day. Why not prepare to meet it? Why not discuss the 5-day week? Why not discuss relieving the unemployment situation by taking out of employment a certain percentage of them annually, thus making way for the younger and more competent men and women who by virtue of their youth, vitality, and energy are better able to meet the requirements of the machines which are displacing so many of the older men and women? Shall the benefits of this wonderful civilization go to the few? Should it not flower for us all? Should it not have a place for those who have gone down in its service? Should not that place be as honorable as that accorded generals, admirals, and judges?

I believe it was Dickens who with merciless satire showed that the administration of the poorhouses of England was costing 90 per cent of the amount appropriated while only 10 per cent was left for soup, the supply of which was so stinted that when Oliver Twist asked for more the cook almost choked with anger and amazement and the board of administrators solemnly resoluted or resolved that Oliver could not possibly come to a good end.

I am for this bill and the Schafer amendment.

I want this bill to be enacted in such a way that it will rehabilitate men broken on the wheel of industry or crushed beneath its chariot. But not to make them competitors of the able-bodied that are more than enough to take care of the shrieking

call of factory, foundry, and mine. I want them rehabilitated so that they may live out the balance of their lives in a better way than if we left them broken in body and spirit, to laugh with bitter scorn at the civilization of which we boast whenever comes a holiday. The juggernaut car of industrialism rolls on, and working men and women who love its roar will be crushed beneath its mighty wheels. Shall we not make these victims our care? We can not control the movement that leads us on. But Christianity can point the way from Moloch or the Nazarene died in vain on Calvary Hill nineteen hundred and some years ago.

But back to the colloquy I have invited with my good friend, Mr. REED of New York, a gentleman who has worked unceasingly for the amelioration of the poor and the afflicted of our country.

Mr. REED of New York. I would like to say to the gentleman from Louisiana that I have profound respect for his sincerity, but, the easiest thing in the world on this type of legislation, is to run wild. I am a friend of this legislation, and I am a friend of the worker, and so are the other men who are supporting this bill in its present form. I know that the gentleman from Louisiana [Mr. O'CONNOR], if he will give careful study to it, would not want to give something to these men under a mistaken apprehension, which would really hurt the cause.

I want to say to the gentleman——

Mr. O'CONNOR of Louisiana. Do not take all of my time.

Mr. REED of New York. The gentleman invited it.

Mr. O'CONNOR of Louisiana. The gentleman is making a good speech, but what I want to know is this: Has the committee ever considered the necessity and the wisdom of broadening out and making logical the purpose of this act, by developing it into something like a pension system which would be supported by the industries, the communities, and the National Government, and take out of competition with able-bodied men those who have gone down to defeat and are in a crippled condition? I want to rehabilitate them, but not for the purpose of putting them back into an overcrowded and already overmanned industrial system. I did not expect that the gentleman had solved the problem, but I wanted to know if he had ever thought of it. That is all.

Mr. REED of New York. This subject is arousing increasing interest through the country. The Committee on Education, of which I have the honor to be chairman, does not have jurisdiction of pension legislation. Even so, the Committee on Education has gone as far as its jurisdiction will permit to enact legislation in behalf of vocationally handicapped men, women, and children. I doubt if any committee can show a finer record in behalf of labor than the Committee on Education.

The gentleman from Louisiana is very sincere in promoting pensions for persons crippled in industry and I have no doubt that he will champion it with the same ardor and sincerity he has the civilian rehabilitation now before the House.

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

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 4. Section 6 of said act of June 2, 1920, as amended (U. S. C., title 29, sec. 39), is amended to read as follows:

"SEC. 6. That there is hereby authorized to be appropriated to the Federal Board for Vocational Education the sum of $100,000 annually for a period of three years, commencing July 1, 1930, for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books and periodicals, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses.

"A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board."

Mr. SUMMERS of Washington. Mr. Chairman, the board which administers this law has been coming before the independent offices appropriation committee, of which I am a member, for the past several years and making its annual report. I want to tell you that it is one of the most gratifying reports that ever comes before that committee. The work that is being accomplished is simply marvelous. During the years that have passed since we enacted this legislation, with the cooperation of the States, which appropriate more money than the Federal Government is appropriating, they have now rehabilitated more than 40,000 cripples, to say nothing of those they have helped in the way of advice in a vocational way, in finding employment.

That which appeals to me is that it takes the poor, helpless cripple out of the almshouse or off of the street corner, where he is selling shoe strings or lead pencils, or holding out his hat or a tin cup for alms, and makes him a self-supporting individual, where he can look his fellow man in the face, where he can support himself and help to support his family instead of being an object of charity, a drain on his family, or supported at the expense of the community.

The results in individual cases are extremely interesting. I recall now the case of one young man 28 years old, with both arms amputated. He was in the poorhouse and probably would have remained there for 40 years, as the expectancy of life goes, and would always have been a public charge. He was thoroughly discouraged, but after a few months of training, at an expense of not to exceed $300, he is able to conduct a poultry farm, he is able to feed himself, he is able to shave himself, to dress himself, and to take care of himself. That is just one of thousands of similar instances of those who are being rehabilitated in almost every State of the Union.

I do not recall that the vocational board ever indicated to our Appropriations Committee that they needed more funds at the present time than are now provided. I do not recall they ever reported that there were more applicants for rehabilitation than they were able to take care of. So it seems the work is progressing in a logical and satisfactory way. I am more than pleased to add my voice in behalf of this legislation extending the operation of the rehabilitation act three years, and I sincerely hope that during this 3-year period a permanent national policy may be worked out, and at the end of the 3-year period that it will be adopted.

Disabled persons can not be rehabilitated in groups. Each case presents its own particular problems and must therefore be handled on an individual basis. The States have in their employ about 160 men and women highly trained in this technical form of service.

Experience shows that the work is feasible and practical. It is economically and socially sound. Remunerative employment can be found for every disabled man and woman, provided he or she is given proper training and is placed in a suitable occupation.

There are 44 States that now have vocational rehabilitation legislation. Twelve States are voluntarily expending from their own funds from 5 per cent to 301 per cent in excess of Federal expenditures in those States. During the past fiscal year—that is, 1929—they vocationally rehabilitated, in round numbers, 5,000 disabled persons and placed them in remunerative employment. The total cost of rehabilitating those individuals, on the average, covering all expenses, is in the neighborhood of $300.

The average age when disabled is around 32 years, so that these persons on the average have a life expectancy of 30 years.

Through the bill which I fathered and put through Congress last year I am pleased to tell you the blessings of rehabilitation are being speedily brought to the disabled of the District of Columbia.

Considered from the dollars and cents standpoint, there is everything to gain by carrying out this work, but the big factor, to my mind, is the lifting of the morale of these poor fellows who, through no fault of their own, have become disabled by some accident and are going to be helpless invalids for life, so far as gaining a livelihood is concerned, unless they are rehabilitated and fitted into the scheme of things again. This is the achievement that makes rehabilitation really worth while.

I repeat, it is a great economy to the taxpayers of the United States and to the Federal Treasury, because we are rehabilitating men who would otherwise be drawing indefinite compensation under the Federal or State compensation laws. So, considered from the State or county or city or Federal Treasury, it effects a great financial saving, and that, to my mind, is only one of the big features. The morale of the injured, and their families, and the effect on the community outranks that.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending section and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. McCORMACK of Massachusetts. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from Alabama [Mr. PATTERSON] while speaking recently made reference to some of the appropriations which have recently been passed by the Congress and one of his references was to an appropriation of $300,000 for "an old ship that has been out of commission about 100 years."

Many persons may read this in the RECORD to-morrow or at some later time and may think that the Congress of the United States is appropriating $300,000 to rehabilitate an old ship. Now, what is this old ship that the gentleman refers to? The old ship that Congress recently authorized an appropriation of $300,000 for is the famous *Old Ironsides*, the first United States naval vessel built under constitutional government. It was laid down in 1794 and took the sea in 1798, the famous *Old Ironsides*, which is immortal to all Americans.

I could not permit myself to sit in my seat and hear any Member of this body refer to *Old Ironsides* as an old ship that has been out of commission 100 years. [Applause.]

My purpose in rising is simply to have incorporated in the RECORD the fact that this reference, while not resented by me, because I am sure the gentleman expressed it purely impersonally, and I know the gentleman has no motives which would be susceptible of criticism when he made this statement, but I could not sit in my seat and let this reference go by in relation to this famous old ship, the first United States vessel to win a naval victory in the war of 1812! That sailed the seas and rendered such wonderful service as history records and which connects us of this generation with the heroism of the American naval men of the past. I simply want to have this reference incorporated in the RECORD.

Mr. PATTERSON. If the gentleman will yield, the gentleman knows that I meant nothing in the way of showing any lack of patriotism. I do not think I need to defend my patriotism——

Mr. McCORMACK of Massachusetts. No; the gentleman does not.

Mr. PATTERSON. I meant nothing more than to refer to spending $300,000 to rejuvenate this ship, without intending to make any derogatory reference to the *Constitution* or to any other ship, and I intend to eliminate the remarks, so that the clearness of my intent will be understood and that it was inadvertently stated.

Mr. McCORMACK of Massachusetts. When the gentleman's statement was made I did not misunderstand him, but the statement should be clear, so that those who read the RECORD will not misunderstand the gentleman's remarks. The gentleman's statement referred to *Old Ironsides*, and all Americans know that we want to preserve *Old Ironsides*, not only for this generation but for the many generations to come. I am glad that the gentleman from Alabama has clarified the situation by his explanation, and I gladly accept the same. [Applause.]

The Clerk completed the reading of the bill.

The CHAIRMAN. Under the rule the committee automatically rises and reports the bill back to the House.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, pursuant to House Resolution 201, had had under consideration the bill H. R. 10175, and that he reported the same back to the House without amendment.

The SPEAKER. Under the rule the previous question is ordered on the bill to final passage.

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

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman from Wisconsin opposed to the bill?

Mr. SCHAFER of Wisconsin. In its present form, I am.

The SPEAKER. The gentleman from Wisconsin offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. SCHAFER of Wisconsin moves to recommit the bill to the committee with instructions to report the same back forthwith, with the following amendments:

In line 6, strike out "$1,000,000" and insert in lieu thereof "$1,250,000"; in line 7, strike out "$1,000,000" and insert in lieu thereof "$1,500,000"; in line 9, strike out "$1,000,000" and insert in lieu thereof "$1,750,000"; in line 9, strike out the period after the figure "$1,000,000," insert a semicolon and the following: "for the fiscal year ending June 30, 1934, the sum of $2,000,000," all on page 2.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were 23 ayes and 150 noes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to the vote on the ground that no quorum is present.

The SPEAKER. Evidently there is no quorum present. The call of the roll is automatic. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 86, nays 211, not voting 131, as follows:

[Roll No. 28]

YEAS—86

Allgood	Edwards	Kvale	Ramspeck
Almon	Fitzpatrick	LaGuardia	Reid, Ill.
Andresen	Frear	Langley	Romjue
Bell	Goodwin	Lankford, Ga.	Sabath
Bloom	Granfield	Larsen	Sandlin
Brand, Ga.	Green	Leavitt	Schafer, Wis.
Briggs	Gregory	McCormick, Ill.	Selvig
Browne	Griffin	Maas	Simmons
Buckbee	Hall, Ill.	Milligan	Sloan
Campbell, Iowa	Hall, N. Dak.	Montet	Sparks
Canfield	Hammer	Moore, Ky.	Spearing
Carley	Hastings	Morehead	Sproul, Ill.
Christgau	Hill, Ala.	Nelson, Mo.	Swanson
Connery	Huddleston	Nolan	Tarver
Cooper, Wis.	Hull, Tenn.	O'Connor, La.	Taylor, Tenn.
Cox	Hull, Wis.	Palmer	Vinson, Ga.
Crisp	Irwin	Parks	Williams
Crosser	Johnson, Nebr.	Patterson	Wilson
Davis	Johnson, Okla.	Peavey	Wright
Doughton	Kelly	Pittenger	Zihlman
Dowell	Kemp	Quin	
Driver	Knutson	Ramey, Frank M.	

NAYS—211

Abernethy	DeRouen	Kahn	Robinson
Ackerman	Dominick	Kendall, Ky.	Rogers
Adkins	Douglas, Ariz.	Kendall, Pa.	Rutherford
Allen	Douglass, Mass.	Kerr	Sanders, Tex.
Andrew	Doxey	Ketcham	Sears
Aswell	Drane	Kiefner	Seger
Ayres	Dunbar	Kincheloe	Shaffer, Va.
Bacharach	Dyer	Kinzer	Short, Mo.
Bachmann	Eaton, N. J.	Kopp	Shott, W. Va.
Bacon	Ellis	Korell	Simms
Bankhead	Englebright	Lea	Sinclair
Barbour	Eslick	Lehlbach	Smith, Idaho
Beck	Esterly	Letts	Smith, W. Va.
Beedy	Evans, Calif.	Lozier	Snow
Bland	Fenn	Luce	Speaks
Bohn	Finley	Ludlow	Sproul, Kans.
Bowman	Fish	McClintock, Ohio	Stafford
Box	Fisher	McCormack, Mass.	Stalker
Brigham	Fort	McFadden	Stone
Browning	Free	McLaughlin	Summers, Wash.
Burdick	Freeman	McLeod	Sumners, Tex.
Burtness	French	McReynolds	Swick
Busby	Fuller	McSwain	Swing
Butler	Garner	Mansfield	Taber
Byrns	Gasque	Mapes	Temple
Cable	Gibson	Merritt	Thatcher
Campbell, Pa.	Gifford	Michaelson	Thurston
Cannon	Glover	Michener	Tilson
Carter, Calif.	Golder	Miller	Timberlake
Carter, Wyo.	Hall, Ind.	Montague	Tinkham
Chalmers	Hall, Miss.	Moore, Va.	Treadway
Clague	Halsey	Morgan	Tucker
Clancy	Hancock	Mouser	Underhill
Clark, N. C.	Hare	Murphy	Vincent, Mich.
Clarke, N. Y.	Haugen	Nelson, Me.	Wainwright
Cochran, Mo.	Hawley	Newhall	Walker
Cochran, Pa.	Hess	Niedringhaus	Warren
Cole	Hickey	Norton	Wason
Colton	Hill, Wash.	O'Connor, Okla.	Watres
Connolly	Hogg	Oldfield	Watson
Cooper, Tenn.	Hooper	Owen	Welch, Calif.
Corning	Hope	Parker	Welsh, Pa.
Coyle	Hopkins	Patman	Whitley
Craddock	Houston, Del.	Perkins	Whittington
Crail	Hudson	Prall	Wigglesworth
Cramton	Hull, Morton D.	Pritchard	Wingo
Cross	Hull, William E.	Purnell	Wolverton, N. J.
Culkin	Johnson, Ind.	Ramseyer	Wolverton, W. Va.
Dallinger	Johnson, Tex.	Rankin	Wood
Darrow	Johnson, Wash.	Ransley	Woodruff
Davenport	Johnston, Mo.	Rayburn	Wurzbach
Denison	Jonas, N. C.	Reece	Yon
De Priest	Jones, Tex.	Reed, N. Y.	

NOT VOTING—131

Aldrich	Collier	Garber, Okla.	Johnson, Ill.
Arentz	Collins	Garber, Va.	Johnson, S. Dak.
Arnold	Cooke	Garrett	Kading
Auf der Heide	Cooper, Ohio	Gavagan	Kearns
Baird	Crowther	Goldsborough	Kennedy
Beers	Cullen	Graham	Kiess
Black	Curry	Greenwood	Kunz
Blackburn	Dempsey	Guyer	Kurtz
Bolton	Dickinson	Hadley	Lambertson
Boylan	Dickstein	Hale	Lampert
Brand, Ohio	Doutrich	Hardy	Lanham
Britten	Doyle	Hartley	Lankford, Va.
Brumm	Drewry	Hoch	Leech
Brunner	Eaton, Colo.	Hoffman	Lindsay
Buchanan	Elliott	Holaday	Linthicum
Cartwright	Estep	Howard	McClintic, Okla.
Celler	Evans, Mont.	Hudspeth	McDuffie
Chase	Fitzgerald	Igoe	McKeown
Chindblom	Foss	James	McMillan
Christopherson	Fulmer	Jeffers	Magrady
Clark, Md.	Gambrill	Jenkins	Manlove

Martin	Porter	Sirovich	Thompson
Mead	Pou	Snell	Turpin
Menges	Pratt, Harcourt J.	Somers, N. Y.	Underwood
Mooney	Pratt, Ruth	Steagall	Vestal
Moore, Ohio	Quayle	Stedman	White
Nelson, Wis.	Ragon	Stevenson	Whitehead
O'Connell, N. Y.	Rainey, Henry T.	Stobbs	Williamson
O'Connell, R. I.	Rowbottom	Strong, Kans.	Wolfenden
O'Connor, N. Y.	Sanders, N. Y.	Strong, Pa.	Woodrum
Oliver, Ala.	Schneider	Sullivan, N. Y.	Wyant
Oliver, N. Y.	Seiberling	Sullivan, Pa.	Yates
Palmisano	Shreve	Taylor, Colo.	

So the motion to recommit was rejected.

The following pairs were announced:

On this vote:

Mr. Kading (for) with Mr. Shreve (against).
Mr. Lampert (for) with Mr. Harcourt J. Pratt (against).
Mr. Nelson of Wisconsin (for) with Mr. Kiess (against).
Mr. Kunz (for) with Mr. Martin (against).

General pairs until further notice:

Mr. Snell with Mr. McDuffie.
Mr. Dempsey with Mr. Cullen.
Mr. Kurtz with Mr. Linthicum.
Mr. Cooper of Ohio with Mr. Mead.
Mr. Johnson of South Dakota with Mr. Drewry.
Mr. Yates with Mr. Pou.
Mr. Blackburn with Mr. O'Connell of New York.
Mr. Vestal with Mr. Mooney.
Mr. Manlove with Mr. Black.
Mr. Elliott with Mr. Boylan.
Mr. Moore of Ohio with Mr. Steagall.
Mr. Free with Mr. Garrett.
Mr. Stobbs with Mr. Brunner.
Mr. Hartley with Mr. Oliver of Alabama.
Mr. Menges with Mr. Fulmer.
Mr. Crowther with Mr. O'Connor of New York.
Mr. Johnson of Illinois with Mr. Henry T. Rainey.
Mr. Turpin with Mr. Quayle.
Mr. Thompson with Mr. Buchanan.
Mr. Wyant with Mr. Goldsborough.
Mr. Hoch with Mr. Somers of New York.
Mr. Hoffman with Mr. Taylor of Colorado.
Mr. Arentz with Mr. Howard.
Mr. Porter with Mr. Jeffers.
Mr. Eaton of Colorado with Mr. Underwood.
Mr. Strong of Pennsylvania with Mr. Stevenson.
Mr. Graham with Mr. Lindsay.
Mr. Holaday with Mr. Evans of Montana.
Mr. Beers with Mr. Gavagan.
Mr. James with Mr. Collier.
Mr. Kearns with Mr. Arnold.
Mr. Bolton with Mr. Oliver of New York.
Mr. Chindblom with Mr. O'Connell of Rhode Island.
Mr. Garber of Virginia with Mr. McClintic of Oklahoma.
Mr. Christopherson with Mr. Auf der Heide.
Mr. Leech with Mr. Doyle.
Mrs. Ruth Pratt with Mr. Sullivan of New York.
Mr. Hadley with Mr. Whitehead.
Mr. Seiberling with Mr. Lanham.
Mr. Estep with Mr. Greenwood.
Mr. Fitzgerald with Mr. Igoe.
Mr. Brumm with Mr. Woodrum.
Mr. Sullivan of Pennsylvania with Mr. Sirovich.
Mr. Williamson with Mr. Collins.
Mr. Sanders of New York with Mr. McMillan.
Mr. Hale with Mr. Celler.
Mr. Dickinson with Mr. Ragon.
Mr. Foss with Mr. Dickstein.
Mr. Magrady with Mr. Cartwright.
Mr. White with Mr. Kennedy.
Mr. Clark of Maryland with Mr. Hudspeth.
Mr. Curry with Mr. Stedman.

Mr. McCORMACK of Massachusetts. Mr. Speaker, I ask unanimous consent that the RECORD show that our distinguished colleague the gentleman from Rhode Island [Mr. O'CONNELL] is absent on account of the death of his wife. Also that he was absent at the roll call on the veterans' legislation last week on account of the sickness of his wife.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. REED of New York, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. PATTERSON. Mr. Speaker and gentlemen, I take this opportunity to apologize to the gentleman from Massachusetts and any other gentleman or gentlewoman who may have felt that I made an undue reference to any sentiment or feeling that we all might share in a patriotic relic of the United States. As a proof of that I did not call the name of any vessel, but only made a general reference to the spending of money. I ask the pardon of any lady or gentleman who may have any feeling in regard to it, and intend to take it out of my remarks and assure anyone that it was an inadvertent remark.

Mr. SCHAFER of Wisconsin. Will the gentleman yield? I do not think the gentleman said anything that calls for an apology.

Mr. PATTERSON. I did not intend to do it, but for fear that I did I want to make this apology. [Applause.]

CRIMINAL LAW ENFORCEMENT (S. DOC. NO. 136)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on the Judiciary, to the Committee on Interstate and Foreign Commerce, to the Committee on Expenditures in the Executive Departments, to the Committee on the District of Columbia, to the Committee on Immigration and Naturalization, to the Committee on Ways and Means, and ordered to be printed.

To the Congress of the United States:

In my messages of June 6 and December 3, 1929, I placed before Congress the urgency of certain improvements necessary to effective criminal law enforcement. Substantial progress has been made upon some of the measures proposed, yet we are nearing the end of the present session, and I can not too strongly urge the necessity of action upon all these recommendations before adjournment.

The most important recommendations made by me were five in number:

First. There should be a transfer of the functions of detection and prosecution of prohibition cases from the Treasury Department to the Department of Justice, and thus an ending of divided responsibility and effort. An act providing for this transfer was passed by the House of Representatives and has now been reported to the Senate by its Judiciary Committee.

Second. There must be relief afforded from congestion in the courts. While this congestion is evidenced by the dockets in many courts, its full implications are not shown by them. The so-called bargain days, when light fines are imposed as the result of pleas of guilty clear the docket, but the result distinctly undermines respect for law. No conclusion appears to have been reached as to the method of accomplishing this either by the Judiciary Committee of the Senate or by the Judiciary Committee of the House of Representatives.

Third. There must be extension of Federal prisons with more adequate parole system and other modern treatment of prisoners. We have already 11,985 prisoners in Federal establishments built for 6,946. The number of Federal prisoners in Federal and State institutions increased 6,277 in the nine months from June 30, 1929, to April 1, 1930. The Attorney General has stated that we can not hope to enforce the laws unless we can have some point of reception for convicted persons. The overcrowding of the prisons themselves is inhumane and accentuates criminal tendencies. Bills providing for this relief were passed by the House and are now, I understand, in course of being reported to the Senate by the Judiciary Committee.

Fourth. We are in need of vigorous reorganization of the border patrol in order to consolidate various agencies so as effectually to prevent illegal entry of both aliens and goods. Proposals to bring about such reorganization are before the committees of Congress.

Fifth. The District of Columbia is without an adequate prohibition enforcement law. A bill for that purpose has been introduced and hearings have been held before the Senate District Committee. It should contain the safeguards recommended by the Attorney General.

We have within the limits of existing legislation improved the personnel and greatly increased the efficiency of the existing Federal machinery in criminal law enforcement during the past year. The above reforms are necessary, however, if I am to perform the high duty which falls upon the Executive of enforcement of the Federal laws.

While a considerable part of this condition arises from the laws relating to intoxicating liquors, yet the laws relating to narcotics, automobile thefts, and so forth, which have been enacted by the Congress during recent years, also contribute to create the present conditions. This is well indicated by the fact that less than one-third of Federal prisoners are due to prohibition.

Our obedience to law, our law enforcement and judicial organization, our judicial procedure, our care and methods of handling prisoners, in relation to not only Federal Government but also to the State and municipal governments, are far from the standards that must be secured. These proposals, while they do not comprehend the whole which remains to be done in the Nation, are a step toward lifting the Federal standards which must have a general beneficial influence.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1930.*

LEGISLATION RECOMMENDED BY THE PRESIDENT

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, following the reading of the message of the President, I think it will be well for the membership to know that since the President's message of January 13 on law enforcement was received and referred to the Committees on Ways and Means, Judiciary, Interstate and Foreign Commerce, Expenditures in the Executive Departments, District of Columbia, and Immigration and Naturalization these various committees have been at work on legislation designed to assist in solving the several problems presented by the President. The Committee on Immigration and Naturalization has given much attention to the question of enlargement and possible consolidation of the border patrol systems and has printed in pamphlet form two plans for the strengthening of the patrol, together with maps and surveys. These pamphlets are available in the committee room.

The committee also has had before it a bill (H. R. 9674) to deal with the parole of aliens due to be deported. This bill was prepared in the Immigration Committee and was referred to the Committee on the Judiciary, by which it was reported. It has passed the House and will receive consideration in the other body. When enacted it will do much to relieve congestion in Federal prisons. In addition there is a bill on the House calendar from our Committee on Immigration introduced by the gentleman from New York [Mr. FISH], H. R. 3395, a bill to provide a prompt method for the deportation of aliens and narcotic peddlers. I am in hopes that a joint meeting of the chairmen and ranking members of the several committees to which the President's recommendations have been referred can be had.

While on my feet, I may say that I am glad to see these recommendations for law enforcement sent in by the President to-day. The committee of which I have the honor to be chairman may have some recommendations to make on border patrol, but will not impede and will do its full part. [Applause.]

REIMBURSEMENT OF POLAND (S. DOC. NO. 137)

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 from the Acting Secretary of State in regard to a claim presented by the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyczany, Poland, to which place an insane alien was erroneously deported. The conclusion reached by the Acting Secretary of State has my approval and I recommend that the Congress authorize an appropriation of $152.35 to be paid to the Polish Government.

HERBERT HOOVER.

LUMBER, SHINGLES, AND TARIFF BILL

Mr. PURNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a letter received from the Retail Lumber Dealers' Association of Indiana concerning the lumber industry and the tariff bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by printing a letter from the lumber interests of Indiana. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit, herewith, a letter from Mr. C. D. Root, secretary of the Retail Lumber Dealers' Association of Indiana.

The letter is as follows:

CROWN POINT, IND., *April 24, 1930.*

Hon. FRED S. PURNELL, M. C.,
Washington, D. C.

MY DEAR MR. PURNELL: In the CONGRESSIONAL RECORD of April 14, 1930, on pages 7029–7033, is an extension of remarks of the Hon. FRANKLIN F. KORELL, of Oregon. Part of this extension consists of the reprinting of a pamphlet, Real Facts About the Lumber and Shingle Tariffs, which has been put out by interests seeking a tariff on lumber. Though this pamphlet is supposed to be based on Government records it does not contain any citation or authority.

Most of the so-called "facts" are directly contrary to what is actually revealed in Government reports. Other facts I find are distorted beyond recognition.

The lumber dealers and consumers of Indiana are very vitally interested in this matter. We are a large lumber-consuming State. We have many industries in which wood, usually in the form of lumber, is the principal raw material.

A tariff on lumber would work a serious hardship on these industries in our State as well as of the whole Nation, and I think every Congressman should vigorously oppose such tariffs.

So glaring are the misstatements contained in the pamphlet and so palpably false that I wish to analyze it for you paragraph by paragraph that you may know the truth in this matter.

1. THE UNEMPLOYMENT PROBLEM

The statement "plain facts" says that there are 160,000 workers in the lumber industry out of employment.

This can not be corroborated by diligent search of Government records. In fact, Government records indicate the contrary.

In 1921, according to the Census Bureau, there were 392,756 workers employed in sawmills and planing mills connected with sawmills in the United States. Since that time, according to the latest figures available, the number has increased to 453,131, an increase of 60,375, or 15 per cent.

Labor has not asked for a tariff on lumber and shingles. At the most, the lumber we import and manufacture in this country would employ only 8,000 to 9,000 men. However, it is well known that a tariff will not shut out imports or increase domestic production.

Sixty-one per cent of our imports are of northern white pine and spruce, two species which are no longer extensively produced in the United States but much used, particularly in the manufacturing industries of our own State. The tariff will merely increase the price of these woods to our consumers without benefiting any American labor one iota.

We annually sell to Canada $445,000,000 more worth of merchandise than we buy from her. If a tariff on lumber caused Canada to retaliate only to the extent of reducing this trade balance to parity, every American industry would suffer. American labor would suffer most of all because Canada's purchases are chiefly finished products, while her exports are mostly raw materials.

In connection with unemployment I wish to point out to you the serious unemployment that has been prevalent in the building trades in the last year or so. Indiana has had a building depression along with all the other States in the Union. Hundreds of thousands of building-trades workers have been put out of employment. In the past few months great efforts have been made to promote construction work to the purpose that these workers would be employed and that the temporary depression in the building-material industries might be alleviated.

To place a tariff on lumber at this time, thereby increasing the cost, would create a consumer resistance which would probably result in seriously retarding the building program. This would be to the detriment not only to these building-trades workers, but of the lumber industry itself.

OPPOSITION TO A LUMBER AND SHINGLE TARIFF

In opposition to a tariff on lumber and shingles, briefs were presented to Congress signed by over 1,200 lumber manufacturers, wholesalers, and retailers. In addition to this opposition the National Retail Lumber Dealers' Association, representing many thousands of retail lumber dealers throughout the United States, and various regional, State, and local lumber organizations have passed resolutions expressing vigorous opposition to any tariff on lumber and shingles. The National Grange, State granges, State farm bureaus, and many other agricultural organizations, representing a total membership of more than 3,000,000 farmers have vigorously opposed lumber and shingle tariffs.

Lumber dealers and farmers of Indiana have been a part of this opposition. The following list contains the names of Indiana firms that signed briefs opposing tariffs on lumber and shingles:

City Lumber Co., South Bend; Farver Lumber Co., Shipshewana; East Gary Lumber & Coal Co., East Gary; Fort Wayne Builders' Supply Co., Fort Wayne; Frank Lumber Co., Mishawaka; Frey Bros. Lumber Co., Michigan City; Grant Street Lumber & Supply Co., Gary; Henry Lumber Co., Michigan City; Home Lumber Co., Elkhart; Indiana Lumber Co., South Bend; Hobart Lumber Co., Hobart; Mishawaka Lumber Co., Mishawaka; Marquette Lumber Co., South Bend; Munster Lumber & Supply Co., Munster; H. & H. Lumber & Coal Co., Rochester; National Lumber Co., South Bend; New Chicago Lumber & Coal Co., Gary; Newman-Monger Co., Elkhart; North Side Lumber Co., Mishawaka; North Side Lumber Co., South Bend; Osceola Lumber Co., Osceola; Ockley Lumber & Supply Co., Ockley; Ridge Lumber & Coal Co., Gary; River Park Lumber Co., South Bend; Scharback & Sons, Hobart; South Bend Lumber Co., South Bend; South Side Lumber Yard, South Bend; St. Joseph Valley Lumber Co., South Bend; Steel City Lumber & Supply Co., Gary; State Line Lumber & Supply Co., South Bend; Superior Lumber & Supply Co., Gary; U. S. Lumber & Supply Co., South Bend; West Side Lumber Yard, South Bend; and Voorhees Lumber Co., Flora.

In addition to this the Retail Lumber Dealers Association of Indiana, is of course opposed to the tariff on lumber. The Indiana Farm Bureau and the Indiana State Grange have passed resolutions opposing these

tariffs, and the Indiana House of Representatives of the Indiana State Legislature passed a resolution opposing lumber and shingle tariffs which went to the Senate and was favorably reported by the committee, too late for passage in the last-minute rush.

I think there can be no question that the people of Indiana are opposed to a tariff on lumber and shingles.

The allegation that the opposition to a tariff comes solely from American owners of Canadian timber is an effort to build up an unfounded prejudice.

Another example of the glaring misstatements with which the pamphlet is loaded is the statement that Americans have invested $443,806,000 in the Canadian lumber industry. The total investment in the Canadian lumber industry of Canadians and Americans combined is only $175,729,448, according to the Census of the Lumber Industry of the Dominion Bureau of Statistics, Department of Trade and Commerce, Canada, 1928.

3. WHO WANTS A LUMBER AND SHINGLE TARIFF?

Plain Facts states that 800,000 lumber workers and 20,000 lumber manufacturers are requesting tariffs on lumber and shingles. This is a gross exaggeration.

Lumber workmen number only 453,131, according to United States Bureau of the Census. There are only 8,723 sawmill and planing-mill establishments in the United States, according to the Statistical Abstract of the United States, 1929 (p. 795).

These two groups are not a unit in asking a tariff on lumber. The Lumber Industry Tariff Committee, which appeared before the House Ways and Means Committee and the Senate Finance committee, and who have signed this statement Plain Facts, has never explained its membership nor submitted a list of members. They have preferred to permit Congress to assume that they represent the entire American lumber industry though, of course, they do not.

4. IMPORTANCE OF AMERICAN LUMBERING OPERATIONS

Plain Facts says that 946,871 farmers in the United States own 35,270,527 acres of timberland.

Apparently they wish to convey the idea that a tariff on lumber is going to aid the farmer as a timber owner. However, when one goes back to the source of this information (Statistical Bulletin 21 of the U. S. Department of Agriculture, p. 8) one sees that Indiana is credited with 809,824 acres of timberland on 39,909 farms. Indiana in the year 1928, with all this apparent timberland, produced only 21,000 board feet of softwood lumber—enough to build one fair-sized barn.

Plain Facts says that 20,000,000,000 feet of lumber is annually reworked in local planing mills throughout the United States, and that these mills employ about 125,000 workmen.

Some of these planing mills, of course, are in Indiana. Is it your opinion, Mr. Congressman, that these workmen favor a tax on their raw material which would necessitate an increased price of their finished product? There would be no gain to them and probably a considerable loss through the increase in their sales resistance because of a higher price. At this particular time a tariff would be disastrous to them.

5. LUMBER INDUSTRY'S DISTRESS

Plain Facts says that the American lumber and shingle industries are in extreme distress.

I wish to call your attention to the income-tax returns of lumber manufacturers found in the CONGRESSIONAL RECORD for February 27, 1930 (pp. 4577–86). These returns show a very marked prosperity for the lumber manufacturers for the years 1922 to 1928, inclusive.

Of course there has been distress in the lumber industry in the last eight months. It has not been due to imports, as imports have declined every year for the last seven years. The reason for the lumber-industry depression is the general business depression, and particularly the agricultural depression, which has resulted in a very much curtailed building program.

For example, agricultural construction, according to a supplement of the weekly lumber barometer of the National Lumber Manufacturers' Association for February 1, 1930, shows that farm building has declined from a high of $899,000,000 in 1921 to only $363,000,000 in 1928. When the farmers of the country return to prosperity, they will commence building and repairing and consume greater quantities of lumber. The greater consumption will automatically bring prosperity to the lumber industry.

The assertion that "American markets are dangerously threatened with greater and increased invasion from foreign competition" is in absolute disregard of the facts.

As stated above, imports have declined annually. According to the Commerce Yearbook for 1929, imports of lumber in 1923 were 1,938,200,000 board feet, and by 1928 they had fallen to only 1,357,600,000 board feet. This quantity of imports is considerably less than the production of one large company in the Northwest, and 61 per cent of these imports are of a noncompetitive species. Imports from British Columbia, which might be termed competitive, totaled in 1927 only 392,074,528 board feet.

I do not have 1928 or 1929 figures, but the figures for total importations indicate a considerable decline. One company in Washington increased its productive capacity last summer 450,000,000 feet annually—a considerably larger production than our total imports from British Columbia.

Imports of lumber are not insurmountable competition to domestic lumber. The value of imports, according to the Department of Commerce, averaged $25.77 per thousand board feet in 1928. The average mill price of Douglas fir and southern pine in the same year, according to the United States Forest Service reports, was only $19.02 and $24.62, respectively (U. S. Forest Service, Lumber, Lath, and Shingle, 1928). Certainly an imported product sold at a higher price than the domestic product does not constitute insurmountable competition.

6. BUILDING COST INCREASES FROM LUMBERING TARIFFS

The statement that if fully effective a tariff on lumber and shingles would only cost $42,000,000 yearly disregards several important facts.

First. A tariff will increase the price not only to the extent of the tariff but will be pyramided from 25 to 100 per cent by the time it reaches the consumer.

Second. The price of competitive materials would be materially enhanced, and in the case of shingles this would probably cost the consuming public more than the increase in the price of shingles.

The lumber tariff of $1.50 per thousand board feet on 30,000,000,000 feet of softwood lumber and 8,000,000,000 shingles consumed annually by the American people would cost the consumers not less than $135,000,000 a year.

The Ohio Retail Lumber Dealers Association has calculated that the cost of building an average-size house, containing about 35,000 cubic feet of space, would be increased by the lumber tariff $112. The shingle tariff would further increase the cost from $25 to $100, depending on whether or not shingles were used both for the roof and the side walls.

If Congress places a tariff on lumber and shingles I know the people of Indiana will curtail their construction programs to a considerable extent. As conditions are at present, it is very difficult to sell lumber. A price increase would be disastrous, not only to retail lumber merchants but to the lumber manufacturers as well.

7. BENEFICIARIES OF A LUMBER TARIFF

Northern white pine and spruce, two woods which are no longer produced in the United States to any extent, constitute the bulk of our imports. According to the Department of Commerce (Commerce Yearbook, 1929) we imported in 1928, 814,500,000 board feet of northern white pine and spruce (this is 61 per cent of our total imports), and regardless of any tariff these imports must come in. The tariff will merely be a burden to the consumers.

American workmen will not be benefited or employed one moment longer than they are now through increasing the price of lumber. The increased price will be reflected in an increased log price, because as lumber becomes more valuable the logs from which it is manufactured become more valuable, and as logs are more valuable the timber from which they are cut is more valuable. The beneficiaries of a price increase, whether accomplished through tariff or otherwise, are the the timber owners.

As lumber prices have increased (according to the Department of Labor statistics) 300 per cent since 1900 timber prices have increased, according to the report of the National City Co. on the Douglas fir lumber industry (1926) from 37 cents a thousand feet in 1900 to $4.25 a thousand feet in 1926, an increase of 1,150 per cent.

8. TIMBER OWNERSHIP

Denial is made of the evidence presented in the Senate debate (CONGRESSIONAL RECORD for February 27, 1930, pp. 4570–4573) showing the great concentration of ownership of timber in the State of Washington and in other Western States.

In their denial of this ownership, the proponents have given no evidence, quoted no authority, but merely made the allegation that the ownership of this company was only 11 per cent of the timber in that State. In the debate in the Senate not only was the data presented thoroughly authenticated, but additional corroborative data taken from Government records was introduced.

Proponents have misquoted in stating that it was alleged that one timber-holding company owned 60 per cent of the Washington timber. Such a statement was never made. It was stated, however, that one company controlled 60 per cent. Its actual ownership is 37 per cent, but other timber owners who have intermingled holdings are dependent on this larger holder for the liquidation of their timber.

Through the dominating position of its holdings, this company, owning and paying taxes on only 37 per cent of the timber, actually controls 60 per cent or more, and the 23 per cent it controls and does not own is more valuable to it than that which it owns, because it has no fire hazard, no taxes, no interest on investment, etc.

9. FOREIGN TIMBER PRODUCTION ADVANTAGES

Proponents have quoted the Tariff Commission in proof of statement that logging costs in Washington are $1.66 per thousand feet higher than in British Columbia. They have neglected, however, to point out

that correction must be made in calculating costs because of the difference in the method of measuring and grading logs in the two regions. It is no more fair to compare log prices or costs in the two regions without an adjustment being made for these factors than it is to compare prices or costs on a long ton of pea coal and a short ton of stove coal.

If the proper adjustments are made, costs are similar on either side of the international boundary. The Tariff Commission has never made any investigation as to the cost of producing lumber, but in their investigation of the cost of producing shingles they reported that raw material cost in British Columbia was higher than in Washington and Oregon.

As to costs of producing lumber in Washington, Oregon, and British Columbia, it would seem that ample evidence on this point has been presented to Congress. Actual cost statements, showing the average cost of production for the members of the West Coast Lumberman's Association and the British Columbia Lumber and Shingle Association conclusively show that Canadian lumber is produced at a higher cost than domestic lumber.

I wish to call to your attention that this pamphlet, Plain Facts, does not show a single cost statement. It merely alleges this and that without attempting to give any comprehensive or complete data.

10. LABOR COSTS IN LUMBER PRODUCTION

If wages are to be taken as a criterion of labor costs, ample evidence has been offered to prove conclusively that there is no difference between wages in Washington, Oregon, and British Columbia. Both States and the Canadian Province have a minimum wage of 40 cents per hour, and in the entire region the 8-hour day prevails. In the southern pine region of the United States, however, wages as low as 18½ cents an hour and a 10-hour day prevails.

Plain Facts gives a figure of from $16.84 to $18 a thousand board feet, as the labor cost of producing lumber. Where this figure was obtained is not ascertainable. The total cost of manufacturing lumber from the stump to the freight cars, including everything, was only $20.17, in Washington and Oregon in 1928.

11. PRICES OF LUMBER

Plain Facts quotes average lumber prices since 1923 showing the decline which has taken place since that time. It is alleged that, though mill prices have declined, retail prices have remained stationary. On the contrary, however, retail prices have dropped considerably more than mill prices.

According to the division of housing and building of the Bureau of Standards of the United States Department of Commerce, the retail price in Terre Haute of "C" grade edge grain southern pine flooring, for example, has dropped from $95 per thousand feet in January, 1925, to $75 in November, 1929. This drop of $20 is several times as great as the average drop in mill prices of lumber.

12. ALLEGED SHINGLE PRODUCTION ADVANTAGES

Plain Facts under this heading quotes the Tariff Commission, the only actual quotations or direct references to authority to be found in the brief. It is most amazing how the meaning of the Tariff Commission has been distorted through omission of sentences or parts of sentences.

It has been said that one can prove anything by the Bible. Apparently the Bible has a competitor now in the Tariff Commission.

The Tariff Commission made a thorough investigation of the cost of producing shingles in Washington, Oregon, and British Columbia. Their actual findings are:

1. That costs are higher in Canada.

2. That Canadian shingles are predominantly high grade and domestic shingles are chiefly low grade.

3. That Canadian shingles sell for a considerably higher price than the comparable domestic grades.

The domestic production of shingles has not declined in the last 10 years, as stated in Plain Facts. Production in Washington and Oregon, according to the United States Department of Commerce, was 5,136,000,000 shingles in 1920 and 5,255,000,000 in 1928.

13. RUSSIAN LUMBER

Plain Facts gives a large number of glaring misstatements in again raising this "bogey." The actual facts are:

First. Russian lumber imports do not amount to one-tenth of 1 per cent of our annual consumption.

Second. Our small importations of spruce from Russia have sold at an average price of nearly $40 a thousand feet in Atlantic coast markets, a much higher price than domestic lumber in the same market.

Third. Importations of Russian lumber are spruce; a species no longer produced to any great extent in the United States.

Fourth. The fear of increased importations is not based on accurate information.

Further information on this subject can be found in the CONGRESSIONAL RECORD for March 20, 1930, page 5675. Suffice it to say here that the whole subject is merely a "bogey" or smoke screen thrown up in an endeavor to conceal the real issues.

14. ORIENTAL LABOR COMPETITION

Oriental labor is not a factor in competition between the United States and Canada. This was admitted by one of the proponents of a tariff on lumber and shingles who was forced to admit under oath when testifying before the Senate Finance Committee (hearings, vol. 4, pp. 252–253) that orientals receive the same wages as white labor.

It might not be amiss to call attention to the fact that only 80 per cent of the labor in the American lumber industry is white labor. There are more than 80,000 negroes employed in the lumber industry in our Southern States at wages as low as 18½ cents an hour.

15. FOREIGN LUMBER TARIFFS

It is a remarkable thing in view of the foreign tariffs complained of in Plain Facts that we are the largest lumber-exporting nation in the world. We are able to meet competition in every market in the world successfully, yet domestic manufacturers are claiming they can not meet the same competition in our own markets. Washington and Oregon alone ship 1,750,000,000 feet into world markets, a quantity equal to four and one-half times our total imports from British Columbia.

16. CONSERVATION

In conclusion, let me point out the history of the progressive depletion of our forest resources. Beginning with New England, which once had a tremendous stand of timber, down through New York, Pennsylvania, Wisconsin, Minnesota, Michigan, the forests have been progressively depleted to such an extent that these States are no longer important factors in lumber production. The Southern States no longer have the immense supply of timber they once had and because of depletion, production is rapidly declining. If importations are discouraged the supply in the Northwest can not last very long.

The result of this depletion has been an ever-increasing freight cost. Indiana once got its lumber from near-by Michigan forests at low freight rates. Now it must go either across the border into Canada or to the South or West. This means an annual freight bill of $9,774,752 to the consumers of Indiana on their lumber. If by means of a tariff we force consumers to go even more to distant sources of supply for their lumber, this freight bill will be very materially increased.

The people of Indiana do not want this tariff on lumber, and I beg of you to use your best efforts as a Representative of the people of Indiana to defeat this tariff.

Very truly yours,

C. D. ROOT,
Secretary Retail Lumber Dealers Association of Indiana.

EXTENSION OF REMARKS

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an editorial upon the Supreme Court from the Public Ledger of Philadelphia.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by printing an editorial upon the Supreme Court. Is there objection?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, has the gentleman from Washington conferred with the gentleman from Massachusetts, Mr. UNDERHILL, or any of his subordinates, in his absence?

Mr. SPROUL of Illinois. Mr. Speaker, in the absence of the gentleman from Massachusetts, I object.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes. Pending that motion, I ask unanimous consent that general debate be controlled equally by the gentleman from Louisiana [Mr. SANDLIN] and myself.

The SPEAKER. The gentleman from Ohio moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11965. Pending that, he asks unanimous consent that general debate be controlled equally by himself and the gentleman from Louisiana [Mr. SANDLIN]. Is there objection?

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

Mr. MURPHY. Yes.

Mr. SANDLIN. Will the gentleman state when we will go on with this bill after to-day?

Mr. MURPHY. I understand that we will not take this bill up until after the conclusion of the tariff bill, after to-day. I do not think we will take the bill up again this week.

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

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Ohio that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative appropriation bill, with Mr. LUCE in the chair.

The Clerk read the title of the bill.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SANDLIN. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, one of the greatest problems confronting the American people to-day is the subject of taxation. This question is more acute in North Carolina than ever before. Our system of taxation in the State is at present causing our people great concern.

We have solved to a great extent the problem of building our principal highways. This is taken care of by a gasoline tax, and there is very little complaint from our people on this score. It is the tax on land and personal property that is giving our people so much concern.

As I said in a speech made in the House on March 12, 1930:

> In North Carolina substantially 80 per cent of the taxes paid by property owners to the various counties on land and personal property are school and road taxes. Under this bill I have introduced, the Federal tobacco taxes returned to the State of North Carolina would be the aid in taking care of our schools and roads, and the people of my State would thereby have removed from their backs the burdensome taxation they now bear.

When our State took over most of the highways they did not assume the obligations of the various counties brought about by the building of the roads. Consequently the various counties have had to carry these burdens. The last legislature provided for the payment of a part of the gasoline tax to be made to the counties. The school equalization fund provided by the legislature helps some, but the burden now borne by land and personal property in North Carolina in the way of taxes is more than the people can bear.

For some years I have been making an exhaustive study of trying to work out some plan to help in the relief of our people from this burdensome taxation. This has been the problem of the legislature and not of the Congress.

But more than a year ago I hit upon the plan to give to the people of my State some tax relief from the enormous tobacco taxes collected by the Government from North Carolina. I made many speeches in the State and in my district on the subject.

On May 4, 1929, I spoke on the radio from Washington City on the necessity of reducing Federal taxes on the tobacco industry and thereby relieving the tobacco farmers of unjust and inequitable taxation. This speech was printed in the CONGRESSIONAL RECORD at the request of Congressman KEMP, of Louisiana, on May 6, 1929, and was distributed throughout my district to my constituents and to many people of the State. Among other things I said:

> North Carolina has been proudly boasting recently about being the second largest Federal taxpayer in the country, but a cold, unbiased analysis of the situation shows that our Federal Government is unjustly and unfairly wringing out of the tobacco industry of North Carolina enormous taxes all out of proportion to other sections of the country, and this burden largely falls upon the tobacco farmers of North Carolina.

I set out in that speech facts and figures showing how unjust this tax was; that it was a war measure.

For many months I worked assiduously with the various experts of the Government with a view to devising some plan to give relief to our people in North Carolina, and on March 10, 1930, I introduced in the House of Representatives a bill:

H. R. 10622

> A bill to provide for the payment to the States of amounts equal to a part of the sums collected as internal revenue taxes on tobacco in order to foster education and road construction, and for other purposes
>
> *Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, within the limits of appropriations made therefor, as soon as practicable after the end of each fiscal year, to each State an amount equal to one-half of the sums collected during such fiscal year from sources within such State on account of internal revenue taxes upon cigars, cigarettes, tobacco, and snuff imposed under the provisions of sections 400 and 401 of the revenue act of 1926, as amended (U. S. C., title 26, secs. 761, 783, 832, 845).
>
> SEC. 2. Such payment shall be made to each State only after certification by the governor thereof to the Secretary of the Treasury and a finding by the Secretary that provision has been made by law of the State for the expenditure of amounts received under the provisions of this act solely for the construction, support, maintenance, and improvement of schools and roads. In case any of the amounts paid to any State under the provisions of this act is used for other than the construction, support, maintenance, or improvement of schools or roads, there shall be deducted from the amounts payable to such State under the provisions of this act the amount which has been so used.

This bill was made to apply to the whole country. I found out from an examination of the records of the Internal Revenue Department that practically every State in the Union would benefit by this bill.

On March 12, 1930, I made a speech in the House, and I inserted a table taken from the annual report of the Commissioner of Internal Revenue for the fiscal year ending June 30, 1929, which showed that the total amount of tobacco taxes collected by the Government for that year was $434,444,543.21, and that North Carolina paid that year to the Federal Government from tobacco taxes alone the sum of $233,915,029.11. I further showed that—

> In the 10 years since the World War, North Carolina has paid the Federal Government in taxes from all sources the staggering and stupendous sum of $1,753,148,490.65, and of this sum $1,480,537,243.98 are from tobacco collections alone. The wealth of North Carolina is estimated at only $5,248,000,000. Thus we find our Government collecting from North Carolina a tax on one commodity—tobacco—since the World War of approximately 28 per cent of the total wealth of the State.
>
> It may be interesting in connection with this subject to note that our Government has not always collected a direct tax. These direct taxes have been brought about in most cases as the result of necessity of raising war taxes. The first direct tax provided by the Government was for the post-Revolutionary period from 1791 to 1802. These taxes were on distilled spirits, refined sugar, and snuff, and other direct taxes, but by the act of April 6, 1802, were abolished.
>
> The War of 1812 again made it necessary to have recourse to internal taxes. These taxes were from the period of 1813 to 1817, and were on distilled spirits and other things, but no tobacco tax for that period.
>
> No internal taxes of any character were levied by the United States from 1817 until the outbreak of the Civil War, and these were provided for by acts of August 5, 1861, June 7, 1862, and the act of July 1, 1862, was the basis of the present internal revenue system. This provided for taxation of incomes, estates, public utilities, occupations, liquors, tobacco, and other things.
>
> Then came the Spanish-American War period, and June 13, 1898, the tax was increased on fermented liquors, tobacco products, legacies, and many other things. And by the act of March 2, 1901, most of the Spanish-American War taxes were abolished and the tax on tobacco products was reduced.
>
> Then came the World War period, and taxes began to be raised for carrying on the Government, and we find the emergency revenue act of 1914 and the omnibus revenue act of 1916, and in this last bill it was provided that new and higher rates were imposed upon manufacturers of cigars, tobacco, and cigarettes from and after January 1, 1917.
>
> And from 1917 tobacco products have received no reductions whatsoever save in the instance of the taxes on cigars, which were reduced by the revenue act of 1926.

This speech was distributed throughout my district and to many people throughout the State and to all the newspapers. The responses which I received were most encouraging. Members of Congress from other States have begun to cooperate with me in this measure. If we could pass this bill, or one substantially along these lines, it would to a great measure relieve our tax burdens not only in North Carolina but in many States of the Union.

The relief asked for in my bill can not be had "on a silver platter." It will be necessary to fight every step of the way. In steering and fighting a bill of this kind through committees and championing it upon the floors of the House and Senate it will be most helpful to have the expressed sentiment of the "folks back home" with us. Concrete and tangible proof of this favorable attitude will go a long way in securing passage of this bill in either its original or in an amended form. The fight is on, and we need all the help we can get. I am expecting full cooperation from the people in North Carolina and the States to be benefited.

Favorable responses have been accorded me from various newspapers. By permission granted me, I herewith reprint an editorial from the Fayetteville (N. C.) Observer, dated March 20, 1930, as follows:

ABERNETHY'S EFFORT

No one disputes the fact that Congressman ABERNETHY is in earnest about his proposal to have the Federal Government turn back to the State 50 per cent of the internal-revenue tax collected on tobacco products manufactured in North Carolina. Those who had an idea at the start that Mr. ABERNETHY was interested in the matter as a political gesture are having to form decidedly different opinions.

A perusal of the proposed measure introduced by Representative ABERNETHY brings one to the conclusion that the proposition is sound, legal, and fair. Certainly no obstacles such as a question of its constitutionality could be raised. It is only necessary to secure the sufficient support on the part of fellow Congressmen in order to make the bill a law. Nor can a student of government policies find much about the proposal with which to disagree. In view of other like legislation now in force, it could not be claimed of the measure that it is setting a precedent in the matter of returning to a State a portion of the revenue derived from purely local industries. In fact, on the part of fairness to all concerned, especially to the farmers who grow tobacco, there can be but little opposition to the measure honestly provoked.

Representative ABERNETHY has made a strong case in behalf of the tobacco growers of the entire South. Here is an agricultural industry second only to cotton so far as volume and value is concerned. Every product manufactured from the raw farm product is taxed at a higher rate than is the case in connection with any other industry. As a result of this internal revenue laid on tobacco products North Carolina paid into the Federal Treasury last year the tremendous sum of $233,915,029.11 as a tribute from the tobacco farmers. Naturally the manufacturers of tobacco could have paid to the growers of tobacco this much more had they been relieved of the tax, and while the actual money came from the tobacco manufacturers' bank account it indirectly came from the pockets of the growers.

The proposal of Representative ABERNETHY is that 50 per cent of this tobacco tax be returned to the State to be used in the operation and maintenance of schools and roads. The sum of $116,957,514 would enable the State of North Carolina to take up the greater portion of the entire cost of schools and roads, a cost that is now met by the counties through a property tax. The fact that 80 per cent of the property tax in North Carolina is spent for schools and roads means that were the Abernethy bill to pass farmers would find their taxes less than one-fifth what they now are because they would be relieved of the cost of schools and roads.

Doubtless a hard fight will be made before such a measure is ever enacted into law. Congress is little interested in the plight of the growers of tobacco or of any other crop. Taxes laid in the several States come in for but little study and consideration at the hands of national Congressmen. That body is too deeply interested in the problems of big business to give much time to the things that affect the mass of small producers on the farms of the country. One thing is certain and that is that the citizenship of North Carolina should grant every cooperation in the effort to enact the measure. No North Carolina Congressman can afford to put the matter aside without serious thought as to its possibilities in the field of agricultural relief.

Mr. MURPHY. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. LETTS].

Mr. LETTS. Mr. Chairman and ladies and gentlemen of the committee, it is my desire to bring to the attention of the House certain facts with respect to the fresh-water pearl-button industry and the relations of the Bureau of Fisheries thereto. The home of the pearl-button industry is in my district, Muscatine, Iowa. There the industry began and there it has grown to its present huge proportions.

In an earlier day the labor of Muscatine was largely employed in some very large lumber mills. The logs for these milling operations were floated down the Mississippi River from the north. Eventually this industry diminished to a point where it became necessary to look to other opportunities for the labor of that thriving midwestern city. Inventive genius came to the rescue. The manufacture of pearl buttons was begun. This was attended with the development of machines designed for the cutting of blanks from mussel shells, and machines and business policies developed for the finishing of such blanks into the pearl button now so extensively and satisfactorily used.

This important industry, like many others, has had its troubles. Recently serious competition has sprung up through the importation of glass and agate buttons from Czechoslovakia and other foreign countries. These buttons, which are manufactured from feldspar and clay, have been imported into this country and sold at so low a price that they have been adopted for use on cheap garments. The practical effect has been that the low-grade buttons produced in our pearl-button plants have been piled high on the shelves, leaving for our button manufacturers a market only for the first-grade buttons. Inability to dispose of the low-grade buttons has taken from the manufacturer of the pearl button the opportunity of making a profit.

The pending tariff bill carries a provision which will place a duty on agate and glass buttons which will protect the industry against such competition and will, I hope, put the industry on a sure and certain profit-making basis. From what I shall later say, you will see that a very large part of the cost of the pearl button is labor. It is the kind of a case where the protective tariff system is best applied.

Other serious difficulties now confront the industry, particularly because of the diminishing supply of mussel shells. I have collaborated with Henry O'Malley, Commissioner of Fisheries, and Elmer Higgins, chief, division of scientific inquiry, Bureau of Fisheries, with respect to these present difficulties and have been materially aided in assembling appropriate data and information from which, I think, certain conclusions must necessarily be drawn.

Of the 500 species of fresh-water mussels or clams found in the United States 41 species are used in the manufacture of buttons and novelties. The commercial species are practically restricted to flowing waters derived from the drainage of limestone regions, including most of the streams of the Mississippi Basin and some of those of the Great Lakes and Gulf drainages. The shells of these mollusks are ideally adapted to the manufacture of buttons. They have a pearly white or iridescent nacre lining the shells; they are of proper thickness and size for cutting of blanks; they are tough and of the proper hardness, but not brittle or chalky; and they produce the highest grade of button.

Fresh-water pearl buttons are manufactured in 17 major plants located in Iowa, Wisconsin, Missouri, New York, and Massachusetts, with many subsidiary factories throughout the Mississippi Valley, and employ in manufacture over 5,000 persons. Besides these many thousand fishermen obtain their livelihood from mussel fishing. During 1929, 20,205,073 gross of buttons, valued at $5,800,000, were produced. In addition to buttons, poultry feed, lime or dust, cut shells, stucco, and miscellaneous products were produced, bringing the total value to well over $6,000,000. During 1929, 27,176 tons of shell were taken from the rivers, yielding a return to the fishermen of $1,325,000. Tennessee led in total production, closely followed by Arkansas, Michigan, Iowa, Indiana, and Illinois in order of yield. These six States produced 75 per cent of the total quantity of shells; 13 additional States produced the remaining 25 per cent.

EXTENSION OF FISHERY AND DEPLETION OF SUPPLY

In the early days of the fresh-water pearl-button industry the supply of shells was obtained chiefly from the waters of the Mississippi River and its tributaries in the vicinity of Muscatine and Davenport, Iowa, where the factories were located. As the industry grew and as the productivity of the areas close at hand declined, the demand for raw material increased in like proportion, necessitating the exploitation of new territories. The rate of spread has been directly correlated with the rate of depletion of the more central territory. At various times the Wabash, the Ohio, the Illinois, and the rivers of Arkansas have taken turn as the principal seats of the mussel fishery. Lake Pepin, however, a widened portion of the Mississippi River between Minnesota and Wisconsin, has yielded a greater quantity of shell per mile than any other stream or portion of a stream.

That heavy fishing led to a depletion of productive beds is shown by a bureau study in 1897 in which the condition of the mussel beds near New Boston, Ill., were described. From the opening of operations in 1894 to the time of the survey this bed produced 10,000 tons of commercial shells. It was at that time, however, being abandoned, since the shellers were unable to gather enough shells to make it pay. Such conditions were common on so many mussel beds that the bureau recommended measures for the protection of the mussel fisheries, but these recommendations were not generally adopted and the conditions of depletion grew worse from year to year.

NATURAL HISTORY THE BASIS OF ARTIFICIAL PROPAGATION

Some years later after the special investigations of Professors Lefevre and Curtis, of the University of Missouri, in association with the Bureau of Fisheries, in which the details of the life history and development of the fresh-water mussels were for the first time described, there were developed methods of propagating mussels by artificial means. Though there is great diversity among the various species of fresh-water mussels, the general outline of their life history is as follows:

Eggs are produced in late summer or fall, or in the spring, are deposited in brood pouches, or marsupia, in the gill chambers of the parent mussel. The sexes are separate, and the eggs are fertilized by sperms entering with the current of water. In the brood pouches, the eggs develop into larvæ, known as glochidia, where they may pass the entire winter and be expelled

into the water the following spring and early summer, or, in the case of spring spawners, during the same summer. These glochidia swim freely in the water for a short time, finally attaching themselves to the gills, scales, or fins of fishes. The glochidia of different species vary in size from one five-hundredths to one-eightieth of an inch in diameter, and the number produced by each female varies from 75,000 to 3,000,000. After attachment to the fish, the glochidium is entirely surrounded by the tissues of the fish. It is now actually an internal parasite, deriving its nutrition from the fish's blood, in which condition it remains for a period of about two weeks. During the parasitic stage, the larval mussel undergoes metamorphosis and develops the structures and characteristics of a juvenile mussel. The glochidia are thus conveyed wherever the fish goes until, when the proper stage of development is reached, it frees itself from the host fish and falls to the bottom. If it finds suitable lodgment, it continues its growth to form an adult mussel.

The Fairport (Iowa) Biological Station was established to assist in the propagation of fresh-water mussels, and to carry on experiments in fresh-water biology in the interest of conservation of aquatic life. As originally conceived, the task of propagation of mussels was to bring together suitable fish and a sufficient number of glochidia. Studies of natural and artificial infections show that a moderate sized fish may successfully carry, without harm to itself, as parasites, from 1,000 to 2,000 of the microscopic glochidia, but that, under the chance operation of nature, few of the glochidia find lodgment upon the proper fish, and still fewer find bottom suitable for their development as adults.

Until the most recent years, the Bureau of Fisheries has liberated in public waters over a billion glochidia annually as parasites on fish. While in some cases infected fish have been held in troughs until the glochidia have matured and fallen to the sandy bottoms for subsequent distribution, the usual method has been the infection of fish seined from sloughs and backwaters of the river in the ordinary process of rescuing fish from overflowed lands. The marsupial pouches of gravid mussels are opened into tubs of water into which the seined fish are introduced for some 5 to 20 minutes to permit a sufficient infection, and the fish are then liberated in the river. In Lake Pepin fishes have been seined especially for this purpose.

REGULATION OF THE FISHERY REQUIRED

Following the establishment of the Fairport laboratory, extensive investigations showed that while the propagation of mussels was an important factor in restocking streams in certain localities, this alone would never be sufficient to restore mussel beds to their former productiveness. A system of stream protection was recommended whereby the various mussel-producing areas could be given periods of rest in which to recover. Alternate sections of streams were proposed in which all shelling operations for a period of several years should be prohibited; at the close of the period they were to be opened to shelling operations, and those that had been opened were to be closed. After a period of several years, the States of Minnesota and Wisconsin, by concurrent action, closed certain parts of Lake Pepin to shelling. This closure went into effect March 20, 1920, and continued for four years, when these sections were opened and the remainder of the lake closed.

The course of the mussel fishery in Lake Pepin, located about 60 miles below St. Paul, Minn., is especially illuminating. The early history of the shelling industry on the lake shows that large catches of commercial shells were made. As the demand for shells became greater, new and improved methods of gathering the shells were employed, so that at the close of a few years the lake showed signs of depletion. Each year since 1912, the bureau has carried on a steady program of stocking commercial species of mussels, but this added effort has not offset the destructive methods of gathering shells. In 1914–15 this lake produced 3,000 to 4,000 tons of commercial shells; in 1919, 200 tons; in 1924, after the reopening of the two areas closed four years previously, 2,000 tons of mussel shells were taken. The catch fell off rapidly thereafter, until in 1926 only 164 tons were taken, and in 1927, 50 tons. In 1929, with the reopening of the two areas which had been closed for a period of five years and the closure of the other two areas, production amounted to 572 tons.

In 1928 and 1929 detailed surveys of the mussel population of Lake Pepin were made by improved methods. Comparison of the mussel population of areas open to fishing in 1928 and closed in 1929 shows that the number of mussels of all species per thousand square feet of bottom fell from 37 to 16.7, a decline of 55 per cent. In the areas closed in 1928 and opened in 1929, the number per thousand square feet fell from 74 to 16.7, a decline of 82 per cent. It therefore appears that Lake Pepin will cease to be an area capable of supporting a successful mussel fishery, for reasons to be mentioned later.

Mr. Chairman, since my time is short I shall depart for a moment from my written text and simply say that at Fairport, Belleview, and other stations they have followed this process by going out into the bayous and into the low places, following the washing of the water and the overflow of the land, and have caught in seines and by other means all the fish so stranded and infected them with the glochidia and at the proper time turned them out into the stream.

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

Mr. LETTS. Certainly.

Mr. ANDRESEN. Has the department observed the results of this artificial propagation of the mussels?

Mr. LETTS. Yes. That will be made manifest as I proceed. A new method, however, has been found to be more effective; and again I shall depart from my written text and simply explain that Professor Ellis, a distinguished educator of the University of Missouri, who has attached himself to the Bureau of Fisheries on part-time service, has given a tremendous amount of time and deep study to the subject, and has developed a new process of propagating mussel spawn. He has done that by finding a food which is similar in its nature and in its results to that taken from the blood of the fishes. Now they have found that we can take these mussels, the glochidia, and feed them on this artificial food and allow them to develop until they are strong enough to take care of themselves.

The method has many advantages. It is not necessary to find the host fish, and you are certain that the glochidia will be dropped at suitable places in the river where the lodgment will be suitable for their growth and development. A much larger percentage of the glochidia will develop and become full-grown mussels, such as we see here [indicating exhibit], which are suitable for cutting into blanks for buttons.

Mr. ANDRESEN. Would it be possible to have private beds for the propagation of these mussels by artificial process?

Mr. LETTS. Yes.

Mr. ANDRESEN. How long will it take?

Mr. LETTS. About five years. It will be entirely practicable to build up private beds, but it is found needful to have running water, and it is impracticable, perhaps, to put them in stagnant ponds. They need fresh water, as I will explain a little later.

Now, it has been found through the experiments carried on by the Bureau of Fisheries that in Lake Pepin, where in times past we have gathered more mussel shells than in any other place in the country, the mussels are either dead or dying. It became necessary to make a study to find out just what was causing the mussels to die. It was found that it was because the waters were polluted. The waters were polluted to the extent that not only the mussels but the game fish of the river were being rapidly exterminated, and upon that point I want to dwell somewhat in detail.

NEW PRINCIPLE OF PROPAGATION

As a result of experiments on the composition of fish blood, Dr. M. M. Ellis, special investigator for the bureau, since 1926 has developed a new system of mussel culture that has great promise of successful application. He has succeeded in preparing in the laboratory solutions that contain the elements found in fish blood necessary for the development and transformation of the mussel glochidia. In this medium it is possible to rear enormous numbers of the glochidia taken directly from the brood pouches of the gravid mussels until they have passed through the metamorphosis and are able to live independent lives as clams on river bottoms. In this way the prodigal waste of nature's seeding may now be avoided and the absolute control of the supply is placed within our hands. Young mussels may be reared to planting size and may then be distributed to most suitable grounds where plantings may be centralized for economic exploitation and where the crop may be harvested in the most efficient fashion at the proper time and with the utmost intensity, just as agricultural products are harvested. No longer will the production of mussel shells be dependent upon an abundant supply of a suitable species of fish to carry the glochidia, and it is possible to introduce into sluggish or stagnant waters, such as bayous and canals, species of mussels adapted to such conditions but where at present no mussels are found.

POLLUTION OF RIVERS INTERFERES

In attempting to develop large-scale production by the Ellis method of propagation the most serious obstacle was encountered. Experimental tests show that the glochidia of the clam, the just-hatched juveniles, and the young clams are very sensitive to chemical changes in water, particularly to those substances commonly introduced into the streams with municipal

or industrial wastes. It was found that the glochidia in the marsupial pouches of the gravid mussels taken from a dozen localities along the Mississippi River and many tributaries in the Northern States were dead or in a dying condition and were entirely unsuitable for purposes of propagation. Moreover, natural reproduction throughout this area apparently has failed, for clammers and other observers have made few reports of new beds of young mussels for the last three years.

This condition was noted in 1926 by R. E. Coker when he remarked that the niggerhead mussel, formerly the most important species between Keokuk and Lake Pepin, was not reseeding itself successfully in the river. He assumed at that time that overfishing and the depletion of the river herring, the host fish for this species, were the responsible factors.

Investigations of Doctor Ellis, however, indicate that pollution may be the primary cause of this decline here as well as in Lake Pepin. We have abundant evidence that the Mississippi River for many miles below the Twin Cities is polluted sufficiently to threaten the existence of all aquatic life. In Lake Pepin the extent of pollution is indicated by the report of the Metropolitan Drainage Commission of the State of Minnesota on February 11, 1930. The report showed that the oxygen content of the water on February 4 near the upper end of the lake was reduced to 2.2 parts per million and to 2.7 parts per million in the lower section. This low oxygen content so closely approximates the critical point for fish and mussel life that it constitutes a serious menace. The depletion of oxygen is apparently the result of the combined effects of pollution and ice coverage at this time of year, which prevents the absorption of oxygen from the atmosphere. That pollution is rapidly becoming worse may be judged from the fact that river conditions for some distance above Lake Keokuk were apparently normal as recent as 1921, for no mention of evidence of pollution is made by Galtsoff in his limnological survey of that year.

The oxygen depletion of river waters polluted with organic wastes is not the only menace to natural propagation of mussels, for industrial wastes containing salts of sulphur, iron, lead, and other heavy metals are extremely toxic to the larval mussels. For example, the drainage of iron and coal mines in West Virginia rivers, which may be clear and sparkling and actually potable, frequently contain sulphur and iron salts in sufficient concentration to kill promptly young mussels and fish. These and other toxic salts are present in the waters of the Mississippi. Moreover, the supply of polluting substances need not be constant to have deleterious effect, for a wave of high concentration for a short time may be sufficient to destroy the entire mussel population less than one year old over a wide area.

On the basis of available evidence, therefore, it appears that the mussel fishery of the upper Mississippi River is threatened with economic exhaustion, and such information as is available concerning the proposed 9-foot ship channel from St. Paul to Quincy indicates that its completion will probably render the river conditions with respect to mussels worse rather than better.

BUTTON INDUSTRY IN CRITICAL CONDITION

The domestic pearl-button industry, which produces $6,000,000 worth of manufactured products annually from mussel shells, faces a critical situation. Areas in the upper Mississippi River of greatest production formerly have ceased to be commercially important. Domestic supplies of mussels from other areas are wholly inadequate to meet factory demand. Prices have advanced 30 or 40 per cent, to the point where they are almost prohibitive. Button companies are sending representatives to foreign countries to seek new supplies and already shipments have been received from such countries as China and Mexico.

The pollution of the rivers entails serious consequences to the button industry, for we are faced with the virtual blocking of any effective system of mussel propagation unless a supply of healthy mussels to serve as brood stock can be found and unless unpolluted waters are located that are suitable for the extension of mussel culture. Accordingly, a conference of bureau officials and investigators was held in Washington on February 17, 1930. All available facts bearing on the situation were discussed and a program of action was outlined.

THE BUREAU'S PROGRAM

There are many waters suitable for propagating mussels unaffected by pollution, and it is believed possible under wise administration and protection, such as the bureau has recommended to the States, supplemented by improved methods of propagation which the bureau is now developing, to increase the mussel supply materially and eventually relieve the present shortage of raw material for the button industry. Due to pollution in the upper Mississippi region, the bureau's older method of mussel propagation by the infection of fishes taken in the course of rescue operations will be suspended. The Ellis method of propagation will be placed on a producing basis during the current season and steps are being taken at present with the aid of the button companies and the shell buyers to locate an adequate supply of healthy mussel spawn.

Two mobile field units of hatchery apparatus, each in the charge of a skilled operator and capable of producing from 25,000,000 to 50,000,000 juvenile mussels each, will be placed in operation early during the present spawning season and will be sent to test the practicability of extensive hatching operations in various localities. When such favorable localities are found, additional hatchery units will be established. Juvenile mussels produced in the bureau's hatcheries will be planted only in waters of suitable chemical composition known to be definitely free from deleterious domestic or trade wastes, and free from sudden fluctuations in water level. Moreover, suitable guaranties of protection must be afforded by State authorities where plantings are undertaken.

The outstanding need at the present time is a thorough physical, chemical, and biological study of all actual or potential mussel-producing waters in the Mississippi and Gulf drainage to discover waters favorable to the extension of mussel culture and to discover the sources and extent of pollution. Following this, there is urgent need for a thorough study of the biological and physiological effects of the various polluting substances found in streams. While there has been much attention given to the problems of pollution from an engineering standpoint for the purpose of recovering trade wastes and from a public-health standpoint with regard to sanitation, the actual effects of the various pollutants upon aquatic life have been studied but very little. Such an inquiry is directed primarily toward the propagation of mussels, but the studies of pollution and its effects on aquatic life have equal bearing upon the fisheries of the entire region. Some studies have been made of the effects of dams and other obstructions to the migration of river fishes. The bureau is attempting to develop the science and art of aquiculture for increasing the productiveness of inland waters throughout the country. Progress in these directions, however, is limited by our lack of knowledge concerning the fitness of inland waters to support aquatic life which the studies here proposed are intended to provide. With such information available, the bureau will then be able to direct more wisely the efforts of the States in overcoming the menace of pollution and to develop a successful program of restocking the mussel and food-fish resources of our inland waters. Conditions are becoming so serious in these waterways that prompt action is needed in providing ways and means for disposing of domestic sewage and trade wastes other than by using the rivers as open sewers.

Mr. ANDRESEN. Mr. Chairman, will the gentleman yield again?

Mr. LETTS. I yield to my friend from Minnesota.

Mr. ANDRESEN. Is there any possible way by which the Federal Government or the Congress can legislate on the pollution question in order to relieve the situation?

Mr. LETTS. I doubt very much if that is necessary; I will suggest a remedy. Last Thursday Mr. O'Malley, the Commissioner of Fisheries, addressed the Izaak Walton League in the city of Chicago and called attention to the pollution of the Mississippi River, and stressed the necessity for a clean-up. He makes it plain that the pollution of which he complains is not only killing off the mussels, but is destroying all game fish in the upper Mississippi.

To-day I am writing to the Governor of my State, and the Governors of Minnesota, Wisconsin, Illinois, and Missouri, and to the mayors of the cities of Minneapolis, St. Paul, and South St. Paul, suggesting the advisability of a conference with a view of developing some plan which will result in a most thorough investigation of the pollution of the river and will point out the necessity of a general clean-up by the erection of suitable sewage disposal plants or otherwise as the investigation and scientific knowledge may indicate. It would appear that Minneapolis, St. Paul, and South St. Paul might establish one sewage disposal plant for a metropolitan area, meeting the needs of the three municipalities.

No doubt much might be said of public health and other considerations in support of the proposal that the sewage of these great cities, populous and rich, should be taken care of by up-to-date and scientific methods. Indeed, I am persuaded to say that other States downstream may, if they wish, compel Minneapolis, St. Paul, and South St. Paul to make adequate provision for the disposal of their sewage other than by the discharge of same in its raw state into the river. The authority upon which I make this assertion is found in the opinion of Mr. Justice Holmes, of the Supreme Court of the United

States, in the celebrated case of the sanitary district of Chicago. It is more agreeable for me to believe that such procedure will be unnecessary and that a conference such as I have suggested will be sufficient to induce those in authority to initiate appropriate proceedings to accomplish the desired result. [Applause.]

Mr. ANDRESEN. Will the gentleman yield?

Mr. LETTS. I yield.

Mr. ANDRESEN. Are cities like Muscatine, Dubuque, and other towns along the Mississippi River doing anything toward sewage disposal?

Mr. LETTS. Most of those towns are, in some degree, subject to the same criticism that I have levied against the great metropolitan center of Minneapolis, St. Paul, and South St. Paul.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MURPHY. I yield the gentleman two additional minutes, Mr. Chairman.

Mr. LETTS. In the metropolitan area of Minneapolis, St. Paul, and South St. Paul there are in one community possibly a million people. It is a great, thriving, prosperous municipality; a municipal center, I might say, and one which bids fair for great renown in the future. Muscatine is a town of 20,000 or 30,000 in population. There is very little sewage as compared with Minneapolis, St. Paul, and the surrounding country with a million or more people, with the sewage waste and that which come from the stockyards of South St. Paul.

Perhaps I am letting some towns of my own State in for criticism, but if they need to clean up I shall urge that they do it as the great Minnesota cities are required to do. Indeed, I am calling upon our governor to offer for the Iowa cities what, in good faith, should be done by them. If we are to continue this great industry, if we are to have a care for public health, necessity will require a general clean-up along the river. [Applause.]

Mr. MURPHY. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. McFADDEN] such time as he may desire to use.

Mr. McFADDEN. Mr. Chairman and members of the committee, on February 10 and 26 last I addressed you on the subject of the Bank for International Settlements and the Federal reserve system, and on April 1 I inserted in the RECORD copy of a speech that I made over the radio under the auspices of the National Society of the Daughters of the American Revolution on March 27, and on April 9 I inserted in the RECORD a copy of a speech which I delivered at the Government Club in New York City on April 7 on these same subjects. I am now addressing you again upon these same subjects and desire to call your attention to House Resolutions 170 and 171, which were introduced by me on February 27, 1930, and unanimously reported by the House Banking and Currency Committee to the House under date of March 7, 1930, which resolutions I am asking unanimous consent to print in the RECORD at this point.

(H. Res. 170, 71st Cong., 2d sess.)

Resolution

Resolved, That the Secretary of State be, and is hereby, directed to inform the House of Representatives, if not incompatible with the public interest, of the following facts:

Why was the statement of May 16, 1929, issued by you forbidding the participation of the Federal reserve system in the organization or operation of the Bank for International Settlements?

What information, if any, is in possession of the State Department pertaining to the organization of this bank, and the participation therein by the Federal reserve system and its banks, or of private banking interests or individuals in this country?

Is there in existence any understanding or agreements regarding any one in the United States participating as a stockholder or officer or director of this bank?

Is there any understanding regarding the handling of America's share in reparation payments by the Bank for International Settlements?

Is there any understanding of, or have you any knowledge as to, what amount of German reparations bonds are to be offered for sale in this country under the Young plan in the next six months, and during the next five years, and by whom they are to be offered to American investors?

Has your department passed upon the legality of the securities to be issued and sold in this country to American investors?

(H. Res. 171, 71st Cong., 2d sess.)

Resolution

Resolved, That the Secretary of the Treasury be, and is hereby, directed to inform the House of Representatives, if not incompatible with the public interest, of the following facts:

What information is on file in the Treasury Department, Federal Reserve Board, or the Federal reserve banks, or in the possession of individual members of the board or officers or directors of the Federal reserve banks, pertaining to the initiation or organization and establishment of the Bank for International Settlements, provided in the Young plan for reparation settlements?

To what extent have the members of the Federal Reserve Board or its assistants, or officers and directors or their assistants of the 12 Federal reserve banks or their branches, assisted in the drafting of the plan or the putting into operation of the Bank for International Settlements?

Are there any contracts or agreements involving the Federal reserve system or any of its banks to participate in any manner whatsoever in the organization, establishment, and operation of the Bank for International Settlements, either directly or indirectly, through J. P. Morgan & Co.?

Are any officers or directors or members of the Federal reserve banks to become officers or directors of the Bank for International Settlements?

And likewise I am asking to insert in the RECORD at this point copy of letters which I addressed under date of March 10, 1930, to the Hon. Henry L. Stimson, Secretary of State, and the Hon. Andrew W. Mellon, Secretary of the Treasury, inclosing copies of these resolutions, and I desire that the Clerk shall read the replies to these two letters under dates of March 17 and March 15, respectively, together with copy of the letter from R. A. Young, governor of the Federal Reserve Board, which accompanies the letter of the Secretary of the Treasury:

MARCH 10, 1930.

Hon. HENRY L. STIMSON,

Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: Inclosed is copy of House Resolution 170, which was unanimously reported by the Committee on Banking and Currency to the House of Representatives on March 7, 1930. (Rept. No. 855 is also inclosed.)

At the suggestion of Speaker LONGWORTH and Majority Leader TILSON further action on this resolution is being withheld pending the receipt of the information called for therein, which I understand you will furnish forthwith in response to this request.

Deferring further action awaiting the receipt of the information asked for, I am,

Sincerely yours,

L. T. McFADDEN, *Chairman.*

MARCH 10, 1930.

Hon. ANDREW W. MELLON,

Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: Inclosed is copy of H. Res. 171, which was unanimously reported by the Committee on Banking and Currency to the House of Representatives on March 7, 1930. (Report No. 856 is also inclosed.)

At the suggestion of Speaker LONGWORTH and Majority Leader TILSON, further action on this resolution is being withheld pending the receipt of the information called for therein which I understand you will furnish forthwith in response to this request.

Deferring further action awaiting the receipt of the information asked for, I am

Sincerely yours,

L. T. McFADDEN, *Chairman.*

DEPARTMENT OF STATE,

Washington, March 17, 1930.

In reply refer to EA 462.00 R 296 Bank for International Settlements.

Hon. LOUIS T. McFADDEN,

House of Representatives.

SIR: I transmit the following replies to the six questions asked in House Resolution 170 accompanying your letter of March 10, 1930:

Question 1. Why was the statement of May 16, 1929, issued by you forbidding the participation of the Federal reserve system in the organization or operation of the Bank for International Settlements?

Reply. The statement issued to the press May 16, 1929, was believed to be self-explanatory. It was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements because that bank is to become the agency of the allied nations in the collection of their claims against Germany under the Young plan.

Question 2. What information, if any, is in possession of the State Department pertaining to the organization of this bank, and the participation therein by the Federal reserve system and its banks, or of private banking interests or individuals in this country?

Reply. Apart from information observed in the press, the department's information regarding the organization of the Bank for International Settlements comes from the Young plan as published in June, 1929, and from the agreements concluded at The Hague conference January, 1930. Among the latter the convention with Switzerland signed January 20, 1930, contains the constituent charter and the statutes

of the bank. The Government of the United States is not a party to these agreements.

The preamble of the constituent charter as found in the convention with Switzerland reads in part as follows:

"Whereas the powers signatory to The Hague agreement of January, 1930, have adopted a plan which contemplates the founding by the central banks of Belgium, France, Germany, Great Britain, Italy, and Japan and by a financial institution of the United States of America of an international bank to be called the Bank for International Settlements;

"And whereas the said central banks and a banking group including Messrs. J. P. Morgan & Co., of New York, the First National Bank of New York, New York, and the First National Bank of Chicago, Chicago, have undertaken to found the said bank and have guaranteed or arranged for the guaranty of the subscription of its authorized capital amounting to 500,000,000 Swiss francs, equal to 145,161,290.32 grams, fine gold, divided into 200,000 shares."

Question 3. Is there in existence any understanding or agreements regarding anyone in the United States participating as a stockholder or officer or director of this bank?

Reply. No. Mr. Gates W. McGarrah orally stated to me that he and Mr. Leon Fraser expected to become directors and officers of the Bank for International Settlements. I did not object.

Question 4. Is there any understanding regarding the handling of America's share in reparation payments by the Bank for International Settlements?

Reply. No. With his message of March 4, 1930 (S. Doc. No. 95, 71st Cong., 2d sess.) the President transmitted the terms of a proposed agreement with Germany for the discharge of its obligations to the United States in respect of army costs and mixed claims awards whereby Germany shall issue to the United States bonds payable at the Federal Reserve Bank of New York. This program contemplates direct payment to the United States.

Question 5. Is there any understanding of, or have you any knowledge as to, what amount of German reparations bonds are to be offered for sale in this country under the Young plan in the next six months, and during the next five years, and by whom they are to be offered to American investors?

Reply. This department has no knowledge of what plans, if any, have been made for the sale of German bonds in this country under the Young plan, nor of any understanding in that regard.

One of the agreements signed at The Hague January 20, 1930, by Germany and certain other governments relates to the financial mobilization of the German annuities and states that certain creditor governments propose to issue on the international markets before October 1, 1930, reparation bonds of a total amount of $300,000,000, the proceeds of which shall be divided between reparation creditors and the German Government in the proportion of two-thirds for the former and one-third for the latter.

Question 6. Has your department passed upon the legality of the securities to be issued and sold in this country to American investors?

Reply. No.

Very truly yours,

J. P. COTTON,
Acting Secretary of State.

THE SECRETARY OF THE TREASURY,
Washington, March 15, 1930.

Hon. LOUIS T. MCFADDEN,
Chairman Committee on Banking and Currency,
House of Representatives.

MY DEAR MR. MCFADDEN: I have your letter of March 10 asking me to send you the information called for by House Resolution 171. I am very glad indeed to comply with your request. Such information as the Treasury Department has relating to the organization and establishment of the Bank for International Settlements is contained in the formal reports which have been received from abroad, that is to say, the report of the committee of experts of June 7, 1929, and the report covering the proceedings at The Hague conference of January, 1930, which includes the charter and statutes of the bank and so-called trust agreement. These reports have been published, and I have no doubt you have seen them.

Such information as is in the possession of the Federal Reserve Board is, I think, fully covered in the letter submitted to me by Governor Young, a copy of which I inclose herewith.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

MARCH 14, 1930.

MY DEAR MR. SECRETARY: In reply to your inquiry relative to the letter of Hon. LOUIS T. MCFADDEN, chairman of the Committee on Banking and Currency of the House of Representatives, dated March 10, 1930, inclosing copy of House Resolution 171, which was unanimously reported by the Banking and Currency Committee to the House of Representatives on March 7, 1930, I advise that there is very little information in the possession of the board, but I am glad to furnish such as is available.

Mr. Owen D. Young is a class C director of the Federal Reserve Bank of New York, appointed by the Federal Reserve Board and designated as deputy chairman by the Federal Reserve Board. Mr. Young was a member of the Dawes Commission in connection with reparation settlements. In 1929 he was again asked to participate in reparation settlements and did so, later being appointed the presiding officer. As such he participated in the formulation of the so-called Young plan, which included the suggestion for the Bank for International Settlements. In some of this work he used the services of Dr. W. R. Burgess, assistant Federal reserve agent of the Federal Reserve Bank of New York.

The Federal Reserve Board has obtained copies of the Young plan, the draft charter, and statutes of the Bank for International Settlements, and the trust agreement of the creditor nations, and has made a study of these documents merely for its own information.

Upon the return of Mr. Young to this country it was my privilege to sit in a conference where Mr. Young discussed, in a general way, the objects and purposes of the Bank for International Settlements. Since then the Bank for International Settlements has been organized, and two Americans—Mr. Jackson E. Reynolds, of New York, and Mr. Melvin A. Traylor, of Chicago—participated in drafting the charter and statutes.

Mr. Reynolds and Mr. Traylor now have no official connection with the Federal reserve system, except that Mr. Traylor is an alternate on the Federal advisory council from the Chicago district. Mr. Reynolds was a director of the Federal Reserve Bank of New York for a term of three years ending December 31, 1928.

Dr. Walter Lichtenstein accompanied Mr. Reynolds and Mr. Traylor to Europe. Previously to going he was secretary of the Federal Advisory Council, but resigned shortly before leaving for Europe. Since his return to this country he has been reappointed secretary of the Federal Advisory Council.

In the charter of the Bank for International Settlements provision was made to make it possible for a bank forming a part of a system in any country which has been intrusted with the duty of regulating the volume of currency and credit in that country, which is situated and operating in the principal financial market of that country, to become a part of the management of the Bank for International Settlements. However, in view of the public statement of the Secretary of State, dated May 16, 1929, no Federal reserve bank, to our knowledge, has participated.

The Federal Reserve Board was informed by the Federal Reserve Bank of New York that it would be furnished with copies of any official communications received from the Bank for International Settlements, and under date of February 20, 1930, a cable was received by the governor of the Federal Reserve Bank of New York from the organization committee of the Bank for International Settlements requesting a statement from him to the effect that he will either nominate two American directors or that he is unable or unwilling to do so, to which the governor of the Federal Reserve Bank of New York replied by cable that it would not be possible for him to nominate. A cable was then received inquiring if the Federal Reserve Bank of New York objects to the organization committee inviting Mr. Gates W. McGarrah and Mr. Leon Fraser to join the board of the Bank for International Settlements. Mr. J. H. Case, deputy governor of the Federal reserve bank, replied that the Federal Reserve Bank of New York had no objections to offer to the election of Messrs. McGarrah and Fraser as the American directors of the Bank for International Settlements. All of this procedure was in accordance with article 28 of the statutes of the Bank for International Settlements.

Mr. Gates W. McGarrah has been class C director of the Federal Reserve Bank of New York for several years, appointed by the Federal Reserve Board, and designated as chairman of the board of directors. Mr. McGarrah resigned on February 27, 1930, and has since accepted a directorship in the Bank for International Settlements.

I do not know of any other person associated with the Federal reserve system who has had anything to do with the Bank for International Settlements, other than those specified above, nor do I know of anyone associated with the system who contemplates association with the Bank for International Settlements.

As far as I know, there are no contracts or agreements involving the Federal reserve system to participate in any manner whatsoever in the organization, establishment, or operation of the Bank for International Settlements, either directly or indirectly through J. P. Morgan & Co. Furthermore, it is inconceivable to me that any Federal reserve bank would enter into any such contract or agreement without fully acquainting the board with the facts. Paragraph (e) of section 14 of the Federal reserve act would make it mandatory upon a Federal reserve bank to secure the consent of the Federal Reserve Board before any account could be opened with or for the Bank for International Settlements.

I have furnished you such information as I have in my possession, both as an individual and as an official of the Federal Reserve Board.

Yours respectfully,

R. A. YOUNG, *Governor.*

Hon. A. W. MELLON,
Secretary of the Treasury, Washington, D. C.

I desire also that the Clerk shall read my two letters under date of March 27, 1930, addressed to the Hon. Andrew W. Mellon, Secretary of the Treasury, and the Hon. J. P. Cotton, Acting Secretary of State, and the reply from the Secretary of the Treasury under date of April 22, 1930, together with the attached letter from R. A. Young, Governor of the Federal Reserve Board, and also the letter under date of March 31, 1930, signed by J. P. Cotton.

The Clerk read as follows:

MARCH 27, 1930.

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: Your letter of March 15, inclosing copy of letter from Gov. Roy A. Young, of the Federal Reserve Board, answering the questions in H. Res. 171, is received.

I have noted Governor Young's answers to the questions propounded in the resolution, but in some particulars he has not fully answered these questions. He says, for instance, "In view of the public statement of the Secretary of State, dated May 16, 1929, no Federal reserve bank, to my knowledge, has participated." This answers the question from the date of May 16, 1929, but is silent as to happenings or participations prior to that date and does not answer the question, "What information is on file with the Federal reserve banks, or in possession of the individual members of the board, or officers or directors of the Federal reserve banks, pertaining to the initiation or organization of the Bank for International Settlements?"

I shall be pleased if you will have Governor Young complete his answer to this question by disclosing fully the part that the Federal Reserve Board and its officers or assistants or any one of the 12 Federal reserve banks or their officers or assistants have taken in the initiation or the drafting of the plan of the Bank for International Settlements prior to May 16, 1929.

Certainly the statement issued by the Secretary of State on May 16, 1929, must have been based on some known activity on the part of the Federal reserve system, its banks, or its officers, or else this statement would not have been issued by him.

The Department of State replies to the question as to the reason why this statement was issued that it was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements, because that bank was to become the agency of the allied nations in the collection of their claims against Germany under the Young plan. This explanation of the State Department would imply that the Federal reserve bank or banks and/or the Federal Reserve Board or system were cooperating with the officers of participating central banks and other international bankers in the initiation, drafting of the plan, and putting into operation the Bank for International Settlements.

Awaiting your advice, I remain, very truly yours,

L. T. MCFADDEN.

MARCH 27, 1930.

Hon. J. P. COTTON,
Acting Secretary of State,
Washington, D. C.

MY DEAR MR. COTTON: Your letter of March 17, in reply to mine of March 10 inclosing House Resolution 170, is received.

I have noted your replies to the several questions embodied in this resolution and desire to inform you that your reply to question No. 1 is lacking in this particular: You do not disclose what part the Federal Reserve Bank of New York or the Federal reserve system was taking prior to May 16, 1929, to cause your statement of that date.

Am I to suppose that this bank was deliberately refusing to desist from further participation in the organization or operation of the about-to-be-organized Bank for International Settlements; that the Federal Reserve Board were powerless to stop them; and that it took this most unusual action on your part to bring these participations to an end and thus synchronize Federal reserve operations with the declared policy of the administration in regard to war debts and German reparation settlements?

I shall appreciate a clarification of your answer to this particular question.

Awaiting your reply, I remain, very truly yours,

L. T. MCFADDEN.

THE SECRETARY OF THE TREASURY,
Washington, April 22, 1930.

Hon. LOUIS T. MCFADDEN,
Chairman Banking and Currency Committee,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Upon receipt of your letter of March 27 I asked Gov. Roy A. Young, of the Federal Reserve Board, to comply with your request for further information in response to the questions contained in House Resolution 171. I have received a reply from Governor Young in which he gives the information requested, and I am herewith transmitting his letter to you for the information of the committee.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

FEDERAL RESERVE BOARD,
Washington, April 10, 1930.

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: I have before me a letter addressed to you from Hon. LOUIS T. MCFADDEN, dated March 27, 1930, referring to my letter to you dated March 14, 1930.

I observe that Congressman MCFADDEN states that my letter answers the question from the date of May 16, 1929, but is silent as to happenings or participations prior to that date. I have reread my letter of March 14, and I call particular attention to the second pargaraph, which reads as follows:

"Mr. Owen D. Young is a class C director of the Federal Reserve Bank of New York, appointed by the Federal Reserve Board and designated as deputy chairman by the Federal Reserve Board. Mr. Young was a member of the Dawes Commission in connection with reparation settlements. In 1929 he was again asked to participate in reparation settlements and did so, later being appointed the presiding officer. As such he participated in the formulation of the so-called Young plan, which included the suggestion for the Bank for International Settlements. In some of this work he used the services of Dr. W. R. Burgess, assistant Federal reserve agent of the Federal Reserve Bank of New York."

It appears to me that I clearly stated Mr. Owen D. Young's connection with the Bank for International Settlements and also the services rendered by Dr. W. R. Burgess, and obviously this participation took place previous to May 16, 1929. I also observe that Congressman MCFADDEN states that I did not answer the question, "What information is on file with the Federal reserve banks, or in possession of the individual members of the board, or officers, or directors of the Federal reserve banks, pertaining to the initiation or organization of the Bank for International Settlements?" The remaining portion of my letter, consisting of 11 paragraphs, answers the above and contains such information as I had in my possession, both as an individual and as an official of the Federal Reserve Board.

After dispatching my letter of March 14 I read it to my colleagues. I have also sent a copy of it to the Federal Reserve Bank of New York, and they have reminded me that my letter is not quite complete, inasmuch as I neglected to mention that Mr. J. E. Crane, deputy governor of the Federal Reserve Bank of New York, sat in as an observer when Messrs. Reynolds and Traylor participated in drafting the charter and statutes of the Bank for International Settlements.

I again repeat that I believe that the Federal Reserve Board will be kept fully informed of any transactions that will arise from time to time between the Federal reserve banks and the Bank for International Settlements.

Yours respectfully,

R. A. YOUNG, *Governor.*

DEPARTMENT OF STATE,
Washington, March 31, 1930.

Hon. LOUIS T. MCFADDEN,
House of Representatives.

MY DEAR MR. MCFADDEN: I have your letter of March 27. You suggest I answer further question 1 in the resolution, and you state that I "do not disclose what part the Federal Reserve Bank of New York, or the Federal reserve system, was taking prior to May 16, 1929, to cause your (our) statement of that date." I am not aware that the Federal reserve bank in New York or the Federal reserve system was taking any part prior to May 16, 1929. Information came to this department from the public press that it was proposed by the individuals who were engaged in Europe in drawing the Young plan to create some kind of a bank for international settlements, and it was further proposed that the governor of the Federal Reserve Bank of New York should appoint two directors of that bank.

Your letter also asks:

"Am I to suppose that this bank was deliberately refusing to desist from further participation in the organization or operation of the about-to-be-organized bank for international settlements, that the Federal Reserve Board were powerless to stop them, and that it took this most unusual action on your part to bring these participations to an end and thus synchronize Federal reserve operations with the declared policy of the administration in regard to war debts and German reparation settlements?"

I know no grounds for any supposition that this bank was refusing to desist from further participation in the organization or operation of the proposed bank or that it had so participated, or for any supposition

that the Reserve Board was powerless to stop them or that it had taken any action in that regard or that any action was taken to bring these participations to an end.

Sincerely yours,

J. P. COTTON.

Mr. McFADDEN. When I first addressed you I called to your attention the danger of a possible involvement of the Federal reserve system in the Bank for International Settlements and pointed out how this involvement was apparently proceeding. This correspondence clearly outlines the fact that the officers of the Federal Reserve Bank of New York were largely instrumental in the organization of the Bank for International Settlements. The governor of the Federal Reserve Board furnishes us with the information that Owen D. Young, a director and deputy chairman of the Federal Reserve Bank of New York, together with Dr. W. R. Burgess, assistant Federal reserve agent of the Federal Reserve Bank of New York, and Mr. J. E. Crain, deputy governor of the Federal Reserve Bank of New York, were actively engaged in the formulation and execution of the preliminary stages of the organization of the Bank for International Settlements, and at the presentation of this plan by Mr. Young at Paris during the consideration of the Young plan I understand they were further assisted by a former assistant Federal reserve agent of the Federal Reserve Bank of New York, Mr. Shepard Morgan, who until recently was finance director at the office of reparation payments in Berlin, he having resigned his position with the Federal Reserve Bank of New York to assume these latter duties; and also by Walter W. Stewart, former economist of the Federal Reserve Board, and then in the employ of the Bank of England.

It is fairly to be assumed because of subsequent developments that Mr. Gates W. McGarrah, who was until quite recently chairman of the board and Federal reserve agent of the Federal Reserve Bank of New York, who, as I predicted in my previous speeches, has since resigned and been elected president of the Bank for International Settlements, was likewise engaged with these other officers of the Federal Reserve Bank of New York in the preparation and execution of the plan of the organization of the Bank for International Settlements. I think that we can also fairly assume that it was the plan of the Federal Reserve Bank of New York, or at least the plan of the officers of this bank that the Federal Reserve Bank of New York should be a stockholder and officially represented on the directorate of the Bank for International Settlements. It is also evident from the letter of Governor Young under date of March 14 that the Federal Reserve Board were officially in possession of very little information as regards the plan that the Federal Reserve Bank of New York were working out in connection with their participation in the Bank for International Settlements. This is clearly indicated in the first paragraph of Governor Young's letter of March 14.

Subsequently, however, Governor Young informs us that the board obtained copies of the Young plan, the draft charter, and statutes of the Bank for International Settlements, as well as the trust agreement of the creditor nations, and that they made a study of these documents merely for their own information; and Governor Young says that it was his privilege to sit in a conference with Mr. Owen D. Young upon his return to the United States, where Mr. Young discussed in a general way the objects and purposes of the Bank for International Settlements.

It is extremely difficult under these circumstances to disassociate the organization of the Bank for International Settlements from the Federal Reserve Bank of New York, particularly so when you consider the statement issued by the Secretary of State on May 16, 1929, as follows:

In respect to the statements which have appeared in the press in regard to the participation of any Federal reserve officials in the creation or management in the new proposed international bank, I wish to make clear the position of this Government. While we look with interest and sympathy upon the efforts being made by the committee of experts to suggest a solution and the settlement of the vexing question of German reparations, this Government does not desire to have any American official, directly or indirectly, participate in the collection of German reparations through the agency of this bank or otherwise.

Ever since the close of the war the American Government has consistently taken this position. It has never accepted membership on the reparations commission. It declined to join the allied powers in the confiscation of the sequestered German property and the application of that property to its war claims. * * * It does not now wish to take any step which would indicate a reversal of that attitude, and for that reason it will not permit any officials of the Federal reserve system either to themselves serve or to select American representatives as members of the proposed international bank.

In the letter of the Department of State under date of March 17, they say this statement was issued because it was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements, because that bank is to become the agency of the allied nations in the collection of their claims against Germany under the Young plan. And according to this letter the State Department disclaims any first-hand information in regard to the organization of the Bank for International Settlements except that which they observed in the press and from the agreements concluded at The Hague conference January, 1930, and subsequently from the charter and the statutes of the bank.

We are to infer from this that the Federal reserve system did not confer with the State Department upon this contemplated flight into international finance which was to be so complicated with international debts and reparation payments in which the United States was indirectly interested. This conclusion is further reinforced by the fact that the letter from the State Department makes no reference to the Federal Reserve Bank of New York, but says it was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements, whereas the Federal Reserve Board is the official representative of the Federal reserve system and disclaims having any official part in the organization of this bank. This would seem to preclude the possibility of the distribution of America's share of the stock of the Bank for International Settlements in case the New York bank was acting for the Federal reserve system; and certainly if this be true, we must conclude from these explanations that the officers of the Federal Reserve Bank of New York were contemplating only the Federal Reserve Bank of New York.

From the letter of the Department of State under date of March 31, replying to my second inquiry, we must infer that the apparent fear of involvement on the part of the Department of State was simply due to the fact that the individuals who are also officials of the Federal Reserve Bank of New York that were engaged in Europe in the formation and adoption of the Bank for International Settlements were proposing that the governor of the Federal Reserve Bank of New York should appoint two directors of that bank.

It is perfectly apparent from the last paragraph of the letter from the Department of State herein referred to that so far as the department was concerned they had no knowledge of the participation of the Federal Reserve Bank of New York or the Federal Reserve Board in the organization or operation of the proposed bank. In the letter of the governor of the Federal Reserve Board under date of March 14 in the sixth paragraph, he says that in the charter of the Bank for International Settlements provision was made to make it possible for a bank forming a part of a system in any country, which has been entrusted with the duty of regulating the volume of currency and credit in that country, which is situated and operating in the principal financial market of that country, to become a part of the management of the Bank for International Settlements. This is clearly the clause in the charter of the Bank for International Settlements which was intended to permit the Federal Reserve Bank of New York to become a part of the Bank for International Settlements.

The governor further says:

However, in view of the public statement of the Secretary of State, dated May 16, 1929, no Federal Reserve Bank to our knowledge has participated.

But in this the Federal Reserve Bank of New York is silent.

In the next paragraph he calls attention to the fact that the Federal Reserve Board was informed by the Federal Reserve Bank of New York that it would be furnished with copies of any official communications received from the Bank for International Settlements, and under date of February 20, 1930, a cable was received by the Governor of the Federal Reserve Bank of New York from the organization committee of the Bank of International Settlements requesting a statement from him to the effect that he would either nominate two American directors or that he was unable or unwilling to do so; to which the governor of the Federal Reserve Bank of New York replied by cable that it would not be possible for him to nominate.

He says that a cable was then received inquiring if the Federal Reserve Bank of New York objected to the organization committee's inviting Mr. Gates W. McGarrah and Mr. Leon Fraser to join the board of the Bank for International Settlements, whereupon Mr. J. H. Case, deputy governor of the Federal reserve bank, replied that the Federal Reserve Bank of New York had no objections to offer to the election of Messrs. McGarrah and Fraser as the American directors of the Bank for International Settlements, all of which he proceeds to say was in accordance with article 28 of the statutes of the Bank for International Settlements. Both of these men have subsequently been elected directors of the bank.

From a careful perusal of these explanations of the Department of State, the Treasury Department, and the Federal Reserve Board, it is perfectly clear that the original plans of the promoters of the Bank for International Settlements, the officers of the Federal Reserve Bank of New York, and such others who may have been connected with that bank or the Federal reserve system, who were in sympathy with their plans, have been thwarted, and inasmuch as the plan of the organization of the Bank for International Settlements contemplated that the bank should be owned and operated by the central banks of issue in the countries where these banks were located and that inasmuch as the Federal Reserve Bank of New York is comparable in this country to the position occupied by central banks in other countries, the plans of the organizers of this bank have likewise been thwarted through the prohibition administered by the State Department in their manifesto of May 16, 1929.

If we are to believe the statements of the authors of the law under which this bank is to operate and the statements of directors and the men who are to manage it, we shall readily understand that the functions and operations of this bank contemplate management of the gold of the central banks of issue of the major countries throughout the world for the purpose of conserving the gold resources of the countries of the world as the basis of our entire credit structure and for the further purpose of stabilizing international price levels.

One naturally wonders, under these circumstances how this Bank for International Settlements can fully function in this respect without the entire cooperation of the Federal reserve system, because of the fact that over 40 per cent of the world's gold is now under the direction and control of the Federal reserve banks in the United States.

The statement issued by the State Department we must recognize now as having been accepted by the Federal reserve system as prohibiting any participation officially in the Bank of International Settlements. Therefore, then, what is the situation that confronts this country in connection with the operation of the Bank of International Settlements? It is perfectly plain that the State Department by this prohibition on the Federal reserve system has turned over America's participation in the Bank for International Settlements to a group of bankers headed and dominated by J. P. Morgan & Co. In this connection, we should not lose sight of the fact that closely associated with the dominanting influence of Mr. Owen D. Young in the organization of the Bank of International settlements was J. P. Morgan, Thomas W. Lamont, and Thomas N. Perkins, who with Mr. Young, composed United States representation of the committee which brought forth the Young plan which had embodied therein the plan for the Bank of International Settlements.

It is only reasonable to suppose that in all of these deliberations Mr. Young's associates actively participated in the planning and carrying into organization of the plan for the Bank for International Settlements. As a matter of fact, it is fair to assume that the organization of this bank obtained its great impetus from this association of the Morgan group. It is not outside the realm of imagination to presume that except for the assurances that were given by the house of Morgan to the central banks and the countries in which these banks are functioning, and for whose countries the house of Morgan usually act as fiscal agents, that it was at all possible to organize this world bank.

Neither is it impossible to visualize the opportunities to make money and control through this newly created agency a large amount of international financial operations which would be under the control and domination of the house of Morgan and would tend to strengthen not only their financial control and domination in this country but throughout the countries of the world involved in this particular undertaking, nor would it lessen their influence over the diplomatic relations between all of the countries participating in this particular institution.

In my previous addresses I have referred to the close cooperation between the management of the central banks of issue of the major countries of the world and the management of the Federal Reserve Bank of New York, initiated during the administration of that institution by the late Benjamin Strong and being continued by the present governor of that bank, evidenced by his recent visit abroad, where he met the heads and organizers of the Bank for International Settlements in conference, and upon his return I understand has made a report not only to the Federal Reserve Bank of New York but to the Federal Reserve Board in Washington of the results and determinations made at these various conferences abroad.

That this edict of the State Department is interfering with the contemplated cooperation of the Federal reserve system through the Bank for International Settlements in the stabilization of international price levels and the conservation of gold must be apparent to anyone who has been familiar with their cooperation with the central banks of issue in the past and which is continuing at the present time, and which has been in contemplation for the future to an extent even greater than in the past. From the fact that the chairman of the board and Federal reserve agent of the Federal Reserve Bank of New York has resigned to become the president of the Bank for International Settlements, and that he has associated with him as a director one who will cooperate fully with the Morgan group, who are the United States stockholders in this bank, are we to infer that these men are the unofficial representatives of our Federal reserve system?

It has been stated that the Federal Reserve Bank of New York will have the same relationships with the Bank for International Settlements that they have with the other central banks of issue, and it is well to note that under the present law as interpreted by the Federal reserve system they have very wide powers in this respect.

There is no question in my mind, nor do I believe there is a question in the minds of the management of the Federal reserve system or the Morgan group, or of the other banks of issue in the different countries of the world who are stockholders in the Bank for International Settlements, but that the Federal reserve system is to function fully and in unison with the Bank for International Settlements and that in these operations the house of Morgan, through their chosen officers, are to act virtually as fiscal agents for the Federal reserve system, and in this course apparently the Federal reserve system are in entire accord.

Why should this country, through its departments of government and its Federal reserve system, carry on clandestinely its diplomatic and financial contacts in other countries? Is it not about time that the Congress takes cognizance of these important relationships in finance and diplomacy and see to it that they are handled directly by the properly constituted authorities? Or if J. P. Morgan & Co. are to continue to act in their present capacity as practically unofficial fiscal and diplomatic agents, let it be done without duplicity of action and let them be authorized by law to act as the agency of this Government and our banking system.

The Bank for International Settlements will undoubtedly be open for business the early part of the coming month of May. In my speech of February 26, I referred to this possible opening and said that almost the first business would be to supervise the issuance of $300,000,000 worth of reparation bonds, and that $100,000,000 worth of these bonds would be offered for sale in this country. Quite recently it has been announced that when these commercialized reparation bonds were offered for sale they would be payable in gold, the interest would be 6 per cent, and they would be listed for trading purposes on the stock exchanges of London, Paris, Berlin, Rome, and New York. It will be plainly seen by this announcement, then, that these bonds can be freely dealt in on any one of these exchanges. The secondary market with this permission can easily bring all of these bonds into the United States. Therefore, the mere suggestion that only $100,000,000 worth of these bonds will be sold in this country does not mean anything. The machinery has been set up for the sale of any or all of these bonds wherever the best market may be obtained, and the best market in the world to-day for the sale of securities, with the present prevailing low rates on money, is the United States.

The last time I addressed you I definitely raised the question as to the legality of these particular reparation bonds, and I called upon the State Department to advise the American publice as to whether or not these securities were legal and a proper security in which they could wisely invest their funds. Up to this time, so far as my knowledge goes, the State Department has not passed upon this question. I have previously called attention to the fact that the State Department has heretofore assumed to pass upon or disapprove of issues of securities of foreign countries to be sold in the American market. In this connection, I note that on April 26, Joseph P. Cotton, Acting Secretary of State, issued a statement to the effect that the State Department would not object to the proposed $100,000,000 coffee loan, which is at present being negotiated in New York and London for the State of Sao Paulo, Brazil, the proceeds of which loan is to be used to stabilize the price of coffee and market the huge surplus over a 10-year period.

It will be recalled in this connection that a similar loan to these same people was attempted some years ago and was frowned on at that time by the then Secretary of Commerce, and attention was directed to the foreign-loan policy laid down during the Harding administration which was construed to be still in effect and is so regarded by the State Department to-day.

Here is an instance which is a precedent—if the State Department needs a precedent—which clearly gives the right of the department to pass upon the validity and the right to issue

of these reparation bonds which are about to be offered for sale in this country.

In support of the illegality of these reparation bonds I previously directed attention to articles 5 and 8 of the German railway law of the convention of April 1, 1920, which had to do with a pledge of the railroad properties and the income belonging to the Federal States in Germany under the Dawes plan and continued under the Young plan.

In further support of the fact that these German yearly payments under the Young plan are illegal ultra vires, as such burdens are contrary to this law, consequently such illegal burdens can be repudiated at any moment—and already German nationals have announced in Parliament that they are resolved to do so if some day they have the power in hand—I am inserting at this point a copy of the Reich railroad act of May 13, 1930. (Reichsbahngesetzblatt II, p. 369.) Minister of Transportation Stegerwald, Minister of Finance Moldenhauer.

43. TREATY

1. The company takes over the rights and duties of the Reich which follow from the provisions of the treaty on the transfer of State railroads to the Reich, of the protocol thereto, and of the Federal law of April 30, 1920 (Reichsgesetzblatt, p. 773), with the exception of the provisions of sections 3–7, 17, 20, 25, 33, and 37 of the treaty and of the protocol, section 22, Nos. 2 and 3; section 24, Nos. 2 and 3, to last sentence; section 36, No. 2; and section 37.

2. Disputes concerning the application of paragraph 1 and resulting regulations, if the company is participating in the dispute, are to be settled before the Reich railroad court (sec. 44). The States carry on the dispute only through the mediation of the Reich.

SECTION 35. NEGOTIATIONS WITH FOREIGN GOVERNMENTS

The company may enter into negotiations with foreign governments only with the previous consent of the Reich Government. The final consent to agreements with foreign governments is reserved to the Reich Government.

SECTION 7. LIMITED HOLDING OF THE PROPERTY OF THE REICH RAILROAD FOR REICH DEBTS

The Reich railroad property can be held as bail for Reich obligations only in so far as they arise from the previous administration of the railroads. To these obligations belong also the obligations from the treaty concerning the transfer of the State railroads to the Reich (Reichsgesetzblatt 1920, p. 774), which are taken over by the company in accordance with section 43.

I now again direct your attention to this stipulation which seriously affects the security back of these bonds. I said in a previous address that "under international law the provisions of a definitive treaty of peace are legitimate only if they remain within the scope of the preliminary agreement which brought hostilities to an end."

My authority for this statement, which deals with the validity of the whole transaction, is derived from Phillipson's Termination of War and Treaties of Peace, published by E. P. Dutton Co., 1916, where the following statements are made:

Although the preliminaries are a preparatory structure there is none the less a vital relationship between them and the final edifice—the definitive treaty. The fundamental conditions laid down in the former may not be modified substantially in the latter unless there be a mutual agreement to the contrary. The preliminaries then, constituting the essential groundwork of the peace treaty, will necessarily provide solutions to the very questions that gave rise to the war * * * (p. 96).

Sometimes, too, though the preliminaries of peace are regarded as the fundamental and invariable basis for the subsequent definitive treaty, considerable modifications of the former are introduced in the latter. When these are made by mutual consent, given voluntarily by both sides, well and good; the parties may, of course, alter in this manner the preliminaries as they think fit. But departures from the preliminaries, involving substantial alteration of their terms, are undoubtedly illegitimate if they are brought about through pressure exercised by the victorious state on the defeated state, either at the final peace conference or otherwise (p. 109).

A further citation in confirmation of this is Wheaton, page 686, section 21.

A further reference can be read in F. E. Smith's Handbook of International Law the declaration of Lord Stowell, to wit, that the invariable practice leading up to the definitive treaty of peace is by an armistice which determines its conditions, and where it is silent on other matters the doctrine of uti possidetis applies.

The question which I have raised is: Are the German people liable for the reparation bonds about to be sold to American investors through the agency of the Bank for International Settlements? I say that this depends upon whether Foch and Wemyss exceeded their powers in dictating the terms of the armistice; next whether the Germans signed it under duress, which destroyed the essential element of mutualities in the document; finally, whether the victors did not themselves go outside the terms and conditions of the armistice and introduce new conditions in the final treaty of peace.

These German reparation bonds were authorized by the treaty of Versailles. Liability for the payment of a definite sum in reparations was imposed by the London ultimatum of 1921, which provided for the commercialization of a total of $12,000,000,000 of these reparation bonds. In 1924 the Dawes plan treaty was made effective, which did not reduce the total of the ultimate liability, but did provide for the commercialization of reparation bonds amounting to four or five billion dollars to be issued at once. In 1929 the Young plan, incorporated in The Hague protocol of 1930, fixed the total reparations liability of Germany at nine or ten billion dollars and imposed upon Germany the obligation to permit the immediate commercialization of these reparation bonds amounting to $3,250,000,000. The $300,000,000 about to be issued and sold through the Bank for International Settlements is a part of this last authorization.

I am pointing out that because of the circumstances under which the treaty of Versailles and the subsequent agreements pursuant thereto have been imposed, these reparation bonds are tainted with illegality and there is a cloud upon the title of those who hold them to-day, and who are proposing to offer them upon the investment markets of New York, London, Paris, Berlin, and Rome.

In confirmation of this I desire to quote from an article by Hans Wram, of Geneva, Switzerland, appearing in the Deutschlands Erneuerung, April, 1930, pages 222–225. In referring to the legality of the Dawes and the Yound plans, he says:

1. On July 16, 1920, at Spa, at the pressure of England, not Germany (instructive continuation, see Snowden and Wirth at The Hague), France renounced the right of sanction. With this renunciation this "right" dies. The German Government was obligated not to forget this and to refuse to give the French authority in every way, contrary to treaty and right, to march into Germany.

2. The Dawes laws are invalid, because they were not accepted by the necessary two-thirds majority while changing the constitution.

3. Immediately after the conclusion of the second Hague congress a Wolfe dispatch "quieted" foreign lands by saying the acceptance of the agreements was certain, and the Government, even if the Reichstag rejected them, would put them into effect and "fulfill" them. One can not more clearly show the respect which one feels toward the (contrary to the constitution) self-created constitution.

4. The Young plan, even if accepted by the Reichstag, will be invalid, for it changes the constitution and a two-thirds majority would be necessary for its acceptance; but even that would not be sufficient, for the nation's will is accepted and has become law "for the sake of right," even though without the permission of the "republican" judges. Therefore any different resolution of the Reichstag in this affair is unlawful and invalid.

5. Another reason for invalidity, to be made good through no decision of loyal judges, through no "law" of the Reichstag: The mortgage on the German railroads, basis of the Young plan, as well as of the unqualifiable loan of Germany, is to be provided superfluously for the French (for their armament against us). This mortgage, as that of the Dawes plan, is contrary to law and invalid. Reason: According to the law of April, 1920 (see Reichgesetzblatt of May 4, 1920), section 8, no mortgage can be laid upon the united Reich railroads without the express consent of the States (Bavaria, Saxony, Wurttemburg, Baden, Hessen, etc.) from whom the railroads had been taken away with promises which naturally were not kept. This consent was not given in August, 1924. Besides, the Bavarian minister president, Doctor Held, about two months ago emphatically protested against an illegal liquidation of a loan for France on the basis of an illegal mortgage on the railroads. This mortgage—that is the real basis of the Young plan and the foundation for new huge gifts to France—is therefore entirely null and void, even if the Reichstag accepts the Young plan with a two-thirds majority (which is absolutely impossible). It is the duty and obligation of every national German to speak this so loudly that the naïve money givers throughout the world hear it also and do not burn their fingers with gifts for French cannons. Moreover, it is only the duty and obligation of the national parties, chiefly the German nationals, if they come into power, which no Wirth or Curtius can prevent in the long run, to immediately shake off these "obligations," which are contrary to law and to treaty, and go back to the bare legal basis. Then it will be seen how all the many opponents of France quickly become our friends. The enemy of any enemy is my natural friend.

6. Germany is now, and will be so the more if present conditions continue, a place of sustenance for the lazy and incapable (as in the old Greek democracy). The industrious and able must work for the lazy and be robbed of their goods and possessions through the ballot. Envy, impatience toward all ability, immorality, and lack of culture, these will more and more become the distinguishing marks of Germany. But Bolshevism of all shades, which embraces Germany like a polypus and sucks its lifeblood, is nothing new. Persia tasted the same thing at the

end of the fifth century, anno Domini, under Kobad. A certain Mazdah taught the community of all property, * * * even of women. And even Virgil says what millions of reds in Germany, Russia, etc., feel to-day—the common crowd was raging in its mind (Æneid I, 149).

7. Our alleged pacifists, who already are fighting in peace for France, by degrading Germany to be a slave and provider of money for France will so arouse the French that the war which always has followed France's snobbishness (see Ludwig XIV, Napoleons I and III) will only come more quickly than otherwise. In this war, if not sooner, reason and love of fatherland will conquer. At any rate, the days of modest and of shameless Bolshevism are numbered.

It is interesting also in consideration of this matter to note an interview in European Finance, London, April 4, 1930, by Dr. A. Hugenberg, in which he says:

I am asked my opinion of the Young plan for a new settlement of the reparations problem, and I shall be glad to give it in all honesty and sincerity. The best examples of the creation of artificial capital are the various methods of reparation payments. To make these state debts something resembling living capital, people are ardently trying to transform them into private debts of the participating nations; that is, "to commercialize them." The only thing they can achieve by doing this is to invalidate the economic system of those countries who are taking part in the scheme, which will equally harm all nations, whether they figure as creditors or as debtors. The whole international system of credits is poisoned by the Young plan, for Germany is made the pack horse of everything that the debtors of the United States found it intolerable to bear themselves. Naturally, she will collapse in the course of time. We Germans are bound to ask this question: Is this perhaps the real aim of the Allies? Is not all this merely an interlude for intended war "sanctions" against Germany in the East and in the West?

From the economic point of view, therefore, the Paris plan is pure nonsense. It is not possible to carry it out even for five years—and then only if the creditor powers will lend us the money for paying the reparations, as they have till now. By that Germany will every year get more involved in debts.

And, further, I am advised that the ratification of the Young plan was discussed and voted in the senate on April 5, 1930, in the presence of 80 or 90 senators. The number of 291 votes was obtained through the complaisance of some senators who voted for their colleagues.

It is supposed that the favorable attitude of the socialist parties was obtained as a result of the intervention of the Central Bureau of Social Democrats in Berlin, of which the secretary-general, Mr. Hertz, and several other members of the direction make part of the financial group cited by Senator Delahaye.

I now quote from Journal Oficiel of the Republic of France of the debate in the lawmaking body of France a résumé of remarks of M. Delahaye:

There are two impostures in the Young plan: (1) In working out the Dawes plan in 1924 the experts demanded that the agreement of 1920 between the Reich and the states be renounced by both parties before the establishment of the railroad mortgage. This was not legally done, hence the contract of 1920 is still in force. This provides that no mortgage can be put upon the railroads without the consent of the proprietary states through their state governments. This condition not having been fulfilled, all the procedure relative to the mobilization of the German debt is void. (2) When the German railroads were unified the Reich agreed to pay the interest and amortization of the debts of the federal states which were pledged on the railroads. These claims should have first rights to the revenues of the railroads, and these claims are being pressed and will continue to be so. Thus is seen the double impossibility of mobilizing the German debt and the necessity for France to remain in the Rhineland until the grave difficulties attached to the irregularities of the Young plan, to the railroad contract of 1920, to the lawsuit brought against the Reich by Bavaria before the Supreme Court of Leipzig, and to the legitimate campaign of the holders of German railroad securities before the war are completely settled.

International high finance guided the work of the experts and exercised its influence on the choice of the experts and on their conclusions. The center of this financial group is in Berlin, an association being formed bearing the name of List. It is concerned only with operations certain to bring in large returns. It was founded by a man named Mendelssohn, one of the greatest bankers of Germany, and is composed of 68 members from various walks of like and from various countries.

Both the Dawes and the Young plans were worked out in Germany by this financial group, and the conference of the experts was a mere formality, while the press of the world, easily managed by this organization, prepared the ground to gain the sympathy of the public and the interested governments.

The elementary principle on which is based the definitive plan of settlements worked out by the financial group in Berlin is to replace the creditors of Germany who are the former allies, by private creditors, by the issuing of securities payable to the bearer and placing them in all countries of the world, especially France, with the idea that private creditors have neither the means nor the power to force Germany to pay the reparations bonds if for any reason she refuses. It is to be expected that Germany will sooner or later try to annul these new debts. This would be disastrous to all countries and especially to France.

Another consequence of the Young plan would be the ruination of the holders of before-the-war securities, the repayment of which had been formally promised.

RÉSUMÉ OF REMARKS OF M. LEMERY

One argument for the Young plan seems sufficient of itself. If the Young plan is rejected there is nothing left. There can be no thought of returning to the Dawes plan or of negotiating directly with Germany. The Young plan, like the Dawes plan, is inspired by a principle of financial arbitration. The agreements of The Hague neglect the will to liquidate as well as possible the consequences of the war and to extenuate or efface the cause of conflict or friction which might occur between France and Germany.

(From Journal Oficiel, Parliamentary Debates, April 6, 1930.)

The prevalent opinion in the United States that these bonds are regular and legal results from the fact that for more than 10 years, or since the ending of the war, we have accepted without question the version of facts put forth by the allied governments. Inasmuch as commercialization of the reparation bonds is the only way in which the allied governments can control large sums of ready money in the coming years, their motive for presenting to the American people, who are expected to buy the bulk of these bonds, a statement of fact concerning the treaty of Versailles and its subsequent agreements which presents the matter in a favorable light is very strong. In fact, their hopes of political, financial, and economic rehabilitation are based almost exclusively upon the expectation that very large quantities of these bonds shall be commercialized and sold in this country.

Because of this powerful motive of self-interest it is unwise for the American people or the American Government to accept this ex parte testimony without question. As a matter of fact, it has already been accepted in many quarters in this country, in such large part, that there is now very stubborn opposition to unbiased inquiry into the subject.

Because of the fact that evidence is available that the facts upon which the Young plan rests for its validity are faulty, and that it does not rest upon sound principle of law, there is great need that these facts should be impartially considered and the results made known to the people of the United States before they are permitted to innocently place their investments in this class of securities.

Because of the uncertainty surrounding the validity of these bonds and the possibility that at a very early date these securities are going to be offered on this market, and if purchased by Americans will eventually involve this country in serious foreign entanglements, it is the duty of this administration to cause such an examination to be made either through the State Department or through the Department of Justice, or through some other competent governmental source that our people may know whether or not these bonds are legal. In support of this contention, I desire to call attention to the following:

THE ARMISTICE AGREEMENT

While hostilities were still unabated the German Government, addressing President Wilson, proposed an armistice on the basis of his speech of January 8, 1918, and subsequent addresses.

Negotiations were thereupon entered into between the Allied and Associated Governments and Germany. A series of notes were interchanged fixing definite terms of peace. These terms were accepted by the Allied Governments on November 4, and by Germany on November 5.

They constituted a treaty agreement, made between civilian heads of state, and therefore of the highest solemnity.

The military armistice terms of November 11 were entered into pursuant to this agreement. The military commanders had no authority to alter the terms of peace.

The texts of these notes are available for examination. After the armistice they were buried and forgotten at Paris. They should be assembled and examined now in order to perceive what the peace terms were which brought the fighting to an end.

THE TREATY OF VERSAILLES

The treaty of Versailles was not signed until seven months after the armistice. Its terms were not drawn pursuant to the preliminary agreement of November 11, 1918.

By the end of December Germany had delivered to the Allies her naval and military armament pursuant to the preliminary agreement and as an evidence of "good faith."

She asked to send plenipotentiaries to Paris to negotiate a settlement pursuant to the preliminary agreement.

This was denied and she was informed that terms would be dictated my Marshal Foch, the head of the armistice commission.

Terms of conquest were notified to the Germans by the armistice commission and refused by Germany. Germany was not yet conquered.

The armistice commission and the naval blockade commission thereupon closed Germany's land frontiers by the use of military force and Germany's Baltic coast by the use of a naval blockade. This blockade was maintained with war rigor for six months, excluding all food supplies. Starvation ultimately compelled complete surrender. Germany was now a conquered State, and terms of conquest were imposed by the treaty of Versailles on June 28, 1919. There had been no negotiations between plenipotentiaries. The instrument was unilateral.

The treaty of Versailles is void for duress. Preliminaries of peace had fixed binding terms on November 11, 1918. Subsequently, by an act of bad faith, the conquest of Germany was attained, and Germany's adversaries varied the terms of the preliminaries to her great prejudice. The legal principle is firmly established that a preliminary agreement that brings hostilities to an end and fixes terms of peace is binding. A definitive treaty violating the preliminary agreement and imposed by force is illegitimate. (Phillipson's Termination of War and Treaties of Peace.)

THE LONDON ULTIMATUM

The London ultimatum was imposed by the threat of violence, as the word "ultimatum" indicates. It fixed the amount of commercializable reparation bonds at $12,000,000,000. Its validity rests solely upon the legitimacy of the treaty of Versailles. If the treaty of Versailles is illegitimate, the London ultimatum is illegitimate. The signatures of the London ultimatum were secured solely by the pressure of duress.

THE DAWES PLAN

Germany's agreement to the Dawes plan was not secured merely by the threat of violence. It was secured as the result of violence on a scale which threatened the destruction of the race. The settlements of the Dawes plan were negotiated under the direct pressure of the Ruhr invasion and occupation. The appearance of a voluntary bilateral agreement at London in 1924 was illusion and subterfuge resorted to in order to deceive opinion in America, where it was then hoped to commercialize reparation bonds in the amount of $5,000,000,000.

It will be found that after the date of each one of these reparation agreements—the treaty of Versailles, the London ultimatum, and the Dawes plan—Germany interposed objections and obstructed the plans for commercialization, alleging her inability as well as her unwillingness to carry out the agreements. German policy shows plainly that the Government was acting under the pressure of duress. These facts made the efforts of the Allied Governments to effect the commercialization of the reparation bonds in the United States much more difficult.

What may fairly be called the bribing of Germany to cooperate in the plans for commercialization of the reparation bonds in America took place in 1926. This was the Franco-German agreement in September, 1926, at Thoiry, made by Stresemann with Briand, following Germany's admission to the League of Nations, under which Germany would cooperate in the plan to commercialize the reparation bonds in the United States, it being agreed that she was to share substantially in the receipts. This was the flowering in 1926 of the Stresemann-Briand-Curzon understanding made in 1921.

The rise to dominance of the Stresemann financial group in Germany has created a sharp cleavage within Germany between that group and the German people in general. The people remain opposed to the Dawes plan and the Young plan recognizing them as perpetuating the state of industrial slavery imposed by the treaty of Versailles. The Stresemann financial group have their eye upon the German share of the profits to come from the commercialization of reparation bonds in the United States. The Stresemann group control the army and the purse strings, but their tenure of power is precarious. Fundamentally they hold with other Germans that the treaty of Versailles and the subsequent agreements are illegitimate. They follow the policy of "fulfillment" believing that any other policy would bring Allied reprisals and precipitate worse evils upon Germany. As a part of this policy of fulfillment they have agreed with the allied governments and the American financiers who are in the service of the allied governments, not to bring up any "juridical" questions involving the treaty of Versailles and the subsequent agreements. They, therefore, joined in the Geneva decision of September, 1928, which created the Young committee.

THE YOUNG PLAN

The Young plan reparation bonds are tainted with illegality under numerous counts. In any of the agreements subsequent to the Versailles treaty the legitimacy of German reparations is wholly dependent upon the legitimacy of the treaty of Versailles upon which they rest. The treaty of Versailles was a unilateral settlement imposed by duress. The London ultimatum and the Dawes plan were likewise unilateral settlements imposed by duress. The pretense that they were voluntary bilateral agreements was window dressing to impress the prospective purchaser in the United States of the commercialized reparation bonds.

In the meetings of the Young committee in 1929 the Germans took a determined stand for a radical reduction in the reparations claims and, in fact, demanded that the effort to collect reparations cease entirely on the ground that Germany had paid in full the amounts that she justly owed. They sought to bring up the "juridical" questions involving the treaty of Versailles. As the sessions progressed it was found that no meeting of the minds was possible. The Germans refused to accept liability for payment of the annuities demanded.

Thereupon the committee resorted to the pressure of duress. The gold in the German Reichsbank was principally borrowed gold—borrowed from New York, Paris, and London. Although it was borrowed gold, it formed the reserve upon which the currency of the German State was maintained.

Simultaneously the creditors demanded repayment at once of their loans. Germany lost nearly one-third of its gold metal while the Young committee was sitting. If the drain was not stopped at once it meant the complete collapse of German currency, and chaos and calamity throughout Germany. Finding themselves at the mercy of the Young committee, the Germans agreed to its terms. The principal opposition to the appointment of Pierre Quesnay as general director of the Bank for International Settlements was that the people believed that he engineered the international attack on the reichsmark while the Young committee was sitting.

To say that Germany pays reparations voluntarily is mere subterfuge. Reparations are paid only under the threat of sanctions. If the treaty of Versailles is valid and legitimate under international law, then there is ground for saying that the use of sanctions is legitimate. If the treaty of Versailles is illegitimate, then every agreement subsequently made for the purpose of enforcing it is also illegitimate. In view of the character of the treaty of Versailles, German reparation bonds ought not to be commercialized. Grave political issues which affect the legitimacy of these bonds have not been settled.

Mr. STAFFORD. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. STAFFORD. Does the gentleman from Pennsylvania [Mr. McFADDEN] contend that without the aid and assistance of the American banking institutions the Bank for International Settlements would not have been organized to perform the functions that were agreed to by the organizers, at which Mr. Young, Mr. Lamont, and Mr. Perkins, and Mr. Smith were probably the unofficial representatives of the American Government?

Mr. McFADDEN. I pointed out in my address the scope of this proposed bank, but more particularly in previous addresses on this particular subject have I outlined the scope and possibilities of this institution. Sir Charles Addis, one of the leading directors of this bank, who is also a director of the Bank of England, in explaining the scope and the operation of this proposed institution, has outlined many of the functions which would engage the attention of this bank, among them being the possible mobilization of the world's gold, and in that connection and through that operation and with the cooperation of the central banks of the different countries of the world some direction of international price levels.

Mr. STAFFORD. I was surprised at the position which the gentleman from Pennsylvania took, for the reason that when I was following the current reports of the preliminary proceedings of the organization of the bank, as carried in the New York Times, I gained the impression that the major function of this bank was to take care of the reparations payments of Germany, and in case Germany for a year or two was unable to meet those payments provision would be made by this bank to tide over the payment; that this international bank was to act as a clearing house among the various nations who were to be the recipients of the reparations. Now, the gentleman by his speech to-day gives the impression that that is not the main purpose, but that it is to control the gold supply and incidentally world prices.

Mr. McFADDEN. Of course, what the gentleman from Wisconsin [Mr. STAFFORD] has said is true as regards the basis for the organization of this bank. This bank is additionally charged with the responsibility of collecting and dispensing the German reparation payments under the Young plan.

Mr. STAFFORD. But, before the war, much of the work of balancing the commercial accounts in world trade was performed by the great banks of Great Britain, in London. Since the war some of that function has been taken over by the leading banking houses of the United States, particularly those in New York City. Does the gentleman from Pennsylvania [Mr. McFADDEN] wish to contradict the position that this may be a valuable agency in the adjustment of banking relations the world over?

Mr. McFADDEN. No. I do not want to contradict. I have covered that in my remarks.

Mr. STAFFORD. Then, what is the chief objection that the gentleman has to the organization of the bank?

Mr. McFADDEN. If the gentleman will read my remarks, I think that will be made clear.

Mr. STAFFORD. I have followed the gentleman's remarks and his various speeches, and I think his objection is based on fear. He is conjuring up conditions that may never arise.

Mr. McFADDEN. I would say upon realities.

Mr. SANDLIN. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, the indulgence of the House has been sought by me to-day in order that I may be permitted to explain, briefly, with such force and lucidity as I can command, the purpose of a resolution I have introduced which is designed to check the overwhelming tendency to rob the States and local subdivisions of authority and to concentrate all power in a Washington bureaucracy. The resolution, H. J. Res. 298, provides for the creation of a nonsalaried commission to make a thorough study of this subject and report to Congress whatever conclusions may seem advisable in order to arrest the pell-mell rush toward a Washington dictatorship and to salvage whatever local self-government still remains.

It was Mark Twain who said that "everybody complains about the weather but nobody ever does anything about it." For at least a quarter of a century, as a Washington newspaper correspondent, I have been complaining of the concentration of power in a Washington bureaucracy, which has been growing and expanding under my observation and with ever increasing avidity arrogating unto itself the powers rightfully belonging to States and local units. I can imagine some smiles and more than a few grins among observers on the side lines when they behold the spectacle of a lone member of Congress, especially a new minority member, essaying to regulate these political meteorological conditions and perhaps some are recalling with a chuckle Mark Twain's sage observation about controlling the weather. Perhaps also when they behold bureaucracy, full-panoplied, vibrant, dominant, they regard an effort to regulate it as being about as fatuous as an effort to regulate the sunshine and the storm.

If I were really alone in this undertaking I would indeed despair. I would imagine myself in the position of little Ajax defying the lightning, with about as much legitimate cause for optimism as possessed the sturdy soul of the misguided Ajax.

But I am not alone.

What I think about centralization is of little consequence, but the views of great men who are speaking through me to-day are of consequence. They are outstanding men of courage and vision, whose names are household words, and who command an audience as far flung as the length and breadth of the Nation itself.

In presenting my case to you I bring as witnesses many of the mightiest spirits that have trod the soil of America in our generation. I am flanked with earnest supporters. I bring to you the approving testimony of many of the best minds in this Republic. I bring as witnesses 17 governors and 8 ex-governors of States who have seen their State sovereignties sapped and weakened and all but emasculated through the onrush of Federal centralization, and they come here with me to protest. I bring as witnesses 17 supreme judges of States who are genuinely alarmed over the destruction of local government by Federal usurpation and who come here with me to make their protest vocal. I bring as witnesses great inventors, great lawyers, great university presidents, great statesmen, great authors and diplomats, great political leaders of both parties who have written to me in defense of the rights of the States and in support of my resolution. I bring to you the approval of the chairman and secretary of the United States Civil Service Commission, who are always interested in good government. I bring to you editorials from many newspapers of high standing and character, published all the way from the Atlantic to the Pacific, commending my resolution to your favorable consideration, and I make bold to say that the people of the rank and file of America, insofar as they are acquainted with the resolution and insofar as they have made themselves articulate, are asking for its passage.

MEN OF PURPOSE

No, I am not alone. Many men of thought and purpose, who stand high in the councils of the Nation, have taken time to write in order to show how much they are concerned over the inroads which Federal bureaucracy is making to the detriment of the rights of the States and of individual citizens and to express the hope that the study proposed in my resolution will be made. These letters furnish a great body of intelligent and informed public opinion, comprising a symposium of extraordinary force and persuasion that is worthy of consideration by Congress.

And now I am going to introduce a few—just a few—of my witnesses. Space will not permit publication of all of the letters I have received since this resolution was introduced. I shall quote a few now and some others I shall insert, with consent of the House, in the Appendix of the Record. The total file is available at my office to those who care to inspect it.

No one will contend that Thomas A. Edison, whose genius has done so much to unlock the secrets of the universe, is lacking in vision. Mr. Edison indorses the resolution. He thinks it is in the interest of the welfare of the country that it should pass and that the study which it provides for should be made. His views are expressed in a letter which I shall present as an addendum to this discussion.

Similar approval has come from a spokesman of Henry Ford, with the assurance that—

> Any action that would focus competent minds upon the trend away from fundamental American principles would be cordially approved everywhere.

John W. Davis, distinguished lawyer, former president of the American Bar Association and candidate for President in 1924, also writes to express his cordial approval. I shall print the full text of his letter in connection with my remarks.

MUST REMOVE THE CANKER

There is no abler, no more zealous defender of constitutional government in America than my distinguished Indiana colleague, WILLIAM R. WOOD. When I see him perform here day after day, charging like a valiant knight against the bureaucratic breastworks, I realize that whenever there is extravagance to be checked and corruption to be exposed his spear knows no brother and, whether he wins his fight or his spear is shattered, I also realize that he is always and everlastingly a friend of the American people. Because of the position he occupies as chairman of the appropriations committee, with his finger on all of the activities of the Government, I will assert that no one in this Congress—no one in public life—has a better opportunity to know about the encroachments of bureaucracy than Mr. WOOD. Hear what he says about my resolution:

> I wish to say that I am in hearty sympathy with your scheme and will be very glad, indeed, to do anything that I can to help it along. If something is not done soon the form of government proposed by the fathers and provided for under our Constitution will be a thing of the past; and we should bestir ourselves to relieve the canker that is now sucking the life out of our body politic—the bureau and the commission.

Some years ago in this Chamber we had the privilege of admiring the marvelous intellect of a wise man from Mississippi and of being mesmerized by his eloquence and erudition; and I want you to know what John Sharp Williams, former Democratic leader of this body, thinks about the resolution I have introduced. This veteran of many battles has no scars that are not healed. He is spending the evening of a long and brilliant life on his plantation, where he can revel in books and philosophize to his heart's content. His head is snow crowned, but in his soul the fires of patriotism still burn with undiminished glow. Writing from his Mississippi home he says:

> I am not much for commissions, but I reckon one more wouldn't hurt. The object of it is very important, indeed in a sense vital, and I am with you in all you write about the growth of Federal power and jurisdiction. I got a letter from a publishing house agent some time ago asking me to write them something on "some aspect of our constitutional government." I replied: "I can not write about any aspect of the nonexistent; we have no longer a constitutional government." The object of your resolution is of the highest statesmanship. Bureaucracy is the most oppressive and expensive of all forms of government and in the long run the least efficient. Prussia found that out at last. "Let us alone" is the best cry of freemen, worthy to be free. It may not be literally true that the best governed people is the least governed, but it is very nearly so.

There is no principle of politics that prevents members of both parties—and all parties—joining in an effort to get our bearings on this vital issue. There is no cleavage between Hamiltonians and Jeffersonians, for bureaucracy is repugnant alike to all. As Justice Edward N. Smith of the Supreme Court of New York so well says in a letter to me:

It seems strange to have such views expressed by one who grew up in the Hamiltonian school of Federal constitutional powers, but I am quite certain that, as against the present-day tendencies toward centralization, Alexander Hamilton and Thomas Jefferson if here to-day would be found fighting together for the protection of constitutional government as declared in the Federal Constitution against the destructive tendencies of present-day centralization of power.

A MIGHTY HOST

In the time allotted to me to speak I can not do more than make a passing reference to the many letters expressing approval of my sincere desire to render a service to the Nation by calling attention to Federal usurpation and invoking, if not a cure, at least the best remedy immediately in sight. I have letters which I treasure highly for the encouragement and moral support they offer from Samuel Untermyer, lawyer and thinker, New York; Owen D. Young, New York; Bernard Baruch, New York; James A. Emery, general counsel and spokesman for the National Association of Manufacturers; Rome C. Stephenson, president of the American Bankers' Association; Bishop James E. Freeman; ex-Senator Atlee Pomerene, Government prosecutor in the Fall-Doheny case; George Barr Baker, author, New York; Richard Washburn Child, author and diplomat; William Loeb, former Secretary to President Roosevelt; John R. Commons, economist; Dr. William Lowe Bryan, president of Indiana University; Dr. W. B. Bizzell, president of Oklahoma University; Dr. Robert J. Aley, president of Butler University; Dr. L. N. Hines, president of the Indiana Teachers' College; Dr. W. O. Thompson, president emeritus of Ohio State University; William C. Denning, president of the United States Civil Service Commission; Mrs. Thomas R. Marshall, widow of Vice President Marshall; Robert P. Lamont, Secretary of Commerce; Hon. ALBERT H. VESTAL, majority whip of the House; Senator JAMES E. WATSON, majority leader of the Senate; ex-United States Senator Thomas F. Bayard, Delaware; ex-United States Senator James A. Reed, Missouri; W. H. Arnett, managing director Indiana State Chamber of Commerce; ex-United States Senator John K. Shields, Tennessee; Henry Lane Wilson, of Indianapolis, former ambassador to Mexico; Daniel Willard, president Baltimore & Ohio Railroad; United States Senator C. C. DILL; United States Senator LEE OVERMAN, North Carolina; Representative HENRY ST. GEORGE TUCKER, Virginia; Representative JAMES W. DUNBAR, Indiana; Representative CHARLES M. STEDMAN, North Carolina, oldest Member of Congress; Representative JAMES M. BECK, former Solicitor General of the United States; P. J. Quealy, president Kemmerer Coal Co., Frontier, Wyo.; George B. Cortelyou, of New York, former chairman of the Republican National Committee, who was President Roosevelt's Secretary and held two Cabinet offices under that President; Will H. Hays, former Republican National chairman and former Postmaster General; Charles D. Hilles, former Republican National chairman; Clem Shaver, former Democratic National chairman; Elza O. Rogers, Republican State chairman, Indiana; L. C. Hinkle, Republican State chairman, Wyoming; H. S. Corbett, Republican national committeeman, Arizona; Mrs. Frederick C. Redfern, Republican national committeewoman, South Carolina; Newton H. Fairbanks, former Republican State chairman, Ohio, and brother of the late Vice President Fairbanks; Charles R. Frederickson, former Republican State chairman, Ohio; Noble H. Getchell, Republican State chairman, Nevada; Representative JOHN MCDUFFIE, minority whip of the House; Elizabeth R. Menefee, Democratic national committeewoman, Maryland; Thomas Annear, chairman Democratic State committee, Colorado; Mrs. M. M. Caldwell, Republican national committeewoman, Virginia; former Representative Richard Barthoidt, Missouri; Representative SCOTT LEAVITT, Wyoming; William Allen White, editor, Kansas; C. M. Looney, Casper, Wyo.; Scott Bullitt, attorney and political leader, Seattle; Representative FRANK MURPHY, Ohio; Representative HAROLD KNUTSON, Minnesota; Ralph W. Emerson, editor of Lawrence (Mass.) Telegram; George B. Young, Montpelier, Vt.; M. S. Sherman, editor of Hartford Courant; Theodore S. Garnett, Norfolk, Va.; K. E. Merren, Shreveport, La.; Delph E. Carpenter, attorney, Greeley, Colo.; former Representative Martin L. Davey, Ohio; Representative ELLIOTT W. SPROUL, Illinois; W. E. Zoebel, secretary to George Wingfield, Nevada, Republican national committeeman; William T. Hammock, State tax commission, Arkansas; Mrs. C. Fuller Winters, national president of American Federation of Industrial Women; Representative CLARENCE CANNON, Missouri; Charles Henry Butler, lawyer, Washington, D. C.; Albert Stump, lawyer, Indianapolis; United States Senator FRANK L. GREENE, Vermont; John T. Beasley, lawyer, Terre Hause, Ind.; former Representative Henry A. Barnhart, Indiana; United States Senator WILLIAM H. KING, Utah; Stone Deavours, Democratic national committeeman, Mississippi; Hugh Huntington, lawyer, Columbus, Ohio; Gaylord Lee Clark, lawyer, Baltimore; United States Senator CHARLES W. WATERMAN, Colorado; S. E. Thomason, publisher, Chicago Daily Times; Mrs. PEARL P. OLDFIELD, Congresswoman from Arkansas; former Representative Ben. C. Hilliard, Colorado; and many others.

JUDGES OF HIGH COURTS

Other letters of similar character are from the following judges of the highest State courts: Edward N. Smith, supreme judge, New York; John Ford, supreme judge, New York; William S. Kenyon, United States judge and member of the National Commission on Law Observance and Enforcement; J. A. Sanders, supreme judge, Nevada; Grafton Green, supreme judge, Tennessee; Edwin Robert Walker, chancellor of New Jersey; John L. Rand, supreme judge, Oregon; Finis J. Garrett, judge of Court of Customs Appeals, Washington, D. C.; Daniel V. McNamee, supreme judge, New York; Joseph Morschauser, supreme judge, New York; Leon C. Rhodes, supreme judge New York; Almon W. Lytle, supreme judge, New York; Samuel J. Harris, supreme judge, New York; Robert R. Prentis, chief justice of Virginia Court of Appeals; John A. Hatcher, judge of supreme court of appeals, West Virginia; James F. Minturn, supreme judge, New Jersey; Edward R. Finch, supreme judge, New York; Harley N. Crosby, supreme judge, New York; Walter P. Stacy, chief justice, North Carolina; William M. Farmer, supreme judge, Illinois.

GOVERNORS ARE AROUSED

In addition to the above I have heard from the following governors and ex-governors of States, practically all of whom urge passage of my resolution and express the keenest solicitude over the encroachment of Federal authority and the vanishing rights of the States: Gov. Franklin D. Roosevelt, New York; Gov. John S. Fisher, Pennsylvania; Gov. Theodore Christianson, Minnesota; Gov. Arthur J. Weaver, Nebraska; Gov. Roland H. Hartley, Washington; Gov. George H. Dern, Utah; Gov. Fred W. Green, Michigan; J. H. White, secretary to Gov. F. B. Balzar, Nevada; Gov. Frank C. Emerson, Wyoming; Gov. Doyle E. Carlton, Florida; Gov. William G. Conley, West Virginia; Gov. John Hammill, Iowa; Gov. Walter J. Kohler, Wisconsin; Gov. R. C. Dillon, New Mexico; L. C. Chasey, secretary to Gov. Harry G. Leslie, Indiana; ex-Gov. James P. Goodrich, Indiana; ex-Gov. William J. Fields, Kentucky; ex-Gov. A. O. Stanley, Kentucky; ex-Gov. Vic Donahey, Ohio; ex-Gov. Harry F. Byrd, Virginia; ex-Gov. HIRAM BINGHAM, Connecticut; ex-Gov. PETER NORBECK, South Dakota; ex-Gov. ARTHUR CAPPER, Kansas; ex-Gov. Edward C. Stokes, New Jersey.

EVILS FLOURISH IN DARKNESS

Having introduced some of the witnesses I shall present my closing argument to the congressional jury, hoping that I may have the special attention of the members of the Committee on Rules and that they may become convinced after due consideration that they should grant a favorable report on my resolution. What is the resolution intended to accomplish? The mightiest force in America is public opinion. The greatest corrective agency in America is public opinion. If the creation of this commission were to accomplish nothing else it would focus public opinion on this most dangerous tendency in our national life. It would cause the evils of centralization of power to be discussed in the press and by word of mouth in every nook and corner of America and that would be a good and salutary thing for the country. We have only to note the widespread attention given to reports of the Crime Commission and other commissions to realize the effectiveness of this form of inquiry in reaching the public. Social and governmental evils flourish in darkness. They wither and perish in the white light of publicity. So the adoption of the resolution would be worth while if quo vadis were its only purpose; if it only caused the nation to "Stop, look and listen" and to check up on history in the making. But it will do more than that. I have faith to believe that from the nine members of the commission, three Representatives to be chosen by the Speaker, three Senators to be chosen by the Vice President and three outstanding lawyers to be chosen by the President from the American Bar Association, we may expect definite recommendations as to a distribution of Federal and State activities that will chart a reasonable course back to safer ground. Anyhow, it is worth while to try. No harm can be done. The outcome, whether it be great or small, will be good.

I do not think I need try to prove that centralization has already gone so far in this country that it constitutes a menace to freedom. It is not necessary here to rehearse the many

expansions of bureaucratic power or to recall the multiplicity of commissions or how the independent establishments have increased until they now outnumber the Cabinet portfolios four to one.

It is not necessary to refer to the far-reaching guardianship which Federal paternalism is now assuming over the individual, leading him gently by the hand while it teaches him how to do everything from running a railroad to putting the swaddling clothes on a baby, and if this fatherly care continues and develops in the direction it is going we may soon expect to be told how to twist the tail of a mule to superinduce the maximum locomotion.

ENTERING WEDGE OF TYRANNY

All of us are familiar with these developments. In the sweep of centuries it always happens that bureaucracy is the entering wedge of tyranny. Such a Federal paternalism as we now have rests pleasantly on the people until the screws begin to turn. To-day we are under a benevolent dictatorship. All of these bureaus tickle the people. The sensation is pleasant. Most of them ingratiate themselves by offering "something for nothing." But suppose that bureaucracy, once completely intrenched and under control of a despot, whether he bear the name of President or what not, should change its tactics and instead of being the fountainhead of all of this agreeable feeling, it should become domineering; suppose it should cease to pass out largess and should issue orders; suppose it should substitute for the pleasing potion which so many now seem to enjoy the mailed fist—what then? A despot with his hands on all of this power, having only to touch a bureau to enrich his favorites beyond the dreams of avarice or to punish his enemies beyond the pale of hope, would soon have a grip on government that could not be shaken off.

God grant us vision to see that we are building up here an enormous machine of such potential power that sometime when a despot emerges from the shadows and grabs it to stifle liberty it will be too late for any man or group of men, or for all of our millions of men and women, to offer effective resistance. God grant us vision to see that by breaking down the State and local units and concentrating power in Washington we are sowing the seeds of despotism in this Republic, and grant us the courage to chart a new course before it is everlastingly too late. Suppose our benevolent dictatorship should change overnight into a malevolent one. Then, instead of offering the citizen friendly advice, it would tell him what he can do and how he can do it, and what he can not do, and he will have no choice but to toe the mark. Whether we like to believe it or not, bureaucracy is making conditions in this country right for the approach of some Mussolini, whose other name is tyranny.

RESOLUTION IS FUNDAMENTAL

This resolution goes to the very fundamentals of our national well-being. How any Democrat, steeped in the philosophy of Thomas Jefferson, can oppose it I do not know, for centralization is overriding all local self-government and building a steel cage around the individual, whose freedom to work out his own destiny was the first concern of the sage of Monticello. How any Republican, committed to the protection of industry and the rights of property, can oppose it I do not know, for bureaucracy is putting innumerable fetters on business which, after a while, will begin to bind and hurt. The time is coming when the business interests of this country will wish they had looked after the preservation of their freedom when they had freedom. A soft-gloved dictatorship, with its army of inspectors and agents, is now close to them. When it ceases to be beneficent and becomes malevolent it will be too close for comfort. Even now the Washington dictatorship is often domineering and ridiculously exacting on business. Every day brings to us evidence of that fact. At this moment an Indiana company wishes to manufacture a perfectly wholesome and nutritious food product and to sell it at prices that will bring it within reach of the poor, but it is not permitted to do so—at least it can not safely go ahead—until authorized by the ukase of a Washington bureau. So far the ukase has not been forthcoming. That is one instance out of many. To the business people of the country I would say that when this bureaucracy begins to bear down upon you; when you begin to get orders to conduct yourselves thus and so; when you find that your old time freedom of action is interfered with, and perhaps gone forever, then the scales will fall from your eyes.

The only vocal opposition to my resolution comes from persons who freely admit that Federal bureaucracy has become a great menace, touching nearly every phase of life, but who contend lugubriously that it has progressed so far and has become so thoroughly intrenched that "nothing can be done about it."

I marvel that men and women with red blood in their veins will entertain for a moment such a pusillanimous thought. Shall we make the shameful confession that after our forefathers bled and died to give us a perfect government we do not have the brains, the stamina, and the determination to pass it on to posterity unimpaired? Such an admission stamps us as weaklings and unworthy of our heritage. Oh, for another Patrick Henry with manhood and moral courage enough in these ominous days of the Republic to arise and thrill us to action with a new clarion call: "Shall we lie supinely on our backs, hugging the delusive phantom of paternalism until it binds us, hand and foot?"

MUST PROTECT THE CHILDREN

Our forefathers founded a great nation on principles of freedom and equality and gave it to us as a heritage. If we in our time are not wise enough and brave enough and clear-sighted enough to correct the evil tendencies which are threatening the Government we inherited we are failing tragically in our duty to America.

For we can not—we must not—forget the children of the future. [Applause.] We are the guardians of posterity. We hold in our protecting arms the children of countless generations yet unborn. We must see that their birthright is not forfeited before they are started on life's journey; we must see that they shall have their chance to grow into the larger life; that their God-given right to reach the full stature of useful manhood and womanhood shall not be shackled by chains of bureaucratic despotism forged before our very eyes while we sit idly and inanely by, lulled to inaction by the lethal assumption that "nothing can be done about it."

When I think of America I like to think of a family of 120,000,000 souls, a circle of equality, at whose table is always spread a feast of love and whosoever will may come. The beauty of this philosophy is that it fosters comradeship. It makes brothers of you and me, and all of us. It binds men one to another with hoops of steel. It recognizes the eternal truth that a hickory shirt or calico dress may cover a heart as pure and true as any that beats beneath purple and fine linen; [applause] that virtue dwells as often in humble cottages and by-ways as in palaces. I do not want to have anything in the way of comforts, of liberties, of opportunities to live in happiness and to love and be loved that is not vouchsafed to the other members of the great family.

THE PEAK OF LIFE

This was the ideal of Washington and Jefferson; it is the vision of government that touches the highest peak of human history; the vision that was caught and put on canvas in the Constitution of the United States. It is because I see the safeguards of the individual, the family, the home and the local community slipping away that I am genuinely concerned for the future of the Nation. [Applause.]

In all probability my tour of public service will be brief, but whether my tenure be short or long my highest hopes of service to my fellow men are in this resolution. My memory hardly reaches back to the time when I have not longed to be in a position to do a part, however humble, in this distinguished forum to check the trend of bureaucracy. It was the impelling motive that induced me to become a candidate for Congress. If I can be even a very small factor in bringing America back to constitutional government I will consider it the greatest thing I can possibly do on this earth, and I am grateful for this opportunity to address the House and to present to the Congress and the country these matters which have long been on my mind and on my heart. [Applause.]

Nothing less than a book would hold all of the letters I have received. From among the hundreds of communications I have culled the following:

ORANGE, N. J., *February 14, 1939.*

Hon. LOUIS LUDLOW,

House of Representatives, Washington, D. C.

MY DEAR SIR: Your letter of January 17 and its inclosure were forwarded to Mr. Edison, who is at the present time in Florida.

He requests me to say in his behalf that he is very much in favor of the resolution creating a commission on centralization, which you have introduced in the House of Representatives, and hopes that it will be passed.

Mr. Edison further desires me to say that in his opinion we need information on this subject, and it will be worth far more than it will cost.

Yours very truly,

WILLIAM H. MEADOWCROFT,
Assistant to Mr. Edison.

15 BROAD STREET,
New York, January 25, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I have your letter of the 17th and have read with interest your article in the Times of January 12. With all that you have to say on centralization in government I am in the heartiest accord. I would therefore be glad to see your resolution passed. The chief value of such a commission, I think, would be to focus public opinion on the question. Perhaps it would be too much to hope that the commission itself could sweep back the tide.

Believe me, with kindest regards, sincerely yours,

JOHN W. DAVIS.

THE REPUBLICAN NATIONAL COMMITTEE,
120 William St., New York City, January 29, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: Undoubtedly the Government has departed from the concept of the founding fathers, and it would undoubtedly be of great benefit to the country if men who are altogether patriotic and wise could call a halt, or persuade the Government to retrace its steps, or chart a new course. Those are the three possibilities and a thorough study of the points of departure from the original plan of government, together with a convincing statement of the problem, would be of value to the country.

Sincerely yours,

CHARLES D. HILLES.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 20, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR LUDLOW: I received your letter of January 17, with which you inclosed copy of your bill, the purpose of which is to create a commission to study and prepare some plan to relieve our Government from the further encroachment of bureaucracy.

I wish to say that I am in hearty sympathy with your scheme and will be very glad indeed to do anything that I can to help it along. If something is not done soon the form of Government proposed by the fathers and provided for under our Constitution will be a thing of the past and we should bestir ourselves to relieve the canker that is now sucking the life out of our body politic—the bureau and the commission.

With very great respect, I am, yours truly,

WILL R. WOOD.

JANUARY 22, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. LUDLOW: You know where I stand on the question of State rights. I indorse your resolution, and I am glad to know that some younger men like yourself are working on that principle, which is to be the salvation of our country.

With best wishes, I am, sincerely yours,

H. S. G. TUCKER.

JANUARY 22, 1930.

Hon. LOUIS LUDLOW,
House of Representatives.

MY DEAR MR. LUDLOW: I have your letter of the 17th inclosing copy of your resolution creating a commission of centralization.

Of course we all deplore the increase in the centralization of government. There are a number of things that can better be done by the Government than by the States but we ought not encroach upon the things that the States can do for themselves.

I see no reason why your resolution should not be reported and passed.

Sincerely yours,

A. H. VESTAL.

COLUMBUS, OHIO, *January 25, 1930.*

Hon. LOUIS LUDLOW,
Member of Congress of the United States,
House of Representatives, Washington, D. C.

MY DEAR LUDLOW: I feel sure that a nonpartisan investigation on this important subject would be splendid; and if such attempt is made, from my experience as auditor of state and governor, I might have some suggestion to offer. The proper principles of home rule are being more and more encroached upon—result, concentrated government all along the line. No honest man need fear the result of your resolution.

With kindest personal regards and best wishes, I am,

Very truly yours,

VIC DONAHEY.

130 EAST FIFTEENTH STREET,
New York, February 3, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: The subject of decentralization is one which deserves the serious consideration of all thoughtful citizens, and you are rendering a patriotic service in bringing it forward at this time—although I naturally recoil from the idea of setting up another commission, for any purpose. However, no harm can result from throwing the whole matter open to public discussion, and much good may come from a thorough and impartial inquiry which would show how far the constitutional balance has been upset by the gradual encroachment of the Federal Government upon State and local governments, and which would point out how the balance may be restored while still preserving to the central government the power to deal adequately with questions of national import which arise under present-day conditions. Such an undertaking would, as you suggest, call for the best brains and ability the country possesses.

With kind personal regards and best wishes, believe me,

Sincerely yours.

GEORGE B. CORTELYOU.

MARCH 3, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. LUDLOW: I think you are doing an excellent thing in undertaking to investigate the steady centralization of Government, the multiplication of bureaus, and the continuing enlargement of bureaucracy. An inquiry such as you suggest would direct public attention in a striking way to the steady absorption of a local authority by Federal power and the numerous proposals which demand its expansion. I hope such an inquiry as you suggest may be made.

Very truly yours,

JAMES A. EMERY,
General Counsel of National Association of Manufacturers.

SOUTH BEND, IND., *January 27, 1930.*

Hon. LOUIS LUDLOW,
Congressional Office Building, Washington, D. C.

MY DEAR FRIEND: I quite agree with you that the position you have taken is right and that something should be done to put a stop to the bureaucratic power that has been for a number of years developing in Washington.

The adoption of this resolution would be a recognition of the tendency that has been apparent and it would crystallize the thought that the centralization scheme should cease.

Wishing you success in connection therewith and with kindest regards.

Sincerely yours,

R. C. STEPHENSON,
President of American Bankers' Association.

ROOM 2556, 120 BROADWAY,
New York, January 27, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. LUDLOW: I have read with the greatest interest your letter and the resolution which you introduced in the House of Representatives, providing for a commission to consider the question of the centralization of our governmental powers to the detriment of the State and local governments.

I am quite in favor of the study being made, if for no other reason than to explain why we all, regardless of party, protest so much against the growing encroachment of Federal authority, and yet notwithstanding the protest the trend toward centralization still goes rapidly forward. I take it that this results from the fact that we talk about the juridical and historical relations between the Federal and the State Governments, but we act on the unescapable fact that in many fields there has been such an economic integration and interdependence established as to require laws coincident in area of operation with the forces to be governed. Having this in mind, I venture to criticize the specifications for the selection of your commission.

There are three factors involved—the political, the juridical, and the economic and social. As I read your resolution, you have provided for representation of only two of these three factors—indeed, I am not sure that you have not omitted in your representation the most important one. We can not escape the fact that, as to certain of our economic and social activities, the United States has become one community. Other activities, both economic and social, are still divided. Some can be dealt with by State governments, others by local governments. It is the tendency of the Federal Government to reach into these latter fields. That is to be deplored.

A study by a commission should develop reasonable definition of (a) the juridical and historical fields of action of the Federal and State

Governments, (b) the field of necessary extension of the Federal Government because of economic integration, and (c) the field of encroachment by the Federal Government on local affairs.

It goes without saying, I think, that every law which encroaches on the juridical and historical division of powers, should bear the burden of justifying itself by overwhelming necessity.

Very truly yours,

OWEN D. YOUNG.

1501 EAST THIRTY-EIGHTH STREET,
Indianapolis, Ind., February 13, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I beg to acknowledge the receipt of your letter of January 17, with which is inclosed a copy of a joint resolution introduced by you creating a commission on centralization.

Without attempting to enter into a serious discussion of your resolution, a task which is beyond my strength, I do not hesitate to say that I unreservedly approve of the resolution introduced by you and that I am in entire sympathy with the position which you have taken.

I believe the alarming growth of bureaucracy of recent years is, in a very large measure, the result of our participating in the World War. The war ended but bureaucracy and centralization continued. We probably have more efficient government, but it is at the expense of some American ideals and principles under which we lived happily for a century and a half.

Very sincerely,

HENRY LANE WILSON
(Former Ambassador).

BISHOP'S HOUSE, WASHINGTON CATHEDRAL,
MOUNT SAINT ALBAN,
Washington, D. C., March 12, 1930.

Hon. LOUIS LUDLOW,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I confess I am not enough of a statesman to add to your own judgment with reference to your resolution. Of course, all thoughtful Americans would agree with you that "in the submerging of local self-government and the vanishing rights of the States there is a danger signal that should not longer be disregarded." It is certainly a time when we should look to the footings whereon our Government is builded, and a good text for us is, "Look unto the rock whence ye are hewn."

Very sincerely yours,

JAS. E. FREEMAN,
Bishop of Washington.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., February 6, 1930.

Hon. LOUIS LUDLOW, M. C.,
House of Representatives.

DEAR MR. LUDLOW: Knowing your faith in the ripe judgment of Dr. John T. Doyle, secretary of the commission, and appreciating, myself, the value of his experience in passing on proposed legislation, I discussed your bill at some length with him. We both reached the same general conclusion.

Such a commission as you propose would seem desirable in order to learn the facts and obtain an authoritative expression upon the tendency to look to the Federal Government to undertake new projects, rather than to the local governments immediately concerned. The causes and extent of the growth of centralization should be ascertained and remedies considered where needed.

Our rapidly changing civilization suggests that the day when communities were largely self-sufficient is passing. The facilities for transportation and communication have broken down the barriers of isolation, and many questions, from being those of a neighborhood, have become national in character and require to be dealt with by national rather than local agencies. It is not merely a tendency toward standardization but toward the regulation of activities which have become interstate or nation-wide.

Some illustrations may make this clear. The reasons for the adoption of the Constitution instead of a confederation are far stronger to-day than in the days of the stage coach. It is vastly more efficient and economical to deal with problems of agriculture, labor, foreign commerce, narcotics, food adulteration, lighthouses, life-saving, mines, forests, and roads through Federal departments than it is to leave them to the several States, other conditions being equal. The same tendency is observable in industries which have become national in scope. The Federal departments in many instances cooperate with the State agencies and, while not usurping the local function, extend the benefit of research and unifying aid.

The proposed commission would not only be of value in restraining Federal activities from encroaching upon the proper province of local government, but also in deprecating governmental undertakings which are susceptible of being conducted by private enterprise or by the States. When it comes, however, to a railroad or telegraph system in Alaska, a reclamation project, the improvement of rivers and harbors, the Isthmian Canal, or the public health, there alone it is feasible to invoke Federal control.

I would suggest what I believe to be the chief reason for this tendency toward extended Federal activity. It was not until the adoption of the merit system in 1883, under the civil service law, that centralization arose. Under the spoils system there was little development of science and research in the Federal departments. The Government work was mainly clerical. With the merit system there came a vast growth of scientific and technical work in the Department of Agriculture and the establishment of new departments such as Labor and Commerce, the Bureau of Standards, and many commissions. This development of Federal scientific and technical activities was only rendered possible by the appointment of a trained force whose qualifications had been tested by competitive methods. Vigor, efficiency, and expert qualifications thus introduced into Federal work led to its rapid expansion through public appreciation. The Federal Government has become a government by experts instead of a government by mediocrity.

States and cities, however, which did not generally adopt an effective merit system, continued to languish in their public work. The public did not look to institutions which were under spoils influences for progress in activities requiring technical and scientific training, but turned instead to the Federal Government which was acquiring a reputation for vast and difficult accomplishments.

The remedy is plain. The drift is inevitable toward agencies which have an efficient and expert personnel. Until States and cities remedy abuses in their civil service and adopt the merit system, the people will be reluctant to commit to them technical functions which can only be adequately performed by a force selected upon an impersonal basis under a merit system of appointment. When a thing is to be done, the public looks less to the logical local agency than to the highly efficient Federal agency which can be depended upon for results. The tide can only be reversed when the local agencies are made equally efficient with the Federal agencies.

The only suggestions that I have to offer are (1) that inasmuch as the Civil Service Commission is in touch with the entire Federal service it may be desirable to have one of its members represented, and (2) that the commission you propose is rather a commission on decentralization and might more appropriately be so designated.

Sincerely yours,

WILLIAM C. DEMING, *President.*

THE BUCKINGHAM,
101 WEST FIFTY-SEVENTH STREET,
New York, February 26, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR SIR: I have your kind letter of the 19th with the inclosed resolution. I am in full agreement with the general purposes of this resolution. For some years I have constantly and consistently maintained that centralization of functions belonging to the local community or States in the Federal Government would: (a) kill the sense of obligation of self-government in the localities; (b) impose upon the people the meddling and expense-burden of such bureaucracies as have afflicted European nations.

Very truly yours,

RICHARD WASHBURN CHILD.

THE ATLANTIC MONTHLY,
March 12, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I am in full sympathy with your belief in the importance of curbing the ever continuing encroachments of the Federal Government on the implied powers of the States, but I am doubtful whether a commission such as you suggest would be really effective apart from the publicity which it should receive. Constant publicity is indeed needed, and if this helps toward that desirable end I should urge you to go forward. I should suppose, however, that nothing much would be accomplished until some association is formed which really meant business, and following every item of legislation, should show its teeth whenever Federal usurpation became rampant. Of course, the trouble with associations is that their efficiency usually depends upon their paid secretary, who allows his job gradually to become a sinecure. But I believe there are tens of thousands of citizens in this country who would like to assist in some effectual barrier to the steady process which is robbing us of our American initiative.

Yours sincerely,

ELLERY SEDGWICK.

42 BROADWAY,
New York, February 5, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I am earnestly in favor of carefully studied efforts against the trend toward centralized power in Washington, and shall welcome a determined move toward decentralization. Sound Democratic progress demands return to State rights and State responsibilities.

Sincerely yours,

GEO. BARR BAKER.

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120 BROADWAY,
New York, February 27, 1930.

Hon. LOUIS LUDLOW,
House Office Building, Washington, D. C.

DEAR MR. LUDLOW: Referring to your letter of the 19th inst., with accompanying form of resolution: I have no hesitation in saying that I think well of the suggestion that a commission be appointed to study this question, which has become quite urgent, and to furnish suggestions.

Very truly yours,

SAMUEL UNTERMYER.

DEARBORN, MICH., *March 7, 1930.*

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: Mr. Ford is at present traveling, but I am at liberty to say that your analysis of the present national condition with regard to bureaucratic growth and diminution of local self-government, as contained in the first paragraph of your recent letter agrees with his own views. Any action that would focus competent minds upon the trend away from fundamental American principles would, I am sure, be cordially approved everywhere.

Very truly yours,

W. J. CAMERON,
Ford Motor Co.

GOVERNORS OF STATES

Letters from governors of States voicing apprehension over the decay of State and local governments and the swelling tide of centralization follow:

Gov. Franklin D. Roosevelt, New York:

There is no question that people throughout the United States are taking more of an interest in the basic question of too much centralization of government.

Gov. John S. Fisher, Pennsylvania:

This is a subject which has given me great concern for a number of years. I believe we are losing consciousness of the constitutional division of powers between the States and the Federal Government. As a remedy, I have repeatedly urged upon State authorities a keener sense of responsibility for the execution of the reserve powers which are lodged in them. The faults are not all on one side. When the people are aroused to the need of some reform, they are not likely to think much about the agency through which it is accomplished. They demand results. I hope your agitation will bring about a more intelligent comprehension of the allocation of State and Federal powers and the responsibilities that attach to each. If this happens, there will be a mutual regard and forbearance which will be for the health of the Nation.

Gov. Theodore Christianson, Minnesota:

Because of my own feeling of alarm at the growth of bureaucracy and centralized government, I am especially interested in your efforts.

Gov. Arthur J. Weaver, Nebraska:

Your resolution is not only sound but timely. I hope that it will be favorably considered by Congress and the report under its provisions by capable men will blaze a new path in the future.

Gov. Roland H. Hartley, Washington:

Am glad that you are not afraid to take up the fight against the present seemingly popular drive for centralizing of all governmental functions at the National Capitol, Washington, D. C. It is one of the glaring menaces of the day. Any service I may be able to render you in your endeavors will be cheerfully given.

Gov. George H. Dern, Utah:

I am in sympathy with the point of view expressed in that resolution and think it would be a fine move to have a competent body make a thorough study of this situation.

Gov. Fred W. Green, Michigan:

I might explain I am whole-heartedly in sympathy with decentralization.

J. H. White, secretary to Gov. B. F. Balzar, Nevada:

I am requested to say that the governor is heartily in accord with the ideas expressed in your letter and hopes that you will be successful in having the commission created, and that the information gathered thereby may be so informative that immediate steps may be taken to rectify the present highly undesirable existing conditions.

Gov. Frank C. Emerson, Wyoming:

This subject matter is of much interest to us, and we can concur in most of the expressions contained in your letter. There is real danger in the continuing tendency to centralize authority at Washington and to make the many bureaus ever more powerful. Any reasonable effort to uphold the proper and fundamental rights of the individual States is to be commended.

Gov. Doyle E. Carlton, Florida:

You have hit upon a very important issue and one which is vital to representative government. We are not only becoming overgoverned but governed at too great a distance away.

Gov. William G. Conley, West Virginia:

I am opposed to the Federal Government encroaching upon the rights of the States as is the practice now, and has been for years past.

Gov. John Hammill, Iowa:

There is no question but what there is a tendency to transfer to the Government too much of the activities that should be cared for by the individual, and the tendency to shift responsibilities to the National Government is just another tendency along that line.

Gov. Walter J. Kohler, Wisconsin:

You have suggested a very interesting field of study. It is a very broad field, however, and a committee undertaking an investigation would have a large program to carry out.

Gov. R. C. Dillon, New Mexico:

I heartily agree with you in your opinion on this subject. If this domination of the entire Nation by the Federal Government is not checked we will no longer be a free, sovereign people with the privileges of self-government. If there is anything I can do to aid you in this laudable enterprise, please advise me.

L. O. Chasey, secretary to Gov. Harry G. Leslie, Indiana:

Governor Leslie directs me to advise you that after having read your proposed resolution he can not see any harm in a move which tends to enlighten the public and correct mistakes in government.

Ex-Gov. James P. Goodrich, Indiana:

Every thoughtful person has viewed with much concern the continued centralization of government and enormous strides made in the development of an unwieldy bureaucracy at Washington. I hope the resolution passes and something may result from it. I wish I might talk the matter over with you. Every grant of power leads to the insistant demands of the grantees for more power and the end does not seem to be in sight. If I can be of any help to you in any way, command me.

Ex-Gov. William J. Fields, Kentucky:

I am in harmony with your views and congratulate you on the step you have taken. You have opened a great avenue of thought, out of which great future good should come, and I trust that you remain in Congress long enough to help perfect the reorganization that your resolution should ultimately bring.

Ex-Gov. A. O. Stanley, Kentucky:

Your resolution is admirably calculated to bring this pernicious tendency toward centralization of power to the attention of Congress and of the people.

To me, a distant and centralized authority exercising through a multiplicity of bureaus, powers formerly vested in the States or in local communities such as counties and townships, if not a form of despotism, is so closely akin to it that the difference is not worth mentioning.

The injustice from the vesting of such powers in the individual is often tempered by the wisdom or goodness of the ruler, in which event you have what is badly termed a benevolent despotism. A bureaucracy to be benevolent would have to be composed of men void of courage or guile and such a bureaucracy is yet to be created.

I wish you every success in your laudable endeavor to restore to the American people a measure of local self-government.

Ex-Gov. Harry F. Byrd, Virginia:

I am very deeply interested in your letters and your efforts to avoid the concentration of power in the bureaus at Washington. I would be glad to receive all the information you have about this, and will cooperate with you in any way I can.

Ex-Gov. HIRAM BINGHAM, Connecticut:

I was very much interested in your letter and in the accompanying resolution (H. J. Res. 298), creating a commission on centralization. I noted also, with my hearty approval, your recent remarks as printed in the RECORD on this subject. Ever since coming to the Senate I have consistently opposed the further centralization of authority in the National Government in lines of activity which I believe should be handled by the States themselves without Federal interference, and I welcome any movement toward legislation intended to curb this dangerous tendency. Thank you for bringing this resolution to my attention.

Ex-Gov. PETER NORBECK, South Dakota:

With you I deplore the tendency toward development of centralized and bureaucratic power in Washington. I share your views—it is not a party matter. The party in power, whether it be Republican or Democrat, generally encourages it, while the others deplore it. I feel the situation is complicated by the fact that the public have begun to look to Congress instead of the States for legislation.

Ex-Gov. ARTHUR CAPPER, Kansas:

I believe there is considerable merit in your suggestion, but I would like to give the matter additional study and possibly hear some debate on the resolution before committing myself.

Ex-Gov. Edward C. Stokes, New Jersey:

You have touched a most vital spot in the tendency of American public life and in my judgment a very serious tendency. We are certainly departing widely from the pathway of our fathers who were jealous of their local powers and personal liberties.

Letters from outstanding judges follow:

William S. Kenyon, United States judge and member of the National Commission on Law Observance and Enforcement:

You are sounding a note that must challenge much attention.

JUDGES OF STATES

John Ford, supreme judge of New York:

I sincerely hope your resolution will be passed. The fact is that this is an altogether different country from the one for which the framers of the Constitution were providing a system of government. We have far outgrown the garments which they provided for an infant nation. We have grown in population, in number of States, in wealth, in magnitude and diversity of industry, in the transportation and communication facilities and in countless other incidents of national life, in short, to such magnitude and intricacy of social and business relations as were far beyond the dreams of the founders of the Republic. The pigmy has become a giant. Our old garments have been let out at the seams and patched up and pieced out until they suggest the disarray of the scarecrow rather than the dignified and well-tailored garments befitting the greatest Nation on earth.

My view is that there has been too much centralization in some directions, as for example the interference of the Federal courts in the regulation of local public utilities and with the efforts of labor to better its condition; there has not been enough Federal regulation in other directions, as in respect of child labor and marriage and divorce.

In my opinion a most threatening danger to the integrity of our democratic institutions is the power exercised by the Federal courts to nullify the laws made by the Congress and the President in accordance with the provisions of the Constitution.

The old struggle between property and manhood which marked the earliest years of the Nation still persists. Of all departments of Government the big interests are most concerned in keeping the judiciary "safe." For the most part they have kept it safe for themselves, but dangerous to the interests of the masses.

If we must have a power in the land above the Congress and the President, let it be one in some way responsible to the people whose welfare rests to such large degree in their hands. I am sure this problem can be worked out in a sane and practical way which will be in accord with democratic principles.

J. A. Sanders, supreme judge of Nevada:

I must say that your resolution expresses a very popular chord and I trust you will be successful in obtaining a unanimous adoption of the resolution.

Grafton Green, supreme judge, Tennessee:

I am in sympathy with your ideas and think it most likely that a commission, such as you contemplate, may be able to make some worthwhile suggestions. This movement will no doubt have the support of the bar generally.

The people have become so accustomed, however, to looking to the Federal Government for aid in every difficulty that it seems to me much educational work will have to be done. I should be glad to cooperate with you in any way possible.

Edwin Robert Walker, chancellor of New Jersey:

Pray permit me to say that I am in accord with the sentiments expressed in the resolution and believe that State rights should be vigorously asserted.

John L. Rand, supreme judge, Oregon:

Like you, I believe the Federal Government is becoming too much centralized and is usurping the power of the States. I hope some way will be found to check this tendency.

Finis J. Garrett, judge of Court of Customs Appeals, Washington, D. C.:

I certainly feel that you are very properly alarmed over the bureaucratic tendency of the period and I sympathize with the views which you express.

Daniel V. McNamee, supreme judge, New York:

I am very glad to give my endorsement to any intelligent and restrained activity in the direction in which your resolution faces. For a long time I have been convinced of this unhappy trend toward centralized power in Washington.

This trend can not continue without destroying the theory upon which our Government began and for a long time continued its course. In my judgment a continuation can bring only evil results.

Joseph Morschauser, supreme judge, New York:

I join with you in your efforts and heartily approve of the course you are pursuing. I trust you will succeed. Unless something is done in this respect, the various State governments may as well cease to exist. More power to you. If I can be of any further service to the cause, command me.

Leon C. Rhodes, supreme judge, New York:

I am in emphatic agreement with the proposition that the Government has become unduly centralized. One of the glaring examples has been the recent action of the Federal courts in taking over the question of telephone rates in this State and interfering with the jurisdiction of the State public service commission. I suppose the causes of centralization are so numerous and widespread that the solution of the problem is difficult. I am in entire sympathy with anything tending to correct the condition.

Almon W. Lytle, supreme judge, New York:

I believe the subject matter referred to in your letter and resolution is worthy of consideration. As the intricacies of our governmental departments necessarily extend and increase with the progress and advancement of our States and Nation, it seems almost impossible at all times for our duly and regularly authorized branches of government to examine in detail into certain perplexing questions.

I believe that great good can come at times from special examination made by commissions, particularly those commissions whose members are specially qualified for the work. In view of the fact that commissions are able and capable of doing important work, it seems to me that it is of the highest importance that the confidence of the public in such commissions be preserved.

With reference to the subject matter of the resolution, it is my belief that it makes for better government to preserve, in so far as possible, local self-government by small units. Of course, I recognize that certain activities necessarily come, at least in a general way, under Federal and State control, but it seems to me it would be a wholesome policy to avoid that when possible and consistent with good government.

Samuel J. Harris, supreme judge, New York:

The subject which you desire to have studied is one that should be of the utmost interest to those giving attention to our American institutions and our Government. I trust that you will have the good fortune and pleasure of the unanimous passage of your resolution. There certainly is no reason why the Americans should not desire from time to time to check up on history as it passes, and ascertain whether all is going well.

Robert R. Prentis, chief justice of Virginia Court of Appeals:

I am in very hearty sympathy with the motive which prompts you to introduce and press this resolution. I believe that the failure to respect the powers committed to the States, as indicated by the Constitution, will ultimately lead to disaster. I know that there is nothing new about these opinions, but I am, as you are, and as many thoughtful leaders are, much disquieted by what seems to be a persistent disregard of the sound reasons which underlie and support our dual form of government.

John A. Hatcher, judge of Supreme Court of Appeals, West Virginia:

Quo vadis should be pondered by a government just as by a person. Consequently I consider your resolution of great importance.

James F. Minturn, supreme judge, New Jersey:

I think the time is opportune for all patriotic citizens to join in a movement such as you have in mind, to bring about a revival of the faith of the Fathers.

If I can be of any assistance to you in the matter, kindly let me know, because I have the matter at heart.

Edward R. Finch, supreme judge, New York:

I shall watch the progress of the resolution with interest.

Harley N. Crosby, supreme judge, New York:

I am only one of many who feel considerably stirred up over this matter. If a commission of really big men could be appointed—men whose report would command respect—I should hope it might do some good. But I am a little discouraged. We are governed to death! I long to be a cave man. Tell my old friend DAN REED (forty-third New York dist.) that I want him to vote for your resolution.

Walter P. Stacy, chief justice, North Carolina:

Local self-government, the surest bulwark for the protection of individual rights, is the bedrock upon which the American Nation is builded. And the most competent administrations, as means to attain and to preserve this end, are the State governments, and they should be rigorously supported in all their reserved rights; while at the same time the Federal Government should be ardently defended in all of its constitutional vigor. On the line of cleavage there is a great field for debate; but there is no necessity of encroachment or friction in this dual system, so long as each (Federal and State) moves unhampered by the other, within its own prescribed sphere. And to keep each within its bounds the Constitution with the Supreme Court as its interpreter, stands guard.

William M. Farmer, supreme judge, Illinois:

Am in hearty sympathy with your resolution. If things go on the way they have been the past few years we will have no Constitution. I regret that my health is so poor that I can not take an active part in favor of your resolution, but I am for it. My health is such that I can not take on any extra duties.

PRESIDENT OF RED CROSS

John Barton Payne, president of the American Red Cross:

With the courage of a statesman, you have the optimism of a lover. Every one thinks that the trend of our Government is toward centralization, until he wants something, then he knocks at the door of Uncle Sam—States rights to the contrary notwithstanding.

When he desires to oppose something, he invokes States rights. So that States rights have become like the religion of some men, handy to have by when the occasion demands, but to be used only in emergencies.

States rights unfortunately is associated in the public mind with the Civil War. Chiefly for that reason few persons take the doctrine seriously.

I regret that I can not give you more helpful suggestions.

Ex-United States Senator Thomas F. Bayard, Delaware:

I have found your proposal very interesting. There can be no doubt that the present trend for centralization of power in the Federal Government is a matter to be dreaded by everyone who takes interest in our national and individual welfare. When I was in the Senate I voted against every form of legislation of this character and sought where I could to secure a repeal of those laws which are now on the statute books, and in some cases, but not many, met with success. Whatever you can do along this line will receive not only my hearty approval but any cooperation that I might render.

Ex-United States Senator James A. Reed, Missouri:

Unless the march toward centralization is arrested, the liberties of the American people will be greatly circumscribed. The theory of our Government for the past 25 years has been for the Federal powers to take over, by direction or indirection, those powers which originally were intrusted to the States, and which can be by the States better performed than by the Federal Government.

W. H. Arnett, managing director Indiana State Chamber of Commerce:

I think it is timely that you have thought of this matter and have offered this resolution. It is good for a state and nation for sober thought and study, as it is so easy in these rapidly moving, modern times for people to lose sight of the fundamentals.

I want to congratulate you upon your thoughtfulness in this and assure you that we of this organization believe this resolution should pass unanimously.

Ex-United States Senator John K. Shields, Tennessee:

I read the bill carefully, and I thoroughly agree with you that it is legislation badly needed. I agree with what you say in your letter in every respect. I hope you will succeed in passing the resolution. My attention was first called to these matters during the administration of President Wilson, when I first went to the Senate, and I opposed the laws creating commissions that were passed during that and subsequent administrations. So far as I now call them to mind, I believe all these commissions ought to be abolished. The Federal Water Power Commission was one of the most iniquitous among them. I was also opposed to the Federal Trade Commission, so much so that I declined a position on it when tendered by President Coolidge.

Bernard M. Baruch, New York:

Your letter found me thinking along the same line. I do not know what we can do about it, because at every session Congress passes some legislation of that kind. Americans, under the fostering care of the Federal Government, are fast losing their pioneer spirit.

Former Senator Atlee Pomerene, Government prosecutor in Fall-Doheny case:

For 50 years or more there has been a strenuous effort to centralize the government at Washington. If what has been done in that behalf had been anticipated by the fathers, the Federal Constitution would never have been ratified. Those who seek to centralize the government at Washington have little conception of our scheme of government.

Jefferson was wiser than he knew when he exerted his great powers of mind against this centralization. Thoughtful statesmen of the day realize the soundness of Jefferson's views.

President Coolidge gave a friendly warning in his great speech delivered, I believe, at William and Mary College more than a year ago. If the legislators of to-day are afraid to follow the leadership of Jefferson against centralization, let them follow President Coolidge and heed his warning against centralization.

I do not know whether your resolution will be adopted or not, and if adopted I do not know how effective the commission's investigation will be, but it will serve to educate the public, and Heaven knows, if our scheme of government is to survive, we have a host of citizens who need to be educated along constitutional lines.

Daniel Willard, president Baltimore & Ohio Railroad:

I am inclined to think that most of us may feel that there is a tendency toward too much concentration of authority in the Federal Government at Washington, but whether that tendency presents a matter requiring congressional action or not I do not know. I see no objection to an investigation of the matter as you propose, although I doubt if an investigation and report would have very much influence on the general situation.

United States Senator C. C. DILL:

I congratulate you on your foresight and your initiative in this regard. I hope your resolution will pass.

United States Senator LEE OVERMAN, North Carolina:

I shall be very glad to give your resolution my support should it come before the Senate. As I have always contended, the power that belongs to the States is being gradually and insidiously usurped by the General Government. I regard your resolution as a step in the right direction and am glad you are interesting yourself in this important matter.

SURRENDERING ALL SOVEREIGNTY

Representative JAMES W. DUNBAR, Indiana:

I am heartily in accord with the provisions of H. J. Res. 298, indorsed by yourself, the purpose of which is to create a commission on centralization to determine just how far we are wandering away from the intent of our Constitution adopted by the 13 Colonies.

It seems as if after a while, if legislation progresses as it is now going, there will be no need for a Constitution, because the centralized Government will have absorbed all of the provisions of the Constitution reserved for the States.

Every man is looking to the man higher up to enforce the laws, and in the enforcement of law and the preserving of the rights of the people they are looking to the Federal Government and are surrendering all sovereignty.

The Constitution, as originally constituted, was good enough and the most wonderful document ever written, with the exception of the Declaration of Independence, and we should be very careful that we do not divorce ourselves from it. If we continue to go on as we are now it will become but a scrap of paper.

So I hope your bill will be enacted into a law and that our Constitution will be preserved.

Representative CHARLES M. STEDMAN, North Carolina, oldest Member of Congress:

I regard the centralization of Government as the great menace of the age, and any movement looking toward the restoration of local self-government must be regarded as a patriotic effort of the highest order. May I add my wish to yours that the resolution will pass the House unanimously.

Representative JAMES M. BECK, former Solicitor General of the United States:

I read the clipping from the New York Times, which you inclosed, with very deep interest. I have often had occasion to speak on this subject and, indeed, did so when I recently spoke in Indianapolis, and I agree in principle with the views that you so forcefully suggest in the Times article.

P. J. Quealy, president Kemmerer Coal Co., Frontier, Wyo.:

Where one agrees so thoroughly with the facts stated in your resolution, and the necessity of placing the same before Congress with the least possible delay, and with the hope that it will pass unanimously, no one who has read your letter and the resolution, who is in agreement with what you so clearly and ably express, could find any language that would more clearly express his views and sympathy with the same. I hope this resolution will be reported at the earliest possible date, and that it will be passed unanimously. I believe it is one of the most important resolutions introduced in this session of Congress.

Senator JAMES E. WATSON, Republican leader of the Senate:

I am in favor of your resolution, not that I think it will do any good, or accomplish any beneficial result, but because I am in favor of calling public attention to it anyhow.

I am the direct author of the Radio Commission and of the Board of Mediation, and yet down in my heart I am an old Jeffersonian Democrat who believes in local self-government. The only reason I resorted to these two measures is that I saw no other way of governing the radio and of settling railroad disputes.

William Loeb, former Secretary to President Roosevelt:

I favor adoption of your resolution creating a commission on centralization and believe you are going at the subject in the right way.

John R. Commons, distinguished economist of the University of Wisconsin:

I am in sympathy with the commission which should study this whole question of centralization; but I am convinced that the reason why we are being forced into this centralization is on account of the decisions of the Supreme Court of the United States, which have in so many cases deprived the States of their former exclusive jurisdiction over many subjects. I should say, therefore, that a fine subject for discussion would be the centralizing tendencies of the United States Supreme Court.

PRESIDENTS OF UNIVERSITIES

Nicholas Murray Butler, president of Columbia University, New York:

If Thomas Jefferson were alive, he would be in open and active revolt against much of the legislation and administrative activity on the part of the Federal Government which has characterized the past quarter century. I do not see how relief could be obtained until the Democratic Party in the Nation, and particularly in the South, returns to the support of the political philosophy of Jefferson, which it has in recent years completely abandoned. If the Democratic Party throughout the Nation, and its representatives in public office, were standing in season and out of season for the underlying principles of the Jeffersonian political philosophy, it would not be difficult to check those excessive movements toward centralization of power at Washington which have, in recent years, had far too much support in the Republican Party for my liking.

Dr. William Lowe Bryan, president of Indiana University, Bloomington, Ind.:

I am glad to observe that the leaders of both political parties have recognized the evil of overcentralization. I trust that your resolution will be unanimously adopted.

Dr. W. B. Bizzell, president of Oklahoma University:

Local self-government as an effective exercise of political power, is certainly declining in this country. The influences that produce these tendencies are so deep rooted in the economic and political life of a people that political sentiment would probably prevent a reversal of a policy that has become so definitely incorporated in our laws and traditions. But to say the least of it, your resolution, it seems to me, deserves the most serious consideration of Congress and I shall watch results of your efforts with the greatest of interest.

Dr. Robert J. Aley, president of Butler University, Indianapolis, Ind.:

I am in hearty sympathy with the resolution which you have introduced in the House. I hope it may have a unanimous vote. I have hope that such a commission may do a piece of work of real constructive value.

Dr. L. N. Hines, president, Indiana State Teachers' College, Terre Haute, Ind.:

You are to be congratulated on introducing a resolution of this kind. I hope the resolution passes and that a lot of Washington "commissioned government" will be abolished.

W. O. Thompson, president emeritus of Ohio State University, Columbus, Ohio:

I should prefer a permanent commission or agency charged with the duties you suggest and with privileges (or duty) of occasional reports to Congress. Such a study would need to trace historically and through experience the well established results in our experiment under the Constitution. The field is very inviting as an opportunity for some real research and investigation.

S. E. Thomason, publisher Chicago Daily Times:

I am in hearty sympathy with this resolution and the purposes which have inspired it. We shall comment upon it editorially.

Mrs. Thomas R. Marshall, widow of Vice President Marshall:

You know you have taken up one of my husband's pet hobbies. I am strongly for your resolution, and only wish my husband could help you in your effort to put it through. It was one of his dreams that I hope will come true.

Representative W. W. HASTINGS, Oklahoma:

I will be glad to give your resolution my support.

Representative LINDSAY C. WARREN, North Carolina:

I am very much interested in your resolution. I hope very much that you can get it reported out of the Rules Committee.

Representative VINCENT L. PALMISANO, Maryland:

I wish to say that I agree with you in your views. Unless the local government stops participating in the Federal funds the time will come when the Federal Government will have, in one form or another, the absolute control of its local agencies. My advice is to have the local government refuse participation in Federal funds except in cases where interstate commerce may be involved.

B. A. Van Winkle, general manager Hartford City Paper Co., Hartford City, Ind.:

I realize the tremendous task that you have undertaken and am fully convinced that the only way in which any check can be put upon the multiplying of commissions and the doing away of so many, which are obviously useless, is by getting the people thoroughly aroused to the dangers of the commission form of government, centralized in Washington. I doubt if anyone who is not engaged in some line of manufacturing business can fully appreciate the annoyances and pestering questionnaires with which we are flooded from some commission or other in Washington. I wish you abundant success in your undertaking.

John W. McCardle, chairman Public Service Commission of Indiana:

I congratulate you for the splendid explanation of what is going on in Washington as a result of centralization. I believe the people should rise up in a body and resist with every fair means at their command the further centralization of power in Washington. It means only one thing—all kinds of power and no service to the people.

Representative THOMAS S. MCMILLAN, South Carolina:

I think your resolution is a most timely one. Representative government in Washington to me is a myth. Departments and bureaus now, I regret to state from my experience, practically dictate and control every piece of legislation that passes Congress, regardless of the subject undertaken, whether large or small. I shall join heartily with you in your efforts to have your resolution passed.

Representative JAMES V. MCCLINTIC, Oklahoma:

I am glad to say that I am in hearty accord with the purposes you have in mind. If I can be of assistance in any way, do not hesitate to call on me.

Representative EDGAR HOWARD, Nebraska:

Just a line to let you know that I am heartily in favor of your House joint resolution, which I regard as a step in the right direction of carrying our Government back to the ideals of the fathers and carrying it away from the ideals of those who would divest the States of their inalienable rights.

Hugh A. Cummings, 626 North New Jersey Street, Indianapolis, Ind.:

I have read your most excellent resolution touching the octopus of bureaucracy, and I was so glad to know that we have a Representative from this, the seventh district of Indiana, who fears not its menacing tentacles. God grant that your resolution may be carried unanimously and that liberty may once more be restored to our Constitution, and that our States once more may have the right to make their own police regulations.

Francis J. Kilkenny, investment securities, 208 South La Salle Street, Chicago:

I am glad to know of the efforts that you are making to focus attention on the ever-increasing tendency to center in Washington the func-

tions of Government. Such a study as you propose should do much to direct attention to this vital question, and I hope that your proposal will receive sympathetic consideration.

Ralph G. Simmerson, Spencer, N. C.:

Your attitude on this ever-growing governmental evil has been the subject of much laudatory comment by leading citizens in this section of the State.

A. D. Hitz, commission merchant, Indianapolis, Ind.:

I consider the resolution both timely and important and wish to express my hearty commendation and approval.

Dan W. Simms, attorney at law, La Fayette, Ind.:

I sincerely hope this joint resolution may be concurred in and that a commission of persons of high character, experience, and ability will be appointed to make the investigation contemplated.

Representative THOMAS A. JENKINS, Ohio:

I have to say that I think nearly everybody agrees with you, but in the language of the cartoon which appeared in the paper a short time ago, I am forced to ask "What are we going to do about it?" It is a big question.

Charles Nagel, St. Louis, former Secretary of Commerce:

I am very thoroughly convinced of the correctness of your position.

John H. Voorhees, attorney at law, Sioux Falls, S. Dak.:

I should like to see the resolution adopted and the commission appointed.

Robert Dollar, San Francisco:

After a careful perusal of this resolution, which I found to be interesting as well as enlightening, would say that I do not believe that I am familiar with the subject sufficiently to express my views on the same.

United States Senator E. D. SMITH, South Carolina:

The subject matter of your resolution is most interesting. I agree with you that there is a growing tendency to centralize government activities under the Federal Government.

Representative O. H. CROSS, Texas:

I want to assure you that I am with you in this matter, heart and soul, and feel like you are fighting in the right direction.

James A. Glenn, attorney at law, Coshocton, Ohio:

It was with special interest that I read the article in the New York Times referring to your resolution aimed at our present tendency toward bureaucracy. If something could be done along this line it certainly would be of great benefit to the Government and the country.

Representative CLARENCE F. LEA, California:

I would be very glad to support a resolution such as you suggest and particularly so if the problem would be thoroughly investigated and considered.

Representative EDGAR R. KIESS, Pennsylvania:

I believe the creation of a commission on centralization such as you provide for would be a move in the right direction. I know of no reason why I can not support this legislation.

Representative SCHUYLER MERRITT, Connecticut:

I agree with you entirely as to the present tendency toward centralization of power in the Central Government and regret it as much as you do. I have done what little I could to stop bills with that tendency during the years I have been in Washington, but with very little, if any, success, and I fear that the many interests that think that they profit by Federal appropriations and interference are so strong that the tendency can hardly be stemmed by a committee. If you can get your resolution reported out and taken up I shall be inclined to vote for it.

Willis J. Abbot, editor, Christian Science Monitor:

Unquestionably the phenomenon on which you comment is a striking feature of American political development to-day and for that matter has been observable for at least a decade past. I think it would be most interesting if you could get your commission, and I am going to write an editorial about it, commending it as an intelligent proposition, though I must say that I have little hope that you can get the resolution through.

Former Representative Henry U. Johnson, Indiana:

I entirely agree with you in the opinion you entertain concerning the aggregation by the Federal Government of powers which properly belong to the State and concur also in your apprehension that the continuance of such action will be positively dangerous to the country. I trust that you may be able to secure the appointment of the commission and that it may recall the people to the old landmarks.

Representative A. PIATT ANDREW, Massachusetts:

I am in complete agreement as to the deplorable trend toward overcentralization in our Government.

Representative CHARLES A. MOONEY, Ohio:

I heartily agree with the purpose of this resolution and you may depend upon my enthusiastic support.

Representative GEORGE S. GRAHAM, Pennsylvania:

Replying to your letter of the 23d, I would say that the spirit of your resolution I am in entire sympathy with.

Senator A. R. GOULD, Maine:

I feel that it is an opportune time to introduce such a resolution. You may be sure when this measure comes before the Senate it will receive my careful consideration.

Representative SCOTT LEAVITT, Montana:

I believe the purpose of the measure is meritorious.

George J. Kindel, late Representative from Colorado:

I have read your resolution with great interest and approval. You may not get to first base but will have the satisfaction of having tried, which we admire and approve.

United States Senator WILLIAM H. KING, Utah:

If your resolution would arouse the people to the importance of preserving their rights and the rights of the States and to the evils of centralization, it would serve a most important purpose. It seems as if our political pendulum has swung to the right—to Federal usurpations—to the aggrandizement of the Federal Government. This I regret.

I shall look with interest upon your efforts to secure the passage of your resolution in Congress. It certainly should provoke discussion and create an interest in the political questions involved. If it passes the House, though I have not fully determined upon the wisdom of the resolution, I think I shall support it. At any rate, your letter challenges attention to a vital matter and your resolution should be the vehicle of carrying an important message to the American people.

Stone Deavours, Democratic national committeeman, Mississippi:

I sincerely hope your resolution will pass unanimously; and I as earnestly hope that very able men will be selected for members on the commission. The growth of centralizing spirit in the Southern States has not only been marked of late years, but has sometime ago reached the point that makes it alarming to any citizen who believes in the doctrine that is fundamental in my political creed, that that government is best which governs least. I am inclined to believe that both the Senators and the Members of the House of this State will be in sympathy with any movement to check this process of centralization, but I have no authority from them or any of them to make this statement.

Hugh Huntington, lawyer, Columbus, Ohio:

It is most ridiculous, the manner in which people are beginning to look to Washington for relief on all subjects. Millions of people seem to think that good times are regulated by Congress and the President. The sooner we get people to thinking more about their home communities and less about letting the President bring us back good times the better off we will be.

Gaylord Lee Clark, lawyer, Baltimore:

I approve and heartily indorse every legitimate method used to decentralize the bureaucracy at Washington, and I trust that your efforts may accomplish results.

United States Senator CHARLES W. WATERMAN, Colorado:

I share your view about Federal bureaucracy.

S. E. Thomason, publisher, Chicago Daily Times:

I am in hearty sympathy with this resolution and the purposes which have inspired it.

Mrs. PEARL P. OLDFIELD, Congresswoman from Arkansas:

I beg to state that I am heartily in favor of passage of your resolution.

Former Representative Ben C. Hilliard, Colorado:

I congratulate you on your recognition of the basic evil, and your purpose to eliminate it. Now that your resolution has emphasized the evil, the Congress should of its own motion proceed with celerity, and directly, to apply the remedy; but since that is not of likely consummation, every well-wisher of good government will applaud the progress of your resolution.

Former Representative Martin L. Davey, Ohio:

Unquestionably you have the right idea of the present conditions and the apparent tendency for even added centralization of Government.

I hope that your resolution may pass. Certainly it is a step in the right direction. Your proposal should not be unpopular from the standpoint of expense, at least. You have provided for a solution of the problem with practically no expense at all to the taxpayers.

Representative ELLIOTT W. SPROUL, Illinois:

I feel that you are making an effort in the right direction and you will have my hearty support in the solution of this most important problem.

W. E. Zoebel, secretary to George Wingfield, Nevada Republican national committeeman:

Mr. Wingfield directs me to state to you that he is in absolute agreement with you.

William T. Hammock, State Tax Commission, Arkansas:

I am reminded by this resolution of my schoolboy studies in the history of ancient civilizations wherein it is so clearly reflected that governments and civilizations of the past have usually gone upon the rocks because of the ever-increasing insidious encroachment by Government bureaus upon the rights of the individual accomplished in such gradual insidious way that the masses do not take notice of same until they wake up in succeeding generations to find that many of their most treasured constitutional provisions have been taken away from them.

Mrs. C. Fuller Winters, national president of American Federation of Industrial Women:

I am writing to add my name to the list of American citizens who favor your resolution. Please accept my hearty congratulations for your timely efforts in the interest of the American cause.

Representative CLARENCE CANNON, Missouri:

I find myself in heartiest accord.

Charles Henry Butler, lawyer, Washington, D. C.:

I have noted with interest your resolution, and while I am a good deal of a federalist I appreciate a great deal of what you say in your letter and in the preamble, and will watch with interest the progress of the matter.

Albert Stump, lawyer, Indianapolis:

You are to be commended for your efforts in that direction. Fortunately the tendency against which your resolution is directed has not become so strong that it is beyond the power of the people themselves to check it if they desire to do so.

United States Senator FRANK L. GREENE, Vermont:

It is too bad that we are getting away from the original plan, and I wish more people were awake to the dangers of a paternalistic order of things replacing a union of 48 sovereign States. While I hate to admit it, I can see no hope of preventing the gradual growth of the great centralized power, and probably in a century or so the States will have given up all their rights and will be units in a geographic sense only. If they still have Governors, they will be Governors in name only. You understand, of course, that I sympathize with what you are trying to do, but I feel that it is too late.

John T. Beasley, lawyer, Terre Haute, Ind.:

I think you have hit upon one of the most important problems of government with which we are confronted. Your resolution was not only well-timed but the problems confronting us were well expressed. I shall watch its course with interest. I think it must necessarily direct attention to fundamental government principles and policies. You are entitled to the thanks of all thoughtful men.

Former Representative Henry A. Barnhart, Indiana:

I think that about 99 per cent of Hoosierdom, as well as elsewhere, will be with you on this proposition.

Representative FRANK MURPHY, Ohio:

I wish to say that I am in deep sympathy with the views expressed by yourself and would gladly welcome an opportunity to do something definite to change the situation if possible.

Representative HAROLD KNUTSON, Minnesota:

Your resolution to create a commission on centralization is a very timely piece of legislation, and I favor its early passage. No American who has given consideration and study to the constant tendency of our Government toward centralization, views with other than genuine concern the gradual departure from our basic form of government. You may confidently count upon me to assist you in every possible manner when the time comes to consider your resolution.

Ralph W. Emerson, editor of Lawrence (Mass.) Telegram:

Your article, relative to centralization of government, hits a responsive chord here. I hope your resolution will be given proper weight by all newspapers of the country and proper consideration by Congress. It was a pleasure to assist in my humble way through the inclosed editorial in our Sunday edition.

George B. Young, Montpelier, Vt.:

I am in sympathy with your resolution. I believe one of the serious governmental problems facing this country at the present time is the centralization of power in the Federal Government and the encroachment of that Government on the functions of the States, in many instances with the consent or approval of the States. The result is that the Federal Government is becoming top-heavy to the point of breaking and matters of local government are being more and more relinquished by the States and their citizens. All this tends to defeat and overturn the fundamental scheme of the United States Constitution which is a dual sovereignty and substitutes a single Federal Government. Such a result I believe is most undesirable from the standpoint of the individual citizen.

M. S. Sherman, editor of Hartford Courant:

Connecticut is one of the few States of the Union that cherishes a high regard for local self-government and because your views so closely accord with the Connecticut philosophy I commented on them in the Hartford Courant of this morning. Clipping of this editorial I inclose.

Theodore S. Garnett, Norfolk, Va.:

I am thoroughly convinced this is a start in the right direction, but as to its ultimate results I have grave forebodings. The beneficiaries of bureaucracy seem so well intrenched that any effort to displace them will meet with almost insurmountable opposition. However, this is not the way to look at it and I wish you Godspeed and success.

K. E. Merren, Shreveport, La.:

True it is that "the saddest story in American Government is the weakening of one part of the dual system of Federal and local control and the excessive strenghtening of the other part." The remedy which you suggest, namely, a committee of eminent men to go into the subject, is well conceived. Should we get such a commission of able and patriotic men, I believe they can so conduct their labors and make such a report as will cause the Nation to pause and listen. Anything that I may be able to do to aid and abet you in these labors will be gladly done.

Delph E. Carpenter, attorney, Greeley, Colo.:

If every Congressman and Senator would strike at every measure which undermines States autonomy, they would gradually awaken public sentiment. The "business men" of the country are largely responsible for the trend toward Federal control. They care nothing for the Constitution and nothing for our principles of Government. They want immediate results regardless of source or methods of procurement.

In the Western States, water is the first essential to life and existence of Government. Federal bureaucracy is undermining State control and the Attorney General is afraid to act.

Clem Shaver, former Democratic national chairman:

I have yours and copy of resolution relative to growth of our Federal Government and its powers. It is now a colossal thing; and if you can in any way stimulate a little interest in it and attract the one-tenth part of attention it needs, then you will have really made some headway. I wish you every success.

Elza O. Rogers, Republican State chairman, Indiana:

Of course, our country is so big that everyone understands there must be some control from Washington, but I think you are right in warning against letting local government get away from us. We might lose our democracy in that way. I think your resolution will serve a very good purpose.

L. C. Hinkle, Republican State chairman, Wyoming:

I am heartily in favor of the creating of this commission. I believe you are on the right track. It is high time that something be done in this matter, and I believe the creating of this commission is a step in the right direction, and the attention of the people throughout the country be called to the present situation.

I believe further that the Constitution of the United States is all right, but that the Government has gone beyond the intent of the Constitution. I see no reason why this resolution should not be passed promptly by both Houses.

H. S. Corbett, Republican national committeeman, Arizona:

In my political experience I have found that the people are every day becoming more disinterested in government, and, as you say, take the attitude of "Let Washington do it." I feel that it is important that we get the people interested again and I am hoping that your efforts will bear fruit.

Mrs. Frederick C. Redfern, Republican national committeewoman, South Carolina:

I am, however, jealous of the rights reserved by the States and feel that the largest degree of local self-government should be fostered in harmony and consistent with the best interest of an orderly and strong Federal system.

Newton H. Fairbanks, former Republican State chairman, Ohio, and brother of the late Vice President Fairbanks:

I read with deep interest your article on the menace of the centralization of government at Washington, and do thoroughly believe you put the finger upon a danger which threatens the perpetuity of the Republic. It is time the Congress was showing some of the courage of the founders of the Government and be adamant against any further centralization. They should take the initiative and do a bit of decentralizing by restoring to the States those functions of which they were relieved and which clearly belong to the States. And say to business interests, which rush to Washington seeking government help, that if half the time and energy were given to the management of their business that is devoted to an effort to induce the Government to lend a hand their business would be better off than with Federal aid.

Charles R. Frederickson, former Republican State chairman, Ohio:

My congratulations and appreciation to you for the stand you have taken against the growing evil tendency to the centralization of government. I believe there will be attracted to your side the best minds of the country and having seen you in action, I know that you will not be deterred in your drive because of some barriers you will encounter.

Noble H. Getchell, Republican State chairman, Nevada:

This is a real step in the right direction and I most sincerely hope it passes both Houses of Congress and that a solution will be found to check the Federal bureaucratic powers which is becoming serious.

Representative JOHN MCDUFFIE, minority whip of the House:

I have your letter inclosing copy of your resolution and wish to assure you that I am quite anxious to be of assistance to you in any way I can.

Elizabeth R. Menefee, Democratic national committeewoman, Maryland:

I wish to state that in my opinion centralization of power through bureaucracy in Washington will eventually become a menace unto the people.

Thomas Annear, chairman, Democratic State committee, Colorado:

I think you are right—centralizing the powers in Washington is one of the most dangerous tendencies at this time.

Mrs. M. M. Caldwell, Republican national committeewoman, Virginia:

I entirely agree with you that the tendency to centralization of government is a menace to our constitution and to free government. And if a commission on centralization of sufficiently high calibre as to fitness, could be secured, it seems highly probable that they might reach conclusions and make recommendations of value in determining the course of future legislation.

Former Representative Richard Bartholdt, Missouri:

If we could imagine our national evolution to be a body of flesh and bone, you have certainly placed your hand on a running sore; the overshadowing of the individual stars in our firmament by the central sun in Washington.

Representative SCOTT LEAVITT, Wyoming:

I believe the purpose of the measure is meritorious.

William Allen White, editor, Kansas:

You are quite right in saying that local self-government is vanishing, and it will continue to vanish until you stop inventions or break up the Federal Government into regional nations. The thing to do is to control this centralization, to give it direction and purpose. I like your discussion; your bill is good. The more the people think about this centralization the better it will be, but it will not stop.

C. M. Looney, Casper, Wyo.:

As a citizen of Wyoming, I take this opportunity of assuring you how keenly we people of the West sense the necessity of favorable action on your resolution regarding limitation of bureaucratic encroachment upon our natural resources included in the public domain.

Wyoming values her natural resources (which are quite varied) as of great importance for the present and as having an incalculable potential worth to future generations and yet they are largely under Federal ownership and control, even though embraced by our boundaries.

Scott Bullitt, attorney and political leader, Seattle:

I believe you are on the right track. I hope you will continue to push your resolution.

EDITORIAL INDORSEMENTS

Among the newspapers that have given my resolution strong editorial indorsement are the following: Cincinnati Times-Star, New York World, Indianapolis Star, Chicago Times, Louisville Courier-Journal, L'Avenir National (Manchester, N. H.), Bellingham Herald, Cincinnati Commercial-Tribune, Denver Post, Arizona Silver Belt, Leesburg Commercial, Columbus Enquirer-Sun, Casper (Wyo.) Sun-Herald, Decatur (Ind.) Democrat, Waterloo (Iowa) Courier, Hopkinsville New Era, Lawrence (Mass.) Sunday Sun, Goshen News-Times, Goshen Democrat, Wilmington Every Evening, South Bend Tribune, Hartford Courant, Olean (N. Y.) Evening Times, Cordele (Ga.) Dispatch, Staunton Evening Leader, Fort Wayne Journal-Gazette, Vicksburg Herald, Attica (Ind.) Ledger-Times, Terre Haute Star, Newark (Ohio) Advocate, Athens (Tex.) Review, and a great many others.

Mr. MURPHY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LUCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. OLIVER of Alabama—at the request of Mr. MCDUFFIE—for April 28 and 29 on account of important official business.

ENROLLED BILL SIGNED

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

H. R. 10379. An act 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.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On April 25, 1930:

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California.

On April 28, 1930:

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation.

ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 29, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, April 29, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

To establish a reservoir system of flood control on the tributaries of the Mississippi River (H. R. 9376).

COMMITTEE ON AGRICULTURE

(10 a. m.)

To authorize the Secretary of Agriculture to carry out his 10-year cooperative program for the eradication, suppression, or bringing under control of predatory and other wild animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game, and other interests, and for the suppression of rabies and tularemia in predatory or other wild animals. (H. R. 9599).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To reorganize the Federal Power Commission, and to amend the Federal water power act. (H. R. 11408).

COMMITTEE ON PENSIONS—SUBCOMMITTEE ON INDIAN WAR LEGISLATION

(10 a. m.)

To consider proposed legislation concerning veterans of the Indian wars.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

428. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of the west branch of the Susquehanna River, Pa., with a view to the control of its floods, and to devising of methods whereby the sources of pollution may be removed (H. Doc. No. 370); to the Committee on Flood Control and ordered to be printed.

429. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of the Canadian River and its tributaries, N. Mex., with a view to the control of its floods (H. Doc. No. 371); to the Committee on Flood Control and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MURPHY: Committee on Appropriations. H. R. 11965. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes; without amendment (Rept. No. 1320). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. H. R. 11403. A bill to amend an act entitled "An act to create a revenue in the District of Columbia by levying tax upon all dogs therein, to make such dogs personal property, and for other purposes," as amended; without amendment (Rept. No. 1325). Referred to the Committee of the Whole House on the state of the Union.

Mr. WASON: Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Navy Department. (Rept. No. 1327). Ordered to be printed.

Also, Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Civil Service Commission (Rept. No. 1328). Ordered to be printed.

Mr. HAUGEN: Committee on Agriculture. H. J. Res. 307. A joint resolution authorizing the appropriation for the fiscal year ending June 30, 1931, of not to exceed $300,000 of the amount of $600,000 authorized to be appropriated for the fiscal year ending June 30, 1932, by section 12 of the migratory bird conservation act of February 18, 1929; without amendment (Rept. No. 1329). 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. FITZGERALD: Committee on Claims. H. R. 576. A bill for the relief of Matthew Edward Murphy; with amendment (Rept. No. 1321). Referred to the Committee of the Whole House.

Mr. CLARK of Maryland: Committee on Claims. H. R. 9279. A bill for the relief of Henry A. Knott & Co.; without amendment (Rept. No. 1322). Referred to the Committee of the Whole House.

Mr. CLARK of Maryland: Committee on Claims. H. R. 3960. A bill for the relief of Louis Nebel & Son; without amendment (Rept. No. 1323). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 3159. A bill for the relief of W. F. Nash; without amendment (Rept. No. 1324). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7091) granting a pension to Mary Howell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11805) for the relief of the heirs of James Henry Birch; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURPHY: A bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BOX: A bill (H. R. 11966) to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. FRANK M. RAMEY: A bill (H. R. 11967) to provide for the appointment of an additional district judge for the southern district of Illinois; to the Committee on the Judiciary.

By Mr. SWING: A bill (H. R. 11968) to reserve for public use secenic rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, Calif.; to the Committee on the Public Lands.

Also, a bill (H. R. 11969) to authorize the withdrawal of certain public lands from entry under the homestead and desert land laws of the United States for the protection of the watershed, supplying water to the city of Los Angeles, Calif.; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 11970) to incorporate the Great Lakes Federal Bridge Commission and to authorize said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich., subject to the approval of the proper authorities in the Dominion of Canada; to the Committee on Interstate and Foreign Commerce.

By Mr. HALL of Illinois: A bill (H. R. 11971) to amend section 79 of the Judicial Code (sec. 152, title 28, U. S. C.) by providing two terms of court annually at Bloomington, in the southern division of the southern district of Illinois; to the Committee on the Judiciary.

By Mr. McFADDEN: A bill (H. R. 11972) to amend the Federal farm loan act as amended; to the Committee on Banking and Currency.

By Mr. ZIHLMAN: A bill (H. R. 11973) to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; to the Committee on the District of Columbia.

By Mr. CLARK of North Carolina: A bill (H. R. 11974) granting the consent of Congress to the Beaufort County Lumber Co. to construct, maintain, and operate a railroad bridge across the Lumber River at or near Fair Bluff, Columbus County, N. C.; to the Committee on Interstate and Foreign Commerce.

By Mrs. OWEN: A bill (H. R. 11975) authorizing the Secretary of Agriculture to acquire toll bridges and maintain them as free bridges, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SWING: A bill (H. R. 11976) to conserve the water resources and to encourage reforestation of the watersheds of San Bernardino and Riverside Counties by the withdrawal of certain public lands included within the San Bernardino National Forest from location and entry under the mining laws; to the Committee on the Public Lands.

By Mr. McSWAIN: A bill (H. R. 11977) to authorize retirement privileges for National Guard officers; to the Committee on Military Affairs.

By Mr. WILLIAMSON: A bill (H. R. 11978) to authorize the appointment of employees in the executive branch of the Government and the District of Columbia; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 11979) authorizing disposition of the effects of persons dying in the military service of the United States; to the Committee on Expenditures in the Executive Departments.

By Mr. CRAMTON: Resolution (H. Res. 214) authorizing the appointment of a special committee to make investigation into the campaign expenditures of candidates for the United States House of Representatives; to the Committee on Rules.

By Mr. MENGES: Joint resolution (H. J. Res. 318) providing for the construction by the United States of an appropriate permanent memorial and authorizing an appropriation therefore in commemoration of the actions of Congress during the most critical and darkest period of the Revolutionary War, September 30, 1777, to June 28, 1778, when York, Pa., was the meeting place of the Continental Congress and the seat of government; to the Committee on the Library.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of New York, memorializing Congress to build a ship canal across the State of New York following the historic route of the Mohawk River and the Erie and Oswego Barge Canals to the head of tidewaters in the Hudson River at Troy, and to make a deeper channel in such river between Troy and Albany; to the Committee on Rivers and Harbors.

By Mr. O'CONNELL of New York: Memorial of the Legislature of the State of New York, memorializing Congress to build a ship canal across the State of New York following the historic route of the Mohawk River and the Erie and Oswego Barge Canals to the head of tidewaters in the Hudson River at Troy, and to make a deeper channel in such river between Troy and Albany; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 11980) granting a pension to Irene Dingman; to the Committee on Invalid Pensions.

By Mr. CHRISTGAU: A bill (H. R. 11981) for the relief of Dr. Charles T. Granger; to the Committee on Claims.

By Mr. CLARKE of New York: A bill (H. R. 11982) granting an increase of pension to Eline Roof; to the Committee on Invalid Pensions.

By Mr. CRADDOCK: A bill (H. R. 11983) granting an increase of pension to Charles W. Gunter; to the Committee on Pensions.

By Mr. FITZPATRICK: A bill (H. R. 11984) authorizing the appointment of Paul Miller as a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. GOLDER: A bill (H. R. 11985) for the relief of Adelaide Biddle Stark; to the Committee on War Claims.

By Mr. HALL of Indiana: A bill (H. R. 11986) granting a pension to Viola B. Buskirk; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 11987) granting a pension to Emma C. Johnson; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 11988) granting an increase of pension to Amanda Abling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11989) granting an increase of pension to Lottie J. Daniel; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 11990) granting a pension to Daniel W. Tidmore; to the Committee on Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 11991) granting an increase of pension to Lucy A. Westbrook; to the Committee on Invalid Pensions.

By Mr. KENDALL of Kentucky: A bill (H. R. 11992) for the relief of Elizabeth Lawson; to the Committee on Military Affairs.

By Mr. KINZER: A bill (H. R. 11993) granting an increase of pension to Martha W. Auldinger; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11994) granting a pension to Clarinda Holder; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 11995) granting an increase of pension to Mary E. Marshall; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 11996) granting a pension to Lillian L. Reynolds; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 11997) granting an increase of pension to Catherine Burris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11998) granting a pension to Mary A. Williams; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 11999) for the relief of the heirs of Henry H. Johnson; to the Committee on War Claims.

Also, a bill (H. R. 12000) granting an increase of pension to Charles V. Stevens; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 12001) granting an increase of pension to Clara Layton; to the Committee on Invalid Pensions.

By Mr. QUAYLE: A bill (H. R. 12002) for the relief of E. A. McCormack; to the Committee on Claims.

By Mr. SLOAN: A bill (H. R. 12003) granting a pension to Caroline Gano; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 12004) granting a pension to Mary E. Wyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12005) granting an increase of pension to Emily S. Coffman; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 12006) granting an increase of pension to Louise J. Bolen; to the Committee on Invalid Pensions.

By Mr. THATCHER: A bill (H. R. 12007) for the relief of Frank P. Norton; to the Committee on Military Affairs.

By Mr. THURSTON: A bill (H. R. 12008) granting an increase of pension to Elizabeth J. Murren; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 12009) for the relief of Francis M. Masterson; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7129. Petition of Florida Citrus Growers' Clearing House Association, Winter Haven, Fla., urging Congress to remove the quarantine regulations before their shipping season commences, 1930–31; to the Committee on Appropriations.

7130. By Mr. BLOOM: Petition of citizens of Cincinnati, Ohio, opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto, definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

7131. By Mr. BRUNNER: Petition of Jamaica Jewish Center, going on record as being opposed to House bill 10207, known as the Cable bill, as a proposal which is foreign to the ideals and traditions of democracy; to the Committee on Immigration and Naturalization.

7132. By Mr. CHRISTGAU: Petition of residents of Medford, Minn., favoring an increase in pension for the veterans of the Spanish War; to the Committee on Pensions.

7133. By Mr. COOPER of Wisconsin: Memorial of Alaska Native Brotherhood of Indians, urging that a committee be appointed by Congress to investigate conditions of Alaska Indians; to the Committee on Indian Affairs.

7134. Also, memorial of Woman's Christian Temperance Union, of Janesville, Wis., urging the enactment of a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7135. By Mr. GARBER of Oklahoma: Petition of Morrison Mill Co., Bellingham, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7136. Also, petition of West Waterway Lumber Co., Seattle, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7137. Also, petition of E. K. Wood Lumber Co., San Francisco, Calif., in opposition to tariff on logs; to the Committee on Ways and Means.

7138. Also, petition of Aircraft Plywood Co., Seattle, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7139. By Mr. GREEN: Petition of citizens of Island Grove, Alachua County, Fla., urging passage of bill increasing pensions of Spanish-American War veterans; to the Committee on Pensions.

7140. By Mr. HUDDLESTON: Petition of numerous residents of Jefferson County, Ala., in favor of more liberal pensions for Spanish War veterans; to the Committee on Pensions.

7141. By Mr. HULL of Wisconsin: Resolution of Common Council of City of Menasha, Wis., regarding the proclaiming of

General Pulaski's memorial day; to the Committee on the Judiciary.

7142. Also, resolution of Woman's Christian Temperance Union of Neillsville, Wis., regarding Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7143. By Mr. KORELL: Petition of residents of Multnomah County, Oreg., urging the enactment of House bill 8976; to the Committee on Pensions.

7144. By Mr. LEAVITT: Resolution of the Montana School Board Association, favoring the passage of House bill 10821, to provide for further development of vocational education in the several States and Territories, and for other purposes; to the Committee on Education.

7145. By Mr. MANLOVE: Petition of Claude J. Buneman, 589 Aurora Avenue, St. Paul, Minn., and 65 other citizens of St. Paul, Minn., urging Congress to speedily pass the Manlove bill (H. R. 8976) for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7146. By Mr. MOONEY: Resolution of the City Council, Cleveland, Ohio, indorsing the Wagner unemployment bills; to the Committee on the Judiciary.

7147. By Mr. O'CONNELL of New York: Petition of the International Molders' Union of North America, Brooklyn, N. Y., favoring the passage of House bill 10343; to the Committee on Immigration and Naturalization.

7148. Also, petition of the National Guard Association of the United States, New York City, favoring the passage of the Speaks bill (H. R. 10478) to amend the national defense act of June 3, 1916; to the Committee on Military Affairs.

7149. By Mr. QUAYLE: Petition of J. S. Ogilvie Publishing Co., New York City, favoring the passage of House bill 10344, for the classification of extraordinary expenditures contributing for the deficiency of postal revenues; to the Committee on the Post Office and Post Roads.

7150. Also, petition of International Association of Machinists, National Lodge, No. 556, government employees, Brooklyn, N. Y., favoring the passage of House bill 712; to the Committee on the Civil Service.

7151. Also, petition of the Central Trades and Labor Council of Greater New York and Vicinity, favoring the passage of an additional appropriation of $66,000 for civilian labor at the Army base, Brooklyn, N. Y.; to the Committee on Appropriations.

7152. Also, petition of International Molders' Union of North America, Brooklyn, N. Y., favoring the passage of House bill 10343, limiting immigration from countries of South America; to the Committee on Imigration and Naturalization.

7153. Also, petition of National Guard Association of the United States, favoring the passage of House bill 10478, to amend the national defense act of June 5, 1916, effecting the section which relates to the National Guard; to the Committee on Military Affairs.

7154. By Mr. SEGER: Resolution of the Silk Dyers Association of America, Paterson, N. J., indorsing House bill 10821, providing for additional Federal aid to the States for trade and industrial education; to the Committee on Education.