By Mr. ELLIS: A bill (H. R. 12530) granting a pension to Mary A. Shull; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H. R. 12531) for the relief of Daniel S. Schaffer Co. (Inc.); to the Committee on Claims.

By Mr. GIBSON: A bill (H. R. 12532) granting an increase of pension to Sadie B. Cowles; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 12533) for the relief of E. B. Rose; to the Committee on Claims.

By Mrs. KAHN: A bill (H. R. 12534) for the relief of Warren Burke; to the Committee on Naval Affairs.

By Mr. KEMP: A bill (H. R. 12535) for the relief of Harrison H. Bradford; to the Committee on Military Affairs.

By Mr. KENDALL of Kentucky: A bill (H. R. 12536) granting a pension to Elizabeth Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12537) granting a pension to Agnes E. Kimmel; to the Committee on Invalid Pensions.

By Mr. NELSON of Maine: A bill (H. R. 12538) granting a pension to Maud A. Robinson; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 12539) granting an increase of pension to Sarah E. Boyce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12540) granting an increase of pension to Esther M. Amey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12541) granting an increase of pension to Edith Pealing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12542) granting an increase of pension to Margaret Sanford; to the Committee on Invalid Pensions.

By Mr. STEAGALL: A bill (H. R. 12543) granting a pension to Stephen Swan Ogletree; to the Committee on Pensions.

By Mr. TARVER: A bill (H. R. 12544) granting a pension to Pink Foster Sanders; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 12545) granting an increase of pension to Eliza Bunn; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 12546) for the relief of J. W. Talbert; to the Committee on Claims.

By Mr. WHITLEY: A bill (H. R. 12547) granting an increase of pension to Willhelmina Heisner; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7335. By Mr. BLOOM: Petition of citizens of New York, urging the passage of the bill (H. R. 6603) providing for 5½-day week for post-office employees; to the Committee on the Post Office and Post Roads.

7336. By Mr. COYLE: Petition of Atlas Council, No. 963, Fraternal Patriotic Americans, Northampton, Northampton County, Pa., urging the enactment of the Robsion-Capper free public school bill into law; to the Committee on Education.

7337. By Mr. CRAIL: Petition of George P. Lacey, a veteran of the Spanish War and of the Philippine insurrection, protecting against the passage of the Robinson-Knutson pension bill; to the Committee on Pensions.

7338. By Mr. EVANS of California: Petition of Gertrude B. Harris and 20 other persons, indorsing the passage of the Capper-Robsion bill; to the Committee on Education.

7339. By Mr. McKEOWN: Petition of A. J. Hamilton and other citizens of Kellyville and Creek County, Okla., urging immediate action on House bill 2562, providing for increased rates of pension for the veterans of the Spanish War period; to the Committee on Pensions.

7340. By Mr. SWANSON: Petition by Woman's Christian Temperance Unions of Stanton and Massena, Iowa, favoring Federal supervision of motion pictures in interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7341. By Mr. YATES: Petition of John W. Boxwell, Sheridan and Beach Road, Waukegan, Ill., urging the immediate passage of House bill 6147; to the Committee on the Library.

7342. Also, petition of Dr. U. S. Grout, professor of geology, Evanston, Ill., commending the passage of Senate bill 2498 and urging the passage of House bill 6981; to the Committee on Agriculture.

7343. Also, petition of Mrs. T. L. Stone, 559 Aldine Avenue, Chicago, Ill., protesting against the Jones-Capper bill; to the Committee on Interstate and Foreign Commerce.

7344. Also, petition of Mrs. James F. Portor, 1085 Sheridan Road, Hubbard Woods, Ill., protesting against the Hawley-Smoot tariff bill; to the Committee on Ways and Means.

# SENATE

THURSDAY, *May 22, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Most merciful God, fountain of all grace, Thou uncreated source of life, who hast made us living souls, and coming forth in this our fleeting form hast given us to have life within ourselves, grant us at this morning hour the bestowal of Thy wondrous gifts of wisdom, kindliness, and patience, that we may find our work a joy and count all labor light that is undertaken out of love toward Thee.

Touch the heart of this great Nation, kindling her undazzled eyes at the full midday beam, and guard us from all tendencies to careless, fitful service on behalf of all mankind. Keep us ever mindful of the solemn obligations our duty doth impose, that we may know the fuller life exceeding its own promise in its ripened store and find our perfect rest in Thee, who wilt not rest till Thou art perfected in us. Through Jesus Christ our Lord. Amen.

### THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3975) to amend sections 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 6807. An act establishing two institutions for the confinement of United States prisoners; and

H. R. 7412. An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 11371. An act to provide living quarters, including heat, fuel, and light, for civilian officers and employees of the Government stationed in foreign countries; and

H. J. Res. 300. Joint resolution to permit the Pennsylvania Gift Fountain Association to erect a fountain in the District of Columbia.

### CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. FESS. I wish to announce that the senior Senator from Nebraska [Mr. NORRIS] is detained on business of the Senate.

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

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

### ORDER FOR CONSIDERATION OF THE CALENDAR

Mr. McNARY. I ask unanimous consent that at the conclusion of the routine morning business the Senate shall proceed to the consideration of unobjected bills on the calendar under Rule VIII.

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

PETITIONS

Mr. REED presented petitions numerously signed by sundry citizens of the State of Pennsylvania, praying for the passage of the so-called McMaster resolution, being Senate Joint Resolution 148, for the relief of the distressed and starving people of China, which were referred to the Committee on Agriculture and Forestry.

Mr. COPELAND presented petitions of Olive Bigelow Pell (Mrs. Herbert C. Pell) and about 4,000 other citizens of New York City and vicinity, in the State of New York, praying for the passage of the so-called Schall bill, being the bill (S. 4497) to prohibit experiments upon living dogs in the District of Columbia and providing a penalty for violation thereof, which were referred to the Committee on the District of Columbia.

PAPAGO INDIAN LANDS, ARIZONA

Mr. ASHURST. Mr. President, for some years past certain persons have been pretending to assert some sort of claim to vast tracts of the lands of the Papago Indians in Arizona. These persons assert that they hold what I declare to be spurious and pretended deeds of conveyance alleged to have been signed by Papago Indians, and these spurious claims to title have been sent out in such volume as to lead many persons to believe that those who are pretending to own the lands in question have a good and indefeasible title thereto.

I have from time to time suggested to the Interior Department to denounce these spurious and pretended deeds of conveyance in order that innocent third persons might not be misled and in order that the rights of the Indians might not be prejudiced or lost.

I now ask leave to print in the RECORD the memorandum of the Interior Department denouncing the pretended deeds of conveyance, and that the same be referred to the Committee on Indian Affairs.

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

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
*Washington.*

Memorandum: Re rights to lands of the Papago Indian Reservation, Ariz., claimed by one R. M. Martin, based upon the so-called Colonel Hunter deeds.

About the year 1880 deeds were drawn and acknowledged by a number of Indians conveying to one Colonel Hunter, as trustee, an interest in the lands, grants, and privileges of certain-named villages on the Papago Reservation. Among these deeds was one which purported to be made by one Luis, captain of the village or pueblo of Santa Rosa for himself and inhabitants of that village and others, and to convey an undivided half interest in 720 square miles of land. At the same time powers of attorney were executed by the various grantors.

These powers granted to Hunter the rights of delegation, substitution, and revocation, and recited that as they were "accompanied with an interest it is hereby made irrevocable."

In 1911 Hunter entered into contracts with one R. M. Martin, of Los Angeles, Calif., by which Martin was to undertake to establish Indian title and make certain cash payments in consideration of the conveyance to him of an undivided three-fourths interest in the lands which would fall to Hunter upon a partition between himself and the Indians.

The same year, 1911, and long after the death of Luis, captain of the Santa Rosa pueblo, Colonel Hunter executed a delegation of his powers to one Cates. Colonel Hunter died in 1912, and a suit was brought during the year 1914 by a firm of lawyers, of which Cates was a member, to enjoin the Secretary of the Interior and the Commissioner of the General Land Office from offering, leasing, or disposing of the lands involved as public lands of the United States.

This suit reached the United States Supreme Court on appeal, and that court effectually disposed of Mr. Martin's claim to the land involved. The court ruled (see case, Pueblo of Santa Rosa *v.* Secretary of the Interior et al., 273 U. S. 315) that the suit purporting to be brought in the name of and for the benefit of the Papago Indians had never been authorized by them and could not be maintained, and directed that the suit be dismissed as one brought without authority. While the merits of the title claimed by Martin, based upon the so-called Hunter deeds, were not judicially passed upon, the court intimated in its opinion that the deeds were and are worthless.

It may also be said that title to the lands involved in the so-called Hunter deeds is in the United States. As the reservation was created by Executive order, no right of ownership to said lands is vested in Mr. Martin or any other individual, and this department has consistently advised persons inclined to invest in the purchase of any rights in these lands to consider well before investing money in the proposition. The investors, in order to obtain redress, must look to the courts or to the promoters of the sales.

CONSOLIDATION OF RAILWAY PROPERTIES

Mr. WALSH of Massachusetts. Mr. President, in view of the discussion which took place in the Senate on yesterday when Senate Joint Resolution 161 was under discussion, and particularly that part of the discussion which related to the effect the repeal of the consolidation provision of the transportation act would have upon railroad securities, I ask that a letter from C. J. Fagg, secretary of the New Jersey Traffic Advisory Committee, be printed in the RECORD.

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

The letter is as follows:

NEW JERSEY TRAFFIC ADVISORY COMMITTEE,
*Jersey City, N. J., May 21, 1930.*

Hon. DAVID I. WALSH,
*Senate Office Building, Washington, D. C.*

MY DEAR SENATOR WALSH: According to press dispatches, you are fearful that the repeal of the consolidation provisions in the transportation act will affect railroad securities.

The few minutes I talked with you about this situation I specifically mentioned that the repeal of the railroad consolidation program would not affect the securities to any extent, and not nearly as much as it will absolutely affect them if we go ahead with this uneconomic program.

First, I would suggest that one analyze what securities are under discussion. The conclusion, I think, will be that it is the securities of the large railroads. You know for a fact that the insurance companies and the savings banks only take the securities of the larger carriers. Now, we will carry this one step farther and analyze the position of security holders with respect to the New York Central Railroad. This is a railroad that is serving New England, Middle North Atlantic States, Ohio, Michigan, Indiana, and Illinois with their own rails. Throughout this territory there are no doubt a number of bonds and stocks owned by individuals, banks, corporations, etc. It is a good security, and I contend that this good security of the New York Central was what we were all talking about when we were relying upon discussions of securities.

Under the proposed consolidation program the New York Central security owner is told in so many words that he must take and bring into his securities as an underlying basis for them a number of railroads that are not earning even 1 per cent on any kind of stock they have out, and probably if they were analyzed they are not meeting much of their bond-issue interest it would be found.

Now, you or I as a holder of the New York Central securities must participate in taking over a weak economic unit, and we must put the standards that our operator has on the short line and weak line, which means that if to-day the weak line is not "making its salt," then it is going to cost all the more for my carrier, namely, the New York Central, to operate that "link" on account of the higher standards.

In a nutshell, who is going to suffer from this specific illustration of railroad consolidation? The answer can be nothing else but the individual security holder of the New York Central.

Senator, you can not get away from the old worn-out saying, "supply and demand regulate everything."

In my analysis of the New York Central securities, if they are forced to take these weak lines, there is no other outcome to security holders than to depreciate the value of their holdings.

It is only fair to raise the question, "Well, where has major consolidation affected the security holders?" All I can do is to refer you to a specific instance at the time when the Goulds tried to build up a Wabash system by adding to it the Wheeling & Lake Erie, etc. The result of that was chaos, and especially to the security holders. Further, a specific illustration is what happened to the security holders of the Frisco Railroad when it consolidated with the Santa Fe. What happened again after the Frisco was made a good property after it consolidated with the Rock Island Railroad? Chaos to the security holders of the Frisco is the answer.

These are all matters of record, proving that they have not been able to protect their security holders under consolidation and, regardless of this, we now find that you are proposing to put the Rock Island and the Frisco together again, and the Frisco has proven under economic conditions on two occasions, to the detriment of the security holders, that it should not be done; and I think we will all admit that to-day the Frisco is a substantial system, absolutely protecting its security holders.

I have talked to a number of New England people about this railroad consolidation, and I understood from them that they had communicated with you and that they were strenuously opposed to the consolidation program, which was more or less your informal commitments to me when I talked with you about it.

With kind regards, I am, very truly yours,

C. J. FAGG, *Secretary.*

REPORTS OF COMMITTEES

Mr. STEIWER, from the Committee on Indian Affairs, to which was referred the bill (S. 3156) providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon, reported it with amendments and submitted a report (No. 701) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 2231) to reserve certain lands on the public domain in Arizona for the use and benefit of the Papago Indians, and for other purposes, reported it with amendments and submitted a report (No. 702) thereon.

Mr. PINE, from the Committee on Indian Affairs, to which was referred the bill (S. 4195) for the relief of Samuel W. Brown, reported it with an amendment and submitted a report (No. 716) thereon.

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 567. An act for the relief of Rolla Duncan (Rept. No. 703);

H. R. 649. An act for the relief of Albert E. Edwards (Rept. No. 704);

H. R. 666. An act authorizing the Secretary of the Treasury to pay to Eva Broderick for the hire of an automobile by agents of Indian Service (Rept. No. 705);

H. R. 833. An act for the relief of Verl L. Amsbaugh (Rept. No. 706);

H. R. 1837. An act for the relief of Kurt Falb (Rept. No. 707); and

H. R. 2604. An act for the relief of Don A. Spencer (Rept. No. 708).

Mr. TOWNSEND, from the Committee on Claims, to which was referred the bill (S. 1918) for the relief of Irene Strauss, reported it with amendments and submitted a report (No. 710) thereon.

Mr. BROCK, from the Committee on Claims, to which was referred the bill (S. 2332) for the relief of Milburn Knapp, reported it with an amendment and submitted a report (No. 711) thereon.

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 4235) to prohibit the sending of unsolicited merchandise through the mails, reported it without amendment and submitted a report (No. 709) thereon.

Mr. REED, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 251) to promote peace and to equalize the burdens and to minimize the profits of war, reported it without amendment.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 9) for the amendment of the acts of February 2, 1903, and March 3, 1905, as amended, to allow the States to quarantine against the shipment thereto, therein, or through of livestock, including poultry, from a State or Territory or portion thereof where a livestock or poultry disease is found to exist, which is not covered by regulatory action of the Department of Agriculture, and for other purposes, reported it with amendments and submitted a report (No. 712) thereon.

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

S. 1164. An act authorizing and directing the Secretary of Agriculture to investigate all phases of crop insurance (Rept. No. 713);

S. 2218. An act to authorize an appropriation for the relief of Joseph K. Munhall (Rept. No. 714); and

H. R. 10877. An act authorizing appropriations to be expended under the provisions of sections 4 to 14 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

Mr. HARRIS, from the Committee on Commerce, to which was referred the bill (S. 4531) authorizing a survey by the Public Health Service in connection with the control of cancer, reported it without amendment and submitted a report (No. 717) thereon.

VIEWS OF MINORITY OF SUBCOMMITTEE ON LOBBYING ACTIVITIES

Mr. ROBINSON of Indiana. Mr. President, I submit a report, prepared by myself and for which I take responsibility as a member of the Subcommittee on the Judiciary, ordinarily known as the lobby committee, with reference to the lobbying activities of one Eugene R. Pickrell, of New York, chemical associations, and others, and ask that it be read so it may appear in the RECORD. I shall not now make any comment upon the report. The junior Senator from Utah [Mr. KING] is to some extent interested. He is not now in his seat, and I shall therefore defer comment until a later time.

The VICE PRESIDENT. Is there objection to the request of the Senator from Indiana?

Mr. BLACK. Mr. President, as I understand it, the Senator asks that the report be read. I object to it being read in the absence of the Senator from Utah [Mr. KING].

The VICE PRESIDENT. Is there objection to the report being received? If there is no objection, it will be received and lie on the table.

Mr. BLAINE. Mr. President, I did not understand whether the Senator from Indiana announced that it was the report of the subcommittee.

The VICE PRESIDENT. It is the individual report of the Senator from Indiana.

Mr. BLAINE. The Senator's individual report?

Mr. ROBINSON of Indiana. I announced that it is a report prepared by myself, for which I assume responsibility as a member of the Subcommittee on the Judiciary, known as the lobby committee, and which simply states the facts as adduced by the evidence.

Mr. BLAINE. My purpose in asking the question was that I had not seen the report, and, therefore, know nothing about it.

Mr. ROBINSON of Indiana. Mr. President, I may say——

The VICE PRESIDENT. Discussion while the Senate is proceeding under the order of reports of committees is not in order, but without objection the Senator may be heard.

Mr. CARAWAY. Is the morning business now over, Mr. President?

The VICE PRESIDENT. The morning business is not over.

Mr. CARAWAY. I want to make some remarks about the statement which the Senator from Indiana made yesterday.

The VICE PRESIDENT. Is there objection to the presentation of the report?

Mr. WALSH of Montana. Reserving the right to object, I merely desire to inquire of the Senator whether the report which he has now presented has been submitted to other members of the committee?

Mr. ROBINSON of Indiana. No, Mr. President, I may say that I have not been able to get other members of the committee sufficiently interested in the report to read it. I did recently talk to the junior Senator from Arkansas [Mr. CARAWAY], and told him I was ready to submit the report, and he said he had no objection to the report being submitted. Without even having seen it, he made that statement.

Mr. CARAWAY. Mr. President, will the Senator let me qualify that statement? I did see the report; I read a part of it; I said I had no objection to it, and I have not any objection now.

Mr. ROBINSON of Indiana. The Senator will remember——

Mr. CARAWAY. I said I had no objection to it then, and I have none now.

Mr. ROBINSON of Indiana. Exactly; but I brought the report before the committee on at least one occasion, and I think twice, in executive session, seeking an opportunity to present it months ago. It was then delayed; it was suggested that it be further delayed; and it has been delayed until this time, may I say, Mr. President, very largely because of the illness of the junior Senator from Utah [Mr. KING]. I have always desired to be fair in this matter and not to present the report so long as the Senator from Utah was unable to be here. Since that time the Senator from Utah has been in Europe; but he has returned, and I understand that, while now not in perfect health, his health is very much improved.

In the interest of the Senate and the country, and in order that the Senate and the country may know precisely what the evidence discloses, I have submitted this report, for which I take personal responsibility, and I have asked that it be read. If consent for the reading of the report is not granted, I myself shall read it; I shall have to do that, because I want the report read, Mr. President. I would be content to have it read by the clerk; and if there is no objection I hope that will be done.

The VICE PRESIDENT. Is there objection?

Mr. CARAWAY. I hope that no Senator will object to the reading of the report. No Senator is put in the position of approving it by letting it be read as an expression of the views of the Senator from Indiana. Such reports have always been read. So I hope that no Senator will object to the reading of the report.

Mr. BLACK. Mr. President, I will say to the Senator from Arkansas that if the Senator from Indiana insists upon reading the report, I will not object, but I do not think in the absence of the Senator from Utah that it should be read. That

was the reason I objected. I know nothing about what the report contains.

Mr. ROBINSON of Indiana. Mr. President, I understand the Senator has withdrawn his objection?

Mr. BLACK. I do withdraw it, if the Senator from Indiana insists that it shall be read in the absence of the Senator from Utah.

Mr. ROBINSON of Indiana. Reports from the lobby committee have always been read, so far as I can now remember. Therefore, there should be no exception made in this case.

Mr. BLACK. There is quite a different issue in this instance. According to the Senator's statement, there is in the report some kind of reflection upon a Senator of this body who is absent.

Mr. ROBINSON of Indiana. I have not made that statement. I have said simply that this report states the facts as adduced by the testimony taken before the committee; that is all. I consented to defer any comment I might have to make on the report until the Senator from Utah shall be in his seat.

The VICE PRESIDENT. Is there objection?

Mr. BLACK. Reserving the right to object, if the Senator states that he thinks that the report embodies a fair statement of the facts, and that he has in mind offering the report when the Senator from Utah is away, I will withdraw my objection.

The VICE PRESIDENT. The Secretary will read.

The Chief Clerk proceeded to read, and read as follows:

Mr. ROBINSON of Indiana, from the Subcommittee on the Judiciary, submitted the following partial report (pursuant to Senate Resolution 20).

One of the witnesses examined by your committee——

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Montana will state it.

Mr. WALSH of Montana. In view of the caption of the report as read by the clerk—

Mr. ROBINSON of Indiana, from the Subcommittee on the Judiciary submitted the following report—

I inquire whether in the practice of the Senate that does not indicate that it is a report from the committee?

Mr. ROBINSON of Indiana. Mr. President, to clear up that point, may I say I mean it to be a minority report for which I take the responsibility as a member of the subcommittee.

Mr. WALSH of Montana. I understood from what the Senator from Indiana has said that this is simply his own individual report.

Mr. ROBINSON of Indiana. I did not understand the Senator's comment, Mr. President.

Mr. WALSH of Montana. I understood the Senator heretofore to say that this is only his own individual report.

Mr. ROBINSON of Indiana. This is a minority report from the subcommittee of the Committee on the Judiciary, for which I, as a minority member, take full responsibility. It states only the facts.

Mr. WALSH of Montana. Can the Senator tell us what other member concurs in this report?

Mr. ROBINSON of Indiana. I do not know that any other member has concurred. I have tried to get majority concurrence time and again without success.

The VICE PRESIDENT. The Chair will state that, according to its caption, the report purports to be a report from the subcommittee. The Chair understands the Senator from Indiana modifies the caption, and makes it his own individual report.

Mr. ROBINSON of Indiana. It may be considered as "the views of the minority of the committee." I think that is the language ordinarily used; and I have no objection to that phraseology, but I do want the report read.

The VICE PRESIDENT. Is there objection?

Mr. FESS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FESS. Merely to refresh the memory of the Chair, when the Senator from Arkansas presented a partial report on a previous occasion, I raised the question as to whether it was not bad practice to have a subcommittee make a report directly from the floor. It was thought, in view of the resolution under which the subcommittee has been operating, that such procedure was in order, although it had not been the practice.

The VICE PRESIDENT. The Chair begs the pardon of the Senator from Ohio; but the question of order has never been raised for the Chair to pass upon. The Chair, however, has always put the question whether or not there was objection to receiving the reports presented. If the point were raised the Chair would hold that such reports are not in order unless authorized by a majority or quorum of the committee; but all the partial reports from the so-called lobby committee have been presented without objection. The Chair has on each occasion submitted the question whether or not there was objection. The Secretary will read.

The Chief Clerk resumed and concluded the reading of the views of the minority (Rept. No. 43, pt. 9) submitted by Mr. ROBINSON of Indiana, which entire are as follows:

[S. Rept. No. 43, pt. 9, 71st Cong., 2d sess.]

LOBBYING AND LOBBYISTS

Mr. ROBINSON of Indiana, from the Subcommittee on the Judiciary, submitted the following views of minority partial report (pursuant to S. Res. 20).

One of the witnesses examined by your committee was Dr. Eugene R. Pickrell, of New York City. Doctor Pickrell has been a familiar figure around Washington for a number of years; he entered the service of the United States Government in 1909, and for a period of 10 years performed services as a chemist in various governmental offices, and for the last seven years of his service occupied the position of chief chemist in the Customs Service in New York; his duties there are more fully explained by his testimony. An excerpt from the record follows:

"Senator ROBINSON of Indiana. And what was your duty there, Doctor, as the chief chemist in the Customs Service of the United States Government at the port of New York?

"Mr. PICKRELL. My duty was to supervise the analyses of samples that were sent to the laboratory from the various examiners, sent from the Assistant Attorney General's office in charge of customs, and samples sent from special agents of the service; also to appear before the customs court as a witness in any case involving reappraisement or classification of chemicals or related products.

"Senator ROBINSON of Indiana. That is just the point. You had a lot to do with testimony with reference to the appraisal of imported chemicals of various kinds?

"Mr. PICKRELL. Yes.

"Senator ROBINSON of Indiana. You were employed as an expert along that line by the Government?

"Mr. PICKRELL. Yes." (Rec. vol. 37, p. 4905.)

It is significant that Doctor Pickrell occupied his responsible position during the period of the World War, both prior to and during our participation in that conflict, and during which time necessity had brought forth numerous infant dye manufacturing plants in this country. Doctor Pickrell, on account of this experience in the customs office, very readily found more lucrative employment outside of Government service.

With the exception of about one year immediately after he left the public service and a little over a year on the Pacific coast he has been principally in the employ of Herman A. Metz, interested largely in the importation of foreign dyes and allied products.

Evidence before the committee disclosed that Herman A. Metz is president of General Dyestuffs Corporation, and that his principal place of business is 230 Fifth Avenue, New York City; that he is also interested in Afga-Ansco Corporation and the General Aniline Co.; that the I. G. Farbenindustrie Aktien-gesellschaft was organized in Germany to take over the principal dye concerns of that country, notably what were known as the "Big Six," as well as smaller companies; that recently a dye cartel has been organized in Europe, embracing the principal dye intercsts in France, Switzerland, and Germany; that one of the purposes of this cartel is to control prices of dye products in various parts of the world; that the German I. G. is perhaps the largest concern of its kind in the world; that within the last two years there has been organized in this country what is known as the American I. G. Chemical Corporation; that at least $30,000,000 worth of its securities have been authorized to be sold on the New York Stock Exchange; that it is a subsidiary of the German I. G., by whom it was promoted; that its principal offices are the same as those of the German I. G.; that Mr. Metz assisted in its organization, is vice president and treasurer of the corporation, and owns over $100,000 of its securities; that it was to take over the Afga-Ansco Corporation and the General Aniline Works (Inc.), in both of which Mr. Metz is interested; that the General Dyestuffs Corporation, of New York, which maintains branches and warehouses in the industrial centers of the United States, is intimately connected with the German I. G.; that these various concerns are interested in maintaining the foreign-valuation plan and have conducted a vigorous lobby in this direction.

During the tariff revision, 1921–22, Doctor Pickrell was in Washington almost continuously from May, 1921, until September, 1922; he was employed by H. A. Metz at a salary of $5,000 per year and expenses; he had no office he says and stayed most of the time at the Raleigh Hotel; his activities here during that period are described in his own testimony which will appear from the following excerpt from the record:

"Senator ROBINSON of Indiana. You were giving your entire time to H. A. Metz?

"Mr. PICKRELL. That is right.

"Senator ROBINSON of Indiana. Do you know of any other money that was spent here during that period by H. A. Metz?

"Mr. PICKRELL. I do not.

"Senator ROBINSON of Indiana. Doctor, when you were here during that period, until September, 1922, from the spring of 1921, where did you make your headquarters?

"Mr. PICKRELL. I lived most of the time at the Hotel Raleigh.

"Senator ROBINSON of Indiana. The Hotel Raleigh?

"Mr. PICKRELL. Yes.

"Senator ROBINSON of Indiana. Where did you have your office?

"Mr. PICKRELL. I had no office in Washington.

"Senator ROBINSON of Indiana. Did you have any office facilities of any kind?

"Mr. PICKRELL. Only I had, at times, a typewriter in my own hotel room. That is all. I had no office.

"Senator ROBINSON of Indiana. You didn't use any office anywhere else?

"Mr. PICKRELL. No.

"Senator ROBINSON of Indiana. You didn't use any office in which to hold meetings, except your room at the Raleigh Hotel?

"Mr. PICKRELL. That is right.

"Senator ROBINSON of Indiana. During that period of time, while you were working on the tariff, in 1922, what Members of the House and Senate did you call on, if any?

"Mr. PICKRELL. Of course, that is very hard to recall, Senator. It was several years ago.

"Senator ROBINSON of Indiana. Do you remember how many of them you called on?

"Mr. PICKRELL. Very few.

"Senator ROBINSON of Indiana. You say you were working down here in the interest of Mr. Metz at that time on the tariff. Just what kind of work did you do on the tariff?

"Mr. PICKRELL. Senator, I prepared material as to the argument for and against the dye embargo." (Rec., vol. 37, pp. 4915–4916.)

In view of subsequent testimony of other witnesses your committee calls particular attention to statements that he used no office other than his room at the hotel and knows of no money spent by H. A. Metz other than that paid to him.

Doctor Pickrell has had various ideas on tariff in accordance with his employment; immediately after he left Government service he was ready to champion the cause of American valuations, but as this did not meet the approval of his new employers, he changed his mind and is now firm in the belief that foreign valuations is the thing for the American people. Doctor Pickrell seems to know but little of the management of the German dye interests, and although he was sent to Germany in 1923 by H. A. Metz and has been in his employ for a number of years, yet he testified his knowledge on this question is confined to what he has read in the papers.

On January 1, 1929, after it was a well-known fact that a special session of Congress could be called to revive the tariff laws, Doctor Pickrell opened up an office in New York City. His business, he says, is that of chemist and customs consultant.

He testified that during the present tariff revision he has been representing General Dyestuffs Corporation, at an annual retainer of $5,000 and expenses; Kutroff-Pickard & Co., at $3,000 and expenses; the Synthetic Nitrogen Products Corporation, at $3,000 and expenses; and the Afga-Ansco Corporation, at $1,000 and expenses.

Doctor Pickrell testified that he stayed at the Raleigh Hotel in 1921–22; in 1928–29 he alternated between the Mayflower and Wardman Park. He still had no office, however, he stated, and no office facilities, and your committee is at a loss to know how he performed services commensurate with the substantial retainers he received. He had no correspondence of any kind, or at least very little, and this was of such small consequence, he testified, that he kept no copies, although letters written by him and copies of letters written to him very vitally affecting the work your committee had in hand were later produced and made a part of your committee's records. (Rec. vol. 43, pp. 5639–5647.)

Doctor Pickrell denied all association with Senator KING; that he had used his office as headquarters, or the office of any other Senator for such purpose; he did, however, admit a general acquaintance with one Samuel Russell, who was Senator KING's secretary from 1916 to 1928, and whom he saw frequently during the tariff revision in 1921–22.

These statements were decidedly at variance with other evidence before the committee, however. Frank K. Beal, a Washington newspaper-man, testified that in the latter part of September, 1929, it was generally known among newspaper-men that Doctor Pickrell was making his headquarters in the office of Senator WILLIAM H. KING, of Utah; that he called on the telephone for Doctor Pickrell at that office; that Doctor Pickrell was put on the line promptly and consented to an interview on the tariff; that he went to Senator KING's office, found him there with his hat and coat off, dictating to one of the employees; that he arranged with him for an interview the next morning at 11 o'clock; that when he returned the next day Doctor Pickrell had gone and left no word. Indeed, Doctor Pickrell, in his testimony, admitted practically all of this.

Mr. Samuel Russell, of Salt Lake City, Utah, was called as a witness by your committee. He testified, among other things, that he was a resident of Utah, and prior to 1917 was engaged in the practice of law; that he had always been interested in politics and in public affairs; that he never held public office prior to coming to Washington but had once been candidate for State senator on the Democratic ticket; was delegate to the Democratic National Convention at Baltimore in 1912, and was at one time vice chairman of the Democratic State committee; that he came to Washington as secretary to Senator KING, of Utah, March 4, 1917, and retained that position until September 1, 1928.

Mr. Russell testified further that his acquaintance with Dr. Eugene R. Pickrell dates from 1922, just prior to the time the Shortridge committee of the Sixty-eighth Congress started to hold its hearings on the so-called dye monopoly. That he first met Doctor Pickrell in Senator KING's office prior to the time the resolution was presented; that he worked with Doctor Pickrell in Senator KING's office in the preparation of a statement on schedule of charges against the so-called dye monopoly; that at the time this work was going on Doctor Pickrell was in the employ of Herman A. Metz, of New York; that Doctor Pickrell supplied material which was dictated into statements and speeches for Senator KING; that until March of that year they used Senator KING's office for their preparation of the data on the dye monopoly, and that Doctor Pickrell carried a key to Senator KING's office; that sometime in March, in order to get more privacy, they transferred the scene of their operations to Doctor Pickrell's rooms in the Raleigh Hotel; that they worked there together until the passage of the tariff bill in September, 1922; that during most of the term Albert Kubeldzis, another clerk in Senator KING's office, worked with them at the Raleigh Hotel.

The witness testified that Doctor Pickrell continued to frequent Senator KING's office from 1922 up until September, 1928, when he (Russell) left the employ of Senator KING.

The witness also, in answer to his subpœna, brought several letters and copies of letters with him, which were introduced and read into the record. These are appended hereto and marked Exhibits A, B, C, and D.

The following transcript from the record is of interest:

"Senator ROBINSON of Indiana. Now, Mr. Russell, I have here a letter dated November 22, 1928, addressed to Mr. Samuel Russell, secretary to Senator W. A. KING, Washington, D. C. Evidently by mistake it was sent you through that office.

"Mr. RUSSELL. Yes.

"Senator ROBINSON of Indiana. Purporting to come from Eugene R. Pickrell, 535 Fifth Avenue, New York.

"Mr. RUSSELL. Yes.

"Senator ROBINSON of Indiana. That letter you received through the mail in due course, did you?

"Mr. RUSSELL. It was forwarded to me from Senator KING's office.

"Senator ROBINSON of Indiana. And that is Doctor Pickrell's signature here, is it?

"Mr. RUSSELL. It is.

"Senator ROBINSON of Indiana. I will read this letter:

"'SAMUEL RUSSELL,

*"'Secretary, Senator King's Office, Washington, D. C.*

"'MY DEAR MR. RUSSELL——'

"Senator CARAWAY. Will you give us the date of it, please, sir?

"Senator ROBINSON of Indiana. November 22, 1928.

"'MY DEAR MR. RUSSELL: There is inclosed herewith my check for $157.50. Kindly pardon the delay in making this remittance, but matters unforeseen prevented me from taking care of this sooner.

"'I received your pamphlets on the antitrust laws and on the rectification of the corporate profits tax, for which kindly accept my sincere thanks. I haven't had a chance to peruse them, but expect to do so in the near future.

"'Colonel Metz sent his personal check for $1,000 to Senator KING on October 18, and addressed the letter "Salt Lake City." Since he has had no acknowledgment from the Senator, he made inquiry at the bank, and has been advised that the check has not been returned. He would appreciate it if you would find out from the Senator whether or not he received this check.

"'I expect to be in Washington on December 4, and shall drop in to see you.

"'With kindest personal regards, I am, very truly yours,

"'E. R. PICKRELL.'

"You received that letter?

"Mr. RUSSELL. Yes." (Rec., vol. 43, p. 5639, etc.)

This letter shows that Mr. Metz had send a check for $1,000 to Senator KING on October 18, 1928. It also shows the payment of $157.50 to Mr. Russell for revision of data looking toward the revision of the antitrust laws to suit the interests represented by Pickrell. As above stated, other letters were read into the record evidencing the close relationship between Doctor Pickrell and Senator KING's office.

It is interesting to note that no trace of the correspondence produced by Mr. Russell and of which Doctor Pickrell had been the recipient or the sender could be located among Doctor Pickrell's files, nor did he seem to have knowledge of it when he testified on the stand.

The witness also stated to your committee that $1,000 had been contributed to Senator KING's campaign fund in 1922 by Colonel Metz, and that Doctor Pickrell had given the money to him (Russell), and Mr.

Russell had in turn given it to Samuel King, the Senator's brother, for the use of the Senator in his campaign. He stated also that Senator KING was informed of this transaction.

It should be stated here that Herman A. Metz in his testimony substantially corroborated the evidence of Mr. Russell.

He said that in 1922 Russell came to his office in New York to get some facts with reference to the embargo or the investigation or something, and Pickrell brought him into his (Metz's) office; that he told Pickrell "to fix it up," and that the latter gave the money to Russell in cash.

He testified he also sent a check in the sum of $1,000 to Senator KING at Salt Lake City, in October, 1928; that the following July, 1929, Senator KING told him he had destroyed that check; he said he was in the Senator's office when given this information.

The memory of Mr. Metz was hazy on these details, however. He testified the check had never been paid by his bank, but was unable to substantiate his statement with records of any kind.

While Senator KING could doubtless throw much light on all these matters he has thus far shown no desire to testify before your committee.

EXHIBIT A

NOVEMBER 22, 1928.

SAMUEL RUSSELL,
*Secretary, Senator King's Office, Washington, D. C.*

MY DEAR MR. RUSSELL: There is inclosed herewith my check for $157.50. Kindly pardon the delay in making this remittance, but matters unforeseen prevented me from taking care of this sooner.

I received your pamphlets on the antitrust laws and on the rectification of the corporate profits tax for which kindly accept my sincere thanks. I haven't had a chance to peruse them but expect to do so in the near future.

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I expect to be in Washington on December 4 and shall drop in to see you.

With kindest personal regards, I am, very truly yours,

E. R. PICKRELL.

EXHIBIT B

Mr. SAMUEL RUSSELL,
*Secretary to Senator W. H. King,*
*Senate House, Washington, D. C.*

MY DEAR MR. RUSSELL: I note in the New York Times, issue of February 10, 1929, that a group of prominent St. Louis men have forwarded a petition to Congress asking that appropriate compensation be paid former German owners of the patents seized by the Alien Property Custodian during the war. I would appreciate the courtesy if you would kindly send me a copy of this petition.

With kindest personal regards, I am, very truly yours,

E. R. PICKRELL.

EXHIBIT C

SALT LAKE CITY, UTAH, *February 20, 1929.*

DEAR DOCTOR: The petition about which you inquired in your letter of February 13 is obviously that signed by Archbishop Glennon, Richard Bartholt, and other citizens of St. Louis, which was presented by Mr. CANNON in the House of Representatives on February 11 and referred to the Ways and Means Committee.

There is a notation of this as petition 10067 on page 3401 of the CONGRESSIONAL RECORD of February 11.

The petition was not printed in the RECORD, and the only way a copy may be obtained is to have the same transcribed from the original paper on file with the Ways and Means Committee. I do not think it would be printed as a public document or otherwise available in printed form.

I presume that the check of Colonel Metz for $1,000, about which you wrote me some weeks ago, has by this time passed through the bank and come back with the colonel's vouchers.

Extend my greetings to Colonel Metz and Major Vandiver, and accept for yourself my very best personal regards.

Very truly yours,

SAMUEL RUSSELL.

Dr. E. R. PICKRELL,
*230 Fifth Avenue, New York City, N. Y.*

EXHIBIT D

FEBRUARY 23, 1929.

Mr. SAMUEL RUSSELL,
*1161 South West Temple Street, Salt Lake City, Utah.*

MY DEAR MR. RUSSELL: I am in receipt of your kind letter dated February 20, and certainly appreciate the information contained therein. I was in Washington on Wednesday and Thursday last, and did not know until then that you were no longer affiliated with Senator KING.

I will extend your greetings to Colonel Metz and Major Vandiver and wish you success in your new venture. If I can be of any assistance to you at any time, please do not fail to call upon me.

With kindest personal regards, I am, very truly yours,

E. R. PICKRELL.

## RIVER AND HARBOR BILL

Mr. JOHNSON. From the Committee on Commerce I report back favorably with amendments the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and I submit a report (No. 715) thereon. I give notice that at the earliest possible moment I shall move that the Senate proceed to its consideration.

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

## MISSOURI RIVER BRIDGE

Mr. HOWELL. I report back favorably without amendment from the Committee on Commerce the bill (S. 4538) authorizing the construction, maintenance, and operation of a bridge across the Missouri River between Council Bluffs, Iowa, and Omaha, Nebr., and ask for its immediate consideration.

There being no objection, the bill was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Richard L. Metcalf, mayor of Omaha, Nebr., and his successors in office; Oscar H. Brown, mayor of Council Bluffs, Iowa, and his successors in office; Harry H. Lapidus, of Omaha, Nebr.; Mathew E. O'Keefe, of Council Bluffs, Iowa; and C. A. Sorensen, attorney general of the State of Nebraska, and his successors in office, all as trustees, are hereby authorized and empowered to cause to be prepared and to adopt plans and specifications for and to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, and to own and hold the same in trust for said cities of Omaha and Council Bluffs and the States of Iowa and Nebraska. Said bridge shall be constructed at a point suitable to the interests of navigation, at or near Farnam Street, Omaha, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. Said five trustees shall act jointly as a board under the designation and style of the "Omaha and Council Bluffs Free Bridge Trustees." No act of said board shall be valid unless concurred in by not less than three members thereof. Said board shall fill any vacancy caused by the death, resignation, or refusal and failure to act of any one of the two nonpublic officer members of the board, or the refusal and failure to act of any one of the three public officer members of the board. The term of any person selected to fill a vacancy caused by the refusal and failure to act of any one of the three public officer members shall terminate with the election and qualification of said official member's successor in office.

SEC. 2. There is hereby conferred upon the Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be such as will amortize the cost of said bridge within a period fixed by said Omaha and Council Bluffs Free Bridge Trustees but not to exceed 20 years, and such rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. If after the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two of them, jointly, may at any time desire to acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, it shall not be necessary to condemn or expropriate such property, but the said Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, shall deliver to such public agency, by proper instrument of conveyance, all right, title, and interest in such bridge and its approaches; and no damages or compensation whatsoever shall be allowed for any such right, title, or interest, but if such bridge is so acquired it shall be taken over subject to the

bonds, debentures, or other instruments of indebtedness, including accrued interest thereon, actually issued in payment for the bridge, its approaches, and improvements and outstanding at the time of such taking over. Such instrument of conveyance shall be executed and delivered within a period of 30 days after receiving from such public agency a written notice of such intention to take over such property.

SEC. 5. If such bridge shall at any time be taken over or acquired by such States, or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including only those items named in section 4 of this act, as soon as possible under reasonable charges but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The said Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Nebraska and Iowa a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the amount of bonds, debentures, or other evidences of indebtedness issued in connection with the construction of such bridge. The Secretary of War may, and upon request of the highway departments of either of such States shall at any time within three years after the completion of such bridge investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed and shall make a finding of the actual and reasonable costs of constructing and financing such bridge. For the purpose of such investigation the said Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, shall make available all of their records in connection with the construction and financing thereof. The findings of the Secretary of War as to the reasonable costs of the construction and financing of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to a review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than $5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required, and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which the bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

SEC. 9. Upon the completion of such bridge it shall be the duty thereafter of said Omaha and Council Bluffs Free Bridge Trustees, until said bridge shall be taken over or acquired by such States or political agencies or subdivisions thereof as provided for in this act, to supervise the collection of tolls and to authorize and audit all expenditures of money received from the collection of tolls; it shall be their duty to see that all revenues received from the bridge, except such amounts as may be necessary for the repair, operation, and maintenance, under economical management, of the bridge, shall be paid into the sinking fund and used for the amortization of the outstanding indebtedness incurred for the construction or improvement of the bridge. After a sinking fund sufficient for such amortization shall have been so provided the bridge shall thereafter be maintained and operated free of tolls; and the Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, shall thereupon convey, by proper instrument of conveyance, all right, title, and interest in said bridge and its approaches to the State of Nebraska and the State of Iowa, jointly, or to the highway departments thereof, if such States or their highway departments shall agree to accept and to maintain and operate the same; if such States or their highway departments refuse to agree to accept and maintain and operate the bridge as a free bridge, then the said Omaha and Council Bluffs Free Bridge Trustees, their successors and assigns, shall convey said bridge to either of such States, or to either of the counties thereof in which such bridge is located in whole or in part, or to the cities of Omaha, Nebr., and Council Bluffs, Iowa, jointly, or to either of them as shall agree to accept and maintain and operate the same as a free bridge.

### ENROLLED BILLS PRESENTED

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

S. 428. An act to authorize the transfer of the former naval radio station, Seawall, Me., as an addition to the Acadia National Park;

S. 3185. An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy;

S. 3585. An act to eliminate certain land from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation; and

S. 3817. An act to facilitate and simplify national-forest administration.

### REPORT OF NAVAL NOMINATIONS

As in open executive session,

Mr. GOLDSBOROUGH, from the Committee on Naval Affairs, reported the nominations of sundry officers in the Navy and the Marine Corps, which were placed on the Executive Calendar.

### BILLS INTRODUCED

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

By Mr. BROCK:

A bill (S. 4552) for the relief of Elmer E. Mynatt; to the Committee on Claims.

By Mr. NYE:

A bill (S. 4553) to authorize forestation investigations and experiments in North Dakota and adjacent prairie States, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. ROBSION of Kentucky:

A bill (S. 4554) to amend the red light law of the District of Columbia; and

A bill (S. 4555) to amend certain sections in the Code of Law for the District of Columbia relating to offenses against public policy; to the Committee on the District of Columbia.

### AMENDMENT TO NAVAL APPROPRIATION BILL

Mr. JONES submitted an amendment intended to be proposed by him to House bill 12236, the naval appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill to insert:

"Naval air station, Sand Point, Wash.: For the acquirement by purchase or condemnation approximately 30 acres of land adjoining the naval air station and necessary for its proper development, $50,000, or so much thereof as may be necessary."

### AMENDMENT OF MERCHANT MARINE ACT, 1928

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, which was ordered to lie on the table and to be printed.

### APPOINTMENT OF WARRANT OFFICERS IN THE ARMY

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (S. 1238) to authorize the appointment of Nannie C. Barndollar, Albert B. Neal, and Joseph B. Dickerson as warrant officers, United States Army, which was referred to the Committee on Military Affairs and ordered to be printed.

### RETIREMENT OF CIVIL-SERVICE EMPLOYEES

Mr. DALE. Mr. President, I desire to submit a conference report on Senate bill 15, the retirement bill, and I ask unanimous consent to print following the conference report a statement of the Senator from Tennessee [Mr. McKELLAR] respecting the report.

The report was ordered to lie on the table, and it and the accompanying statement were ordered to be printed in the RECORD, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 15) to amend the act entitled "An act to amend the act entitled 'An

act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," approved July 3, 1926, as amended, 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 disagreement to the amendment of the House and agree to the same with the following amendments:

1. In section 1, on page 1, in the last line of the engrossed copy of the amendment, after the word "clerks," insert the following: "employees of the Indian Service at large, excepting clerks."

2. In section 1, on page 2, in line 3, after the words "navy yards," strike out the comma and insert "including leading men and quartermen but excluding master mechanics and foremen."

3. In section 2, on page 4, in line 21, after the word "years," strike out the period, insert a comma, and the following: "except that where the head of the department or establishment certifies, and the Civil Service Commission agrees, that by reason of expert knowledge and special qualifications the continuance of the employee would be advantageous to the public service, further extensions of two years may be granted."

4. In section 3, on page 6, in line 23, after the figures "1924," strike out the comma and insert "and amendments thereof."

5. In section 4, on page 9, in line 9, after the word "exceed," insert "three-fourths of."

6. In section 4, on page 9, in line 14, after the word "hereof," insert the following: "together with interest at 4 per cent per annum compounded on June 30 of each year."

7. In section 5, on page 10, in line 21, after the word "offices," insert a comma and the following: "or the legislative branch."

8. In section 5, on page 11, in line 13, after the word "excluded," insert the following: "except such leaves of absence granted employees while receiving benefits under the United States employees' compensation act."

9. In section 6, on page 12, in line 14, after the word "thereafter," strike out the period, insert a colon, and add the following: "*Provided*, That any employee who heretofore has failed to file an application for retirement within six months after separation from the service may file such application within three months after the effective date of this act."

10. In section 6, on page 14, in line 1, after the word "hereof," insert the following: "together with interest at 4 per cent per annum compounded on June 30 of each year."

11. In section 9, on page 18, in line 4, after the word "service," insert the following: "All employees who may hereafter be brought within the purview of this act may elect to make such deposits in installments during the continuance of their service in such amounts and under such conditions as may be determined in each instance by the Commissioner of Pensions."

12. In section 12, on page 20, in line 14, after the word "the" where it occurs the first time, strike out "Secretary of the Interior, after consultation with the heads of the executive departments and with the approval of the President," and insert in lieu thereof "Civil Service Commission."

13. In section 12, on page 20, in line 21, after the word "credited," strike out "together with interest at 4 per cent per annum compounded on June 30 of each year."

14. In section 12, on page 20, in line 23, after the word "employee," strike out the semicolon, insert a comma, and the following: "To be maintained by the department or office by which he is employed."

15. In section 12, on page 21, in line 4, after the word "credited," strike out the comma and the remainder of the paragraph and insert in lieu thereof "to such individual account."

16. In section 12, on page 21, in line 12, after the word "employee," strike out the colon and insert "together with interest at 4 per cent per annum compounded on June 30 of each year."

17. In section 12, on pages 21 and 22, strike out the paragraph designated (c) and in the following paragraphs strike out the letters (d), (e), (f), and (g), and insert in lieu thereof the letters (c), (d), (e), and (f), respectively.

18. In section 19, on page 27, strike out the last line and insert in lieu thereof "July, 1930."

And the House agree to the same.

PORTER H. DALE,
JAMES COUZENS,
KENNETH MCKELLAR (with statement),
*Managers on the part of the Senate.*

FREDERICK R. LEHLBACH,
ADDISON T. SMITH,
*Managers on the part of the House.*

SEPARATE VIEWS OF SENATOR M'KELLAR

The majority of the conference committee has seen fit to report the Lehlbach bill. I am signing the report with reservations.

1. Under the terms of this bill carrying out a so-called tontine insurance plan, $12 a year, $1 a month, is taken out of the salary of each employee without compensation. I do not think the employees ought to be assessed with this dollar a month, but the Government ought to bear this proportion. Three and a half per cent is enough for the employees to pay. We started out on the absolute half-and-half plan, and we should uphold it. The claim is made that the dollar a month is a small amount, and so it is from each employee, but taking all the employees together it amounts to about $5,100,000 per year.

2. The Lehlbach bill is more of an insurance bill than a retirement bill. The Dale bill is purely a retirement bill based on all of our previous retirement legislation. In the conference I moved to strike out the dollar-a-month provision, but the motion received only the vote of Mr. JEFFERS and myself. A majority of the conferees of both Houses voted for the Lehlbach insurance plan and it carried.

3. I think it very unwise to depart from the now long-established plan of retiring Government employees under a retirement bill that has worked well and put them on an insurance basis. I know some of the representatives of the employees favored the change, and they may be right, but I believe it is not to the best interests of the great body of the employees.

4. There are groups of the employees of the Government now outside of the civil service who, under the terms of the Lehlbach bills, are required to pay all that they would have paid in during the last 10 years if they had been in the retirement plan. It was no fault of these clerks that they were not in the retirement system, and I think it is not fair to charge them with what they would have paid in order for them to receive the benefits of the system. In 1920 when we began this retirement system we did not require those clerks who were immediately retired to pay in anything to receive its benefits, and I do not believe we should treat the groups left out differently from what we treated those groups that originally came in. It was no fault of these groups that they were not included in the system then, and I do not think they should be charged this sum now in order to get the benefits of the system. Such charge, I am informed, will amount to about $750 for each employee. I first offered an amendment to let them come in free, as did the original employees in 1920, but this was voted down by a majority of both Senate and House conferees. I then offered an amendment which provided that these groups can pay in installments, and this was adopted. Of course, this is better than the original bill, but I do not think these groups should be charged at all, and certainly they should not be charged the full amount of what they would have paid in if they had been members of the system during the last 10 years. Of course, the amendment will help some, because I take it many clerks not now in the system would be absolutely excluded if they had to pay cash the average sum of $750 to get into the system.

5. The system of separate accounting set up in the Lehlbach bill would have cost the Government $250,000 per year. This was eliminated by the three Senate conferees.

6. A provision in the Lehlbach bill gives a number of employees a retirement pay sometimes equal to what they received as salaries while working for the Government. I moved to strike this out and insert three-fourths pay, and this was done.

KENNETH MCKELLAR.

PACKERS' CONSENT DECREE

Mr. BLACK. Mr. President, I desire to ask unanimous consent to discharge the Judiciary Committee from the further consideration of Senate Resolution 266, and ask for its immediate passage.

I will state, before I make this request, that I have had this matter up with the Senator from Nebraska [Mr. NORRIS], the chairman of the committee, and he states that it is satisfactory to him to withdraw the resolution from the committee; that it is not customary to refer resolutions of this kind to the Judiciary Committee. It is a resolution which provides for certain information to be supplied the Senate by the Attorney General in connection with the packers' consent decree. The Senator from Minnesota [Mr. SCHALL] offered the resolution, and at his request I am seeking this action after conference with the chairman of the Judiciary Committee, who said it would not only be satisfactory to him, but in his judgment the committee should be discharged from further consideration of the matter in order that the Senate might obtain this information.

The VICE PRESIDENT. Will the Senator send the resolution to the desk in order that it may be read?

Mr. MCNARY. Mr. President, I shall object to the present consideration of the resolution, for the reason that about two months ago the Senator from North Dakota [Mr. NYE] introduced a similar resolution, and we acted upon it, and the Attorney General has supplied the information. If there is any

difference at all, I do not apprehend it from the statement; but for the present I shall object to the consideration of the resolution.

Mr. BLACK. Since I have the floor, then, I desire to read to the Senate a recent circular issued by Mathews & Co., brokers of Chicago, with reference to this decree and with reference to the packers' bonds which are sought to be sold throughout the country, and stating—which I trust is not correct—that the present administration is favorable to a modification of the decree. I desire to read this circular:

MATHEWS & CO.,
*Chicago.*

RIDING NEW PROSPERITY WAVE WITH THE PACKERS

After nine rather lean years, the meat-packing industry is entering an epoch of nine or more fat years.

Beef, mutton, and pork are commanding better prices this year than for a long time previously and there is a strong upward trend for future deliveries.

Hence, the margin of profit from the business in fresh meats is widening substantially.

With the development of a more active demand for pork products, which require from one month to three months for curing, the packers are no longer in danger of sustaining losses through the carrying of huge inventories.

Educational propaganda on the farms is encouraging the cattle, sheep, and hog raisers to stabilize their production so as to avoid hereafter their biennially alternating "feast and famine" offerings.

Moreover, quick-freezing processes are also helping to keep fresh meats without deterioration for more extended periods, thereby enabling the packers to hold such products indefinitely, for the best prices obtainable.

But, above all other considerations, the leading meat packers are now getting into line to benefit materially through a reentering into the distribution end of the business.

They are now banking heavily—and with justification, on a modification of the celebrated "consent decree" of 1920, whereby they were forced to divest themselves of all business activities and control of operations other than in the wholesaling of meat, poultry, and dairy products.

It has been contended by the packers for several years that the Government decree was obtained by unlawful methods, and it would appear that the weight of judicial opinion is now with them.

Cogent arguments, recently presented by the packing interests in the Supreme Court for the District of Columbia and to the Department of Justice, are well-calculated to result in the setting aside or radical modification of the United States Supreme Court's decision, prohibiting the packer from handling fruit and vegetables as well as all retailing operations in meats, poultry, and dairy products.

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

Mr. BLACK. I yield.

Mr. CARAWAY. It would be interesting to note what statement would be made in support of the allegation that the consent decree was obtained by fraud, would it not?

Mr. BLACK. It would be most interesting. I call the Senator's particular attention to the next paragraph:

The present administration in Washington is known to favor unification of interests and the elimination of needless competition and inefficient distribution, which President Hoover has estimated to entail an economic waste of fully $8,000,000,000 a year. It is known to favor a modification of the consent decree.

I call attention to the fact that this resolution which I am seeking to have brought up asked the Attorney General for information as to what has been done to enforce this decree, what efforts have been made to violate the decree, what they expect to do in the future, what the attitude is in connection with it.

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

Mr. BLACK. I yield.

Mr. COPELAND. I was quite surprised to hear the Senator from Oregon say that a report had come. I have been listening for it and waiting for it, because I share with the Senator from Alabama great anxiety over this matter. What information has the Senator about the report having come from the Attorney General?

Mr. BLACK. I have a copy of the report, which is very brief, and it does not by any means, in my judgment, cover the propositions inquired about in this resolution. I shall be glad to show the Senator the report.

Mr. COPELAND. I am concerned about it because if this decree is actually dissolved, as I understand it, it will permit the meat packers to go into the chain-store business, and still further embarrass the independent dealers of the country.

Mr. BLACK. I will show the Senator exactly what they say in this circular they are going to do.

Mr. COPELAND. I thank the Senator.

Mr. BLACK. It continues:

With the expected modification of the consent decree, the big meat packers will enter the retail field anew, with nation-wide chains of grocery and other food shops, which will overshadow all the existing enterprises of that type in the United States.

Mr. CARAWAY. Mr. President, who is the author of that remarkable document?

Mr. BLACK. It is issued by Mathews & Co., brokers, of Chicago, Ill.

Mr. CARAWAY. What is the purpose of it?

Mr. BLACK. The purpose of it, as I understand it, is to advertise the packers' bond issues and stock issues, in order that they may be sold throughout the world.

Mr. CARAWAY. They can not have any blue sky laws in Illinois, if that kind of a statement can be issued.

Mr. BLACK. My own judgment is that they accurately prophesy what will be the result if this packers' consent decree is modified.

Mr. CARAWAY. I do not doubt that; but does the Senator seriously believe it will be modified?

Mr. BLACK. I am very fearful it will be modified if the Attorney General does not prosecute vigorously.

Mr. CARAWAY. I should be very much alarmed if I believed it would be modified. I would like to examine some of the contentions to see under what theory any court would be asked to consent to a modification of the decree.

Mr. BLACK. I will state to the Senator from Arkansas that I do not think it should be modified; but if the Attorney General's force does not fight the effort vigorously it is likely to be modified, and there has been little effort, so far as I know, to enforce it in the past.

Mr. CARAWAY. I concur in the Senator's effort, then, to get this information at once.

Mr. BLACK. The circular continues:

As the nucleus of such chains of meat and grocery stores as they now contemplate the packers may take over most of the huge retail food store chains already existing, such as the big grocery chains, which now operate meat departments in 20,000 to 30,000 such shops in various parts of the country.

It will pay every investor to scrutinize closely the increasing profit potentialities of the packing organizations.

Consult us on this score. We will gladly furnish you with worthwhile advices.

Mr. COPELAND. Mr. President, the Senator is an able attorney, alert in all legal matters. Has he any suggestion to make? Is there anything the Senate may do to force the action he has in mind? I regard it as a great menace to American institutions. Our country was built on the small merchants, and if we are to have created in the United States a situation where the chain stores and the great meat packers control the industry of the country, to my mind it will undermine the very existence of our country and the institutions of our country. I appeal to the Senator, if he has any plan which may be presented to the Senate in order that this calamity may be averted, to bring it forward.

Mr. BLACK. The first plan I have in mind is to obtain from the Attorney General full and complete information as to what efforts they have made to enforce this decree, in what way it has been violated, in what way the packers have attempted to violate it, in what way the Attorney General intends to fight their efforts in the future. That is what this resolution provides.

I trust that after it has been examined thoroughly by the Senator from Oregon he will withdraw his objection.

Mr. McNARY. Mr. President, I can state to the Senator that I have no desire to prevent the consideration of the resolution if the subject has not already been acted on; and during the day I shall read the Senator's resolution and I shall be pleased to get the consent of Senator NYE. If it is not a duplicate, I certainly will not interfere with its passage. With that statement I hope the Senator will conclude his remarks so that we may take up the calendar.

Mr. BLACK. I appreciate the Senator's position, and I expect to conclude my remarks.

Mr. McNARY. Mr. President, I made the suggestion because we can probably handle the matter later in the day. The Senator will be very helpful if he will let us go on with morning business.

Mr. BLACK. I will say to the Senator that it would have been very helpful, and would have expedited business, if the Senator had made that statement when I first asked for the consideration of the resolution, and since the Senator has made it, with the statement that, so far as I am concerned, I am against this kind of monopoly, and every other kind of monopoly,

against these mergers which some people seem to believe mean the salvation of the country through depriving men of their jobs and building up huge monopolies to fleece the public, I await with great hope the Senator's investigation.

CHAIRMEN OF NATIONAL POLITICAL COMMITTEES

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD several editorials from southern papers.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[Editorial from the Greensboro (N. C.) Record, April 9, 1930]

THESE NATIONAL CHAIRMEN

The furor which is being raised in dry Democratic circles because John J. Raskob, chairman of the party, has been contributing from his personal funds to the work of the Association Against the Eighteenth Amendment should not be confused with the hullabaloo over retention of the post of chairman of the Republican Party by Claudius H. Huston. Demands are being made that both chairmen retire, and that right soon, but the reasons behind the demands are as far apart as night and day—and in justice to Mr. Raskob the facts should not be overlooked.

Let's take the Huston case first: During February of last year Mr. Huston was playing the stock market, but under an assumed name. He was pressed for money, evidently, and went to a close friend in his lobby work for private operation of Muscle Shoals, told him it was necessary to have $22,000 at once in order to keep up the work. Inasmuch as this friend was president of the concern for which Huston was trying to get Muscle Shoals, the money was forthcoming. Huston used it to settle his account with the brokers, which was $19,381 short. Later he went back and got $14,000 more, and this also went to his broker. It was not until August that he paid the money into the treasury of his lobbying association. In other words, he got money for his lobbying activities and used it to settle personal accounts, and had his activities been discovered between the time of receiving the money and of paying it to the organizaton for which it was intended, he probably would have been disgraced, if not convicted. Having been successful, however, he was made chairman of the Republican Party. But now that his rather irregular (putting it mildly) activities have come to light, the G. O. P. is very much embarrassed, his good friend President Hoover is embarrassed, and most Republicans in high positions agree that the party will have to get rid of Huston. That gentleman refuses to resign, saying he has done no wrong.

In the case of Mr. Raskob, there is a different situation. Mr. Raskob is a wealthy man and is an acknowledged wet. Since assuming the chairmanship of the Democratic Party he has contributed to the treasury of the Association Against the Prohibition Amendment. In the eyes of the drys this is a heinous offense, though, presumably, had he contributed to the Anti-Saloon League, the hue and cry probably would not have been raised. The fight on Mr. Raskob until three or four days ago centered about the fact that he gave to the antiprohibition organization, while he only loaned to the Democratic Party. Then the fact came out that the antiprohibition organization sponsored candidacies of men without regard for parties, caring only if they were wet. Thus was Mr. Raskob, the head of the Democratic Party, placed in the rather embarrassing position of fighting privately candidates whom he indorsed as head of the party. In his case, however, there is no suggestion of dishonesty, or even tricky dealing, as in the case of Mr. Huston.

There is no denying the fact that his political enemies have Mr. Raskob in a well-nigh untenable position. It is to be regretted, however, that some of these men can not see themselves as others see them. As we pointed out in the case of Josephus Daniels a few days ago, he was for a long number of years a member of the Democratic executive committee and a member and director of the Anti-Saloon League which was fighting—and still is while Mr. Daniels still is a director—against all wet candidates, and thus fought Democrats as well as Republicans. It is a well-known fact, indeed, that the Anti-Saloon League is the stepchild of the Republican Party. If it was and is entirely correct for Mr. Daniels and others of the same class to belong to dry organizations and hold office in the Democratic Party, why is it not right for Mr. Raskob to belong to wet organizations and hold office in the party? This line of argument, however, will profit little at this time. We merely bring out this point to illustrate the inconsistency—and narrow-mindedness—of some of the opposition to Mr. Raskob.

The truth of the matter is that it probably will be the wise thing for both parties to get rid of their national chairmen. Mr. Huston will hardly be able to attract contributions in the face of the fact that it has been proved he used them for his own profit. Mr. Raskob will hardly be able to rationalize his activities as head of the party and heavy contributor to an organization fighting candidates of the party.

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[Editorial from the St. Louis (Mo.) Post-Dispatch, April 10, 1930]

THE SENATE AND THE CITIZEN

Chairman Raskob of the Democratic National Committee was brought before the Senate lobby committee at the instance of Senator ROBINSON of Indiana. Mr. ROBINSON'S motive seems obvious. Chairman Huston of the Republican National Committee had been examined by the committee, and Mr. ROBINSON apparently concluded that the Democratic chairman ought also to be questioned. It was rather shoddy reasoning on Mr. ROBINSON'S part. The results convict the Senator from Indiana of having abused his official authority.

The results are well known. Mr. Huston has been disqualified for the high party office which President Hoover conferred on him. He had diverted funds intrusted to him for lobbying purposes to his own speculative needs. He proffered an explanation of his action which the committee listened to with incredulous amazement. Subsequently that explanation was contradicted by another witness, the man who had sent Mr. Huston the money.

Mr. Raskob was not a lobbyist within the Senate committee's meaning of the term. He had not been interested in influencing legislation before Congress for gainful purposes. He was a member of the Association Against the Prohibition Amendment. Everybody knew that. He had contributed money to that association. Everybody knew that. That was the extent of his alleged lobbying. Mr. Raskob was a pleasant, candid witness. He had nothing to conceal. Mr. Huston was a worried, ill-tempered, evasive witnesss who had much to conceal.

In summoning Mr. Huston for examination the Senate committee performed a necessary public service. In summoning Mr. Raskob the committee, it seems to us, exceeded its authority. We do not believe that a citizen should be subject to the beck and call of a Senate committee at the mere whimsy of any Senator. Would it be far-fetched to say that the constitutional guaranty against "unreasonable search and seizure" applies in this instance? Waiving that point, may we not fairly expect the members of our Federal Senate to be scrupulously respectful of the rights of the citizen? Because a party officer has, by his deportment, become a proper subject of senatorial inquiry, is it now to be the custom that the corresponding officer of another party shall also be placed on the stand?

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[Editorial from Haverhill (Mass.) Gazette, April 11, 1930]

RASKOB AND HUSTON

What appears to be an attempt to bring John J. Raskob, chairman of the Democratic National Committee, into a state of disfavor with his party equal to that occupied by Chairman Huston of the Republican National Committee is based on Raskob's relations with the antiprohibition movement.

Raskob is a director of and a contributor to the Association Against the Prohibition Amendment. Former Secretary of the Navy Daniels, testifying before the Senate lobby committee, made this comment about Raskob's position as a foe of prohibition in relation to his position as a Democratic leader:

"I think that a chairman of the Democratic Party ought not to be a member of and be giving money to any organization to elect anybody except Democrats."

This comment is based on the fact that the Association Against the Prohibition Amendment is bipartisan, and, therefore, interested primarily in candidates who personify its attitude toward prohibition. Thus, it is conceivable that Raskob as a director and contributor to the association might be aiding the campaign against a candidate, whom, as a Democratic leader, he should be assisting.

What Daniels would say if Raskob were as prominent in the work of the Anti-Saloon League as he is in the work of the Association Against the Prohibition Amendment we do not know. Daniels is a prohibitionist and a Democrat in a position to speak for the prohibition element in his party. We do not doubt that Daniels would welcome the elevation to the chairmanship of his party of a prohibitionist. Raskob is a consequence of the ascendancy in Democratic councils of the foes of prohibition that was attained when Alfred E. Smith was nominated for President. His opinion of prohibition, therefore, is not the opinion of all of his party. Indeed, there is no single opinion on prohibition that expresses the opinion of the party. Southern Democrats are dry and northern Democrats are wet.

The man at the head of the national committee must offend one element or the other or be a man utterly lacking in ideas on a great issue. A man so utterly lacking ideas almost certainly would not be the type of leader that a party needs. Expecting a man with strong opinions to abandon those opinions or to cease to work to advance them the moment he attains high partisan position we believe is expecting too much.

The chances are thus that whoever is chairman of the party will offend Daniels's ideas of the proper course for a chairman.

If Raskob is convinced that prohibition is bad, then he must believe that prohibition is not a cause his party should support, and working against prohibition while working for his party is not inconsistent. Similarly with Huston. Huston's activities for leasing Muscle Shoals to private enterprise in themselves were not just reasons for demanding his resignation as chairman of the Republican National Committee. Demands for his resignation are justly based only on his conduct during the course of these activities.

And Democratic drys must find something more against Raskob than mere antiprohibition activities before they can reasonably demand his resignation.

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[Editorial from the Rome (Ga.) News-Tribune, April 7, 1930]

RASKOB "PLAY" WAS BOOMERANG

Pity the poor G. O. P. commanders in a storm like this!

Harassed by public criticism of the failure of Congress to meet the problems with which it is confronted and chagrined and humiliated over the exposures affecting the chairman of the National Republican Committee, party leaders have sought desperately to pin something on the Democrats in order that the winds of criticism might be in part diverted.

But it has proved a rather pathetic exhibition, failing completely to achieve desired results.

The calling of Chairman Raskob before the Senate lobby committee is a case in point. The move was made in sheer desperation when the Republican chairman was caught indulging in shady transactions, and was ridiculous from the start. It served simply to emphasize the difference in the business character of the two men, and certainly it developed nothing that could even vaguely suggest the possibility of Mr. Raskob making sly use of funds collected for other purposes. Clearly he is not that type of man.

In point of business integrity, Raskob towers over Huston like the Woolworth Building over the Manhattan subway, a fact emphasized by his appearance before the committee.

Disappointing also to the Republicans was the frank attitude of the Democratic chairman in matters political. He made it perfectly clear that while he is opposed to prohibition he regards it as an issue for the party to pass upon and not for him to determine for the party—a sane and proper view of the subject.

The Democratic Party is dry—and will continue to be so—but one may disagree with this attitude and work on the outside for a change, if he sees fit, without being guilty of disloyalty. Many "sound money" Democrats stood by the party when it advocated free silver, putting loyalty above conviction, and the very fact that party men are able to put loyalty above conviction when circumstances make the choice necessary is what gives party its permanency. It is a sound view that the party is bigger than the individual, and in expressing this thought Chairman Raskob emphasized a truth that may not be too often stressed.

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[Editorial from the Cedartown (Ga.) Standard, April 24, 1930]

While we can not always agree with Mr. Raskob, the chairman of the Democratic National Committee, we certainly admire the way in which he handled himself the other day before the Senate lobby investigating committee. Huston, the Republican chairman, had not only been caught as a lobbyist but was also shown to have used money turned over to him for private speculation, and because Mr. Raskob was known to be a liberal contributor to the fund for fighting the Volstead law the Republicans in desperation tried to besmirch him as a lobbyist. Mr. Raskob answered his critics inside and out of the Democratic Party by frankly telling them how much and to whom his contributions were made; that his views on the question were personal; and that he had made no effort of any kind to direct the policies of the party. Huston is undoubtedly black as a pot, but Raskob refused to be put in the kettle class.

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[Editorial from the Omaha (Nebr.) World-Herald, April 10, 1930]

MR. DANIELS AND MR. RASKOB

Josephus Daniels admits that the "facts" contained in his recent editorial demanding that Mr. Raskob resign the chairmanship of the Democratic National Committee are "true." One might observe that facts usually are so considered. But the strange thing is that Josephus Daniels should feel that Mr. Raskob or Mr. Anybody Else should resign the chairmanship of the Democratic National Committee—or the Republican National Committee or any other national committee, unless it be the Woman's Christian Temperance Union national committee—simply because he is against prohibition.

Would Mr. Daniels expect Mr. Raskob to resign from the Democratic National Committee if Mr. Raskob were for prohibition—on the ground that he would be more interested in the retention of the eighteenth amendment than he would be in the success of the party? Is one of the prerequisites of the chairmanship of the Democratic National Committee an allegiance to and a faith in everything to which Mr. Daniels subscribes? Is 100 per cent conformity one of the indispensable qualifications? Does Mr. Daniels so conform? Does anyone?

There may be more than one reason why Mr. Raskob should step out, even as there may be one or two reasons why Claudius Huston should lay down the Republican scepter. But surely his honest, courageous, and outspoken attitude toward a policy that is neither Democratic nor Republican is not one of them.

[Editorial from the Johnstown (Pa.) Democrat, April 12, 1930]

THE RASKOB TEST

The Democratic Party, or rather the Democratic organization, is on trial at Washington. An attempt is being made to force John Raskob, Democratic national chairman, out of his office. This attack is being led by a Senator from Indiana, who is reputed to bear a commission from the Ku-Klux Klan, and by a Senator from North Carolina, who bolted the Democratic Party, who is a Hoovercrat, a tariff log roller, and a slippery citizen generally.

Raskob is being attacked primarily because Chairman Huston, of the Republican National Committee, got his fingers pinched while lobbying to secure Muscle Shoals for the Power Trusts.

If the Democratic leaders have any courage at all, they will support Raskob. Anyway, it is just about time to find out whether the Democratic Party is or is not a dry organization. According to our notion, no democratic Democrat, no matter how dry he may be, can indorse the eighteenth amendment as a method that can properly be used in promoting the virtue of temperance.

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[Editorial from the Charleston (W. Va.) Gazette, April 22, 1930]

OUR STAND INDORSED

The Coal Valley News indorses our stand upon Chairman Raskob in the following editorial:

"The Gazette in a long editorial ably combats the demand of a few Democrats that Raskob be forced to resign his connection with the Democratic National Committee because he opposes national prohibition and favors State control of the liquor problem; and argues that Raskob has been a good chairman and that forcing his resignation would be notice to the world that nobody is wanted in the Democratic Party who does not regard national prohibition as a shining success.

"The News is compelled to stand behind the Gazette in this matter. It is really immaterial to us whether Raskob, Shouse, or somebody else is head of the Democratic Party. We hope that whoever it is he will take the position that the Democratic Party is big enough to hold most anybody who desires to be a good citizen. If everybody who thinks like Raskob is forced out of the Democratic Party, pray who would be left? Only the other day a most beautiful and intelligent lady teacher was discharged in this county for drunkenness. A year ago two lady teachers were discharged for the same reason. Four months ago a circuit judge of West Virginia was forced to resign because of drunkenness. Two weeks ago another judge suicided, whom prohibition had failed to cure of the same habit. A great portion of our car wrecks are due to drunkenness. Every man and woman in Boone County knows that national prohibition at best is no success. Why, then, not say so? Does the Democratic Party desire to stifle free thought and free speech? Hardly.

"The Republican Party is reading the signs of the times. They will act accordingly. At present they are not ready to move in the matter of prohibition. Wisdom requires that they wait and watch. The Democrats have plenty of issues now without prohibition. Almost every man's pocketbook and household wants have become an issue. Things look good for Democratic success. Why should we hasten to commit political suicide just to establish a world record for being prize fools?

"We are with the Gazette. There is room in the Democratic Party for Raskob and several more like him."

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[Editorial from the Cedar Rapids (Iowa) Gazette-Republican, Saturday, April 12, 1930]

BAITING RASKOB

The curious perversion of moral standards which appears to be an inescapable accompaniment of prohibition is illustrated by the attitude of Republicans and Democrats, respectively, toward their national committeeman. As a result of testimony at the lobby probe, Mr. Huston stands accused of lobbying, gambling in stocks, and bolstering his stock account with other people's money, poker playing, neglect of duty, and parties with some choice chorus girls in whom he has acquired a purely platonic interest. In spite of these revelations, there has been no clamor for the resignation of Mr. Huston. The word has gone out that his usefulness has been somewhat impaired and there are strong hints that he ought to resign, but the rank and file of the party organization in the Capital have not waxed vociferously indignant.

On the other hand, consider the case of Mr. Raskob. At the instigation of Senator ROBINSON, he was called and the fact elicited that he had contributed money to the Association Against the Prohibition Amendment. As soon as this became known, several and sundry Democrats, including HEFLIN, SIMMONS, and former Secretary of the Navy Josephus Daniels, exhibited signs of apoplexy. Southern drys are howling their heads off and demanding his resignation. But not a single southern Republican is expressing horror and indignation at the revelations concerning Mr. Huston.

If the revelations had been the other way around, if Mr. Raskob stood accused of chorus girls, poker, stock gambling, reckless handling of funds, dereliction of duty, etc., while Mr. Huston confessed to finan-

cial support of the wets, there would have been loud howls from BROOKHART and middle westerners demanding that the Republican Party be immediately purged of such moral degradation. The Democrats, on the other hand, would have remained mute concerning the little frivolities of Mr. Raskob. The moral world has turned topsy-turvy since the coming of Volsteadism.

[Editorial from the Lynchburg (Va.) News, April 8, 1930]

A PAINFUL CONTRAST

Those who thought John J. Raskob not the proper man to be chairman of the Democratic National Committee because of his wet views think so now that he has appeared before the Senate committee investigating lobbying. Those who thought he should remain, either because of his wet views, or in spite of his wet views, or because of the attempted dictation of the party by those who have been seeking his scalp, think so now. The argument for and against Raskob is unchanged.

Yet even those who have fought him and even partisan Republicans who would have been glad to have seen developments at his hearing before the committee which would have helped their party by discrediting in some way the chairman of the opposition party must have been impressed with the contrast between Democratic Chairman Raskob and the Republican Chairman Huston before the committee. Both were subjected to searching cross-examination and both were subjected to hostile attack. The one was evasive, uncertain, perspiring; the other was straightforward, confident, cool, and collected. The one sought to hide things; the other answered even impertinent questions temperately and frankly. The one had something to conceal and suffered when disclosure came; the other had nothing to conceal and nothing was disclosed that was not already known and which he was unwilling to have known. In short, Chairman Huston made a spectacle of himself, while the chairman of the opposition came very close to making a spectacle of his hostile inquisitor.

Chairman Raskob is just as qualified now as he was before the hearing to be chairman of the Democratic Party no more and no less; Chairman Huston is exposed as disqualified for the position of chairman of any party. Whether Raskob remains or retires is a question of policy to be settled by the party he serves; whether Huston remains or retires is a question of good taste, if not a question of common honesty. Republicans will be the first to admit that it would have suited them better if neither had been called by the Senate committee, and none of them will thank Senator ROBINSON of Indiana for insisting on calling Mr. Raskob.

[Editorial from the Durham (N. C.) Herald, April 18, 1930]

A MATTER OF SAUCE

Our esteemed contemporary, the News and Observer, is almost panicked because John J. Raskob contributed funds to the Association Against the Prohibition Amendment. "The man who defends Raskob's giving money to elect wet Republicans isn't very keen about Democratic victory, or he hasn't accurately sensed Raskob's looking two ways at once."

We regret that Raskob contributed funds to the fight against prohibition. We don't agree with his view on prohibition. But readily admit that he has a right to oppose it just as we expect to be accorded the right to favor prohibition. We concede that there are honest men who oppose prohibition. We believe that those honest antiprohibitionists will concede the right of honest prohibitionists to espouse the cause they believe in. Mr. Daniels is a strong prohibitionist, and we give him credit for his position.

However, to try to discredit the Democracy of those who concede the right of any man to be on the other side is not in good taste, nor justifiable.

The dragging in of the question of electing wet Republicans is but an attempt to muddy the waters. Mr. Daniels, we believe, is an official in the Anti-Saloon League, certainly he is one of its champions, and no doubt contributes money to its support. It is engaged in electing dry Republicans, and if Mr. Daniels is a contributor to that campaign fund, he contributes to the aid of electing Republicans. No doubt but that the Anti-Saloon League in Illinois will indorse Mrs. RUTH HANNA MCCORMICK, Republican candidate for the United States Senate, in her race against James Hamilton Lewis, Democratic candidate, who was the party's whip in the Senate when Woodrow Wilson was President. We take it that President Wilson was a friend to Lewis, and relied considerably on him in those days. Yet, the Anti-Saloon League, of which Mr. Daniels is an influential member, will no doubt fight Lewis, and Mr. Daniels will be put in the position of aiding in that fight. It would seem, therefore, that from the point of mere political argument, he is in a poor position to criticize anyone who contributes to an organization that at times supports Republicans when he apparently is guilty of a similar partisan offense.

[Editorial from the Atlanta (Ga.) Constitution, April 27, 1930]

REPUBLICAN "MOCKERY"

The large attendance on the 1,266 Jefferson Day celebrations held throughout the country on April 21 is cited by Chairman Jouett Shouse, of the Democratic national executive committee, as convincing evidence that the people of the country are "fed up" with the control of a party which during nearly 10 years of administration has "made a mockery of Jeffersonian principles."

In commenting upon the nation-wide resentment which has grown up as the result of 10 years of Republican control of the party, Mr. Shouse said:

"The treachery of the Harding administration gang was of no lasting consequence; a few millions stolen, a shock to the faith of America in its high officials, a few criminals convicted where many should have been, a few reputations blasted. More enduring is the harm done by the respectable administrations that followed, with their cynical disregard of the fundamentals of republican government, their exploitation of the mass of the people for the benefit of those favorites of fortune who control our national industries.

"Jefferson laid down the principle that the three pedestals of American prosperity were agriculture, manufacturing, and commerce. Favor one of these at the expense of the other and you are bound to have a lopsided prosperity."

The condition described by Mr. Shouse is the reason for the Democratic successes at every election held so far this year; it is the cause of the panic which exists in the ranks of the Republican leaders, and it is why every indication points to sweeping Democratic victories in the congressional elections of the fall.

When a party in control finds itself so weak that it has to seek recourse in the aid and leadership of discredited politicians and lobbyists of the type of Senator GRUNDY in order to pass legislation its leaders have insisted upon it is time for that party to look for the handwriting on the wall and for its opposition to prepare to take advantage of the reaction which has set in.

Democratic prospects have never been brighter in an off-presidential-election year. With a united front the party can this year gain sufficient momentum to carry it into the next presidential election with assurance of success.

WHAT THE SMOOT-HAWLEY TARIFF BILL DOES

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement on "What the Smoot-Hawley Tariff Bill Does," by the People's Lobby.

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

WHAT THE SMOOT-HAWLEY TARIFF BILL DOES

(By the People's Lobby, Bliss Building, Washington, D. C. Prof. John Dewey, president; Hon. Henry T. Hunt, vice president; W. Jett Lauck, treasurer; Benjamin C. Marsh, executive secretary)

1. Increases the cost of living about $1,000,000,000.
2. Increases the Government's revenue only about $75,000,000.
3. Raises the average of tariff duties from 35 per cent to 40 per cent.
4. Repudiates the President's request for limited revision.
5. Double-crosses the farmers.

Mr. Fred Brenckman, Washington representative of the National Grange, says of it: "The rates of the bill which has been passed by the Senate and sent to conference fall far short of placing agriculture on a basis of equality with industry as was promised in the last presidential campaign."

6. Gives about four times as many increases to industry as to agriculture.
7. Encourages inefficient production by high duties and so insures enormous profits for many factories.
8. Imposes a tariff on scores of raw materials and increases on others.
9. Has started reprisals against us by many nations and protests from 33 nations and endangers our foreign relations.

THE OLDEST LIE ABOUT THE TARIFF

The oldest lie about the tariff is that it prevents unemployment and insures high wages.

There have never been as many people unemployed in the United States as now—with the possible exception of the postwar period of adjustment.

The National Bureau of Economic Research gives the average annual earnings of wage earners in 1927, as follows:

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|---|---|
| Manufacturing | $1,216 |
| Mines, quarries, and oil wells | 1,224 |
| Construction | 1,644 |
| Mercantile | 1,262 |
| Railroads | 1,680 |
| Telegraphs | 1,274 |
| Pullman | 1,258 |
| Express | 1,649 |
| Street railways | 1,445 |
| Private electric light and power | 1,398 |
| Telephones (chiefly women) | 1,180 |

TYPICAL CASES OF HIJACKING THE PEOPLE IN PROPOSED TARIFF BILL

1. Imports of lemon, lime, and sour-orange juice were valued in 1926 at $507,058 and in 1929 at $107,816—one-third as much. In spite of this, citrate of lime was removed from the free list and a tariff of 65.33 per cent put on.

2. The duty on earthenware and china tableware has been increased so that it now ranges from 85 per cent to 136 per cent on earthenware teapot and cups, to 163 per cent to 300 per cent on china salt-and-pepper sets.

3. Cheaper stained or painted glass windows now pay a tariff of 50 per cent, and imports were in 1929 only about three-fifths of imports in 1925 and amounted to about one-fifteenth of domestic production, but the duty is increased to 60 per cent.

4. Forks, hoes, and rakes, the domestic production of which amounts to about $7,000,000 and of which the imports are small, but the exports about $500,000, were removed from the free list and a tariff of 30 per cent imposed.

5. Cotton shirts now pay a duty of 35 per cent which has been increased to 45 per cent, although imports are only about one-fifth of 1 per cent of the domestic production which in 1927 was $230,385,000.

6. Cotton warp-knit fabric gloves called "chamoisette" are manufactured by two firms in the United States, and the value of their product is only $200,000 a year, but to keep the industry going, the women of America paid in 1928, about $5,000,000 in duties, which with the pyramiding which always takes place, cost them close to $10,000,000. The duty of 60 per cent was retained, although an effort was made to reduce it.

7. Cotton blankets: The duty has been increased from 25 per cent to 52 per cent—more than doubled. Imports dropped from 1,500,000 blankets in 1924 to 482,000 in 1928, and increased to 736,000 in 1929 (to avoid paying the higher duty), valued at $469,000, while the value of domestic production increased from $38,000,000 in 1923 to $50,000,000 in 1927, and exports are twice the value of imports.

8. Wool bags and other wool waste: The tariff on wool rags and other wool waste is increased from an average of 26.94 per cent to 47.02 per cent, which adds an average of 20 cents per pound to the domestic price of this material and since the domestic consumption is about 170,000,000 pounds, this means an added burden upon the American people of about $35,000,000 a year. This will hit poor people, who have to buy cheaper clothing, hardest.

9. Wool clothing, not knit or crocheted: Domestic production of such products amounts to about $1,500,000,000 a year. Imports in 1929 were less than $4,000,000, and are constantly decreasing, so that imports are about one quarter of 1 per cent of domestic production. The present tariff on cheaper grades of wool clothing is 56 per cent, and the proposed bill increases this to 67 per cent, or about one-fifth.

10. Wool felt hats: One man makes about half the domestic production of wool felt hats, amounting to nearly 12,000,000, and in 1928 his net profits were about $500,000.

The proposed bill increases the duty on the less expensive grade of these hats from 55 per cent to 203 per cent and on better grades to 112 to 157 per cent. The new rate will make these hats cost American women about $30,000,000, chiefly to increase the present high profits of one manufacturer. The foreign value of these hats is only about $12,000,000.

11. Brierwood pipes: Importation of brierwood pipes decreased from 700,000 dozen in 1927 to 414,000 dozen in 1929, when they were worth $600,000, or one-tenth of domestic production, but the proposed bill increases the duty from 60 per cent to 103 per cent.

12. Fountain pens: Experts of the United States Tariff Commission, known to be very high protectionists, investigated unofficially costs of production of one of the principal producers of the cheap but chief grade of fountain pens, pyroxylin, and found that a 74 per cent duty was adequate, but the proposed bill makes it 151 per cent—more than double adequate protection.

13. Kitchen broomcorn brooms: The domestic production of kitchen broomcorn brooms is about $40,000,000 a year, and imports dropped from $51,000 in 1923, when the duty of 15 per cent was imposed, to $9,500 in 1929, but the duty is increased from 15 per cent to 25 per cent.

14. Olive oil: Hon. Alfred P. Dennis, vice chairman of the United States Tariff Commission, says: "We pay out about $7,000,000 a year in duties on imported olive oil to protect a circumscribed district in California that produces less than 150,000 gallons a year, or about 1¼ per cent of our consumption. At one one-hundredth of the cost to the consumer we could give the California industry the same amount of benefit through a straight-out subsidy of $70,000 a year and at the same time promote better trade relations with the Mediterranean countries."

15. Manganese ore: Tariff Commissioner Dennis also says: "The public at large is taxed $129 per ton in duties for every ton of native manganese ore worth, say, $26 taken out of the ground. Here is an outlay of $5 to produce $1. What's the answer? We are legislating for a fraction of the parts rather than for the whole."

16. Phonograph needles: Domestic production of phonograph needles was, in 1927, $1,322,000 and imports in 1929 only $18,000, but the duty is raised from 45 per cent to 131 per cent.

17. Men's inexpensive straw hats: Men use about 15,000,000 inexpensive straw hats a year. If imported, they would cost about 50 cents apiece wholesale, or $7,500,000. The duty is 150 per cent in the proposed bill, so the average cost will be about $1.25, or $18,750,000 for the Nation. This is $11,250,000 more than they would have cost without the tariff. This is more than twice the total wages paid in the men's hat industry in the United States in 1927.

THE PROPOSED BILL IMPOSES A TARIFF OR INCREASES THE PRESENT DUTY ON SCORES OF RAW MATERIALS

The proposed tariff bill increases the tariff duty or imposes a duty for the first time on practically all raw materials, which will further burden manufacturers, shackle trade, and result in driving factories out of the United States. Many factories are now moving abroad.

The following 40 industries have transferred part of their operations to European countries: A. C. Spark Plug Co., Aeolian Co., American Cyanamid Co., American Radio Co., American Radiator Co., Armstrong Cork Co., Beech Nut Co., Bissel Carpet Sweeper Co., Boston Blacking Co., Carborundum Co., Chicago Pneumatic Tools Co., Columbia Ribbon & Manufacturing Co., Crane Co., Eastman Kodak Co., Edison Lamp Works, Ford Motor Co., Frigidaire, General Electric Co., General Motors Corporation, B. F. Goodrich Co., International Harvester Co., International Combustion Engine Corporation, Kardex Rand Corporation, Mergenthaler Co. (linotype machine), National Cash Register o., O-Cedar Corporation, Otis Elevator Co., Palmolive Co., Pyrene Manufacturing Co., Sharpless Separator Co., Standard Oil Co. (N. J.), Standard Varnish Works, Steinway & Sons, Singer Sewing Machine Co., United Machinery Co., Western Electric Co., Westinghouse Electric & Manufacturing Co., Worthington Pump Co., Wrigley Co., and Yale & Towne Manufacturing Co. (Yale locks).

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[Editorial from the Lexington (Ky.) Herald, May 19, 1930]

TARIFF INCOMPETENCE

There never has been a more glaring exhibition of disorganization and incompetency in Washington than during the present consideration of a tariff.

The Republican Party has complete control over the House, the Senate, the Tariff Commission, and the presidential administration.

For years it has been the custom of Republican orators to overrate their own party and low rate the Democratic Party on the matter of organized competency. It is the boast often heard that the Republican Party is organized and disciplined, that it follows recognized leadership, that it calls to the consideration of important national problems the "best minds" of the party, that it has able leaders acquainted with the economic needs of the country.

Particularly is the party supposed to shine when it comes to the writing of a protective tariff, and many times have the warnings been heard of what dangers might come should it fall to the duty of the Democrats to write a tariff, and should they undertake such a task, with the possibility that their tendency toward individualism might result in lack of organization and lacking, as the party of Jefferson is supposed in these attacks to lack, the great and profound wisdom of the tribunes and statesmen of the high-tariff party.

For 16 months, with complete control in Washington, the Republican Party has tinkered with the tariff, and to-day there is good cause for fear that nothing will be accomplished whatever and that all this lost motion may wind up with no tariff act achieved.

For 16 months the Republican Party has been tangling itself up in the intricacies of tariff writing without accomplishment. A Tariff Commission, founded during the régime of Woodrow Wilson and established for the purpose of bringing scientific recommendations into tariff deliberations, has been ignored.

The President of the United States, whose wishes are known in regard to the flexible provisions otherwise has left his desires in doubt. He has used effectively neither a big stick nor a soft voice.

Without a wink or a nod he has permitted various groups representing entirely different viewpoints to claim to reflect his thought.

The House of Representatives drew up a tariff bill and sent it to the Senate. The Senate played football with it, and finally after the Senate had reduced certain schedules, JOE GRUNDY, for years the high-powered lobbyist of Pennsylvania manufacturing interests, had himself appointed to the Senate in order that he might take matters in his own hands.

A number of Senators changed their votes on important schedules, deals were made, and finally the Senate developed it so that its own authors could not recognize it.

Mr. ROBSION of Kentucy, a Congressman while the House debated the bill and a Senator by appointment while the Senate discussed the bill, found himself in the analogous position of voting one way on the sugar schedule in the House and a different way on the same item in the Senate.

The bill finally was shaped up and sent back to the House only to find more trouble, and the House of Representatives received the bill only to issue an ultimatum that the Senate must come to terms if there were to be further conferences.

Meanwhile the country suffers from the anxiety and disturbance over the long delay in the writing of a tariff, and the country as a whole is disgusted with the demonstration of complete incompetency in Washington.

INVESTIGATION OF PROHIBITION ENFORCEMENT BUREAU

Mr. TYDINGS. Mr. President, I wish to make a motion for the discharge of the Senate Committee on the Judiciary from the further consideration of Senate Resolution 211, a resolution offered by the junior Senator from Montana [Mr. WHEELER] looking to an investigation of the prohibition enforcement bureau. This resolution has been before the committee for over two months, as I recall, and no action has been taken upon it. At the first opportunity, as soon as we dispose of the bills now on the agreed program, I shall ask that we vote upon my motion to discharge the committee from the further consideration of the resolution.

The VICE PRESIDENT. The motion will be entered.

REMOVAL OF DIAL TELEPHONES

Mr. GLASS. Mr. President, I ask unanimous consent to take from the table Senate Resolution 274, directing the Sergeant at Arms to have these abominable dial telephones taken out of use on the Senate side. I have not seen a Senator who does not say he is in favor of the resolution. Many of them have voluntarily come forward and told me that the system is a perfect nuisance to them.

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

Mr. GLASS. I yield.

Mr. ROBINSON of Arkansas. The Senator understands that the installation of the dial system is a great conservation measure. It results in the discharge of a number of employees.

Mr. GLASS. I object to that phase of it, and I object to being transformed into one of the employees of the telephone company without compensation.

Mr. ASHURST. Mr. President, I congratulate the Senator on the moderation of the language he employs in speaking of the dial system of telephones. The CONGRESSIONAL RECORD would not be mailable if it contained in print what Senators think of the dial-telephone system.

Mr. McKELLAR. Mr. President, I want to congratulate the Senator from Virginia on the splendid work he is doing.

The VICE PRESIDENT. The resolution will be reported.

The Chief Clerk read the resolution (S. Res. 274) submitted yesterday by Mr. GLASS, as follows:

Whereas dial telephones are more difficult to operate than are manual telephones; and

Whereas Senators are required, since the installation of dial telephones in the Capitol, to perform the duties of telephone operators in order to enjoy the benefits of telephone service; and

Whereas dial telephones have failed to expedite telephone service: Therefore be it

*Resolved*, That the Sergeant at Arms of the Senate is authorized and directed to order the Chesapeake & Potomac Telephone Co. to replace with manual telephones, within 30 days after the adoption of this resolution, all dial telephones in the Senate wing of the United States Capitol and in the Senate Office Building.

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

Mr. DILL. Mr. President, I want to say that I am in full sympathy with the resolution so far as it goes, but I have wondered why the Senator limited it to telephones in the Senate wing of the Capitol and the Senate Office Building, and why he does not introduce a bill which would keep the dial-telephone system out of the District of Columbia?

Mr. GLASS. I hope this will be a warning to the Telephone Co., and that they may do that voluntarily without being compelled to take the step.

Mr. DILL. I hope that they will do it, and if they do not, that Congress will enact a law to keep the dial system out of the District of Columbia.

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

The resolution was agreed to.

The preamble was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the concurrent resolution (S. Con. Res. 28) accepting the statue of John Campbell Greenway, presented by the State of Arizona, to be placed in Statuary Hall.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 26) for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 15) to amend the act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," approved July 3, 1926, as amended.

The message also announced that the House had disagreed to the amendments of the Senate to 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; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 9110. An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor; and

H. J. Res. 331. Joint resolution relative to The Hague Conference on the Codification of International Law.

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

H. R. 3975. An act to amend sections 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto;

H. R. 6807. An act establishing two institutions for the confinement of United States prisoners;

H. R. 7412. An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes; and

H. R. 11196. An act to extend the times for commencing and completing the construction of a bridge across the White River at or near Clarendon, Ark.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 9110. An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor;

H. R. 11371. An act to provide living quarters, including heat, fuel, and light, for civilian officers and employees of the Government stationed in foreign countries; and

H. J. Res. 331. Joint resolution relative to The Hague Conference on the Codification of International Law; to the Committee on Foreign Relations.

H. J. Res. 300. Joint resolution to permit the Pennsylvania Gift Fountain Association to erect a fountain in the District of Columbia; to the Committee on the Library.

ECONOMIC EQUALITY—RADIO ADDRESS BY SENATOR PINE

Mr. FRAZIER. Mr. President, I ask unanimous consent to have printed in the RECORD a radio address delivered by the Senator from Oklahoma [Mr. PINE] entitled "Economic Equality."

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

The address is as follows:

Economic equality is the one great pressing governmental need of the hour. The farm problem, the coal problem, the unemployment problem, and the depression in general, have all been produced by economic inequality. This inequality is due principally to the failure of the Government to function properly, to function as contemplated by the Constitution. This Government was ordained and is maintained to restrain the strong and to protect the weak; yet, in 1930, those who are strong financially are building $3,000,000,000 banks and the weak are walking the streets seeking jobs.

Economic equality is pledged by both political parties, is guaranteed by the Constitution of the United States, and common honesty demands it, yet it is a well-known fact that we do not have economic equality.

Honest, intelligent, aggressive government will provide economic equality. It is because we are lacking in these characteristics that we do not have it.

Your Government controls most of the conditions that control your business. There is a great contest, an economic war, between the sections of our country and between the groups of our people for the wealth produced in the Nation. The pressure, the demand for advantages and special privileges by individuals and organized groups is con-

stant and almost irresistible, and many of the officials of the Government break under the terrific strain.

Hardly a bill is passed by the Congress and hardly a decision is made by a court, commission, board, or executive of the Government that does not give something to one section of the country at the expense of the others; that does not give to one class or group of our people that which has been taken from the pockets of all the others. Thirteen thousand bills were introduced in the last Congress and thousands of decisions are made daily, and practically all of them influence the economic condition of all our people. The Government does not produce this wealth; it only distributes it. It has nothing to give except that it takes from some one's pocket.

MANIPULATION

For our present purpose our people may be divided into two classes—producers and manipulators. In the one class we place those who produce wealth or render a real service for what they get, and in the other class we have the manipulators or those who render no real service for the wealth they take. In the beginning this was a nation of producers, but it is fast becoming a nation of manipulators.

The primary producers of the Nation are the ones that are in distress. The manipulators are favored by the Government and are doing quite well.

The great financial institutions can make or break the stock market at will. In recent months they have twice demonstrated that they have this power. They have become credit factories and can expand or contract the Nation's credit supply. By manipulating the money and credit supply they can raise and lower prices at will and there is no effective restraint on their actions. The part of the Nation's wealth they take and the part they let the producers retain is determined entirely by them. They are now exercising powers and functions for their own benefit that are conferred on the Congress by the Constitution to be exercised for the benefit of all the people.

We can not have great concentration and wide distribution of wealth at the same time. We must choose one or the other. By the laws enacted and the decisions of the courts, commissions, boards, and executives the Government abdicates its power and in this way permits great concentration.

Excessive concentration of wealth necessarily destroys prosperity. Widespread distribution of wealth promotes, produces general prosperity. It is quite apparent to any student of national affairs that at the present stage of our development we can not have $3,000,000,000 banks and general prosperity at the same time. The wealth can not be in New York City and Iowa at the same time.

It is a contest between individual or group demands on the one hand and the general welfare on the other. Under the Constitution your Government is the arbiter, but it is not functioning. That is the reason we have economic inequality.

UNDERCONSUMPTION

In general there is no overproduction. This people can, and, when opportunity is afforded, this people will consume twice the goods we are now consuming. If you will list the things you and your family want, you will find that you at this time do not have half the things you desire. The very things you want are produced by some one who wants the very things you produce. You have a surplus of the things you produce and are limiting production and the other fellow has a surplus of the things he produces and is limiting his production. Why is it that you can not exchange with each other and each have unlimited production and unlimited consumption? The limits on your production are the only natural limits on your consumption. Who is holding you? Who is restricting you? Who prevents you doubling your production and doubling your consumption? You are willing and you are anxious to do it.

Ninety-nine per cent of our people are talking about overproduction and at the same time 99 per cent of our people are limiting, restricting their consumption.

We now face the necessity of designing a new national system of distribution that will provide for a free and unrestricted exchange among the producers of the Nation. The manipulators and extortioners and those who render no real service must be eliminated from the picture. In this connection I would remind you that the Constitution grants the Congress the power to regulate commerce. A commerce that makes billionaires in one section of our country and paupers in another certainly needs regulation.

In 1926 I accepted a place on the Gooding Senate committee to investigate conditions in the coal fields of Pennsylvania and West Virginia. I was interested in finding a market in America for the so-called farm surplus. In that investigation we found hundreds of dinner tables on which there was no meat, no potatoes, and an inadequate supply of bread. Here were thousands of men, women, and children in America who were on less than half rations. Give them work; give them the wherewithal to buy and they would gladly treble their consumption of farm products. By giving them the equality of opportunity guaranteed by the Constitution we can contribute to the solution of the farm problem. The farmers had a surplus because the miners could not buy more food. The miners could not buy the food because they could not sell their coal. The farmers, the ultimate consumers of the coal, could not buy because they could not sell their food. Here is a jam in the commercial stream that the Congress has the power to regulate.

I sat in the Senate and heard an able and distinguished Senator say that the farm problem could not be solved until the farmers limited their acreage, reduced their production in the same way that industry controlled the output and the price. In less than an hour I left that Chamber and walked down the greatest avenue in the Capital of the greatest nation in the world, and I passed more than 60 children and 50 per cent of them were undernourished, underclothed, and probably underhoused, and their Government was adopting a policy that would further reduce their inadequate food and clothing supply.

The problem is not overproduction, it is underconsumption.

With millions in the United States on half rations, and with millions in China and other parts of the world who are starving, it is impossible for us to dispose of our food supply. A government of the people, by the people, and for the people would find a solution. Economic equality will solve that problem.

WRONG PHILOSOPHY

There is another factor that is worthy of our serious consideration. American industry has adopted and is dominated by the wrong philosophy. Industry is following the philosophy of restricted, limited production, less goods for more money—monopoly. This is the philosophy of the miser—of selfishness and greed. It is wrong and has been proven unsuccessful again and again.

The right and successful industrial philosophy has been exemplified by Henry Ford. He makes bigger automobiles, better automobiles, and more automobiles, and sells them for less money. More goods, better goods for less money is the correct, is the successful industrial theory, and it should be adopted and proclaimed as a fundamental policy of the United States Government.

Man was created in the image of God, given dominion over the earth and commanded to subdue it. He has the power, the right, the duty to take from the limitless wealth of the earth and convert it to the use of men. The natural resources of the earth are limited only by our capacity to develop and utilize. The Christ came into the world that men might have life, and have it more abundantly. He was the greatest philosopher, the greatest business man the world has ever seen. This Government is based on His philosophy and was instituted that all men might have life and have it more abundantly.

It is now proposed to change our course and follow the philosophy of selfishness and greed and limit our production; this will make of many of our people hewers of wood and drawers of water.

This is a contest between the philosophy of the Christ and the philosophy of the miser; between the philosophy of the abundant life for all and the philosophy of restricted production. The American Constitution provides liberty and the abundant life for all. The philosophy of restricted production is un-American and is at war with the fundamental principles of the American Constitution.

Men and nations are made rich by producing more wealth; but many now indulge the thought that we can make ourselves rich by reducing production and raising the price. A free people can not follow that course because for most of them it ends in slavery. Economic equality is possible. Economic equality is the end to be sought by those in charge of the Government.

DECENTRALIZATION

Economic equality requires the decentralization of industry. In the interest of efficiency we have developed monopoly and monopoly is woefully inefficient. Monopoly, centralization of control, and excessive concentration of wealth is destructive and can not be tolerated by a free people.

FLATHEAD RIVER POWER SITE, MONTANA

Mr. WHEELER. Mr. President, I present and ask leave to have published in the RECORD a memorandum of the Department of the Interior relative to the renewal of a power site on the Flathead River in Montana.

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

After years of consideration definite plans have finally been adopted which, if the terms of the license are approved by the legal advisers of the Secretary of the Interior, will make it possible to build the dam at the Flathead site in Montana and to give the Indian owners a flat rental of practically double the amount originally proposed. With the approval of the Secretary of the Interior, as required by law, the Federal Power Commission, at a meeting held May 19, has granted the license at site No. 1 to the Rocky Mountain Power Co.

In working out the agreement every effort has been made to provide a sound business proposition advantageous to the Government and to the public interest, to care liberally for the Indians whose reservation includes a portion of the Flathead Lake and the actual power site, to care for the interests of the settlers upon the reclaimed areas near the dam site, and to give advantage to the community at large of Montana and the surrounding area in the development of industrial and other

uses of the comparatively cheap power which can be generated at this power site.

The rental originally offered for this power was at the rate of $1 per horsepower per year, and the company estimated an average use of 68,000 horsepower. The flat rentals to which the power company has finally agreed is on a fixed annual basis. A progressive scale for the first five years begins at $60,000 for an estimated use of 50,000 horsepower, and works up to $125,000 for the fifth year; thereafter the successive 5-year periods will carry annual rentals of $150,000, $160,000, and $175,000 each. The total rentals for site No. 1 for 20 years will be $2,845,000. In addition, the power company has agreed to supply up to 15,000 horsepower for pumping and other purposes on the Flathead irrigation project, at 1 mill per kilowatt-hour for the first 10,000 horsepower, and 2½ mills for the additional 5,000 horsepower. It has also agreed to reimburse the Government $101,000 for a partially constructed tunnel which will be made use of for deflecting Flathead River during the construction of the dam.

The Flathead power site has been the subject of much controversy. The original application of the Rocky Mountain Power Co., a subsidiary of the Montana Power Co., was contested by Walter H. Wheeler, a civil engineer, of Minneapolis, who asked for a preliminary permit to investigate the five possible Flathead power sites, and who bid $1.12½ per horsepower as rental to the Indians. His plan was to offer to sell power at $15 per horsepower and to try to develop a market for the power by attempting to induce new industries to locate at Flathead. He estimated that site No. 1 would provide 105,000 horsepower, and that the other sites would provide 109,000 horsepower.

Prolonged hearings were held last October and November. The claims of Mr. Wheeler were presented to the Senate Committee on Indian Affairs, and there have been many conferences in trying to work out a satisfactory rental program. The attitude of the department throughout has been that of a trustee acting for a ward, so that the Office of Indian Affairs has endeavored to secure the best possible bargain for the Indians. The accepted plan gives a sure rental to the Indians rather than to involve him in a speculative enterprise, such as the bringing in of possible new industries into an area distant from normal markets. The present plan can be carried out promptly, since the Rocky Mountain Power Co. is ready to begin operations at once.

No decision as to the preliminary permits asked for by both the Rocky Mountain Power Co. and Walter H. Wheeler on the four other Flathead sites has been announced. It is true that power can be produced cheaply enough at the Flathead site so that this increased rental can be paid to the Indians and still the cost of the current will be lower than that given for the other Montana Power Co. plants. This makes it possible for the general public in Montana to benefit in the rate reductions that are possible by the Flathead development. The corporate set-up as provided will make possible complete regulation by the State commission in the interests of the consuming public. In making the decisions the Indian Bureau and the Federal Power Commission considered as determining factors not only the greatly increased rental possible for the Indians, but also the fact that immediate and certain development was possible.

Negotiations for the license were largely in charge of Assistant Commissioner Scattergood, of the Indian Service, who made a most careful and detailed study of the series of rental plans which were suggested at various times. Secretary Wilbur joined with Assistant Commissioner Scattergood in stating that he considered the settlement would result in an excellent business proposition for the Indians, the Government, the settlers, and the citizens of the State of Montana. This license, like others issued by the Federal Power Commission, is for 50 years, but the rental for the Indians is fixed for 20 years, after which it will be readjusted for 10-year periods.

### THE CALENDAR

The VICE PRESIDENT. Morning business is closed. Under the unanimous-consent agreement the Senate will proceed to the consideration of unobjected bills on the calendar under Rule VIII. The clerk will state the first bill on the calendar.

The bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands was announced as the first order of business.

Mr. VANDENBERG. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1133) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, was announced as next in order.

Mr. McNARY. This bill may go over, because it is on the program to be considered later.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor was announced as next in order.

Mr. OVERMAN. Over.

The PRESIDING OFFICER (Mr. FESS in the chair). The resolution will be passed over on objection.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

Mr. ROBINSON of Arkansas. I was about to require some explanation of the bill, but inasmuch as objection has been made and the bill will go over, I shall not do so at this time.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 49) authorizing the Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

Mr. WHEELER. Mr. President, I ask that the resolution may go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. METCALF. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

Mr. METCALF. Over.

The PRESIDING OFFICER. The resolution will be passed over.

### JOINT RESOLUTION INDEFINITELY POSTPONED

The joint resolution (S. J. Res. 20) to promote peace and to equalize the burdens and to minimize the profits of war was announced as next in order.

Mr. REED. Mr. President, that measure might as well be indefinitely postponed because it has been superseded by a joint resolution which passed the House and which was this morning reported by the Committee on Military Affairs. I move the indefinite postponement of the joint resolution.

The motion was agreed to.

### BILLS PASSED OVER

The bill (S. 477) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases, was announced as next in order.

Mr. ROBINSON of Indiana. I ask that the bill may go over for the present.

Mr. COUZENS. I understand that this bill has been passed and is at the White House now.

Mr. ROBINSON of Indiana. No; this is a Civil War pension bill. It was passed, but was recalled from the House, reconsidered, and again placed on the calendar. A little farther down on the calendar is the House bill, along the same line, which I believe the Senate will pass to-day. It does not go as far as our bill, but seems the best we can get at this session.

The PRESIDING OFFICER. Without objection, the bill goes over.

The bill (H. R. 6) 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, was announced as next in order.

The PRESIDING OFFICER. This bill being the unfinished business, it will be passed over.

The bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, was announced as next in order.

Mr. TYDINGS. Over.

The PRESIDING OFFICER. The bill will be passed over.

### AMENDMENT OF MERCHANT MARINE ACT

The bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, was announced as next in order.

Mr. McKELLAR. This bill will take some time, so I think it had better go over.

The PRESIDING OFFICER. On objection, the bill will be passed over.

Mr. McKELLAR subsequently said: Mr. President, in reference to the bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, which was passed over a few moments

ago, I offer at this time an amendment to the bill, which I will ask to have printed and lie on the table.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

BILL PASSED OVER

The bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, was announced as next in order.

Mr. COPELAND. Over.

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF INDIANS

The bill (S. 3581) authorizing the Secretary of the Interior to arrange with States for the education, medical attention, and relief of distress of Indians, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. This bill was considered by the Senate on April 30 and an amendment submitted by the junior Senator from Arizona [Mr. HAYDEN] is pending, which will be stated.

The CHIEF CLERK. After the word "State," in line 10, page 1, insert the following proviso: "*Provided*, That this act shall not apply to the States of Arizona and New Mexico," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized, in his discretion, to enter into a contract or contracts with any State having legal authority so to do for the education, medical attention, and relief of distress of Indians in such State through the qualified agencies of such State, and to expend under such contract or contracts moneys appropriated by Congress for the education, medical attention, and relief of distress of Indians in such State: *Provided*, That this act shall not apply to the States of Arizona and New Mexico.

SEC. 2. That the Secretary of the Interior in making any contract herein authorized with any State may permit such State to utilize, for the purposes of this act, existing school buildings, hospitals, and all equipment therein or appertaining thereto, including livestock and other personal property owned by the Government, under such terms and conditions as may be agreed upon for their use and maintenance.

SEC. 3. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into effect.

SEC. 4. That the Secretary of the Interior shall report to Congress on or before the first Monday in December of each year any contract or contracts made under the provisions of this act, and the moneys expended thereunder.

Mr. JOHNSON. Mr. President, I agreed with the Senators from New Mexico and Arizona to accept the amendment, as it excludes their States, and I understand that otherwise the bill is satisfactory.

The amendment was agreed to.

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

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 76) authorizing the Secretary of the Treasury to purchase farm-loan bonds issued by Federal land banks was considered.

The joint resolution had been reported from the Committee on Banking and Currency with amendments, on page 1, line 3, to strike out "and directed"; in line 4, to strike out the word "immediately" and insert "upon application of the Federal Farm Loan Board, and at his discretion"; and in line 8, after the word "banks," to insert the words "or any portion thereof," so as to read:

That the Secretary of the Treasury is authorized to purchase upon application of the Federal Farm Loan Board, and at his discretion, at par and accrued interest from the Federal land banks, out of any money in the Treasury not otherwise appropriated, $100,000,000 of farm-loan bonds issued by such banks, or any portion thereof.

The amendments were agreed to.

The next amendment of the Committee on Banking and Currency was on page 1, after line 8, to strike out the remainder of the bill in the following words:

The Secretary of the Treasury is further authorized to purchase from any Federal land bank, from time to time, additional farm loan bonds issued by such bank in such amounts as in his opinion will provide sufficient funds to enable the bank to meet legitimate demands for loans.

SEC. 2. Notwithstanding the rate of interest specified in the farm loan bonds issued by any Federal land bank, the bank which issued any such bonds purchased by the Secretary of the Treasury as herein provided shall be required to pay to the Government, with respect to the bonds so purchased, interest only at a rate per annum equal to the lowest rate of yield (to the nearest one-eighth of 1 per cent), at the time of such purchase, of any Government obligation bearing a date of issue subsequent to April 6, 1917 (except postal savings bonds).

The amendment was agreed to.

Mr. REED. Mr. President, there is no report on the joint resolution. It seems to me a measure of this magnitude ought to be accompanied by a report of the committee in order that we may be informed about the necessity and wisdom of it. I will ask that it go over.

The PRESIDING OFFICER. The joint resolution goes over on objection.

RELIEF OF UNEMPLOYMENT

The joint resolution (S. J. Res. 149) for the relief of unemployed persons in the United States, was announced as next in order. The joint resolution had been reported adversely from the Committee on Education and Labor.

Mr. VANDENBERG. Let it go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

MOTOR TRANSPORTATION IN THE ARMY

The bill (S. 23) to regulate the procurement of motor transportation in the Army was announced as next in order.

Mr. REED. Mr. President, just a word of explanation about the bill. It is intended to settle a dispute of long standing between the Comptroller General and the War Department. The War Department has wanted to adopt standard types of vehicles for trucks, tractors, and things of that sort which it uses. The Comptroller General has insisted that the lowest bid on any type of vehicle of that general description shall be accepted. The result has been a great loss of economy because of the necessity of keeping a great variety of spare parts. Instead of having a few standard spare parts it has been necessary to keep Ford and Dodge and Chevrolet and what-not spare parts. It is very wasteful for the Army in operation as in repairs. That is the whole purpose of the bill.

Mr. BLAINE. Mr. President, as I understand the bill and the statement of the Senator from Pennsylvania, that is the contention of the War Department, but I think a contention opposite to that can more logically be made, and that this measure is not going to be in the interest of economy. I object to the present consideration of the bill.

The PRESIDING OFFICER. On objection the bill will be passed over.

BILLS AND RESOLUTION PASSED OVER

The resolution (S. Res. 245) providing for the appointment of a committee to inquire into the failure of the Speaker of the House of Representatives to take some action on Senate Joint Resolution 3, relative to the commencement of the terms of President, Vice President, and Members of Congress, was announced as next in order.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the governments of the Latin American Republics in highway matters was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7998) to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928, was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

MISSISSIPPI RIVER BRIDGE AT M'GREGOR, IOWA

The bill (S. 4094) authorizing W. L. Eichendorf, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the town of McGregor, Iowa, was considered by the Senate, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, W. L. Eichendorf, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near the town of McGregor, Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon W. L. Eichendorf, his heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate

and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is located, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said W. L. Eichendorf, his heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Wisconsin, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of the bridge is located, or any two or more of them jointly, may, at any time, acquire and take over all right, title, and interest in such bridge and its approaches and any interest in real property necessary therefor, by purchase of, by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interest in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the States or public agencies, or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including a reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 6. W. L. Eichendorf, his heirs, legal representatives, and assigns shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Departments of the States of Wisconsin and Iowa a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon the request of the highway departments of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation, the said W. L. Eichendorf, his heirs, legal representatives, and assigns shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable cost of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The rights to sell, assign, transfer, and mortgage all of the rights, powers, and privileges conferred by this act is hereby granted to W. L. Eichendorf, his heirs, legal representatives, and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BLAINE subsequently said: Mr. President, I ask unanimous consent to return to order of business 531, being the bill (S. 4094) authorizing W. L. Eichendorf, his heirs, legal representatives, and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near the town of McGregor, Iowa.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BLAINE. I ask unanimous consent that the votes by which the bill was read the third time and passed may be reconsidered, and that the bill may go over.

Mr. HEFLIN. This is a bridge bill?

Mr. BLAINE. It is a bridge bill.

The PRESIDING OFFICER. Without objection, on the request of the Senator from Wisconsin, the votes whereby the bill was ordered to a third reading, read the third time, and passed will be reconsidered, and the bill will be returned to the calendar.

MERGER OF WASHINGTON AND GEORGETOWN GAS LIGHT COS.

The bill (S. 4066) to authorize the merger of the Georgetown Gas Light Co. with and into the Washington Gas Light Co., and for other purposes, was announced as next in order.

Mr. HOWELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. COPELAND. Mr. President, I wish the Senator who made the objection would withhold it for a moment. This measure was given thorough study in the committee and a hearing was had. The matter has the approval of the Public Service Commission. There are two gas companies here, one operating on west side of Rock Creek and the other on the east side of Rock Creek. All the stock of one company is held by the other. It is the desire that this merger may be accomplished in order that their financing arrangements can go forward with an improvement of the gas service throughout Washington and Georgetown. I trust the Senate will see the propriety of passing the bill.

The PRESIDING OFFICER. Is there objection?

Mr. HOWELL. I object.

The PRESIDING OFFICER. On objection, the bill goes over.

ADDITIONAL LAND OFFICES IN CERTAIN WESTERN STATES

The bill (S. 107) establishing additional land offices in the States of Montana, Oregon, South Dakota, Idaho, New Mexico, Colorado, and Nevada was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That all that portion of the State of Montana included within the present boundaries of Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lake, Lewis and Clark, Madison, Mineral, Missoula, Park, Powell, Ravalli, Sanders, and Silver Bow Counties is hereby constituted a new land district and that the land office for said district shall be located at Helena in the county of Lewis and Clark.

SEC. 2. That all that portion of the State of Montana included within the present boundaries of Carter, Custer, Dawson, Fallon, McCone, Powder River, Prairie, Richland, Rosebud, and Wibaux Counties is hereby constituted a new land district and that the land office for said district shall be located at Miles City, in the county of Custer.

SEC. 3. That all that portion of the State of Montana included within the present boundaries of Fergus, Garfield, Judith Basin, Musselshell, Petroleum, and Wheatland Counties is hereby constituted a new land district and that the land office for said district shall be located at Lewistown, in the county of Fergus.

SEC. 4. That all that portion of the State of Montana included within the present boundaries of Blaine, Daniels, Hill, Liberty, Phillips, Roosevelt, Sheridan, and Valley Counties is hereby constituted a new land district and that the land office for said district shall be located at Glasgow, in the county of Valley.

SEC. 5. That all that portion of the State of Oregon included within the present boundaries of Union, Baker, Grant, Morrow, Umatilla, Malheur, Harvey, and Wallowa Counties is hereby constituted a new land district and that the land office for said district shall be located by the Secretary of the Interior at some point within said land district promptly upon the approval of this act.

SEC. 6. That all that portion of the State of South Dakota included within the present boundaries of Harding, Butte, Lawrence, Meade, Pennington, Jackson, Custer, Washington, Washabaugh, Fall River, Shannon, and Bennett Counties is hereby constituted a new land district and that the land office for said district shall be located at Rapid City, in the county of Pennington.

SEC. 7. That all that portion of the State of Idaho included within the present boundaries of Blaine, Camas, Gooding, Jerome, Twin Falls, Cassia, Minidoka, and Lincoln Counties is hereby constituted a new land district and that the land office for said district shall be located at Hailey, in the county of Blaine.

SEC. 8. That all that portion of the State of Nevada included within the former boundaries of the land district created by the act entitled "An act to create an additional land district in the State of Nevada,"

approved October 3, 1913, is hereby constituted a new land district and that the land office for said district shall be located at Elko, in the county of Elko.

SEC. 9. That an additional land district is hereby created in the State of New Mexico to embrace lands described as follows:

Beginning at the southeast corner of the State of New Mexico and running thence north on the east line of said State to the base line of the public-land survey in said State; thence west on said line to the range line between ranges 8 and 9 east; thence south on said range line to the first standard parallel south; thence west on said line to the range line between ranges 8 and 9 east; thence south on said line to the second standard parallel south; thence west on said line to the range line between ranges 8 and 9 east; thence south on said line to the third standard parallel south; thence east on said line to the range line between ranges 8 and 9 east; thence south on said line to the south line of the State of New Mexico; thence east on said line to the point of beginning, and that Roswell, within said district, is hereby designated as the site for the land office thereof.

SEC. 10. That all that portion of the State of Colorado included within the present boundaries of Eagle, Delta, Garfield, Gunnison, Mesa, Montrose, Ouray, Pitkin, Rio Blanco, and San Miguel Counties is hereby constituted a new land district and that the land office for said district shall be located at Glenwood Springs, in the said county of Garfield.

SEC. 11. That all that portion of the State of Wyoming included within the former Lander land district as it existed on June 1, 1927, is hereby constituted a new land district, and that the land office for said district shall be located at Lander, in Fremont County.

SEC. 12. That all that portion of the State of Utah within the present boundaries of Duchesne and Uintah Counties is hereby constituted a new land district, and that the land office for said district shall be located at Vernal, in the county of Vernal.

SEC. 13. That the President, by and with the advice and consent of the Senate, is hereby authorized to appoint a register for each of the additional land offices established under the provisions of this act, who shall discharge the duties of said office and receive the same amount of compensation as other officers discharging like duties in the other land offices of the respective States.

SEC. 14. That the Secretary of the Interior shall cause all plats, maps, records, and papers which relate to or form a necessary part of the records of the lands embraced in the land districts hereby constituted in the States of Montana, Oregon, South Dakota, Idaho, Nevada, Utah, New Mexico, Colorado, and Wyoming to be transferred to the land offices in such land districts from the land offices in such States having jurisdiction over such plats, maps, records, and papers on the date of the approval of this act.

SEC. 15. That the land offices created and established by this act shall be maintained at the places hereinbefore designated until further provided by act of Congress.

SALARIES OF DISTRICT COMMISSIONERS

The bill (S. 4242) to fix the salaries of the Commissioners of the District of Columbia was considered.

The PRESIDING OFFICER. This bill was considered on May 12 and an amendment offered by the Senator from New York [Mr. COPELAND] is pending to strike out, in line 4, "$10,000" and insert "$9,000," and in line 6 to strike out "$10,000" and insert "$9,000," so as to make the bill read:

*Be it enacted, etc.*, That hereafter the salaries of the two civilian Commissioners of the District of Columbia shall be at the rate of $9,000 per annum each, and the salary of the engineer commissioner $9,000, to include the pay and allowances he receives as an officer in the United States Army.

The amendments were agreed to.

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

ADDITIONAL DISTRICT JUDGE IN NEW YORK

The bill (S. 3229) to provide for the appointment of an additional district judge for the southern district of New York was announced as next in order.

Mr. COPELAND. Mr. President, as I said the other day, one of the Senators desired that this bill should go over; so I ask that it may go over at this time without prejudice.

The PRESIDING OFFICER. The bill will be passed over.

TEXTILE FOUNDATION

The bill (H. R. 9557) to create a body corporate by the name of the "Textile Foundation" was announced as next in order.

Mr. BLAINE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CITIZENSHIP AND NATURALIZATION OF MARRIED WOMEN

The bill (H. R. 10960) to amend the law relative to the citizenship and naturalization of married women, and for other purposes, was announced as next in order.

Mr. REED. Mr. President, this is a very important bill. Some of its sections ought not to be adopted without consideration. Because it is impossible to consider it at this time I ask that it may go over.

The PRESIDING OFFICER. The bill will be passed over.

BUSINESS BEFORE PATENT OFFICE

The bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. OVERMAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEASE OF LANDS OF CHOCTAW AND CHICKASAW NATIONS

The bill (H. R. 9939) authorizing the Secretary of the Interior to lease any or all of the remaining tribal lands of the Choctaw and Chickasaw Nations for oil and gas purposes, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF INTERSTATE COMMERCE ACT

The bill (S. 4205) to amend paragraph (6) of section 5 of the interstate commerce act, as amended, was announced as next in order.

Mr. COUZENS. Mr. President, that bill is on the steering committee calendar, so it should go over now.

The PRESIDING OFFICER. The bill will be passed over.

ROADS ON BLACKFEET INDIAN RESERVATION, MONT.

The bill (S. 1785) providing for the construction of roads on the Blackfeet Indian Reservation, in the State of Montana, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $60,000, to be immediately available for the construction of roads on the Blackfeet Indian Reservation in the State of Montana, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

ROADS ON ROCKY BOY INDIAN RESERVATION, MONT.

The bill (S. 4002) providing for the construction of roads on the Rocky Boy Indian Reservation, in the State of Montana, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, to be immediately available for the construction of roads on the Rocky Boy Indian Reservation, in the State of Montana, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

ASSISTANT TO CHIEF OF NAVAL OPERATIONS

The bill (H. R. 7933) to provide for an assistant to the Chief of Naval Operations was considered, ordered to a third reading, read the third time, and passed.

ASSISTANT COMMISSIONER OF EDUCATION

The bill (H. R. 7390) to authorize the appointment of an assistant commissioner of education in the Department of the Interior was announced as next in order.

Mr. OVERMAN. Over.

Mr. COUZENS. Mr. President, may I say to the Senator from North Carolina that there is no additional salary involved and no increase in appropriation. I think the Senator should not object if it does not increase the appropriation.

Mr. OVERMAN. Very well; I withdraw my objection.

The bill was considered, ordered to a third reading, read the third time, and passed.

SALARIES OF FIRST-CLASS POSTMASTERS

The bill (S. 3054) to increase the salaries of certain postmasters of the first class was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, I think that had better go over.

The PRESIDING OFFICER. The bill will be passed over.

REHABILITATION OF PERSONS DISABLED IN INDUSTRY

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," approved June 2, 1920, as amended, was announced as next in order.

Mr. COUZENS. Mr. President, I would like a moment to explain the bill. It is to continue an existing law which provides for the aid of the Federal Government in the rehabilitation of those employed in industry. I have gone very carefully into the

question, and I know that under the act heretofore passed wonderful results have been accomplished throughout the States. The present law will expire on July 1 unless the pending bill shall be enacted in the meantime. I hope there will be no objection to considering it now. The Committee on Education and Labor reports an amendment to the bill so as to bring the appropriation within the existing law.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Education and Labor with amendments. The first amendment was, in section 1, page 2, line 15, after the word "year," to insert the following proviso: "*Provided further*, That such portions of the funds allotted that will not be used in any fiscal year may be allotted in that year proportionately to the States which are prepared through available State funds to use the additional Federal funds," so as to make the section read:

*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, 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: *Provided further*, That such portions of the sums allotted that will not be used in any fiscal year may be allotted in that year proportionately to the States which are prepared through available State funds to use the additional Federal funds. 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."

The amendment was agreed to.

The next amendment was, in section 4, page 7, line 6, after the words "sum of," to strike out "$100,000" and insert "$75,000," so as to make the section read:

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 $75,000 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."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WALLACE E. ORDWAY

The Senate proceeded to consider the bill (S. 2334) for the relief of Wallace E. Ordway, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the words "sum of," to strike out "$7,500" and to insert "$4,000," and on the same page, in line 10, after the name "Oregon," to insert the following proviso:

*Provided*, That no part of the amount appropriated in this act in excess of 5 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 5 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money not otherwise appropriated, the sum of $4,000 to Wallace E. Ordway, of Klamath Falls, Oreg., as administrator. Such sum represents compensation to Wallace E. Ordway in his personal right and as administrator for the death of his son, Harry Ordway, who was drowned September 1, 1927, in the United States Irrigation Canal at Klamath Falls, Oreg.: *Provided*, That no part of the amount appropriated in this act in excess of 5 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 5 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

FORT BELKNAP INDIAN RESERVATION, MONT.

The bill (S. 1270) providing for the construction of roads on the Fort Belknap Indian Reservation in the State of Montana was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, to be immediately available for the construction of roads on the Fort Belknap Indian Reservation in the State of Montana, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

OHIO RIVER BRIDGE AT MOUND CITY, ILL.

The bill (H. R. 7962) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Mound City, Ill., was read, considered, ordered to a third reading, read the third time, and passed.

OHIO RIVER BRIDGE AT CAIRO, ILL.

The bill (H. R. 9805) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill., was read, considered, ordered to a third reading, read the third time, and passed.

OHIO RIVER BRIDGE NEAR EVANSVILLE, IND.

The bill (S. 3122) authorizing Henry F. Koch, trustee, the Evansville Chamber of Commerce, his legal representatives and assigns, to construct, maintain, and operate a bridge across the

Ohio River at or near Evansville, Ind., was announced as next in order.

Mr. BARKLEY. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER OF ST. CHARLES BRIDGE OVER MISSOURI RIVER

The joint resolution (S. J. Res. 168) declaring the transfer of the St. Charles Bridge over the Missouri River on National Highway No. 40 not a sale was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That the conveyance of the bridge over the Missouri River at St. Charles, Mo., by the St. Louis & St. Charles Bridge Co. to St. Louis and St. Charles Counties in Missouri, as a part of National Highway No. 40, in accordance with conveyance between the St. Charles Free Bridge Committee and the St. Louis & St. Charles Bridge Co., which conveyance is duly recorded in the office of the recorder of deeds of St. Louis and St. Charles Counties in Missouri, shall not be considered as a sale.

COURT OF CLAIMS COMMISSIONERS

The Senate proceeded to consider the bill (H. R. 7822) amending section 2 and repealing section 3 of the act approved February 24, 1925 (43 Stat. 964, ch. 301), entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation," and for other purposes, which had been reported from the Committee on the Judiciary with amendments. The first amendment was, in section 1, page 1, beginning in line 2, to strike out:

That section 2 of the act approved February 24, 1925 (43 Stat. 964; ch. 301, U. S. C., p. 899, sec. 269), as amended by section 711 of the act approved May 29, 1928, entitled "An act to reduce and equalize taxation, provide revenue, and for other purposes," providing for commissioners in the Court of Claims, their appointment, powers, procedure, and salaries, be, and the same is hereby, amended to read as follows.

And in lieu thereof to insert:

That section 2 of the act entitled "An act to authorize the appointment of commissioners by the Court of Claims and prescribe their powers and compensation," approved February 24, 1925 (U. S. C., title 28, sec. 270), as amended by section 711 of the revenue act of 1928 (U. S. C., Supp. III, title 28, sec. 270), is amended to read as follows:

So as to make the section read:

That section 2 of the act entitled "An act to authorize the appointment of commissioners by the Court of Claims and prescribe their powers and compensation," approved February 24, 1925 (U. S. C., title 28, sec. 270), as amended by section 711 of the revenue act of 1928 (U. S. C., Sup. III, title 28, sec. 270), is amended to read as follows:

"SEC. 2. Each of the said commissioners shall devote all of his time to the duties of his office and shall receive a salary of $7,500 per annum, payable monthly out of the Treasury. The Chief Justice, or any judge of the Court of Claims, may sit at any place within the United States to take evidence in any case instituted in said court. The Chief Justice, and any judge of the court, the commissioners and stenographers authorized by the court, shall also receive their necessary traveling expenses and their actual expenses incurred for subsistence while traveling on duty and away from Washington in an amount not to exceed $10 per day in the case of the Chief Justice or any judge of the court and the commissioners, and $7 a day in the case of stenographers. The expenses of travel and subsistence herein authorized shall be paid upon order of the court."

The amendment was agreed to.

The next amendment was, on page 3, to strike out section 2, as follows:

SEC. 2. That section 3 of the act of February 24, 1925 (U. S. C., title 28, sec. 271), and the provisions of the act of January 11, 1928 (45 Stat. p. 51; U. S. C., title 28, sec. 271a), be, and the same are hereby, repealed, but section 1, and section 2 as amended by this act, of the act of February 24, 1925 (43 Stat. p. 964), shall remain in full force and effect.

And in lieu thereof to insert:

SEC. 2. Section 1 of such act of February 24, 1925 (U. S. C., title 28, sec. 269), and section 2 of such act as amended by this act, shall remain in full force and effect until January 11, 1934. The following are hereby repealed: Section 3 of such act of February 24, 1925 (U. S. C., title 28, sec. 271); the joint resolution entitled "Joint resolution to continue commissioners of the Court of Claims," approved January 11, 1928 (U. S. C., Sup. III, title 28, sec. 271 (a)); and section 711 of the revenue act of 1928 (U. S. C., Sup. III, title 28, sec. 270).

The amendment was agreed to.

Mr. WALSH of Montana. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIM OF CHOCTAW AND CHICKASAW INDIANS

The Senate proceeded to consider the bill (S. 3165) conferring jurisdiction upon the Court of Claims to hear, consider, and report upon a claim of the Choctaw and Chickasaw Indian Nations or Tribes for fair and just compensation for the remainder of the leased district lands, which had been reported from the Committee on Indian Affairs with an amendment, on page 1, and after line 2, to strike out:

It being claimed and insisted by the Choctaw and Chickasaw Indian Nations or Tribes that they have never received fair and just compensation for the remainder of their leased district lands acquired by the United States under the treaty of 1866 (14 Stat. p. 769), and it appearing that said claim is well founded, the Court of Claims is hereby authorized and directed to hear and consider such claim and to report its findings to Congress, notwithstanding the lapse of time or the statutes of limitation and irrespective of any former adjudication upon title and ownership, as to what amount, in fairness and justice, the United States should pay the Choctaws and Chickasaws for said lands, taking into consideration the circumstances and conditions under which they were acquired, the purposes for which they were used, and the final disposition thereof.

And in lieu thereof to insert:

That the Court of Claims is hereby authorized and directed to hear and inquire into the claims of the Choctaw and Chickasaw Indian Nations that they have never received fair and just compensation for the remainder of their "leased district" land acquired by the United States under article 3 of the treaty of 1866 (14 Stat. L. 769) not including the Cheyenne and Arapahoe lands for which compensation was made to the Choctaw and Chickasaw Nations by the act of Congress approved March 3, 1891 (26 Stat. L. 989), and to report its findings to Congress notwithstanding the lapse of time or the statute of limitations and irrespective of any former adjudication upon title and ownership, as to whether the consideration paid or agreed to be paid for said remainder of said lands was fair and just, and if not, whether the United States should pay to the Choctaw and Chickasaw Nations additional compensation therefor, and if so, what amount should be so paid, taking into consideration the circumstances and conditions under which said lands were acquired, and purposes for which they were used, and the final disposition thereof.

The amendment was agreed to.

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

BLANCH BROOMFIELD

The bill (S. 1536) for the relief of Blanch Broomfield was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Blanch Broomfield, widow of Florus Broomfield, the sum of $5,000, as compensation for the death of such Florus Broomfield on May 5, 1926, while employed as a teacher in the Indian Service at Rosebud Reservation, Rosebud Agency, S. Dak.

AMERICAN TRANSATLANTIC CO.

The resolution (S. Res. 265) referring Senate bill 3396, for the relief of the American Transatlantic Co., to the Court of Claims for findings of fact was read, considered, and agreed to, as follows:

*Resolved*, That the bill (S. 3396) entitled "A bill for the relief of the American Transatlantic Co.," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

The PRESIDING OFFICER. The next Order of Business, No. 661, being the bill (S. 3396) for the relief of the American Transatlantic Co., will be referred to the Court of Claims by force of the resolution just adopted.

FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The Senate proceeded to consider the bill (S. 3938) authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes, which had been reported from the Committee on Indian Affairs with amendments.

The first amendment was, in section 2, page 3, line 9, after the numerals "$362,500," to insert "or so much thereof as may be required," so as to make the section read:

SEC. 2. The irrigation works constructed and those acquired by purchase for the Fort Hall and Gibson division of the irrigation project have resulted in the development of, and have made partially available, a water supply approximating 424,000 acre-feet of water annually, which water supply should be adequate to provide water for irrigation purposes for both the existing and the Michaud divisions of the project. The reimbursement of the cost of the present development of the existing divisions is to be made by the owners of the lands thereunder as provided by law. The Michaud division, by reason of the benefits to be derived by it through the existing works and by the acquiring of its water supply from the existing system, shall bear its equitable share of the cost of the present existing works and for the development of that part of the water supply that will be used on the lands of the Michaud division. The cost of the existing system approximates $1,087,000, of which one-third thereof is hereby allocated to the Michaud division, as provided in section 3 hereof, in consideration of the share of the developed water supply hereby allocated to that division and of the share of the existing works, which sum, amounting to approximately $362,500, or so much thereof as may be required, is hereby diverted to the Fort Hall and Gibson divisions of the project, and is hereby authorized to be used in completing the distributary system of the Fort Hall and Gibson divisions, including the rebuilding of the Tyhee siphon; the completion of storage facilities, and the enlargement and straightening of the Blackfoot River Channel, including payment of damages for the benefit of the entire irrigation project.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 19, after the word "grazing," to insert "or agricultural," and in line 23, after the word "grazing," to insert the words "or agricultural," and on page 5, line 2, after the word "grazing," to insert "or agricultural," so as to make the section read:

SEC. 4. For each Indian now owning land allotted as grazing or agricultural under the Michaud division who has no irrigable agricultural allotment with an adequate water supply elsewhere within the Fort Hall Indian Reservation there shall be reserved by the Secretary of the Interior as a homestead from such grazing or agricultural allotment for the Indian a 20-acre tract on which the collection of construction charges shall be deferred so long as said tract remains in Indian ownership. The construction charges on the remaining area of each such grazing or agricultural allotment shall be reimbursable to the Government in 40 equal annual installments beginning three years after the date of the completion of the project: *Provided*, That no Indian land coming within this division of the project shall be sold at less than the appraised price therefor approved by the Commissioner of Indian Affairs, and that any such land sold in violation of this provision the Secretary of the Interior may cancel the water right therefor: *Provided further*, That in case of all sales of Indian land prior to the payment of the proper share of the cost of the irrigation works assessed against such land, the purchaser thereof shall obligate himself to pay all installments that may have fallen due and remain unpaid at the date of the sale of the land to him, and to assume and pay all future installments to accrue against such lands, both construction and operation and maintenance. And there is hereby created a first lien against all Indian lands within this division of the project, which lien shall be recited in any patent or instrument issued therefor prior to the reimbursement of the total amount chargeable against such lands.

The amendment was agreed to.

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

FERRY AND HIGHWAY NEAR PACIFIC ENTRANCE OF PANAMA CANAL

The bill (H. R. 4293) to provide for a ferry and a highway near the Pacific entrance of the Panama Canal was read, considered, ordered to a third reading, read the third time, and passed.

WATER-RIGHT CHARGES ON FEDERAL IRRIGATION PROJECTS

The Senate proceeded to consider the bill (H. R. 8296) to amend 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," which had been reported from the Committee on Irrigation and Reclamation with amendments, on page 2, line 5, after the word "following," to strike out "sums" and insert "sum"; on page 3, line 3, after the word "within," to strike out "20" and insert "40," and on the same page, after line 8, to insert a new section, as follows:

SEC. 2. All contracts with the Government touching the project shall be uniform as to time of payment and charge for the construction of the St. Mary diversion.

So as to make the bill read:

*Be it enacted, etc.*, That the act of May 25, 1926 (44 Stat. L. 636) be, and the same is hereby, amended by adding after section 20 of said act sections 20–A and 20–B, as follows:

"SEC. 20–A. There shall be deducted from the total cost chargeable to the Chinook division of this project the following sum:

"(1) Twenty-one thousand six hundred and eighty-four dollars and fifty-eight cents, or such amount as represents the construction cost as found by the Secretary of the Interior against the following lands:

"(a) One thousand seven hundred and seventy and seventeen one-hundredths acres permanently unproductive because of nonagricultural character.

"SEC. 20–B. All payments upon construction charges shall be suspended against the following lands in the Chinook division:

"(a) Twelve thousand six hundred and seventeen and sixty-four one-hundredths acres temporarily unproductive because of heavy soil and seepage; (b) 11,307 acres for which no canal system has been constructed, all as shown by the land classification of the Chinook division made under the direction of the Secretary of the Interior and approved by him under date of January —, 1930. The Secretary of the Interior, as a condition precedent to the allowance of the benefits offered under sections 20–A and 20–B, shall require each irrigation district within the Chinook division to execute a contract providing for repayment of the construction charges as hereby adjusted within 40 years and upon a schedule satisfactory to said Secretary; and no water from the St. Mary River watershed shall be furnished for the irrigation of lands within any district after the irrigation season of 1930 until the required contract has been duly executed."

SEC. 2. All contracts with the Government touching the project shall be uniform as to time of payment and charge for the construction of the St. Mary diversion.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TITLE OF LANDS IN HARNEY COUNTY, OREG.

The bill (H. R. 1198) to authorize the United States to be made a party defendant in any suit or action which may be commenced by the State of Oregon in the United States District Court for the District of Oregon, for the determination of the title to all or any of the lands constituting the beds of Malheur and Harney Lakes in Harney County, Oreg., and lands riparian thereto, and to all or any of the waters of said lakes and their tributaries, together with the right to control the use thereof, authorizing all persons claiming to have an interest in said land, water, or the use thereof to be made parties or to intervene in said suit or action, and conferring jurisdiction on the United States courts over such cause was read, considered, ordered to a third reading, read the third time, and passed.

CLAIM OF THE CITY OF PARK PLACE, TEX.

The Senate proceeded to consider the bill (H. R. 6414) authorizing the Court of Claims of the United States to hear and determine the claim of the city of Park Place, heretofore an independent municipality but now a part of the city of Houston, Tex., which had been reported from the Committee on Claims with an amendment on page 1, line 4, after the word "determine," to insert the words "and report to Congress," so as to make the bill read:

*Be it enacted, etc.*, That the United States Court of Claims be, and it is hereby, authorized and directed to hear and determine and report to Congress the claim of the city of Park Place, Tex., heretofore an independent municipality, but now included within the extended corporate limits of the city of Houston, Tex., for compensation for the destruction of the streets of the said city of Park Place by the Army trucks of the United States in the years of 1917 and 1918. Said claim shall not be barred by any statute of limitations nor because of the fact that the claimant was at the time of the injury a separate municipality and now a part of the city of Houston, Tex.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AUGUST MOHR

The bill (S. 308) for the relief of August Mohr, was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of August Mohr United States Treasury 4¾ per cent notes No. 118443 for $1,000 and No. 16641 for $5,000, series B–1927, maturing March 15, 1927, and interest due, without presentation of the said notes or the coupons representing interest thereon, said notes having been lost, stolen, or destroyed: *Provided*, That the said notes shall not have been previously presented for payment and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *Provided further*, That the said August Mohr shall first file in the Treasury Department a

bond in the penal sum of double the amount of the note and the interest payable thereon in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed notes herein described or the coupons belonging thereto.

PASQUALE IANNACONE

The Senate proceeded to consider the bill (S. 1447) for the relief of Pasquale Iannacone, which had been reported from the Committee on Claims with amendments. The first amendment was, in section 1 on page 1, line 6, after the words "sum of," to strike out "$10,000" and insert "$4,000," so as to make the section read:

That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to Pasquale Iannacone, out of any money in the Treasury not otherwise appropriated, the sum of $4,000 in full settlement of all claims against the Government resulting from personal injuries received by him, without negligence on his part, as a result of being struck by a Government truck No. 637, United States Marine Service, League Island Navy Yard, Philadelphia, Pa.

The amendment was agreed to.

The next amendment was, at the top of page 2, to insert a new section, as follows:

SEC. 2. That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to St. Agnes Hospital of Philadelphia the sum of $1,000 in part for its own use, and in part to be paid by St. Agnes Hospital to the surgeons, physicians, and nurses who attended the said Pasquale Iannacone on account of said injuries, as shall be found by St. Agnes Hospital to be owing to them for said services. Such payment to be in full settlement to said St. Agnes Hospital, and said surgeons, physicians, and nurses for said services rendered to said Pasquale Iannacone, on account of said injuries: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent of the sum of $4,000 appropriated in section 1 of this act shall be paid to, delivered to, or received by agents, attorney or attorneys on account of services rendered in connection with the claim. No attorneys' fees shall be paid on the $1,000 appropriated in this section for St. Agnes Hospital, and attending surgeons, physicians, and nurses. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent of the sum of $4,000 appropriated in section 1 hereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

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

TERMS OF COURT IN EASTERN JUDICIAL DISTRICT OF TEXAS

The Senate proceeded to the consideration of the bill (S. 1317) to amend section 108 of the Judicial Code, as amended, so as to change the time of holding court in each of the six divisions of the eastern district of the State of Texas; and to require the clerk to maintain an office in charge of himself or a deputy at Sherman, Beaumont, Texarkana, and Tyler.

Mr. OVERMAN. Mr. President, I should like to inquire what is the nature of that bill?

Mr. SHEPPARD. Mr. President, it merely rearranges the time for holding terms of court in the eastern judicial district of Texas.

Mr. OVERMAN. I have no objection to it; I merely wanted to know the purpose of the bill.

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

CUSTODY OF NEW ORLEANS BATTLE FIELD MONUMENT

The bill (H. R. 6151) to authorize the Secretary of War to assume the care, custody, and control of the monument to the memory of the soldiers who fell in the Battle of New Orleans, at Chalmette, La., and to maintain the monument and grounds surrounding it, was read, considered, ordered to a third reading, read the third time, and passed.

BATTLE FIELD OF SARATOGA, N. Y.

The bill (H. R. 9334) to provide for the study, investigation, and survey, for commemorative purposes, of the battle field at Saratoga, N. Y., was read, considered, ordered to a third reading, read the third time, and passed.

HOWARD C. FRINK

The bill (H. R. 591) for the relief of Howard C. Frink was read, considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Howard C. Frink, who was a member of Company H, Thirty-first Regiment Michigan Volunteer Infantry, and who was honorably discharged from the military service of the United States as a member of said company and regiment May 17, 1899, and who reenlisted on September 6, 1899, as a recruit for the Forty-third Regiment United States Volunteer Infantry, and who was honorably discharged on September 29, 1899, shall hereafter be held and considered to be entitled to all rights, privileges, and benefits accorded honorably discharged soldiers by law: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

REVETMENT WALL AT FORT MOULTRIE, S. C.

The bill (H. R. 9154) to provide for the construction of a revetment wall at Fort Moultrie, S. C., was read, considered, ordered to a third reading, read the third time, and passed.

REGULATION AND LICENSING OF DISTRICT REAL-ESTATE BROKERS

The Senate proceeded to consider the bill (S. 3490) to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real-estate commission in the District of Columbia; to protect the public against fraud in real-estate transactions, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments. The first amendment was in section 1, page 1, line 4, after the word "after," to strike out "60" and insert "90," and in line 5, after the word "unlawful," to insert "in the District of Columbia," so as to make the section read:

SECTION 1. That on and after 90 days from the date of approval of this act it shall be unlawful in the District of Columbia for any person, firm, partnership, copartnership, association, or corporation to act as a real-estate broker or real-estate salesman, or to advertise or assume to act as such, without a license issued by the real-estate commission of the District of Columbia.

The amendment was agreed to.

The next amendment was in section 2, page 2, line 4, after the word "this," to strike out "article" and insert "act," and at the top of page 3 to insert:

Persons employed by a licensed real-estate broker in a clerical capacity, as collectors, or in similar subordinate and administrative positions shall not be required to obtain licenses. The real estate commission created under this act shall have power to make rules and regulations governing this exemption.

So as to make the section read:

DEFINITIONS AND EXCEPTIONS

SEC. 2. Whenever used in this act "real-estate broker" means any person, firm, association, partnership, or corporation, who, for another and for a fee, commission, or other valuable consideration, lists for sale, sells, exchanges, buys, rents, or leases, or offers or attempts to negotiate a sale, exchange, purchase, lease, or rental of an estate or interest in real estate, or collects or offers or attempts to collect rent or income for the use of real estate, or negotiates or offers or attempts to negotiate, a loan secured or to be secured by a mortgage, deed of trust, or other encumbrance upon or transfer of real estate: *Provided, however*, That this definition shall not apply to the sale of space for advertising of real estate in any newspaper, magazine, or other publication.

"Real-estate salesman" means a person employed by a licensed real-estate broker to list for sale, sell, or offer for sale, to buy or offer to buy, or to negotiate the purchase or sale, or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent, or place for rent, any real estate, or collect or offer or attempt to collect rent or income for the use of real estate for or in behalf of such real-estate broker.

Persons employed by a licensed real-estate broker in a clerical capacity, as collectors, or in similar subordinate and administrative positions shall not be required to obtain licenses. The real estate commission created under this act shall have power to make rules and regulations governing this exemption.

One act for a compensation or valuable consideration of buying or selling real estate for or of another, or offering for another to buy, sell, or exchange real estate, or leasing, renting, or offering to lease or rent real estate, except as herein specifically excepted, shall constitute the person, firm, partnership, copartnership, association, or corporation performing, or offering or attempting to perform any of the acts enumerated herein, a real-estate broker or a real-estate salesman within the meaning of this act.

The provisions of this act shall not apply to receivers, referees, administrators, executors, guardians, or other persons appointed or acting under the judgment or order of any court; or public officers while performing their official duty, or attorneys at law in the ordinary practice of their profession.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 1, after the word "appoint," to strike out "three" and insert "two"; in line 2, after the word "than," to strike out "two" and insert "one"; in line 5, after the words "prior to," to strike out "the

enactment of this act" and insert "appointment"; in line 12, after the word "years" to strike out the semicolon and the words "one member for a term of three years"; and on page 6, after line 6, to strike out:

All fees and charges collected by the commission under the provisions of this act shall be paid into the Treasury of the United States to the credit of the District of Columbia. All expenses incurred by the commission under the provisions of this act, including compensation to members, the secretary, clerks, and assistants, shall be paid out of the fund so created and such appropriation as Congress may make for the purpose, upon warrants of the auditor of the District of Columbia from time to time when vouchers therefor are exhibited and approved by the commission.

And insert:

All fees, charges, fines, and penalties collected by the commission under the provisions of this act shall be paid at least weekly to the collector of taxes for the District of Columbia for deposit in the Treasury of the United States to the credit of the District of Columbia: *Provided*, That the commission may refund any such fees or charges erroneously collected out of any undeposited collections in its possession.

The annual estimates of appropriation for the government of the District of Columbia for the fiscal year 1931 and succeeding fiscal years shall include estimates of appropriations for the operation and maintenance of such offices.

So as to make the section read:

CREATION OF COMMISSION

SEC. 3. There is hereby created the real estate commission of the District of Columbia. The Commissioners of the District of Columbia within 30 days after the approval of this act shall appoint two persons, not more than one of whom shall have been actively engaged in or closely connected with the business or vocation of real-estate broker or real-estate salesman within five years immediately prior to appointment, who shall serve as members of said real estate commission of the District of Columbia. In addition thereto, the assessor of the District of Columbia shall serve, ex officio, as a member of said real estate commission but without added compensation for his services as such. One member of said commission shall be appointed for a term of one year; one member shall be appointed for a term of two years, and until their successors are appointed and qualified, thereafter the term of the members of said commission shall be for three years and until their successors are appointed and qualified. Members to fill vacancies shall be appointed for the unexpired terms. The Commissioners of the District of Columbia may remove members of the real estate commission at any time for cause.

The real estate commission immediately upon the qualification of the member appointed in such year shall organize by selecting from its members a chairman, and may do all things necessary and convenient for carrying into effect the provisions of this act and may from time to time promulgate necessary rules, regulations, and forms.

Each member of the commission, except the ex officio member, shall receive as full compensation for each day the greater part of which is actually devoted to the work of said commission the sum of $15, but no member shall receive in any one year a greater sum than $2,000.

The Commissioners of the District of Columbia shall provide for the use of the real estate commission such office space, furniture, stationery, fuel, light, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this act.

The real estate commission shall employ, and at its discretion, discharge, a secretary and such assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this act, and it shall prescribe their duties and fix their compensation.

The commission shall adopt a seal with such design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Copies of all records and papers in the office of the commission, duly certified and authenticated by the seal of said commission, shall be received in evidence in all courts equally and with like effect as the original. The commission shall keep a record of all its proceedings and a complete stenographic record of all hearings authorized under this act.

All records kept in the office of the commission under authority of this act shall be open to public inspection under reasonable rules and regulations to be prescribed by the commission.

All fees, charges, fines, and penalties collected by the commission under the provisions of this act shall be paid at least weekly to the collector of taxes for the District of Columbia for deposit in the Treasury of the United States to the credit of the District of Columbia: *Provided*, That the commission may refund any such fees or charges erroneously collected out of any undeposited collections in its possession.

The annual estimates of appropriations for the government of the District of Columbia for the fiscal year 1931 and succeeding fiscal years shall include estimates of appropriations for the operation and maintenance of such offices.

The amendment was agreed to.

The next amendment was, in section 4, page 7, at the beginning of line 18, to strike out the word "chapter" and insert "act. Such proof of competency to act as broker shall not be required of any applicant who shall furnish proof of two years' experience as real-estate broker, real-estate salesman, or two years' employment in connection with the real-estate business in the District of Columbia," so as to make the section read:

QUALIFICATIONS FOR LICENSE

SEC. 4. No license under the provisions of this act shall be issued to any person who has not attained the age of 21 years, nor to any person who can not read, write, and understand the English language; nor until the commission has received satisfactory proof that the applicant is trustworthy and competent to transact the business of a real-estate broker or real-estate salesman in such a manner as to safeguard the interests of the public.

In determining competency, the commission shall require proof that the applicant for a broker's license has a fair understanding of the general purposes and general legal effect of deeds, mortgages, land contracts of sale and leases, a general and fair understanding of the obligations between principal and agent, as well as of the provisions of this act. Such proof of competency to act as broker shall not be required of any applicant who shall furnish proof of two years' experience as real-estate broker, real-estate salesman, or two years' employment in connection with the real-estate business in the District of Columbia.

No license shall be issued to any person, firm, partnership, copartnership, association, or corporation whose application has been rejected in the District of Columbia or any State within three months prior to date of application, or whose real-estate license has been revoked in the District of Columbia or any State within one year prior to date of application.

The amendment was agreed to.

The next amendment was, in section 5, page 8, line 21, after the word "The," to strike out "applicant" and insert "application," and in line 24, after the word "forth," to strike out "in," so as to make the section read:

APPLICATION FOR LICENSE

SEC. 5. Every applicant for a license under the provisions of this act shall apply therefor in writing upon blanks furnished by the real estate commission.

The application of every person for a real-estate broker's license or a real-estate salesman's license shall be accompanied by the recommendation of at least two residents of the District of Columbia, real-estate owners, who have owned real estate in the District of Columbia for a period of at least one year and who are not related to the applicant but who have personally known the applicant for a period of at least six months prior to the date of application, which recommendation shall certify that the applicant bears a good reputation for honesty, truthfulness, fair dealing, and competency, and recommend that a license be granted to the applicant.

The application of every firm, partnership, copartnership, association, or corporation for a real-estate broker's license shall state the location of the place or places for which said license is desired and set forth the period of time, if any, which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have been engaged in business for a period of 30 days or more during the five years preceding date of application, accounting for such entire period. Such application shall also state the name and residence of each individual member or officer of said applicant who actively participates in the brokerage business thereof.

The application of every individual member or officer of a firm, partnership, copartnership, association, or corporation for a real-estate broker's license shall state the full name and residence address of the applicant and the full name and business address of the firm, partnership, copartnership, association, or corporation with which he is or will be associated, the length of time he has been so associated, and in what capacity. Such application shall also state the period of time, if any, which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in business for a period of 30 days or more during the five years preceding date of application, accounting for such entire period.

The application of each person for an individual real-estate broker's license shall state the full name of the applicant, his business address, and residence address. Such application shall also state the period of time, if any, which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in business for a period of 30 days or more during the five years preceding the date of application, accounting for such entire period.

The application of every person for a real-estate salesman's license shall state the full name of the applicant, his residence address, and the

name and business address of the real-estate broker by whom he is or will be employed. Such application shall also state the period of time, if any, which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in business for a period of 30 days or more during the five years preceding the date of application, accounting for such entire period. Such application shall be accompanied by a written statement by the broker by whom the applicant is employed or is about to be employed, stating that in his opinion the applicant is honest, truthful, and of good reputation, and recommending that the license be granted to the applicant.

Every application for a license under the provisions of this act shall be sworn to by the applicant and shall be accompanied by the license fee herein prescribed. In the event that the commission does not issue the license the fee shall be returned to the applicant.

Every application for a license shall be accompanied by a bond in the sum of $1,000, running to the District of Columbia, executed by two good and sufficient sureties, to be approved by the commission, or executed by a surety company duly authorized to do business in the District of Columbia: *Provided, however,* That no bond shall be required of any firm, partnership, copartnership, association, or corporation when the application of every member or officer of such firm, partnership, copartnership, association, or corporation actively participating in the brokerage business thereof is accompanied by a bond as provided for in this section. Said bond shall be in form approved by the commission, and conditioned that the applicant shall conduct himself and his business in accordance with the requirements of this act; and for his failure so to do any person aggrieved thereby shall have, in addition to his right of action against the principal thereof, a right to bring suit against the surety on said bond either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, representations, transaction, or conduct of the principal which may be prohibited by this act or enumerated as one of the causes for suspension or revocation of a license granted hereunder.

The commission, with due regard to the paramount interest of the public, may require other reasonable proof of the honesty, truthfulness, integrity, reputation, and competency of the applicant.

The commission is expressly vested with the power and authority to make and enforce any and all such reasonable rules and regulations connected with the application for any license as shall be deemed necessary to administer and enforce the provisions of this act.

The amendment was agreed to.

The next amendment was in section 7, page 13, line 21, after the word "of," to insert the article "a," so as to make the section read:

DETAILS RELATING TO LICENSE

SEC. 7. The commission shall issue to each licensee a license in such form and size as shall be prescribed by the commission. Every license shall show the name and address of the licensee, and if licensee is a member or officer of a firm, partnership, copartnership, association, or corporation, the full name and address of such firm, partnership, copartnership, association, or corporation shall also be shown on said license. Licenses issued to real-estate salesmen shall in addition show the name and address of the real-estate broker by whom the said salesman is or will be employed. Each license shall have imprinted thereon the seal of the commission, and in addition to the foregoing shall contain such matter as shall be prescribed by the commission. The license of each real-estate salesman shall be delivered or mailed to the real-estate broker by whom such real-estate salesman is employed and shall be kept in the custody and control of such broker. It shall be the duty of each real-estate broker to conspicuously display his license in his place of business.

At any time within six months, but not thereafter, after the issuance of an original license, the commission may, upon its own motion, and shall, upon the verified complaint, in writing, of any person, provided such complaint, or such complaint together with evidence, documentary or otherwise, presented therewith, shall make out a prima facie case that the licensee is unworthy to hold such license, notify the licensee, in writing, that the question of his honesty, competency, truthfulness, and integrity will be reopened and determined de novo. Such written notice may be served by delivery thereof personally to the licensee or by mailing same by registered mail to the last known business address of the licensee. Thereupon the commission may require and procure further proof of the licensee's trustworthiness and competency, and if such proof shall not be satisfactory such license shall be recalled and shall thereafter be null and void. Upon the recall of any such license it shall be the duty of the licensee to surrender to the commission such license.

The fee for an original real estate broker's license and every renewal thereof shall be $15.

No fee shall be charged for any original license or renewal thereof issued to any firm, partnership, copartnership, association, or corporation all of whose members or officers actively participating in the brokerage business thereof have been issued a broker's license.

The fee for an original real estate salesman's license and every annual renewal thereof shall be $5.

Every license shall expire on the 1st day of July of each year, except that the original or initial licenses, first issued under the provisions of this act, shall expire on the 1st day of July, 1931, subject, however, to revocation as hereinbefore provided.

The commission shall issue a new license for each ensuing year, in the absence of any reason or condition which might warrant the refusal of the granting of a license, upon receipt of the written request of the applicant and the annual fee therefor, as herein required. The revocation of a broker's license shall automatically suspend every real-estate salesman's license granted to any person by virtue of his employment by the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without charge if granted during the same license year in which the original license is granted.

No person, firm, partnership, copartnership, association, or corporation engaged in the business or acting in the capacity of a real-estate broker or a real-estate salesman within the District of Columbia shall bring or maintain any action in the courts of the District of Columbia for the collection of compensation for any services performed as a real-estate broker or real-estate salesman without alleging and proving that such person, firm, partnership, copartnership, association, or corporation was a duly licensed real-estate broker or real-estate salesman at the time the alleged cause of action arose.

Every real-estate broker shall maintain a place of business in the District of Columbia. If a real-estate broker maintains more than one place of business within the District of Columbia, a duplicate license shall be issued to such broker for each branch office maintained; and there shall be no fee charged for any such duplicate license.

Notice in writing shall be given to the commission by each licensee of any change of principal business location, whereupon the commission shall issue a new license for the unexpired period without charge. The change of business location without notification to the commission shall automatically cancel the license theretofore issued.

When any real-estate salesman shall be discharged or shall terminate his employment with the real-estate broker by whom he is employed, it shall be the duty of such real-estate broker to immediately deliver or mail by registered mail to the commission such real-estate salesman's license. The real-estate broker shall, at the time of delivering or mailing such real-estate salesman's license to the commission, address a communication by registered mail to the last-known residence address of such real-estate salesman, which communication shall advise such real-estate salesman that his license has been delivered or mailed to the commission. A copy of such communication to the real-estate salesman shall accompany the license when mailed or delivered to the commission. It shall be unlawful for any real-estate salesman to perform any of the acts contemplated by this act, either directly or indirectly, under authority of said license from and after three days following such delivery or mailing of the said license by said broker to the commission.

There shall be no additional fee for the reissuance of a salesman's license, necessitated by the change of employers, nor shall such change work a revocation or require a renewal of the salesman's bond.

The amendment was agreed to.

The next amendment was, in section 16, page 27, line 5, after the word "herein," to strike out "described" and insert "prescribed," so as to make the section read:

PENALTIES

SEC. 16. Any person or corporation violating any provision of this act shall upon conviction thereof, if a person, be punished by a fine of not more than $500 or by imprisonment for a term not to exceed six months, or by both such fine and imprisonment in the discretion of the court; and if a corporation, be punished by a fine of not more than $1,000. Any officer, director, employee, or agent of a corporation, or member, employee, or agent of a firm, partnership, copartnership, or association, who shall personally participate in or be accessory to any violation of this act by such firm, partnership, copartnership, association, or corporation, shall be subject to the penalties herein prescribed for individuals.

This act shall not be construed to release any person, partnership, association, or corporation from civil liability or criminal prosecution under the general laws of the United States applying to the District of Columbia.

All prosecutions for violation of this act shall be begun in the police court of the District of Columbia in the name of the District of Columbia and under the direction and charge of the corporation counsel of the District of Columbia. The corporation counsel of the District of Columbia and his assistants shall also be counsel for the commission in all suits to which it may be a party, and shall advise the commission and at its request attend any and all hearings which it may hold in the performance of its duties hereunder.

The amendment was agreed to.

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

CONTRACT OF THE COMMERCIAL COAL CO. WITH THE DISTRICT

The 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 was announced as next in order.

Mr. McNARY. In the absence of the author of the bill and of an explanation of its purport, I do not think it should be considered to-day, and I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

GOLDBERG & LEVKOFF

The bill (H. R. 6083) for the relief of Goldberg & Levkoff, was read, considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That inasmuch as Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, of Augusta, Ga., on December 3, 1920, under sales contract SE–1309, bought from the United States Government 150,000 pairs of cotton breeches, as follows: 50,000 pairs at 33.55 cents per pair, 50,000 pairs at 32.05 cents per pair, and 50,000 pairs at 30.55 cents per pair, all of said breeches so purchased being class "B"; and that the United States delivered to the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, 20,062 pairs of said breeches so purchased, which said 20,062 pairs of breeches were received by the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, and paid for by them at the rate of 33.55 cents per pair; and inasmuch as the United States was unable to deliver to said purchasers any more class "B" breeches so purchased by them, the agents and officers of the said United States in charge of said sale canceled the said sale as to the balance of said breeches, to wit, 129,938 pairs, which it was unable to deliver, the action of the agents and officers in charge of the sale of said breeches in so canceling the remainder of said sale is hereby ratified and approved on the part of the United States, and the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, are hereby relieved from any liability on account of said contract canceled by the United States Government.

SEC. 2. That inasmuch as Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, on March 2, 1922, purchased from the United States Government under sales contract No. SE–6374, 100,000 pairs of drawers, new, at 22.75 cents per pair, and thereafter the agents and officers in charge of said sale canceled the sale of said drawers, through no fault of the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, the action of the agents and officers of the United States Government in charge of said sale in canceling the said sale is hereby ratified and approved by the United States, and the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, are relieved from any liability on account of said contract of sale which was canceled by the United States.

The bill (H. R. 6084) to ratify the action of a local board of sales control in respect of contracts between the United States and Goldberg & Levkoff was read, considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That inasmuch as Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, of Augusta, Ga., in disposing of 23,609 trousers, denim, used; 89,917 jumpers, denim, used; 5,000 pairs of leggins, woolen; 18,174 pairs of drawers, cotton, summer; 15,000 pairs of drawers, wool; 10,000 undershirts, cotton; said articles having been purchased from the United States Government under sales contracts numbered SE–5939, SE–5941, SE–6071, SE–6376, SE–6430, and SE–6409, respectively, entered into between the United States and the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, on February 9, 1922, March 2, 1922, and March 3, 1922, have adjusted their sales prices in reliance upon the action of the local board of sales control of the War Department in reducing and fixing the price to be paid by the said Goldberg & Levkoff, a firm composed of Joseph Goldberg, Samuel Goldberg, Shier Levkoff, and David Levkoff, under such contracts, such action of such board is hereby ratified on behalf of the United States.

PETER C. HAINS, JR.

The Senate proceeded to consider the bill (S. 1697) for the relief of Peter C. Hains, jr., which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 5, after the name and initial "Peter C.," to strike out "Haines" and insert "Hains," so as to make the bill read:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Peter C. Hains, jr., formerly captain, Coast Artillery Corps, United States Army, shall hereafter be held and considered to have been honorably discharged July 28, 1911, from the military service of the United States: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Peter C. Hains, jr."

JAMES W. NUGENT

The Senate proceeded to consider the bill (S. 35) for the relief of James W. Nugent, which had been reported from the Committee on Military Affairs with an amendment on line 9, after the word "pension," to insert "back pay, or allowances," so as to make the bill read:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers James W. Nugent, late of Troop F, First Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said troop and regiment on July 29, 1903: *Provided*, That no pension, back pay, or allowances shall accrue prior to the passage of this act.

The amendment was agreed to.

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

ALLEN NICHOLS

The bill (H. R. 7333) for the relief of Allen Nichols was read, considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Allen Nichols, who was a member of Company L, Second Regiment West Virginia Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 10th day of April, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

PAPERS IN OFFICES OF UNITED STATES DISTRICT COURT CLERKS

The Senate proceeded to consider the bill (H. R. 5261) to authorize the destruction of duplicate accounts and other papers filed in the offices of clerks of the United States district courts, which had been reported from the Committee on the Judiciary with an amendment in section 2, page 2, line 9, after the word "years," to insert "after final disposition of such proceedings," so as to make the bill read:

*Be it enacted, etc.*, That upon the recommendation of the clerk of a district court of the United States, and with the approval of the senior district judge of the proper district, the Attorney General may, in his discretion, authorize the destruction of duplicate accounts of the United States marshals, attorneys, clerks, and commissioners, and other miscellaneous papers or records, not in cases, which have been on file for 10 years or more, and the further retention of which will serve no useful purpose.

SEC. 2. That proofs of claims filed in bankruptcy proceedings in the United States district courts, pursuant to the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and which have remained on file in the offices of clerks of United States district courts for a period of 10 years after final disposition of such proceedings, may be destroyed, pursuant to an order of the presiding judge of the court in which such proofs of claims have been filed, said order to be filed and entered of record in said court.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 1916) to amend section 1025 of the Revised Statutes of the United States was announced as next in order.

Mr. BRATTON. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL INDEFINITELY POSTPONED

The bill (S. 1933) providing for punishment of assaults upon letter or mail carriers was announced as next in order.

The PRESIDING OFFICER. There being an adverse report on the bill, without objection, it will be indefinitely postponed.

CERTIFICATES OF TITLE IN ACQUISITION OF LAND BY UNITED STATES

The bill (S. 3068) to amend section 355 of the Revised Statutes was announced as next in order.

Mr. JONES. Mr. President, I should like to have a brief statement as to the nature of that bill. Perhaps the bill itself may disclose sufficiently its purport.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 355 of the Revised Statutes of the United States (U. S. C., title 33, sec. 733; title 34, sec. 520; title 40, sec. 255; and title 50, sec. 175) be, and the same is hereby, amended to read as follows:

"SEC. 355. No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy yard, customhouse, lighthouse, or other public building of any kind whatever, until the written opinion of the Attorney General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be, to such purchase, has been given. The district attorneys of the United States, upon the application of the Attorney General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the departments, upon the application of the Attorney General, shall procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the departments, respectively: *Provided, however,* That in all cases of the acquisition of land or any interest therein by the United States for the purposes herein specified or for other purposes, wherein the written opinion of the Attorney General in favor of the validity of the title of such land is or may be required or authorized by law, the Attorney General may, in his discretion, base such opinion upon a certificate of title and/or policy of title insurance, in such amount as the purchasing authority may require."

The PRESIDING OFFICER. Does the Senator from Washington object to the present consideration of the bill?

Mr. JONES. From the reading of the bill it is difficult to understand what change is made, but I see nothing wrong with the proposed legislation; it seems to be all right, and so I do not object.

Mr. WATERMAN. Mr. President, the report which accompanies the bill states exactly what the situation is.

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 970) to amend section 6 of the act of May 28, 1896, was announced as next in order.

Mr. DILL. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

REPEAL OF SECTION OF COMPILED LAWS OF ALASKA

The bill (H. R. 5258) to repeal section 144, Title II, of the act of March 3, 1899, chapter 429 (sec. 2253 of the Compiled Laws of Alaska), was considered by the Senate and was read, as follows:

*Be it enacted, etc.,* That section 144, Title II, of the act approved March 3, 1899, chapter 429, 30 Statutes, 1301 (sec. 2253 of the Compiled Laws of Alaska), be, and the same is hereby, repealed, effective on and after January 1, 1930.

Mr. WATERMAN. Mr. President, this bill is for the purpose of repealing a section of the Compiled Laws of Alaska. The laws of Alaska in the particular regard, with reference to the joint trial of defendants, are out of harmony with the regular statutes of the United States. The Attorney General and the district attorneys of Alaska desire to make the system of law in that connection in Alaska the same as it is throughout the district courts of the United States.

That is all there is in the bill. It simply wipes out this statute and substitutes the general law of the country.

The committee desires an amendment to be made, which is at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. The Senator from Colorado offers the following amendment: After the word "repealed" strike out the comma and the words "effective on and after January 1, 1930."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DISPOSITION OF CONDEMNED VESSELS, MERCHANDISE, ETC.

The bill (H. R. 5259) to amend section 939 of the Revised Statutes was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That section 939 of the Revised Statutes of the United States (sec. 752, title 28, U. S. C.) be, and it is hereby, amended to read as follows:

"SEC. 939. All vessels, goods, wares, or merchandise which shall be condemned by virtue of any law respecting the revenue from imports or tonnage, or the registering and recording or the enrolling and licensing of vessels, and for which bonds shall not have been given by the claimant, shall be sold by the marshal or other proper officer of the court in which condemnation shall be had, to the highest bidder, at public auction, by order of such court, and at such place as the court may appoint, giving at least 15 days' notice—except in cases of perishable merchandise—in one or more of the public newspapers of the place where such sale shall be; or if no paper is published in such place, in one or more of the papers published in the nearest place thereto. And the amount of such sales, deducting all proper charges, shall be paid within 10 days after such sale by the person selling the same to the clerk or other proper officer of the court directing such sale, to be by him, after deducting the charges allowed by the court, paid to the collector of the district in which such seizure or forfeiture has taken place, as hereinbefore directed."

EXPENSES OF KEEPING ATTACHED OR LIBELED BOATS, ETC.

The bill (H. R. 5262) to amend section 829 of the Revised Statutes of the United States was announced as next in order.

Mr. OVERMAN. I should like to know what that bill is.

The Chief Clerk read the bill; and there being no objection, it was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That paragraph 14 of section 829 of the Revised Statutes of the United States (par. 14, sec. 574, title 28, U. S. C.) is hereby amended to read as follows:

"For the necessary expenses of keeping boats, vessels, or other property attached or libeled in admiralty, such amount as the court, on petition setting forth the facts under oath, may allow."

TRIAL OF CIVIL CASES WITHOUT A JURY

The bill (H. R. 5266) to amend section 649 of the Revised Statutes (sec. 773, title 28, U. S. C.) was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That section 649 of the Revised Statutes, as amended (sec. 773, title 28, U. S. C.), be, and the same is hereby, amended to read as follows:

"SEC. 649. Issues of fact in civil cases in any district court may be tried and determined by the court, without the intervention of a jury, whenever the parties, or their attorneys of record, agree to waive a jury by a stipulation in writing filed with the clerk or by an oral stipulation made in open court and entered in the record. The finding of the court upon the facts, which may be either general or special, shall have the same effect as the verdict of a jury."

CHARLES MORTON WILSON

The bill (S. 3712) to establish a military record for Charles Morton Wilson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, their widows, children, or dependent relatives, Charles Morton Wilson shall be held and considered to have been enrolled as a private in Company C, Eighty-fourth Regiment Indiana Volunteer Infantry, on September 12, 1863; to have been honorably discharged on December 31, 1863; and to have served continuously between such dates; but no pension, pay, nor bounty shall be held to have accrued prior to the passage of this act.

SEC. 2. The Secretary of War is authorized and directed to issue to Charles Morton Wilson a discharge certificate showing that he is held and considered to have been honorably discharged as of such date.

MARSHAL'S FEES

The bill (H. R. 5268) to amend section 1112 of the Code of Law for the District of Columbia was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the first paragraph of section 1112 of the act of March 3, 1901, chapter 854, entitled "An act to establish a code of law for the District of Columbia," be, and it is hereby, amended to read as follows:

"SEC. 1112. Marshal's fees: For each return on any warrant, attachment, summons, capias, or other writ (except execution, venire, or a summons or subpœna for a witness), whether or not service has been made, $1 for each person: *Provided, however,* That for the return on any citation, summons, notice or rule issued by the probate court the fee shall be 50 cents for each person."

MIDDLE OREGON OR WARM SPRINGS TRIBE OF INDIANS OF OREGON

The bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs

Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims was considered by the Senate.

The bill had been reported from the Committee on Indian Affairs with an amendment, on page 2, line 15, after the word "Oregon," to strike out "and more particularly all claims for lands included within and comprising part of the Warm Springs Indian Reservation under the treaty of June 25, 1855 (12 Stat. 963), and by the United States disposed of as public lands or made part of and included within national forest reserves or otherwise held as part of the public lands of the United States, and all without compensation to the said Indians; and all claims of the said tribe or bands of Indians arising under or growing out of fishing, hunting, berrying, and grazing rights reserved to them by and under the said treaty of June 25, 1855 (12 Stat. 963), namely the fishing rights and privileges of the said Indians in the waters of the Columbia and Deschutes Rivers and tributaries, and the hunting, berrying, and grazing rights and privileges in territory adjacent to the said rivers and tributaries, reserved to the said Indians by the said treaty of June 25, 1855, and disposed of or bartered away by the said Indians by the treaty of November 15, 1865 (14 Stat. 751), through misunderstanding by the said Indians of the nature and purpose of the said last-mentioned treaty, and without adequate, proper, or any compensation for the rights and privileges so surrendered," so as to make the bill read:

*Be it enacted, etc.*, That jurisdiction is hereby conferred on the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States, notwithstanding the lapse of time or statutes of limitation and notwithstanding the provisions of the act of June 6, 1894 (28 Stat. 86), to hear, determine, and adjudicate, and to render final judgment on all legal and equitable claims of whatsoever nature of the Warm Springs Tribe of Indians, or any band thereof, against the United States, arising under or growing out of the original Indian title, claim, or rights of the said tribe of Indians, or any band thereof, in connection with the Warm Springs Indian Reservation in the State of Oregon, including all claims, title, or rights growing out of or incident to the treaties of June 25, 1855, ratified by the Senate on March 8, 1859, and proclaimed by the President April 18, 1859 (12 Stat. 963), and of November 15, 1865, ratified by the Senate on March 2, 1867, and proclaimed by the President March 28, 1867 (14 Stat. 751), or either of them, relating to the Warm Springs Indian Reservation in Oregon; and all claims of whatsoever nature growing out of the erroneous payment of any sum or sums of money due under the treaties of June 25, 1855 (12 Stat. 963), and November 15, 1865 (14 Stat. 751), or to any misapplication or misappropriation of any such funds or moneys to purposes not contemplated by the said treaties.

SEC. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit or suits be instituted or petition, subject to amendment, be filed with the Court of Claims within five years of the date of this act; and in any such suit or suits the Warm Springs Tribe of Indians of Oregon, or any band thereof, shall be party or parties plaintiff and the United States shall be the party defendant. The petition of the said Indians shall be verified by the attorney or attorneys employed to prosecute such claim or claims, under contract with the Indians, approved in accordance with existing law, upon information and belief as to the facts therein alleged and no other verification shall be necessary. Official letters, papers, documents, records, maps, historical works, and affidavits in official files, or certified copies thereof, may be used in evidence and the departments of the Government shall give access to the attorney or attorneys of the said Indians to such treaties, papers, maps, correspondence, reports, documents, or affidavits as they may require in the presentation or prosecution of any suit or suits instituted under this act.

SEC. 3. In the said suit or suits the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against the said Indian tribe or bands thereof, or any of them, and any payment or payments which have been made by the United States upon any such claim or claims shall not operate as an estoppel, but may be pleaded as an offset in such suit or suits, as may gratuities, if any, paid to or expended for said Indian tribe or bands or either of them.

SEC. 4. Any band of Indians associated with the Warm Springs Tribe of Indians deemed necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order: *Provided*, That upon final determination of the court of any such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the amount secured, to be paid the attorney or attorneys employed as herein provided, together with all necessary and proper expenses incurred in the preparation and prosecution of such suit or suits to be paid the attorney or attorneys employed herein as provided, and such fee or fees and such expense or expenses shall be included in the decree, and shall be paid out of any sum or sums adjudged to be due said tribe or bands or either of them; and the balance of such sum or sums shall be placed in the Treasury of the United States to the credit of such tribe or bands, where it shall draw interest at the rate of 4 per cent per annum, and shall be subject to appropriation by the Congress of the United States for any and all proper tribal purposes.

The amendment was agreed to.

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

MISUSE OF OFFICIAL BADGES

The bill (S. 1985) providing against misuse of official badges was considered by the Senate.

The bill had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 2, to insert:

SEC. 2. Any person who offends against the provisions of this act shall, on conviction, be punished by a fine not exceeding $250 or by imprisonment for not exceeding six months, or by both such fine and imprisonment.

So as to make the bill read:

*Be it enacted, etc.*, That hereafter the wearing, manufacture, or sale of a badge or badges of the design or designs prescribed by the head of any department of the Government of the United States for use by any subordinate thereof, or of any colorable imitation thereof, or the possession of any such badge or badges, or colorable imitation thereof, with intent to sell or wear the same, is prohibited, except when and as authorized under such regulations as may be prescribed by the head of the department of which such badge indicates the wearer is an officer or subordinate.

SEC. 2. Any person who offends against the provisions of this act shall, on conviction, be punished by a fine not exceeding $250 or by imprisonment for not exceeding six months, or by both such fine and imprisonment.

The amendment was agreed to.

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

BILLS PASSED OVER

The bill (H. R. 977) establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the division of identification and information was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4357) to limit the jurisdiction of district courts of the United States was announced as next in order.

Mr. COPELAND. Mr. President, is this the same bill relating to diverse citizenship that the Senator introduced last year?

Mr. DILL. Yes.

Mr. COPELAND. I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 12013) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases was considered by the Senate.

The bill had been reported from the Committee on Pensions with an amendment, in section 3, page 2, line 25, after "June 27," to strike out "1905" and insert "1910," so as to make the section read:

SEC. 3. That the widow or remarried widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for 90 days or more and was honorably discharged from all contracts of service, or regardless of the length of service, was discharged for or died in service of a disability incurred in the service and in the line of duty, or who has heretofore been allowed a pension as a Civil War veteran, under existing service pension laws, such widow having been married to such Civil War veteran prior to June 27, 1910, who is now or who may hereafter attain the age of 70 years, shall be entitled to and shall be paid a pension at the rate of $40 per month; and nothing herein shall be construed to affect the additional allowance provided by existing pension laws for a helpless child or child under 16 years of age: *Provided*, That hereafter the service pension laws applicable to Civil War widows shall extend to the former widow of a Civil War veteran, such widow having remarried either once or more than once after the death of the veteran, if it be shown that such subsequent or successive remarriage has been dissolved either by the death of the husband or husbands or by divorce on any ground except adultery on the part of the wife.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 2010) for the relief of Clatsop County, Oreg., was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

RADIO DIVISION, DEPARTMENT OF COMMERCE

The joint resolution (S. J. Res. 176) transferring the functions of the radio division of the Department of Commerce to the Federal Radio Commission was considered by the Senate.

The joint resolution had been reported from the Committee on Interstate Commerce with an amendment, on page 2, line 24, after the word "resolution," to insert, "This resolution shall take effect July 1, 1930," so as to make the joint resolution read:

*Resolved, etc.*, That the powers and duties vested in and imposed upon the Secretary of Commerce by the radio act of 1927, as amended (U. S. C., Supp. III, title 47, secs. 81–119), and by the act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, as amended (U. S. C., title 46, secs. 484–488), are hereby vested in and imposed upon the Federal Radio Commission. All officers and employees of the radio division of the Department of Commerce, and all records, mechanical and office equipment, furniture, supplies, and other property, including monitoring radio stations, under the jurisdiction and control of such division, are hereby transferred to the jurisdiction and control of the Federal Radio Commission. Such transfer of officers and employees shall not operate to change the grade or salary of any such officer or employee. All unexpended appropriations for the operation of such division that are available at the time of the approval of this joint resolution, and all appropriations that may hereafter become available for the operation of such division are hereby transferred to the Federal Radio Commission, and shall be available for expenditure under the direction of said commission. All rules and regulations of the Secretary of Commerce made under authority of the acts herein referred to shall be effective as rules and regulations of the Federal Radio Commission until said commission shall otherwise provide. All operator's licenses issued by the Secretary of Commerce in force at the time of the approval of this joint resolution shall continue in effect to the same extent as if they had been issued by said commission. The enactment of this joint resolution shall not invalidate any proceeding begun by or before, or any of the acts or orders of, the Secretary of Commerce, prior to the approval of this joint resolution. This resolution shall take effect July 1, 1930.

The amendment was agreed to.

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

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 12205) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was considered by the Senate.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 8, line 16, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of Frank E. Trimyer, late of Company E, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $8 per month; and the name of Ella Trimyer, helpless and dependent mother of Frank E. Trimyer, late of Company E, Twelfth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 4, after the words "rate of," to strike out "$30" and insert "$20," so as to read:

The name of Rose Edwards, widow of William H. Edwards, late of Company B, First Battalion Nevada Infantry, war with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, line 6, after the words "rate of," to strike out "$30" and insert "$20," so as to read:

The name of Mary C. Chapman, widow of Amos Chapman, late scout and guide, Indian wars, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 12, after the words "rate of," to strike out "$18" and insert "$12," so as to read:

The name of Jesse P. Murphy, late of Company G, Thirty-eighth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 17, after the words "rate of," to strike out "$17" and insert "$12," and in the same line, before the words "per month," to strike out "$4" and insert "$2," so as to read:

The name of Rosa Jordan, widow of Milton Jordan, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month with $2 per month additional for each of the minor children of the soldier under 16 years of age, said pension to continue to the minor children until they shall attain the age of 16 years, respectively.

The amendment was agreed to.

The next amendment was, on page 18, line 18, after the words "rate of," to strike out "$25" and insert "$20," so as to read:

The name of Constant W. Merrick, late of Company E, Third Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 14, to strike out:

The name of Eva P. Fleming, dependent mother of Alfred A. Peterson, late of Company F, Fourteenth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 1, after the words "rate of," to strike out "$20" and insert "$10," so as to read:

The name of Adelbert Carpenter, late of Company D, Twelfth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $10 per month.

The amendment was agreed to.

The next amendment was, on page 25, line 17, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of William C. Andrews, late of Company G, First Regiment United States Volunteer Cavalry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 3, after the words "rate of," to strike out "$20," and insert "$12," so as to read:

The name of Curtis A. Peterson, late of the Sixth Battery, Iowa Light Artillery, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 18, after the words "rate of," to strike out "$30," and insert "$20," and in line 19, after the words "per month," to insert a comma and "and $30 per month when 60 years of age is attained," so as to read:

The name of Maude McManus, widow of Daniel F. McManus, late of Troop C, Second United States Cavalry, war with Spain, and pay her a pension at the rate of $20 per month, and $30 per month when 60 years of age is attained.

The amendment was agreed to.

The next amendment was, on page 32, line 3, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of John T. Cooper, late of Company D, First South Carolina Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 32, line 14, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of Perry M. Martin, late of Company B, First South Carolina Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 32, line 17, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of Harry R. Bennett, late of the United States Navy, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 34, line 21, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of Walter W. McGowen, late of Company D, First Regiment Alabama Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 35, line 7, after the words "rate of," to strike out "$30" and insert "$20," and in the same line, after the words "per month," to insert a comma and "and $30 per month when she is 60 years of age," so as to read:

The name of Lula Smith, widow of Eli Smith, late of Company D, Thirty-first Regiment United States Volunteer Infantry, war with Spain, and pay her a pension at the rate of $20 per month, and $30 per month when she is 60 years of age.

The amendment was agreed to.

The next amendment was, on page 36, line 17, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of Frank J. Long, late of Company B, First Regiment Ohio Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 37, line 16, after the words "rate of," to strike out "$12" and insert "$20," so as to read:

The name of Thomas B. Ellis, late of Company C, First Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 37, after line 23, to insert:

The name of Janet R. Parker, widow of Samuel M. Parker, late major, United States Army, and pay her a pension at the rate of $30 per month.

The name of Ida E. McBride, dependent mother of William D. McBride, late of Company H, One hundred and fifty-first Regiment Iowa Infantry, and pay her a pension at the rate of $20 per month.

The name of Victor Culberson, late of Captain Fleming's company, New Mexico Volunteers, and pay him a pension at the rate of $20 per month.

The name of Charles Watlington, alias Oscar D. Watlington, late of Capt. Jesse Thompson's Company K, First New Mexico Cavalry, and pay him a pension at the rate of $12 per month.

The name of Sarah M. Brown, dependent mother of Everet L. Brown, late of United States Coast Artillery School Detachment, and pay her a pension at the rate of $20 per month.

The name of Joseph C. Petres, late of the United States Marine Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry W. Kappes, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frank C. Nelson, late of the United States Marine Corps, and pay him a pension at the rate of $6 per month.

The name of Ellsworth F. Bloodgood, late of Capt. David C. Cantwell's Company F, First New Mexico Volunteers, and pay him a pension at the rate of $12 per month.

The name of Sarah McCraney, widow of William McCraney, late of Captain Morgan's Iowa Mounted Volunteers, and pay her a pension at the rate of $30 per month.

The name of Harry C. Clifford, sr., late of Battery F, Fourth United States Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Emma Knight, dependent mother of Ernest M. Knight, late of the United States Navy, and pay her a pension at the rate of $20 per month.

The name of Frederick Upperman, late of Battery A, Second United States Artillery, and pay him a pension at the rate of $10 per month.

The name of Martin Padgett, late of Captain Hardee's company, Florida Mounted Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Armstrong, late of Company C, Eighth Regiment United States Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Henry R. Ruther, late of the United States Navy, and pay him a pension at the rate of $17 per month.

The name of Etta K. Martin, widow of George P. Martin, late of Company A, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Salyers, widow of George Salyers, late of the Seventy-first Company, United States Coast Guard Artillery, and pay her a pension at the rate of $12 per month, and $2 per month additional for any minor child under 16 years of age.

The name of Harry B. Guyton, late of Company K, Fortieth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John A. Burke, late of Company A, Twenty-seventh Regiment United States Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of William Rieseberg, late of the Twenty-ninth Ordnance Company, Ordnance Department, United States Army, and pay him a pension at the rate of $12 per month.

The name of Benjamin H. Williams, late of the Fifth Battery, Iowa Light Artillery, and pay him a pension at the rate of $12 per month.

The name of Frank E. Shipman, late of the United States Navy, and pay him a pension at the rate of $8 per month.

The name of Gus W. Peterson, late of Wagon Company Twenty-six, Quartermaster Corps, United States Army, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Woods, late of the Medical Department, United States Army, and pay him a pension at the rate of $17 per month.

The name of John Placot, late of Troop C, Seventh United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Mahlon A. Russell, late of Company A, First Regiment Georgia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of James H. Fisher, late of Captain A. C. Smith's company, Oregon Militia, and pay him a pension at the rate of $12 per month.

The name of Carl O. Jinks, late of the Sixty-eighth Company, United States Coast Artillery Corps, and pay him a pension at the rate of $17 per month.

The name of Georgia Young, widow of William A. Young, late of Company C, Second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Aaron Schollars, late civilian employee, Quartermaster Department, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harriett L. Meece, widow of William H. Meece, late of Company I, Fourth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of David N. Henderson, late of the United States Navy, and pay him a pension at the rate of $24 per month.

The name of Ada B. Ferguson, dependent mother of Earl C. Ferguson, late of Battery C, Eighty-second Field Artillery Battalion (horse), and pay her a pension at the rate of $12 per month.

The name of Stephanie S. Murphy, widow of Theodore Rodes Murphy, late second lieutenant, United States Coast Artillery Corps, and pay her a pension at the rate of $20 per month and $2 per month additional for each minor child under 16 years of age.

The name of Evelyn W. Ellis, widow of Arnold W. Ellis, late of Company A, First Separate Battalion, Florida National Guards, and pay her a pension at the rate of $12 per month, and $2 per month additional for each minor child under 16 years of age.

The name of Claud D. Lugenbeel, late of the United States Navy, and pay him a pension at the rate of $10 per month.

The name of Elizabeth T. Jayne, widow of Joseph E. Jayne, late rear admiral, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucretia Thom, dependent mother of William Deadmon, late of Company K, Twenty-fifth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mallie C. Fikes, late of Company E, United States Signal Corps, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of William W. Merritt, late of Troop B, First United States Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Burnham Gibson, late of Company E, Second Regiment Kentucky Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Charles E. Wilson, late of the Tenth Battery, United States Field Artillery, and pay him a pension at the rate of $12 per month.

The name of Etta F. Dailey, dependent mother of Fay C. Dailey, late of field hospital, First New Hampshire National Guards, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Agnes Shinolt, widow of John Shinolt, late of Company H, Thirtieth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $20 per month, and $30 per month when it is shown that she has attained the age of 60 years.

The name of James R. Clark, late of Company D, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The name of Andrew J. Dorak, late of Company D, Tenth United States Infantry, and pay him a pension at the rate of $17 per month.

The name of John Feiereisen, late of Troop B, Second United States Cavalry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Harley E. Busby, late of the United States Marine Corps, and pay him a pension at the rate of $10 per month.

The name of Jesse D. Walker, late of Capt. John A. Fairchild's company, California Volunteers, and pay him a pension at the rate of $20 per month.

The name of Julius A. Fuhrman, late of the United States Navy, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Peter C. Petersen, late of the United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Beaty, late of Company G, Twenty-third Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

The name of Inez G. Barber, widow of Henry Anson Barber, late of Troop E, Seventh United States Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Larry E. Gant, late of Troop B, Third United States Cavalry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of James W. Taylor, late of Company E, Tenth United States Infantry, and pay him a pension at the rate of $8 per month.

The name of Frank H. Regan, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Annie E. Bowen, dependent mother of Willie Bowen, late of the United States Marine Corps, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George W. Fawcett, sr., late of Capt. Willis Coplans's Company A, Utah Volunteers, and pay him a pension at the rate of $20 per month.

The name of Jack Miller, assigned to detachment of Nez Perce Indian scouts, and pay him a pension at the rate of $20 per month.

The name of Cad W. Savage, late of the United States Navy, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Reuben Samson, late of Company K, Fourth Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

The name of George Eagle Road, late of Company I, Sixteenth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of John Fred Riley, late of the United States Navy, and pay him a pension at the rate of $6 per month.

The name of Josephine Nogle, widow of John A. Nogle, late of Company I, Thirteenth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $20 per month, and $30 per month when it is shown that she has attained the name of 60 years.

The name of Roe Simerly, late of Company I, Twenty-sixth Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

The name of Patton D. Moreland, late of Company L, First Regiment Arkansas Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Jursha A. Allen, widow of Jonithan A. Allen, late of Company B, First Battalion, First Cavalry, Iron Military District, Nauvoo Legion, Capt. J. W. Freeman, commander, and pay her a pension at the rate of $12 per month.

The name of Lorenzo D. Walters, late of Troop F, Sixth United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Frank Brown, late of Company D, Third Regiment Wisconsin Infantry, National Guards, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Elizabeth King, who served under the name of Lizzie R. Hand, late contract nurse, Medical Department, United States Army, and pay her a pension at the rate of $20 per month.

The name of Stephen Curran, late of Company A, Tenth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Robert Vaughn, late of the Sixty-ninth Company, United States Coast Artillery Corps, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William R. Surber, late of the Twenty-eighth Battery, United States Field Artillery, and pay him a pension at the rate of $12 per month.

The name of James Henry McCoy, late of Company G, Second Regiment Idaho Militia, and pay him a pension at the rate of $12 per month.

The name of Cynthia A. Smith, widow of George W. Smith, late of Company G, Second Regiment Idaho Volunteer Militia, and pay her a pension at the rate of $12 per month.

The name of Harry B. Arnold, late of the Bannock Indian war, and pay him a pension at the rate of $12 per month.

The name of Commodore Howell, late of Capt. Franklin McCarrie's Company G, Second Regiment Idaho Volunteer Militia, and pay him a pension at the rate of $12 per month.

The name of Robert N. McClure, late of Capt. Henry H. Spaulding and Capt. John Knifong's company, Washington Volunteers, and pay him a pension at the rate of $12 per month.

The name of William H. Tullis, late of Troop K, Twelfth Regiment United States Cavalry, and pay him a pension at the rate of $10 per month.

The name of Elizabeth B. Decey, widow of Francis J. Decey, late of the General Mounted Service, United States Army, and pay her a pension at the rate of $12 per month.

The name of Earl Seneff, late of Troop L, First Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Charles Face, late of Company I, Sixteenth Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

The name of Hobart A. Smith, late cadet, United States Military Academy, and pay him a pension at the rate of $12 per month.

The name of Arthur Edwards, late of Company B, First Battalion United States Engineers, and pay him a pension at the rate of $12 per month.

The name of Emma Jarvis McClean, widow of Walter McClean, late rear admiral, United States Navy, and pay her a pension at the rate of $125 per month.

The name of Nellie L. Fickett, widow of Fred W. Fickett, late of the Signal Corps, United States Army, and pay her a pension at the rate of $30 per month.

The name of Sophronia M. Shepler, widow of Alphons V. Shepler, late of Capt. C. M. Ricker's company, Barber County (Kans.) State Militia, and pay her a pension at the rate of $12 per month.

The name of John Pleas Rader, late of the Military Organization, Yakima, Wash., and pay him a pension at the rate of $12 per month.

The name of Emma Langley, widow of Miles T. Langley, late of Capt. Thomas C. Galloway's Company E, and pay her a pension at the rate of $12 per month.

The name of Anna Lee Duncan, widow of Harry Duncan, late of Company B, Third Regiment United States Infantry, and pay her a pension at the rate of $12 per month and $2 per month additional for any minor child under 16 years of age.

The name of Marianne Winder Fullam, widow of William F. Fullam, late rear admiral, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Christena Coey, dependent mother of Thomas William Coey, late of the United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Virgie Hamilton, late of the Twlefth Battery, United States Field Artillery, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of George Williams, late of Company C, First Battalion Nevada Infantry, and pay him a pension at the rate of $20 per month.

The name of Joseph Tunney, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of William T. McArdle, late of Company B, First Battalion Nevada Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Maude Thurman, widow of Floyd Thurman, late of Troop E, Second United States Cavalry, and pay her a pension at the rate of $30 per month and $6 per month additional for each minor child under 16 years of age.

The name of Aileen Oakley Griffith, widow of Thomas Wilson Griffith, late colonel, Eighteenth United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Kate Merritt Ramsay, widow of Martin McMahon Ramsay, late paymaster, United States Navy, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of George P. Hamilton, late of Company B, First Cavalry, Iowa National Guards, and pay him a pension at the rate of $17 per month.

The name of John Robinson, late of Troop G, Fourth United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Angelina C. Powell, widow of John W. Powell, jr., late colonel, Seventeenth United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Dora Ivey, widow of John H. Ivey, late of Troop G, Second Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $20 per month, and $30 when she attains the age of 60 years.

The name of Eliza J. Surles, widow of William P. Surles, late of Company K, First Regiment North Carolina Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eva F. Tice, helpless child of Solomon W. Tice, late of Troop A, Eighteenth Regiment Kansas Cavalry, and pay her a pension at the rate of $20 per month.

The name of James Curtis Bell, late of Company G, Fifth Regiment Georgia Infantry, and pay him a pension at the rate of $17 per month.

The name of Oscar D. Baker, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of William F. Hardeman, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of Wyatt E. Heard, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of Charles W. McFadden, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of George W. Baylor, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of James Whitecotton, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of Sidney J. Baylor, late of Companies A and D, Texas Frontier Battalion, and pay him a pension at the rate of $12 per month.

The name of Henry W. Baylor, late of Captain Wilkerson's Company G, First Texas Cavalry, and pay him a pension at the rate of $12 per month.

The name of Ada Vermont Lincoln, dependent mother of Harry C. Lincoln, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Jacob Lemuel Hartsfield, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Anna May Harness, dependent mother of Theodore R. Harness, late of the United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John A. Bresler, dependent father of Frank A. Bresler, late of the United States Navy, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Julia M. Wark, widow of Robert Wark, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Henry C. Graham, late of Captain John B. Salesman's company, Miller County Missouri Militia, and pay him a pension at the rate of $30 per month.

The name of William Larson, late of the United States Navy, war with Spain, and pay him a pension at the rate of $20 per month.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DES MOINES RIVER BRIDGE, CROTON, IOWA

The bill (S. 4064) to extend the times for commencing and completing the construction of a bridge across the Des Moines River, at or near Croton, Iowa, was considered by the Senate.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 8, after "1928," to insert "and heretofore extended by the act of Congress approved March 2, 1929," so as to make the bill read:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Des Moines River, at or near Croton, Iowa, authorized to be built by Henry Horsey, Winfield Scott, A. L. Ballegoin, and Frank Schee, their heirs, legal representatives, and assigns, by the act of Congress approved May 22, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby extended one and three years, respectively, from May 22, 1930.

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

The amendment was agreed to.

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

JAMES ALBERT COUCH

The bill (H. R. 293) for the relief of James Albert Couch, otherwise known as Albert Couch, was considered, ordered to a third reading, read the third time, and passed.

WILLIAM TAYLOR COBURN

The bill (H. R. 8854) for the relief of William Taylor Coburn was considered, ordered to a third reading, read the third time, and passed.

ALLEGHENY RIVER BRIDGE, OLEAN, N. Y.

The bill (H. R. 11703) granting the consent of Congress to the city of Olean, N. Y., to construct, maintain, and operate a free highway bridge across the Allegheny River, at or near Olean, N. Y., was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. That completes the calendar.

EXPANSION OF AGRICULTURAL FOREIGN SERVICE

Mr. McNARY. Mr. President, a few days ago the Senate passed a bill expanding the agricultural foreign service. A day ago the House passed a similar bill, with an amendment. The House bill has been referred to the Committee on Agriculture and Forestry. In order to expedite action, I ask that the Senate Committee on Agriculture and Forestry be discharged from the further consideration of the House bill, and that it be placed on its final passage.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the committee is discharged. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2152) 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, was considered, ordered to a third reading, read the third time, and passed.

CALL OF THE ROLL

Mr. McNARY. Mr. President, yesterday evening the Senator from South Dakota [Mr. NORBECK] succeeded in making the oleomargarine bill the unfinished business. At that time, as I recall, the Senator from South Dakota said he would yield to the Senator from Missouri [Mr. HAWES] for the purpose of disposing of a measure.

In view of the temporary absence of the Senator from Missouri I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JONES in the chair). The clerk will call the roll.

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

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

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

CONSOLIDATION OF RAILROAD PROPERTIES

Mr. HAWES. Mr. President, the Senator from South Dakota [Mr. NORBECK] has kindly consented that I may call up Senate bill 4205, to amend paragraph (6) of section 5 of the interstate commerce act as amended.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate Commerce with an amendment, to strike out all after the enacting clause and to insert:

That section 5 of the interstate commerce act, as amended, is hereby amended by inserting between paragraphs (6) and (7) thereof the following new paragraph:

"(6A) In any hearing upon an application under paragraph (2) for authority to acquire control or under paragraph (6) for authority to consolidate, employees of any carrier involved in such acquisition of control or consolidation, or representatives of such employees, may intervene and be heard, and the commission is specifically directed to prescribe, in any order which it may enter approving and authorizing such acquisition of control or consolidation, such terms and conditions as it may find necessary or desirable, as a result of such hearing, to protect such employees against uncompensated injury resulting from such acquisition of control or consolidation."

Mr. HAWES. Mr. President, I offer the amendment to the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. On page 2, line 22, after the word "from," insert the words "anticipation or consummation of."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

Mr. FRAZIER subsequently said: Mr. President, I want to inquire of the Senator from Missouri whether or not the amendment of the Senator from Michigan [Mr. COUZENS] was placed in the bill.

Mr. HAWES. There was included an amendment which I submitted to the Senator from Michigan, and which he approved.

Mr. FRAZIER. Very well.

AIRCRAFT ACCIDENTS

Mr. BRATTON. Mr. President, I should like to ask the Senator from Connecticut [Mr. BINGHAM] a question. If the Senator is prepared to take it up, I should like to call up the motion of the Senator from Pennsylvania [Mr. REED] to reconsider the vote by which the Senate adopted Senate Resolution 206.

Mr. BINGHAM. Mr. President, I should like very much to oblige my friend the Senator from New Mexico, but both the Senator from Pennsylvania and I are due in a conference with the House conferees on an important appropriation bill and I would like to have the matter go over until to-morrow.

Mr. BRATTON. I have talked with the Senator from Pennsylvania, and he has told me that he did not even care to be present when it was taken up; that he has no interest in the matter, one way or the other. I should like to dispose of the resolution, if the Senator from Connecticut can agree to do so now.

Mr. BINGHAM. I hope the Senator will let it go over.

Mr. BRATTON. Can the Senator give some indication as to when he will be prepared to proceed with the matter?

Mr. BINGHAM. I suggest to the Senator that we may take it up to-morrow.

Mr. BRATTON. The Senator suggested yesterday that we might take it up to-day.

Mr. President, I dislike to insist upon taking the matter up, but at some time I should like to have the Senator from Connecticut give some satisfactory answer as to when we can proceed with this resolution.

Mr. NORBECK. Mr. President, the oleomargarine bill is the unfinished business, and while I would have no objection to taking up any matter which might require only a few minutes I do not want the unfinished business to be sidetracked for something which might take considerable time.

Mr. BRATTON. Of course, I would not ask the Senator to do that. I was endeavoring to reach some agreement with the Senator from Connecticut. Apparently that is impossible. So I shall endeavor to get the matter up to-morrow.

Mr. NORBECK. Mr. President——

The PRESIDING OFFICER. It being nearly 2 o'clock, the Chair will lay before the Senate the unfinished business, which is House bill 6.

DEFINITION OF OLEOMARGARINE

The Senate resumed the consideration of the bill (H. R. 6) 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.

Mr. NORBECK. Mr. President, the pending measure was introduced by me about two years ago, but it was the opinion of those learned in the law that it was a revenue measure, and therefore could not originate in the Senate. The bill has since passed the House, and comes before us in the form of a House bill.

This measure is intended to deal with a situation which has developed quite recently—that is, there have been so many forms of butter substitutes coming on the market that their sale amounts to what is almost a fraudulent practice. The bill does not propose to change the present law as to oleomargarine, the main features of which were adopted more than 40 years ago.

Many substitutes for butter, sold sometimes under the name of cooking compounds, sometimes as butterine, and sometimes under other attractive names, have gotten into the market and displaced butter. They are even sold as butter, or sold as something better than butter. But it is well known that they do not contain the ingredients of butter, although they are made up in packages which look like butter, are colored like butter, and sometimes taste like butter.

A large business has developed in these substitutes, which differ just enough from oleomargarine to escape the requirements of the law, and thereby avoid the tax.

Mr. HEBERT. Mr. President, I offer an amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The clerk will read.

The LEGISLATIVE CLERK. The Senator from Rhode Island offers the following amendment: On page 2, after line 20, insert the following new section:

SEC. 2. That the proviso in section 8 of 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, is amended to read as follows:

"*Provided*, When oleomargarine is free from any ingredient or artificial coloration that causes it to look like butter or any shade of yellow said tax shall be one-fourth of 1 cent per pound."

Mr. HEBERT. Mr. President, I may say, briefly, that the purpose of my amendment is to equalize the cost of doing business as between the large packers of the country, who control the oleomargarine business, and the producers of the so-called cooking compounds, which this bill aims to destroy.

On its face the pending bill appears to have this purpose; namely, to protect the producers of butter, the dairymen. My notion is that its effect will be to protect rather the manufacturers of oleomargarine.

Again, I have reason to believe that another of the purposes is to drive out of existence and destroy the business of the men who are producing these cooking compounds.

It makes a new definition of oleomargarine, that is to say, it brings within the definition of oleomargarine, as now known in the law, these various cooking compounds to which I have referred. It does that in these words, for instance, compounds "churned, emulsified, or mixed in cream, milk, water, or other liquid, and containing moisture in excess of 1 per cent or common salt."

I doubt whether anyone can tell us how far-reaching that amendment would be and what sort of compound would be included within the definition. I do know that a statement has come from the Department of Agriculture to the effect that it might be interpreted to include ice cream.

It was found by the proponents of the bill, and those who have had something to do with its preparation, that it would include shortening now used in pastry, and inasmuch as it was going to do that, out of consideration for the interests of the large packers of the country, who control the shortening industry, those particular compounds were specifically excluded from the provisions of the amendment.

Mr. President, the amendment goes far beyond anything that was ever devised or ever thought of when the original oleomargarine bill was considered in Congress more than 30 years ago. A reference to the original bill or the existing law will reveal the fact that it contains two specific conditions: First, "anything that is made in imitation or semblance of butter," and second, "or calculated or intended to be sold as butter or for butter." It will be observed that the pending amendment does not fix any such condition. The product which is sought to be legislated against and which will be destroyed by this legislation need not be sold as or for butter, it need not be advertised as a substitute for butter, and nothing need be said concerning butter, and yet it is legislated out of existence by the amendment.

The nut products are in no sense an imitation of butter, nor have they been represented as an imitation of butter. That fact has been established by a court decision to which I wish to refer. The case of Higgins Manufacturing Co. against Page, reported in Two hundred and ninety-seventh Federal Reporter at page 644, was a case brought by the collector of internal revenue of the district of Rhode Island to collect a tax upon products of the Higgins Manufacturing Co. not unlike those which are included within the purport of the pending amendment. Mr. Justice Brown, after hearing evidence in the case, said in his decision denying the right of the collector of internal revenue to demand a tax as if the product had been oleomargarine:

The trade dress is not only not an aid to deception—

It was contended that the Higgins Manufacturing Co. was attempting to deceive the public, to make the public believe that their product was butter or oleomargarine and was to be consumed in that way. The court said:

The trade dress is not only not an aid to deception but is designed to tell the truth and avoid deceptions. The triangular form of the package, the label of the same, "Nut-Z-All," and the words "nut product prepared for cooking and baking" prove that the plaintiff has in these respects done its best to avoid deception of a customer. There is no deception that is offered to the customer in the shape, and when the package is opened by a person who had read the label the yellow color of the product would probably not make him believe he had got butter.

That case was taken to the circuit court of appeals, and Mr. Justice Lowell, in passing upon the appeal, had this to say:

This bill in equity was brought to restrain the collector of internal revenue for the district of Rhode Island from collecting a tax, alleged to be due under an act of Congress relating to oleomargarine, on "Higgins' Nut Product." The defendent filed a motion to dismiss.

In the year 1922 the defendant notified the plaintiff that he was going to collect a tax on the product known as "Nut-Z-All" after all of it which had then been made had been exhausted. The plaintiff paid the tax on a small quantity of the compound and sued to get it back. Judge Brown, in a very careful opinion (Higgins Mfg. Co. *v.* Page, 297 F. 644) decided that the tax was not due, as the act of Congress did not subject the plaintiff's compound to a tax. There was no appeal from this decision.

The bill of complaint in the case at bar, the allegations of which are admitted by the motion to dismiss, alleges that the compound now

known as Higgins' Nut Product is the same as "Nut-Z-All"; that the way in which it is put up is the same; and that all the circumstances of the case are identical with the one decided by Judge Brown. The bill further alleges that the defendant has notified the plaintiff that on the 1st of October, 1927, he will collect a tax of 10 cents a pound on "Higgins' Nut Product" under the oleomargarine statute. We have, therefore, a case where the collector of internal revenue for the district of Rhode Island is threatening to take action which the court for that district has held to be illegal.

At the hearing it was contended by the defendant that under Revised Laws 3224, Comp. St. 5947, the court had no power to restrain the collection of the tax. This raises a serious question. It is alleged in the bill—and admitted by the motion to dismiss—that if the tax is laid and collected the business of the plaintiff will be ruined, because in an action at law brought after paying the tax it can not recover adequate damages. The tax is so high that the plaintiff can not afford to manufacture the compound, pay the tax, and sell the article, and the alternative is to stop making it and destroy an established business.

It is true, of course, that except under extraordinary circumstances a court can not interfere with the assessment and collection of a tax. (See Graham *v.* Du Pont, 262 U. S. 234, and cases cited.) But the Supreme Court of the United States has said, in Hill *v.* Wallace (259 U. S. 44):

"It has been held by this court in Dodge *v.* Brady (240 U. S. 122, 126) that section 3224 of the Revised Statutes does not prevent an injunction in a case apparently within its terms in which some extraordinary and entirely exceptional circumstances make its provision inapplicable." (259 U. S. at p. 62; see also Acklin *v.* People's Sav. Assn., 293 F. 393, 394; Lafayette Worsted Co. *v.* Page, 6 F. (2d) 399.)

It is true, as contended by the defendant, that the statement was not necessary for the decision of the case (see 159 U. S. at pp. 62 and 63); but the statement of the court deserves all the greater attention from that fact, as it evidently wished to draw attention to the matter.

The case at bar seems to be one coming within the exception above stated by the Supreme Court of the United States. The circumstances are exactly the same as in Higgins Manufacturing Co. *v.* Page, ubi supra. There has been no change in the congressional statute relating to oleomargarine. The action threatened by the collector of internal revenue for Rhode Island is therefore in defiance of the decision of the court. This is an extraordinary situation and calls for t..e interposition of injunctive relief. If it be true, as contended by the defendant, that a tax may be collected although it has been judicially determined to be illegal, the result will be that the taxing authorities are entirely above and beyond the law. Although the Supreme Court of the United States has held that a tax laid under an unconstitutional statute will not be restrained (see Bailey *v.* George, 259 U. S. 16), in that case there was a complete and adequate remedy at law. It should be noted also that the statute had not been held void until after the tax was assessed. The taxing power is essential to the existence of the Government, and the courts have rightly gone very far in holding that taxing authorities should not be interfered with. (Snyder *v.* Marks, 109 U. S. 189, and cases cited.) But in this case, where there is no adequate remedy at law, the court should have power to grant relief; otherwise the citizen will be more at the mercy of the departments of the National Government than is consistent with life in a free country. (Acklin *v.* People's Sav. Assn. 293 F. at p. 394.)

Mr. President, the real beneficiaries under the bill are, I believe, the packers. I say that for this reason: It must be borne in mind that oleomargarine not artificially colored is taxed under existing law at the rate of one-fourth of 1 cent per pound, but oleomargarine that is artificially colored is taxed at the rate of 10 cents per pound. The business of the manufacture of oleomargarine is to a very large extent in the control of the packers.

In the manufacture of the product the packers have an advantage which is denied to the independent producer in this respect: I am informed that the tallow or suet which comes from old cattle slaughtered by the packers, when used to produce oleomargarine, gives the product a yellow tint not unlike the color of butter. Of course, the use of that sort of tallow does not constitute artificial coloring. It is a natural color. The packers do nothing to change its effect upon the product. So, notwithstanding the packers produce colored oleomargarine, they are exempt from the payment of the 10-cent tax which their competitors are required to pay if they color their oleomargarine.

Having in mind, as I am informed, that all of the yellow tallow which is used in the production of oleomargarine is absolutely within the control of the packers, it will become apparent that no one can compete with them in producing oleomargarine that is colored, either artificially or otherwise.

Mr. President, there has been for many years a so-called "oleo pool" made up of the large manufacturers of oleomargarine The "oleo pool" has been made the subject of investigation by the Federal Trade Commission, and the report of that commission on the meat-packing industry might be of interest to the Members of the Senate. I propose to quote from that report which was submitted to the President July 3, 1918, and published under date of June 24, 1919. In part 1, at page 65, appears the following:

At least two separate pools of this character are participated in by the big packers: First, "the packers' pool," limited in membership to the big five; and, second, "the oleo pool," the membership of which varies from year to year, but always includes Armour and Swift.

The oleo pool is composed of large manufacturers of oleomargarine, butterine, and other similar products, who are pledged to divide whatever assessments may be determined upon for their joint purposes on the basis of their proportionate production of oleomargarine during the preceding year. In 1917, for example, the membership of the oleo pool and the percentages used in collecting the joint funds were as follows:

| | Per cent |
|---|---|
| A. (Armour & Co.) | 12.387 |
| F. (Friedman Manufacturing Co.) | 6.246 |
| J. (John F. Jelke Co.) | 32.172 |
| M. (Morris & Co.) | 10.481 |
| W. J. M. (W. J. Moxley (Inc.)) | 11.563 |
| W. (Wilson & Co. (Inc.)) | 4.265 |
| H. (G. H. Hammond Co.) | 3.652 |
| S. (Swift & Co.) | 19.234 |

Then the report goes on to say:

The general character and purposes of the oleo pool are disclosed by the following extract from a letter written by Alfred R. Urion, former general counsel for Armour & Co., to Henry Veeder:

"I give you the following information to be disseminated amongst those who are associated with us in Pennsylvania oleomargarine. The source of my report you are familiar with. I give you letter on the subject received Saturday."

Then he goes on to quote the letter:

"Have been given positive assurance by the big man that there will not be any suits brought in this State during the time named on tinted goods, provided they are not too yellow; that is to say, you must not go to extremes in color, but that the regular run of tinted goods will be all right. The wholesalers and manufacturers should not go further in spreading the understanding than to simply notify their trade verbally that no suits will be brought and that there will be no trouble in their handling natural tinted goods."

Further on the report goes on to say:

I have gone back to the party by letter and asked to get a definite statement from the big man, calling off the State agents from taking samples and frightening the trade, and have no doubt will receive a favorable answer thereto.

* * * * * * *

As to the uses of the joint funds that were collected, the report goes on to refer to them in this way:

Page 64:

"These joint funds, as will be shown in one of the sections of the report, were used:

"To employ lobbyists and pay their unaudited expenses.

"To influence legislative bodies.

"To elect candidates who would wink at violations of law and defeat those pledged to fair enforcement.

"To control tax officials and thereby evade just taxation.

"To secure modifications of governmental rules and regulations by devious and improper methods.

"To bias public opinion by the control of editorial policy through advertising, loans, and subsidies, and by the publication and distribution at large expense of false and misleading statements."

Part II, page 144:

"Swift & Co. is the largest single factor in the United States in the handling of butter. This is shown by evidence from the files of Swift & Co. Armour & Co. is also an important factor in this line. Both Swift & Co. and Armour & Co., the first operating as Libby, McNeill & Libby, have entered extensively the business of putting up condensed and evaporated milk. The other packers have not been found in the condensed-milk business nor to any great extent in the cream-buying and creamery-butter-making business. The Cudahy Packing Co., through its subsidiary, the D. E. Wood Creamery Co., has recently entered the creamery business. Morris & Co. does some business through Sherman White & Co. All the big packers, however, through their owned or controlled poultry and egg-buying stations collect packing stock butter made by the farmers, which they renovate and distribute.

Further on the report has something to say about the division of territory. It appears that the packers had parceled out certain territory which was to be for the benefit exclusively of one or the other of the members of this combination or pool. The report goes on to say:

Division of territory: The area of greatest milk production, aside from those eastern dairy districts which supply fresh milk to the cities and the cheese-producing sections, is practically covered by the creameries, condensaries, and cream-buying stations of the big packers and

their subsidiaries. Fifteen hundred and sixty-one creameries, condensaries, and cream stations of the packers were reported to the commission; of these, 1,262 were of the Swift group and 293 of the Armour group.

They assessed themselves for the expenses of this organization, and in the year covered by the report of the investigation to which I am referring they collected from their members the sum of $211,933.25.

Notwithstanding the legislation that has been enacted to curb the manufacture and sale and consequent reduction in consumption of oleomargarine, the fact is that its production has increased from year to year. For instance, from the report of the collector of internal revenue for June 30, 1927, there is shown to have been produced 14,500,000 pounds of colored oleomargarine, and during the same period of uncolored oleomargarine there were produced a total of 243,654,000 pounds. I have a summary of the production of oleomargarine, both colored and uncolored, as well as of the production of creamery butter, over a period of years, which I ask to have inserted at this point in my remarks.

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

The matter referred to is as follows:

*Production of oleomargarine, year ending June 30*

| Year | Colored (pounds) | Uncolored (pounds) |
|---|---|---|
| 1929 | 16,306,000 | 331,485,000 |
| 1928 | 15,351,185 | 279,348,104 |
| 1927 | 14,501,929 | 242,654,698 |
| 1926 | 13,180,497 | 234,866,321 |
| 1925 | 11,280,121 | 204,122,417 |
| 1924 | 11,548,371 | 228,150,378 |
| 1923 | 8,259,663 | 200,922,525 |
| 1922 | 6,603,981 | 184,346,392 |
| 1921 | 11,600,319 | 269,481,195 |
| 1920 | 15,623,745 | 375,655,766 |
| 1919 | 13,848,576 | 345,357,995 |
| 1918 | 6,594,790 | 319,934,049 |
| 1917 | 8,012,031 | 225,158,080 |
| 1916 | 6,748,940 | 145,760,973 |
| 1915 | 7,595,141 | 138,214,907 |
| 1914 | 6,384,222 | 137,637,054 |
| 1913 | 6,520,435 | 138,707,426 |
| 1912 | 6,235,639 | 122,365,414 |
| 1911 | 5,830,995 | 115,331,800 |
| 1910 | 6,176,991 | 135,685,289 |
| 1909 | 5,710,301 | 86,572,514 |
| 1908 | 7,452,800 | 74,072,800 |
| 1907 | 7,758,529 | 63,608,246 |
| 1906 | 4,888,986 | 50,545,914 |
| 1905 | 5,560,304 | 46,427,032 |
| 1904 | 3,785,670 | 46,413,972 |
| 1903 | 5,710,407 | 67,573,689 |
| 1902 [1] | | 126,316,427 |
| 1901 | | 104,943,856 |
| 1900 | | 107,045,028 |
| 1899 | | 83,130,474 |
| 1898 | | 57,516,136 |
| 1897 | | 45,531,207 |
| 1896 | | 50,853,234 |
| 1895 | | 56,958,105 |
| 1894 | | 69,622,246 |
| 1893 | | 67,224,298 |
| 1892 | | 48,364,155 |
| 1891 | | 44,392,409 |
| 1890 | | 32,324,032 |
| 1889 | | 35,664,026 |
| 1888 | | 34,325,527 |
| 1887 [1] | | 21,513,537 |

[1] 1887 to 1902 totals include both colored and uncolored.

Source: Report of Commissioner of Internal Revenue.

*Production of creamery butter*

| Year | Creamery butter production (pounds) | Average wholesale price New York (cents per pound) |
|---|---|---|
| 1899 [1] | 420,954,016 | 21 |
| 1904 [1] | 533,449,261 | 22 |
| 1909 [1] | 627,145,865 | 29 |
| 1914 [1] | 786,003,489 | 30 |
| 1916 | 760,030,573 | 34 |
| 1917 | 759,511,000 | 43 |
| 1918 | 818,175,123 | 51 |
| 1919 | 868,124,806 | 61 |
| 1920 | 863,577,000 | 61 |
| 1921 | 1,054,938,000 | 43 |
| 1922 | 1,153,515,000 | 41 |
| 1923 | 1,242,214,000 | 47 |
| 1924 | 1,355,080,000 | 43 |
| 1925 | 1,361,526,000 | 45 |
| 1926 | 1,451,766,000 | 45 |
| 1927 | 1,496,495,000 | 47 |
| 1928 | 1,487,049,000 | 47 |
| 1929 | [2] 1,513,580,300 | 45 |

[1] Census figures; other, U. S. Department of Agriculture.

[2] Preliminary.

Mr. HEBERT. It is interesting to note, Mr. President, that during all this time when the oleomargarine law has been in force the production and consumption of creamery butter has constantly increased, and in 1929 the Department of Agriculture reports that there were produced something over 3,000,000,000 pounds of creamery butter in the United States. Of the cooking compounds, the nut products, against which this amendment is directed, it is estimated that there were produced in the year 1929 approximately 8,000,000 pounds.

Mr. President, I am free to state to the proponents of this measure that if it could be agreed that all manufacturers of these products, including oleomargarine as well as the so-called nut products, could be considered upon an equal footing, and were to be taxed alike, a sufficient amount not to destroy the industry—for those industries have just as much right to live and to exist and to prosper as have any other industries in this country—but for the purposes of proper supervision of the business, I know the manufacturers of the nut products would have no objection to such legislation. They are prepared now, they have been prepared at all times, to submit to the most rigid supervision and regulation in the production of the commodities which they sell; but, Mr. President, those who advance this proposed legislation contend that the producers of these nut products are guilty of fraud; that they are practicing a deceit upon the public, and that is what they seek to reach by this legislation.

Well, I have already called attention to a court decision upon that point, where both the Government and the party interested were at liberty to bring all the facts to the consideration of the court, and the court held, and was sustained upon an appeal to the circuit court, that there was no intent to deceive; in fact, that all of the packages were clearly marked, not only on the outside of the package but on the inside and upon the wrapper as well.

It is said further that the dairy interests are desirous of securing this legislation. Mr. President, I have no doubt that it has been brought to the attention of the dairy interests that they may expect some benefit from this legislation, but let me say that the dairy interests did not initiate it. The Margarin Institute originally conceived it. Who compose the Margarin Institute? Out of perhaps some 30 oleomargarine factories, Armour & Co., Swift & Co., and Wilson & Co., by themselves and through subsidiaries, control about 20 factories or more.

Who constitute the American Association of Creamery Butter Manufacturers? Swift & Co. and Armour & Co. are members, and investigation by the Federal Trade Commission revealed that Swift & Co. and Armour & Co. were the largest factors in the marketing of dairy products in the United States.

Again, the National Dairy Union is composed largely of manufacturers of butter-making machinery. The support of other organizations and lobbyists is in line with the activities of these concerns.

Mr. President, I have had some letters from persons interested in this legislation. I shall not take the time to refer to them at length; but I have one from Mrs. Franklin W. Fritchey, president of the National Housewives' Alliance (Inc.), of 7 St. Paul Street, Baltimore, Md., addressed to me under date of March 1, 1930, which I desire to read for the information of the Senate:

NATIONAL HOUSEWIVES ALLIANCE (INC.),
*Baltimore, Md., March 1, 1930.*

Senator FELIX HEBERT,
*United States Senate Office Building, Washington, D. C.*

HONORABLE SIR: H. R. 6, as passed by the House, to amend the definition of oleomargarine to include fish oil, fish fat, and also fat churned in water is not fair to the consumer. This bill is an unnecessary one, so stated last Friday by Representatives UNDERHILL, LAGUARDIA, and O'CONNELL.

For years I have tried to educate the housewives of the United States to know that oleomargarine was no longer a substitute for butter, but a food product of itself, being made from wholesome products and manufactured under strict Government supervision.

Now, to amend this definition of oleomargarine to include fish fats and oils and fats churned with water, I would no longer recommend oleomargarine as a table product, and would advocate putting it on under a new label of cooking compound and thereby remove the unjust tax of 10 cents per pound that the consumer has been forced to pay for years for colored oleomargarine.

My theory has been: If the rich consumer is entitled to a colored and palatable spread for bread that the working man's family and the poor mother supporting a large family has a right to buy colored oleomargarine, giving her a palatable and appetizing spread for her bread without tax, for both butter and oleomargarine are colored with pure coloring, and if one is taxed both should be taxed.

The products made from fish oil and fat and other fat churned in water should be taken care of under labels provided by a pure food

law, and then the consumer can buy intelligently and use the product as she sees fit.

We know you are interested in the problems of the home makers of the country and ask you to vote against this bill in our interests.

It is time the dairy interests sell their products for what they are and let the oleomargarine industry do the same, and then let the pure food laws protect the consumer with the proper label.

We are working on a campaign to educate the housewife to read her labels intelligently.

Thanking you for voting in our interests, I am, very truly yours,

ELIZABETH FRITCHEY,
(Mrs. Franklin M. Fritchey),
*President.*

MARION D. MCCURDY,
*Legislative Chairman.*

Mr. President, I submit that if the proponents of this bill want to prevent fraud and deception, if that is their sole purpose, then surely this is not the way to accomplish their ends. We could very well have a law passed to punish fraud and deception, and again we might very well provide a sufficient tax to pay the expenses of supervision of that law.

Again, there can be no deception in the sale of these products in the States of Iowa or Wisconsin or Pennsylvania or Minnesota or Montana or South Dakota, as well as many other Western States, because in those jurisdictions there are statutes expressly prohibiting the sale of any oleomargarine of any kind. So it can not be that the purpose of this bill, after all, is to prevent fraud and deception. Rather do I believe the purpose of this bill is to destroy the business established by the manufacturers of nut products. There are States where the sale of these products is not prohibited, but I venture to say that no Member of the Senate would contend that the governments of those States can not look out for the interests of their people without any legislation from the Congress.

The original oleomargarine law was held constitutional by the Supreme Court in the case of McCray against United States, reported in One hundred and ninety-fifth United States Reports, page 27, December 31, 1904. The attitude of the Supreme Court as disclosed at that time may be said to have changed somewhat in the construction of these taxing statutes. I find in the report of the Judiciary Committee of the Senate, when the original oleomargarine bill came before it, that some question was raised about its constitutionality. I desire to read from that report some brief excerpts.

I find at page 7134 of the CONGRESSIONAL RECORD of the Forty-ninth Congress, volume 17, this language:

The bill in its present form is a false pretense. It professes to seek revenue, when in fact revenue is neither desired nor expected as a result.

* * * * * * *

To use that power for the purpose of enriching one class of citizens at the expense of another—for the purpose of transferring a portion of the earnings of one class to increase the profits of another—is a usurpation of power, a great wrong, not to say a crime.

* * * * * * *

But, Mr. President, as I said before, it is not pretended that revenue is the object of this bill. It is too plain to admit of argument or doubt that the purpose is to prostitute the revenue power to the accomplishment of an object that Congress has not the semblance of power to accomplish in any other way; or, in other words, has no legitimate constitutional power to accomplish in this or in any way.

* * * * * * *

Why should the Government exert its power or in any manner interfere with the competition which exists between two lawful and legitimate home industries?

The dairy interest is an important one, I grant, and I will go as far as any other Senator to secure to it absolute fair play; but I will not consent to tax out of existence another industry to free it from competition.

That was a statement made by Senator Isham G. Harris, of Tennessee.

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

Mr. HEBERT. I will.

Mr. WALSH of Massachusetts. I do not desire to interrupt the Senator in the legal citations which he is giving; but I should like to ask him if oleomargarine is a food product which is not injurious to health?

Mr. HEBERT. Mr. President, I have been told upon excellent authority that oleomargarine is absolutely pure; that it is produced under the supervision and inspection of governmental agencies; that everything that goes into it is proper for consumption as food; and that it has very good food value.

Mr. WALSH of Massachusetts. I assumed that. If it is not proper food for people to eat, it should be prohibited rather than taxed, should it not?

Mr. HEBERT. Why, most assuredly. If it is unfit for food, it should not be permitted to be sold.

Mr. WALSH of Massachusetts. Upon what theory can any one kind of food that is proper for human consumption be picked out, segregated from all other edibles, and a tax levied upon it?

Mr. HEBERT. Mr. President, the only theory I can conceive for such a course is the power to do it. I have reached the conclusion that the bill as originally passed was unconstitutional.

Mr. WALSH of Massachusetts. Indirectly, it is an attempt by the taxing power of our Government to compel the free men and women of this country to use a substitute for something that they desire to use because it is cheaper, is it not?

Mr. HEBERT. That is absolutely true, Mr. President.

Mr. WALSH of Massachussets. Carried to extremes, we shall be legislating from now on to put a tax upon every food and every product for which the people acquire a taste or a desire and that interferes with some other food or product that is being produced, shall we not?

Mr. HEBERT. Why, Mr. President, it is just a repetition of the claim that was made here during the consideration of the tariff bill, that we should impose a high tariff upon bananas to make Americans eat more apples.

Mr. WALSH of Massachusetts. I had in mind that substitutional theory that we heard expressed so frequently during the discussion of the tariff bill.

It strikes me that legislation of this kind is a blow at personal freedom. I can not conceive the power of a free government to justify selecting certain foods, particularly the foods of the poor, which are not unwholesome, which are proper for human consumption, and saying, "Because you will not choose to use some other food that costs more, we propose to levy a tax upon the morsels of food which you, the poor, take into your mouths."

I wonder if the Senator shares the regret and the amazement that I entertain at the extent to which this principle can lead, to the detriment of human freedom.

Mr. HEBERT. Mr. President, I not only share the sentiments expressed by the Senator from Massachusetts, but I am becoming apprehensive about the ultimate effects of this trend in legislation.

If, for instance, the producers of oats upon the farm had an idea that too much corn was being consumed and not a sufficient quantity of oats, I can well imagine that they might, if they were strong enough, come to this Congress or any Congress and secure legislation which might place at a disadvantage the growers of corn or of any other staple grain, for their benefit.

Mr. WALSH of Massachusetts. The illustration the Senator makes is very apropos. Another occurs to me. We could attempt to make people drink cream instead of milk by putting a tax upon milk that would make it so expensive that people would have to turn to cream.

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

Mr. HEBERT. I yield.

Mr. BLAINE. The discussion has proceeded on the assumption that this is a proposal to establish an entirely new public policy. I want to call the Senator's attention to the fact that the bill would amend the present law, would not change the public policy which has been in existence for a great many years, I think since 1884 or 1886, and merely would extend the provisions of the present law to substitutes which imitate butter when they are churned, emulsified or mixed in cream, milk, water, and so forth. I was wondering whether the Senator had considered the proposition from the standpoint that this is not a proposal to change the policy of the Government.

Mr. HEBERT. Mr. President, I referred to that very point at the outset of my remarks, and stated that the proposed amendment to the law did go beyond anything that was thought of in the original law regulating the manufacture and sale of oleomargarine.

Perhaps the Senator from Wisconsin was not in the Chamber at the time, but I called attention to the fact that the original oleomargarine law, passed in 1886 and amended, I think, in 1902, fixed two conditions in the manufacture of oleomargarine which would subject it to tax: First, it applied to those products made in imitation or semblance of butter, and, second, to those products calculated or intended to be sold as butter or for butter.

I call attention to the fact that in the proposed amendment to the law there is no reference to any imitation or semblance of butter, there is no reference to anything calculated or intended to be sold as butter or for butter, the language of the proposal being as follows:

Churned, emulsified, or mixed in cream, milk, water, or other liquid, and containing moisture in excess of 1 per cent or common salt.

In other words, it does not make any difference for what purpose any such composition is going to be used. In fact, the Department of Agriculture has gone so far as to say that the proposed amendment may be held to cover ice cream and subject it to taxation. So the policy of the Government, if this measure is to be enacted into law, will be very much extended over and beyond the policy as set out in the original oleomargarine law.

Mr. President, I want to quote now once more from the debate upon the original bill when it was before the Senate in the Fifty-seventh Congress. I find at page 3514 of Senate Volume 35, of the Fifty-seventh Congress, this statement by the then Senator Bailey, of Texas:

Mr. BAILEY. Mr. President, let us first consider the purpose of this bill and inquire whether Congress can find any warrant in the Constitution for serving such a purpose. I am thoroughly convinced that its sole and only purpose is to destroy the oleomargarine industry (p. 3514) in order to relieve the butter industry of its competition; * * *. The Senator from Iowa, whose brilliant oration is easily the feature of the debate and who is himself a member of the committee which reported the bill, as well as one of its most earnest advocates, declared: "I will say to the Senator from Mississippi that the object of this bill, if I have understood it correctly, is to put a stop to an abuse which has long existed in the American marketplace—an abuse which has worked a very special hardship upon a great agricultural industry of the country, and in a lesser degree upon the whole community."

* * * * * * *

Mr. BAILEY. The Senator from New Hampshire [Mr. Gallinger] said: "As I understand the bill, it is precisely the opposite of that; its chief aim and purpose being to compel the manufacturers of and dealers in oleomargarine to be just, moral, and honest; to discontinue the perpetration of fraud, and conduct their business squarely and legitimately. That seems to be the underlying principle of the bill, and surely that is commendable. * * *"

In the face of what these distinguished Senators have said when speaking to that very point, can any man entertain an honest doubt that the purpose of this bill is to suppress and punish fraudulent practices in the sale of oleomargarine? * * *

Has Congress any constitutional power to define and punish fraudulent practices in the sale of oleomargarine? What will the lawyers of this body say on that question? * * *

Not only did the Senator from Massachusetts explicitly declare that Congress has no such power as the advocates of this bill assert, but he declared that the assertion of such a power was fraught with the greatest possible danger. Here are his words, and I earnestly commend them to the thoughtful Members of this body, and still more earnestly to thoughtful men throughout the country:

"I think one of the greatest dangers to the country now is the danger that the principle will be established that we may use the taxing power of the Government as a means either of punishing or suppressing vice and all crime or any form of wrongdoing. We have, in my judgment, no right under the Constitution to use the taxing power for that purpose. If we have, we can usurp into the hands of Congress the entire power of criminal and penal legislation in this country. We can punish polygamy or murder or burglary or any form of offense against the safety of business, like stockjobbing, and attempt to reach it in a way by which the measure on the part of the State can be defeated, and so get all the powers which belong to the States indirectly into our hands * * *."

In the very first paragraph of the Rahrer case, that court, speaking through Chief Justice Fuller, declares:

"The power of the State to impose restraints and burdens upon persons and property in conservation and promotion of the public health, good order, and prosperity is a power originally and always belonging to the States, nor surrendered by them to the General Government nor directly restrained by the Constitution of the United States, and essentially exclusive."

Again, in the case of Plumley *v.* Massachusetts, the court met this precise question and laid down the following doctrine:

"If there be any subject over which it would seem the States ought to have plenary control and the power to legislate in respect to which it ought not to be supposed was intended to be surrendered to the General Government it is the protection of the people against fraud and deception in the sale of food products. Such legislation may, indeed, indirectly or incidentally affect trade in such products transported from one State to another State. But that circumstance does not show that laws of the character alluded to are inconsistent with the power of Congress to regulate commerce among the States."

* * * * * * *

Mr. BAILEY. * * * The language of the court is this:

"Upon this record oleomargarine is conceded to be a wholesome, palatable, and nutritious article of food in no way deleterious to the public health or welfare. It is of the natural color of butter and is often colored, as butter is, by harmless ingredients, a deeper yellow, to render it more attractive to consumers."

I do not countenance the sale of oleomargarine for butter, and these decisions do not sanction it; but I contend, and they decide, that under our form of government such frauds must be prohibited and punished by the States and are not within the reach of Federal jurisdiction.

Again, another decision holding clearly that the prevention of fraud is one of the powers reserved to the States is that in Plumley *v.* Massachusetts (155 U. S.), at page 472, where the rule is stated to be as follows:

In none of the above cases is there to be found a suggestion of intimation that the Constitution of the United States took from the States the power of preventing deception and fraud in the sale within their respective limits of articles in whatever State manufactured or that that instrument secured to anyone the privilege of committing a wrong against society.

So in Dent *v.* West Virginia (129 U. S. 114, 122), which involved the validity of a State enactment making it a public offense for one to practice medicine in West Virginia without complying with certain prescribed conditions, this court, speaking by Mr. Justice Field, said: "The power of the State to provide for the general welfare of its people authorizes it to prescribe all such regulations as in its judgment will secure or tend to secure them against the consequences of ignorance and incapacity as well as deception and fraud." If there be any subject over which it would seem the States ought to have plenary control, and the power to legislate in respect to which it ought not to be supposed was intended to be surrendered to the General Government, it is the protection of the people against fraud and deception in the sale of food products.

In 1917 Congress passed the so-called child labor law, which received the consideration of the Supreme Court of the United States in the case of Hammer *v.* Dagenhart (247 U. S. 251). The Supreme Court held that law unconstitutional, and in the course of its opinion it said:

Commerce "consists of intercourse and traffic * * * and includes the transportation of persons and property, as well as the purchase, sale, and exchange of commodities." The making of goods and the mining of coal are not commerce, nor does the fact that these things are to be afterwards shipped or used in interstate commerce make their production a part thereof. (Delaware L. & W. R. Co. *v.* Yurkonis, 238 U. S. 439, 59 L. ed. 1397, 35 Sup. Ct. Rept. 902.)

Over interstate transportation, or its incidents, the regulatory power of Congress is ample, but the production of articles intended for interstate commerce is a matter of local regulation. "When the commerce begins is determined not by the character of the commodity nor by the intention of the owner to transfer it to another State for sale, nor by his preparation of it for transportation, but by its actual delivery to a common carrier for transportation, or the actual commencement of its transfer to another State." (Mr. Justice Jackson In re Greene, 52 Fed. 113.) This principle has been recognized often in this court. (Coe *v.* Errol, 116 U. S. 517, 29 L. ed. 715, 6 Sup. Ct. Rept. 475; Bacon *v.* Illinois, 227 U. S. 504, 57 L. ed. 615, 23 Sup. Ct. Rept. 299), and cases cited. If it were otherwise, all manufacture intended for interstate shipment would be brought under Federal control to the practical exclusion of the authority of the States—a result certainly not contemplated by the framers of the Constitution when they vested in Congress the authority to regulate commerce among the States.

Then the court made this very significant statement:

There is no power vested in Congress to require the States to exercise their police power so as to prevent possible unfair competition. * * *

The grant of power to Congress over the subject of interstate commerce was to enable it to regulate such commerce, and not to give it authority to control the States in their exercise of the police power over local trade and manufacture.

* * * * * * *

The maintenance of the authority of the States over matters purely local is as essential to the preservation of our institutions as is the conservation of the supremacy of the Federal power in all matters intrusted to the Nation by the Federal Constitution.

* * * * * * *

To sustain this statute would not be, in our judgment, a recognition of the lawful exertion of congressional authority over interstate commerce, but would sanction an invasion by the Federal power of the control of a matter purely local in its character, and over which no authority has been delegated to Congress in conferring the power to regulate commerce among the States.

The court sought to distinguish between the Dagenhart case and the child labor case, and in the course of its opinion said:

The case before us can not be distinguished from that of Hammer *v.* Dagenhart. * * *

Congress there enacted a law to prohibit transportation in interstate commerce of goods made at a factory in which there was employment of children within the same ages and for the same number of hours a day and days in a week as are penalized by the act in this case.

Mr. President, there is one other feature affecting this legislation which to my mind is deserving of consideration at this

time. I have already referred to the case of Higgins Manufacturing Co. against Page, decided by the United States District Court for the District of Rhode Island, and sustained by the circuit court of appeals, Mr. Justice Lowell writing the opinion. There are similar cases pending in other jurisdictions, one of them before the Circuit Court of Appeals of the Third Circuit. All the decisions which have been rendered up to the present time have sustained the contention of the manufacturers of nut products that they are not subject to a tax and that they are not oleomargarine within the meaning of the statute now in force.

To my mind, every one of those decisions is based upon justice and good sense. However, the proponents of this bill are not content with leaving their case in the hands of the courts where it should properly be, but even during the pendency of litigation looking to a fair interpretation of the law which has been in force in this country for so many years, they have come to Congress to seek to have a bill passed, the provisions of which no one has been able to explain, the extent of which no one knows, and no one can tell us how far-reaching it is going to be.

I have even heard it stated, Mr. President, that if the bill becomes a law certain emulsions, the basis of which is cottonseed oil, will be subject to the tax of 10 cents per pound. That is a matter of some importance to those States producing cottonseed oil, because, as I view the situation, if the bill becomes a law it is not beyond the realm of possibility that the producers of cottonseed oil will themselves be put out of business, just as will be the producers of the nut products.

In conclusion, Mr. President, let me say that all the manufacturers of nut products seek is to have fair treatment at the hands of Congress. They are not here seeking any favors from us or from anyone else. If they are going to be subjected to a tax for the supervision of their business, as they say, all they ask is that their competitors shall be subjected to a like tax. Certainly that is American doctrine, that is nothing more than fair, that is nothing more than just, that is nothing more than reasonable, and surely they have a right to ask it at our hands.

Mr. BINGHAM. Mr. President, I ask permission to have printed in the RECORD at this point two letters which I have received from Connecticut bearing on the subject of the bill now before us.

The VICE PRESIDENT. Without objection, leave is granted.

The letters are as follows:

STATE OF CONNECTICUT,
DAIRY AND FOOD COMMISSION,
*Hartford, May 15, 1930.*

Hon. HIRAM BINGHAM,
*Senator from Connecticut, Washington, D. C.*

MY DEAR SENATOR: In order to protect the dairy industry of Connecticut as much as possible I hope that you will vote in favor of the Norbeck-Haugen bill, as I understand the bill forbids the use of colored oleomargarine. We have a Connecticut law worded similarly, which is giving very satisfactory results here. At the last legislative session an effort was made by the oleomargarine manufacturers to have it repealed, without success.

Hoping that this will be your view of the situation, I remain,

Very truly yours,

W. J. WARNER,
*Deputy Commissioner.*

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HARTFORD, CONN., *April 26, 1929.*

Hon. HIRAM BINGHAM,
*Senate Office Building, Washington, D. C.*

DEAR SENATOR: We are addressing you at this time in order that you may know the attitude of the Connecticut dairy farmers regarding House Resolution No. 6 introduced by Mr. HAUGEN, which has been referred to the Committee on Agriculture and is intended to amend the definition of oleomargarine, 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.

Our association is strongly in favor of the passage of this bill, the purpose being to bring under the oleomargarine laws and regulations butter substitutes that have been created since the passage of our present Federal laws on that subject.

The science of chemistry and the use of new kinds of material in the making of oleomargarine necessitates an amendment to the law so that it may still be effective. We will greatly appreciate your support of this bill when it becomes ready for action.

Very truly yours,

CONNECTICUT MILK PRODUCERS' ASSOCIATION,
C. E. HOUGH, *General Manager.*

Mr. ROBINSON of Arkansas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

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

| | | | |
|---|---|---|---|
| Ashurst | Harris | Overman | Swanson |
| Bingham | Hastings | Phipps | Thomas, Idaho |
| Black | Hebert | Pine | Townsend |
| Blaine | Heflin | Ransdell | Trammell |
| Bratton | Johnson | Robinson, Ark. | Vandenberg |
| Capper | Kean | Robsion, Ky. | Walcott |
| Connally | McKellar | Sheppard | Walsh, Mont. |
| Dill | McMaster | Shipstead | Wheeler |
| Frazier | McNary | Simmons | |
| George | Metcalf | Steck | |
| Goldsborough | Norbeck | Sullivan | |

Mr. McNARY. I wish to announce that the Senator from Pennsylvania [Mr. REED], the Senator from Washington [Mr. JONES], the Senator from Vermont [Mr. GREENE], and the Senator from Wyoming [Mr. KENDRICK] are detained in the Committee on Appropriations.

I also desire to announce that the senior Senator from Nebraska [Mr. NORRIS] is detained on business of the Senate.

I further wish to announce that the senior Senator from Ohio [Mr. FESS] is detained on official business.

The VICE PRESIDENT. Forty-one Senators having answered to their names, there is not a quorum present. The secretary will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators, and Mr. CUTTING, Mr. DALE, and Mr. KEYES answered to their names when called.

The VICE PRESIDENT. Forty-four Senators have answered to their names. A quorum is not present.

Mr. McNARY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay,

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 3 o'clock and 21 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 23, 1930, at 12 o'clock meridian.

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## HOUSE OF REPRESENTATIVES

### THURSDAY, *May 22, 1930*

The House met at 12 o'clock noon.

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

Almighty God, our Father, our weakness is more conspicuous than our strength. Man with his boasted power weighs the mountains and the hills in balances, yet he sorely needs a refuge. Many ills confront his mortal condition. Heavenly Father, we would open our hearts and turn to Thee that we may become the temples of Thy spirit and the vessels of Thy grace. Do Thou impress us that it is always wiser to be good than bad, and safer to be meek than fierce. Help us to a deep realization that there is no flower on mount or plain so lovely as a sweet child, no early sunlight so splendid as a young life, no jewel so beautiful as a transparent character, and no harvest so fair as the product of a fine life. Harken unto our prayer, we beseech Thee, O Lord. Amen.

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

MESSAGE FROM THE SENATE

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

S. 4481. An act authorizing the exchange of certain real properties situated in Mobile, Ala., between the Secretary of Commerce on behalf of the United States Government and the Gulf, Mobile & Northern Railroad Co., by the appropriate conveyances containing certain conditions and reservations;

S. J. Res. 161. Joint resolution to suspend the authority of the Interstate Commerce Commission to approve consolidations or unifications of railway properties; and

S. J. Res. 176. Joint resolution transferring the functions of the radio division of the Department of Commerce to the Federal Radio Commission.

The message also announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 7390. An act to authorize the appointment of an Assistant Commissioner of Education in the Department of the Interior;

H. R. 7933. An act to provide for an assistant to the Chief of Naval Operations;

H. R. 7962. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at Mound City, Ill.;

H. R. 9805. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill.; and

H. R. 9939. An act authorizing the Secretary of the Interior to lease any or all of the remaining tribal lands of the Choctaw and Chickasaw Nations for oil and gas purposes, and for other purposes.

ADDRESS OF HON. CHARLES L. ABERNETHY, OF NORTH CAROLINA

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein an address delivered yesterday on the radio by the gentleman from North Carolina [Mr. ABERNETHY] upon the question of river and harbor development.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. EDWARDS. Mr. Speaker, many of us listened, with interest and profit, to the very able and instructive address of our genial and popular colleague, Hon. CHARLES L. ABERNETHY, of North Carolina, last night, over one of the Washington radio stations. Being impressed with the able manner in which he handled his subject, I have procured a copy of this splendid address, delivered by one of the leading Members of Congress, and am asking that it be reproduced in the RECORD that the Members might have an opportunity to read it and that it might be preserved.

Being on the Rivers and Harbors Committee of the House, I know how diligently Congressmen ABERNETHY, WARREN, CLARK, and others of the Atlantic seaboard, have worked for all worthy waterway projects of our section. The address deals almost wholly with North Carolina. We can draw lessons for our own States from it, however, for our distinguished colleague is a student and ardent advocate of waterway developments. That such improvements will result in great benefit to the farmers, mill men, and to every class of our people, in reduction of freight rates and otherwise, there is no question; and that we should work hand in hand with our colleague, and others who are working for such results, is our plain duty as representatives of the people.

Coming as I do from the South Atlantic section, I can visualize the benefits that will come to our section if we follow the lead of forward-looking and sincere men of the type of Congressman ABERNETHY in securing all possible internal improvements for our section. Like the alert Congressman who delivered this instructive address, I am for all that will benefit the people, the masses of the people, who are so ably and truly represented here by such men as our good friend who made this excellent address over the radio last night, which is as follows:

IMPROVED PORTS AND WATERWAYS FOR NORTH CAROLINA

Next to our tax problems in North Carolina in importance is the development of our waterways and ports of the State. I spoke over the radio some time ago setting forth in detail the plan which I proposed for tax relief, by reducing the Federal tax on tobacco and returning this reduction to the States to be used for roads and schools. If I can be successful in having Congress to pass this bill it will in a large measure solve our tax problems in so far as North Carolina is concerned.

Particularly at this time, since the Interstate Commerce Commission so unjustly required the raising of our intrastate freight rates to conform to freight rates in Virginia, it is more imperative than ever before that we use our waterways and ports in North Carolina.

North Carolina is greatly favored by nature with a coast line of more than 300 miles and with over 3,600 square miles of inland sounds, rivers, and waterways. The State stands without a southern rival as to potential water-transportation facilities, having within its borders the longest link of the inland waterway, sounds, rivers, and two great potential ports.

The two great ports of the State to be developed are Beaufort Inlet and the Cape Fear River from Southport to Wilmington.

These ports have been extensively used in the past, but the reason they have not been used more is due to the inadequate depth of water. Nothing less than 30-foot depth at mean low water will meet the present-day requirements of navigation for large vessels, and particularly vessels engaged in foreign trade.

North Carolina has been forward in its movements in the past to take care of its transportation facilities. This is shown by the building of railroads by the State in the early days. No other State in the Union of which I have knowledge built from State funds a finer system of railroads. These roads were built with the idea of having east and west systems, the Cape Fear & Yadkin Valley Railroad running from Mount Airy to Wilmington, where it was contemplated that a great port should be developed; the Atlantic & North Carolina Railroad was constructed from Goldsboro to Morehead City, and also an extension of the Atlantic & North Carolina Railroad from Goldsboro to Smithfield, the North Carolina Railroad from Goldsboro to Charlotte, and the Western North Carolina Railroad from Salisbury to Asheville, Paint Rock, and Murphy. The intention of our forefathers was to have a great west and east system, running from the mountains to the sea, with a great port to be developed in connection therewith at Beaufort Inlet.

All went well for a season until private interests began to scheme to take from the State its fine system of railroads. The Cape Fear & Yadkin Valley Railroad was sold and to-day has been divided between the Southern Railway and Atlantic Coast Line Railway. The Western North Carolina Railway was practically given away to the Southern Railway at the ridiculously low price of $600,000, to-day worth many millions of dollars. The scheme to get this valuable road was based on the idea that the State could not complete the road on account of "mud cut," and just as soon as the Southern Railway secured the railroad they completed the same. The North Carolina Railroad went to the Southern Railway with a 99-year lease; the Atlantic & North Carolina Railroad is now operated by the Norfolk & Southern Railroad by a long-time lease; the road from Goldsboro to Smithfield having been sold to the Atlantic Coast Line and now practically abandoned. So we see the fine system of State-owned railroads, adequate to take care of our railroad transportation in the State, and which could be used for building up our two great ports, sacrificed to railroad companies who have used these systems in such a way as to not only hamper our ports but to practically destroy them.

And to-day one of the troubles we are having in the development of our ports comes from these same interests who have so greatly benefited by the securing of North Carolina's wonderful system of railroads. I only wish that I had the power to arouse the conscience of our people in North Carolina that they might arise in their might and get behind this movement to develop our two great ports in North Carolina, and to use our waterways as they should be used.

The influence of the people of the State is necessary to bring about the desired results. There should be a battle cry of "North Carolina Commerce for North Carolina Ports."

Practically all of our commerce that goes out and comes into our State that uses ships, uses ports other than North Carolina ports.

The State of North Carolina, while it has parted with our State-owned railroads for the time, yet has the power to bring about a change in the situation. Our Governor, council of state, attorney general, corporation commission, and legislature can, if they will, bring about enough pressure to cause the railroads to change their attitude as to the development of our ports in North Carolina. The attitude of the railroads at the present time with reference to this question is unwise and shortsighted. They should cooperate with the people of North Carolina in the movement for the development of our ports. This would bring about a better feeling and would mean more business for the railroads in the end.

Regardless of the attitude of the railroads, the Interstate Commerce Commission has the power under the transportation act of 1920 to require the railroads to enter into joint and connecting water and rail rates with shipping lines and companies through our ports, and if the State gets behind the movement as it should, the Interstate Commerce Commission, I feel sure, will act in the interest of the shippers and receivers of freight, and require the railroads to do what is necessary in the matter. It is most pleasing that the United States Engineers have recommended a 30-foot channel for the Cape Fear River from the sea to Wilmington. This recommendation has been sent to Congress, and the Senate Commerce Committee will incorporate this project in the present river and harbor bill now pending in the Senate. This means that after many long years of fighting this important port will come into its own. It has been a long, hard fight.

The next important fight for the people of North Carolina to make at the present time is to see that a 30-foot channel is provided at Beaufort Inlet.

Beaufort Inlet recently had its depth of water increased to 25 feet at mean low water, and a project is now pending before the United States Army Engineers for a 30-foot channel at mean low water. The possibilities of a great port at Beaufort Inlet loom large at this time. This port at one time was the principal port of the State, and large commerce was developed through it, not only of a coastwise nature, but with the West Indies.

It is contemplated that adequate terminal facilities will be provided at Pier 1, which lies between the twin cities of Morehead City and Beaufort, on the Norfolk Southern Railroad. For many years this pier belonged to the railroad, supplied the needs of this port, but the railroad allowed the same to deteriorate and fall into disuse.

Feeling that it was a crying shame that this important port should remain unused, I went before the Chief of Engineers, General Jadwin, together with certain shipping people, and presented to him the need of deeper water across the bar at Beaufort Inlet, and General Jadwin allocated a sufficient sum of money to make a depth of 25 feet of water at mean low water. With the deep water secured, the next step was to secure the rebuilding of Pier 1 at Morehead City. The officials of the Norfolk Southern Railroad were approached, but they did not feel sufficiently the urge to replace the pier. I then drew an act for passage through the legislature to establish a port commission for Carteret County. Hon. W. H. Bell, the representative from Carteret County at that time, secured the passage of this bill through the legislature. The act will be found in the Public, Local, and Private Laws, North Carolina, session 1927, chapter 245. One of the most important features of the act was the legislative declaration, as follows:

"SEC. 11. That it is hereby declared to be the policy of the State of North Carolina to promote, encourage, and develop water transportation, service, and facilities in connection with the commerce of the United States, and to foster and preserve in full vigor both rail and water transportation, and that Beaufort Inlet, N. C., is hereby declared to be a port, to be developed in connection with the towns of Beaufort and Morehead City, and in connection with the interior of the State of North Carolina and other States, and that it is hereby declared and deemed by the State of North Carolina necessary and desirable and in the public interests of the entire State that there shall be established through Beaufort Inlet through connecting water and rail rates in connection with shipping companies and other transportation companies, and in accordance with provisions of the acts of Congress of the United States and the laws of North Carolina."

This legislative enactment is still a law, and the port commission of Carteret County has been organized, and this law provides the means for requiring the railroads, through the Interstate Commerce Commission, to give to a North Carolina port through connecting water and rail rates the same as now exists through Norfolk, Va., and Charleston, S. C.

Very recently at my instance Mr. Henry Herberman, the owner of the American Export Lines, operating 44 ships flying the American flag, from this country to foreign ports, and being one of the outstanding shipping men of the country, together with Mr. J. F. Shumacher, who operates the Quaker Lines from Philadelphia to Pacific coast ports, made an inspection with me of the possibilities of Beaufort Inlet as a port. We went into every angle of the matter, and while these gentlemen were in North Carolina we called upon Gov. O. Max Gardner at Raleigh, and also visited the large business interests at Winston-Salem, Durham, and other points, and conferred with them as to the possibilities of moving large quantities of tonnage through Beaufort Inlet by ships and by connecting rail from and to the interior of North Carolina and other States.

The results of this inspection and this conference with the governor and others caused Mr. Herberman and Mr. Shumacher both to assure me that they were ready to operate the ships through Beaufort Inlet to European ports and also to the Pacific coast ports as well as Atlantic ports. The governor of the State promised full cooperation in the matter.

The department of conservation and development, at the instance of Governor Gardner, is now fully cooperating in this matter, and at the present time are getting up data, facts, and statistics to present to Maj W. A. Snow, to whom this report on Beaufort Inlet has been rereferred by the Board of Engineers, with a view to having him make a comprehensive statement of the same and an accurate survey as to the costs. This work is being done under the direction of Col. J. W. Harrelson, director of the department of conservation and development, and he is assisted by Mr. Park Mathewson, assistant director of the department. These gentlemen have gotten together some very wonderful data showing comparisons of value of North Carolina products with those of other southern States where ports have been developed, to show the extent of potential tonnage for water-borne traffic, creating the necessity for the improvement of the harbor facilities of North Carolina.

These gentlemen show in the brief which they are to file with Maj. W. A. Snow, the district engineer of the United States Army, the fact that in both agricultural and industrial products North Carolina leads every southern State except Texas, and that it is due by reason thereof adequate water facilities for economical transportation, not only of these commodities for outside markets, and that the State is due commensurate ports to attract shipping lines that import raw or semi-fabricated materials, fertilizers, and other commodities required in North Carolina. They further show that the combined values of industrial products and farm crops for the coastal States of the South to be as follows: North Carolina, $1,445,823,000; Maryland, $1,009,098,000; Georgia, $853,960,000; Virginia, $335,730,000; Louisiana, $803,171,000; Alabama, $1,750,347,000; South Carolina, $521,847,000; Mississippi, $458,498,000; Florida, $325,598,000.

The facts shown by these gentlemen are to the effect that a large part of the industrial and agricultural products, especially cotton and textiles, tobacco and its products, and furniture, are shipped out of the State. The brief to be filed with the engineers by these gentlemen also calls attention to the effect that there appears to be little wonder as to why the imports and exports through North Carolina ports are so inadequate to the State's development, compared to those of other southern seaboard States of much less agricultural and industrial importance.

The latest figures of the United States Shipping Board will illustrate this great discrepancy between production and imports and exports. Total tonnage handled by ports of the various States in the group are as follows: Maryland, 6,279,000 tons; Virginia, 2,915,000 tons; Florida, 2,742,331 tons; Alabama, 1,088,000 tons; South Carolina, 906,000 tons; Georgia, 745,000 tons; and North Carolina, 293,000 tons.

Some time ago I went before the United States Shipping Board and presented the necessity of the development of the ports of North Carolina, and secured their indorsement to the Board of Engineers of a 30-foot channel at mean low water at Beaufort Inlet. The indorsement of a 30-foot channel from Wilmington to the sea was also made by the United States Shipping Board. This had the effect of sending the Beaufort Inlet project back to Maj. W. A. Snow, United States Engineer, for a more detailed statement as to costs and the necessity of the development of this important project.

No greater thing can be brought about in North Carolina for its future development than the establishment of great ports at Beaufort Inlet and the Cape Fear River, with ships plying to and from foreign ports and ports on the Pacific, as well as ports on the Atlantic seaboard.

The railroads now operating through the Potomac yards, Washington, and Baltimore, to and from North Carolina and the South, are bound to begin to realize the impossibility of moving all the traffic by rail through this "neck of the bottle." The growing traffic is getting beyond the capacity of the railroads to handle and the ports of the South and the inland waterways will of necessity have to be developed and used. The Government is spending millions of dollars developing inland waterways. More than $9,000,000 has been expended on the inland waterway from Norfolk to New Bern, Beaufort, and Morehead City. Six million dollars is now being expended upon the inland waterway from Beaufort to Wilmington. The project providing for the completion of the link of the inland waterway from the Cape Fear to Charleston has recently been approved. It will not be long until we have the completed inland waterway from Boston, Norfolk, New Bern, Beaufort, Morehead City, Wilmington, Charleston, Savannah, and Miami, Fla.

The delegation in Congress from the State are a unit in their support of these developments.

With the improvements of the ports of Beaufort Inlet and the Cape Fear River, and the development of our waterway system, and the connection of the same with the interior of our State with our wonderful State highway system of hard-surface and dependable roads and our railroad facilities, and the utilization of these facilities to their fullest extent, North Carolina will become the greatest industrial and agricultural State in the Union, bringing to our people contentment, happiness, and prosperity.

### IMMIGRATION—TIME TO FILE MINORITY VIEWS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may have five days after the filing of the majority report on the bill S. 51 to amend subdivision (c) of section 4 of the immigration act of 1924, as amended, to file minority views.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, reserving the right to object, are not three days quite sufficient?

Mr. DICKSTEIN. No; I think not. The gentleman has not yet filed his majority report.

Mr. CRAMTON. It would not delay the consideration of the bill any in any event.

Mr. JOHNSON of Washington. Then I have no objection.

The SPEAKER. Is there objection?

There was no objection.

### ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, I have been requested to ask unanimous consent of the House that the gentleman from New York [Mr. SIROVICH] may be permitted to speak for one hour some day next week, and in order to put it in concrete form, I ask unanimous consent that he be permitted to address the House for one hour immediately after the reading of the Journal and the disposition of business on the Speaker's table on Tuesday next.

The SPEAKER. The gentleman from Texas asks unanimous consent that his colleague [Mr. SIROVICH] may be permitted to address the House for one hour on Tuesday next after the reading of the Journal and the disposition of business on the Speaker's desk. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I dislike to object to hearing a speech from my colleague from

New York, because he always says something, but on Tuesday next it is planned to have the Muscle Shoals bill before the House, and there are several other important matters coming up next week. I would not want to agree to give anyone an hour until the day arrives and we know what the situation is exactly. Therefore, I shall have to object.

Mr. GARNER. The gentleman would not like to give consent for any day next week until that day arrives?

Mr. SNELL. Until that day arrives.

Mr. BANKHEAD. Mr. Speaker, will the gentleman from New York yield?

Mr. SNELL. Yes.

Mr. BANKHEAD. Will the gentleman announce definitely that it is the present intention to take up the Muscle Shoals bill on Tuesday next? I wish he would do so, if that is the plan.

Mr. SNELL. The Committee on Rules voted out a rule this morning for the consideration of the Muscle Shoals bill, with three hours of general debate. It is the plan to take that up on Tuesday next, immediately after the disposition of business on the Speaker's table. I hope nothing will intervene to take any special time on that day.

The SPEAKER. Does the gentleman from Texas withdraw his request?

Mr. GARNER. Mr. Speaker, naturally, I withdraw it.

### PREFERRED HOMESTEAD ENTRY RIGHT TO SOLDIERS, ETC.

Mr. COLTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 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, with Senate amendments thereto, and ask for a conference.

The SPEAKER. The gentleman from Utah asks unanimous consent to take from the Speaker's table House Joint Resolution 181, with Senate amendments thereto, disagree to the Senate amendment, and ask for a conference. The Clerk will report the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, I do not intend to object, but as I recall this is the resolution that the gentleman asked unanimous consent the other day to call up and concur in the Senate amendment.

Mr. COLTON. It is.

Mr. GARNER. Objection was made upon the theory that the resolution passed by unanimous consent and could not have been passed in the House without this amendment having been made to the bill.

Mr. COLTON. I do not care to go that far. I do not want to admit that it could not have passed without the amendment. An amendment was proposed, to which at the time there was no objection raised.

Mr. GARNER. Does the gentleman propose to insist upon the House position and resist the Senate amendment, or does he propose to go through the form of a conference and agree to the Senate amendment?

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. COLTON. Yes.

Mr. COCHRAN of Missouri. As author of the resolution let me say this is an important amendment, and the language should not have been stricken from the resolution in the House. The suggestion was made by some one when the resolution was under consideration, that it would be best to accept the amendment which had been offered, so the resolution could pass in the hope that the Senate would restore the language, and that then it could be threshed out in conference. If you do not agree to the amendment you will discriminate against thousands of veterans who served in China and the Philippines. I think that the Senate amendment should be agreed to without sending the resolution to conference.

Mr. COLTON. I do not presume to speak for the conferees. Personally, I favor the amendment.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana.

### DISTINGUISHED VISITORS

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentlemen from Massachusetts?

There was no objection.

Mr. UNDERHILL. Mr. Speaker last week the city of Malden, Mass., celebrated the three hundredth anniversary of its settlement. The city for the week had as its special guest the mayor of Maldon, England. To-day the mayor and his wife are my guests, and they are now seated in the gallery. I have the privilege and the pleasure of presenting to the House Mrs. Clarke and His Worship the Lord Mayor of Maldon, England, Mr. Arthur L. Clarke. [Applause, the Members rising in salute.]

### GEORGE WASHINGTON MEMORIAL PARKWAY

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Public Buildings and Grounds, I ask unanimous consent to take from the Speaker's table the bill H. R. 26 for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital, with a Senate amendment, and agree to the Senate amendment.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the bill H. R. 26, with a Senate amendment, and concur in the Senate amendment. The Clerk will report the bill and the Senate amendment.

The Clerk read as follows:

A bill (H. R. 26) for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital.

#### SENATE AMENDMENT

Page 1, line 3, strike out all after the enacting clause and in lieu thereof insert the following:

"That there is hereby authorized to be appropriated the sum of $9,000,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for acquiring and developing, except as in this section otherwise provided, in accordance with the provisions of the act of June 6, 1924, entitled "An act providing for a comprehensive development of the park and playground system of the National Capital," as amended, such lands in the States of Maryland and Virginia as are necessary and desirable for the park and parkway system of the National Capital in the environs of Washington. Such funds shall be appropriated as required for the expeditious, economical, and efficient development and completion of the following projects:

"(a) For the George Washington Memorial Parkway, to include the shores of the Potomac, and adjacent lands, from Mount Vernon to a point above the Great Falls on the Virginia side, except within the city of Alexandria, and from Fort Washington to a similar point above the Great Falls on the Maryland side except within the District of Columbia, and including the protection and preservation of the natural scenery of the Gorge and the Great Falls of the Potomac, the preservation of the historic Patowmack Canal, and the acquisition of that portion of the Chesapeake & Ohio Canal below Point of Rocks, $7,500,000; *Provided*, That the acquisition of any land in the Potomac River Valley for park purposes shall not debar or limit, or abridge its use for such works as Congress may in the future authorize for the improvement and the extension of navigation, including the connecting of the upper Potomac River with the Ohio River, or for flood control or irrigation or drainage, or for the development of hydroelectric power. The title to the lands acquired hereunder shall vest in the United States, and said lands, including the Mount Vernon Memorial Highway authorized by the act approved May 23, 1928, upon its completion, shall be maintained and administered by the Director of Public Buildings and Public Parks of the National Capital, who shall exercise all the authority, power, and duties with respect to lands acquired under this section as are conferred upon him within the District of Columbia by the act approved February 26, 1925; and said director is authorized to incur such expenses as may be necessary for the proper administration and maintenance of said lands within the limits of the appropriations from time to time granted therefor from the Treasury of the United States, which appropriations are hereby authorized. The National Capital Park and Planning Commission is authorized to occupy such lands belonging to the United States as may be necessary for the development and protection of said parkway and to accept the donation to the United States of any other lands by it deemed desirable for inclusion in said parkway. As to any lands in Maryland or Virginia along or adjacent to the shores of the Potomac within the proposed limits of the parkway that would involve great expense for their acquisition and are held by said commission not to be essential to the proper carrying out of the project, the acquisition of said lands shall not be required, upon a finding of the commission to that effect. Said parkway shall include a highway from Fort Washington to the Great Falls on the Maryland side of the Potomac and a free bridge across the Potomac at or near Great Falls and

necessary approaches to said bridge: *Provided,* That no money shall be expended by the United States for lands for any unit of this project until the National Capital Park and Planning Commission shall have received definite commitments from the State of Maryland or Virginia, or political subdivisions thereof or from other responsible sources for one-half the cost of acquiring the lands in its judgment necessary for such unit of said project deemed by said commission sufficiently complete, other than lands now belonging to the United States or donated to the United States: *Provided further,* That no money shall be expended by the United States for the construction of said highway on the Maryland side of the Potomac, except as part of the Federal-aid highway program: *Provided,* That in the discretion of the National Capital Park and Planning Commission, upon agreement duly entered into by the State of Maryland or Virginia or any political subdivision thereof to reimburse the United States as hereinafter provided, it may advance the full amount of the funds necessary for the acquisition of the lands and the construction of said roads in any such unit referred to in this paragraph, such agreement providing for reimbursement to the United States to the extent of one-half of the cost thereof without interest within not more than eight years from the date of any such expenditure. The appropriation of the amount necessary for such advance, in addition to the contribution by the United States, is hereby authorized from any money in the Treasury not otherwise appropriated.

"(b) For the extension of Rock Creek Park into Maryland as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, for the preservation of the flow of water in Rock Creek, for the extension of the Anacostia Park system up the valley of the Anacostia River, Indian Creek, the Northwest Branch, and Sligo Creek, and of the George Washington Memorial Parkway up the valley of Cabin John Creek, as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, $1,500,000: *Provided,* That no appropriation authorized in this subsection shall be available for expenditure until a suitable agreement is entered into by the National Capital Park and Planning Commission and the Washington Suburban Sanitary Commission as to sewage disposal and storm water flow: *Provided further,* That no money shall be contributed by the United States for any unit of such extensions until the National Capital Park and Planning Commission shall have received definite commitments from the Maryland National Capital Park and Planning Commission for the balance of the cost of acquiring such unit of said extensions deemed by said commission sufficiently complete, other than lands now belonging to the United States or donated to the United States: *Provided further,* That in the discretion of the National Capital Park and Planning Commission upon agreement duly entered into with the Maryland National Capital Park and Planning Commission to reimburse the United States as hereinafter provided, it may advance the full amount of the funds necessary for the acquisition of the lands required for such extensions referred to in this paragraph, such advance, exclusive of said contribution of $1,500,000 by the United States, not to exceed $3,000,000, the appropriation of which amount from funds in the Treasury of the United States not otherwise appropriated is hereby authorized, such agreement providing for reimbursement to the United States of such advance, exclusive of said Federal contribution, without interest within not more than eight years from the date of any such expenditure. The title to the lands acquired hereunder shall vest in the State of Maryland. The development and administration thereof shall be under the Maryland National Capital Park and Planning Commission and in accordance with plans approved by the National Capital Park and Planning Commission. The United States is not to share in the cost of construction of roads in the areas mentioned in this paragraph, except if and as Federal-aid highways.

"SEC. 2. Whenever it becomes necessary to acquire by condemnation proceedings any lands in the States of Virginia or Maryland for the purpose of carrying out the provisions of this act, such acquisition shall be under and in accordance with the provisions of the act of August 1, 1888 (U. S. C., p. 1302, sec. 257). No payment shall be made for any such lands until the title thereto in the United States shall be satisfactory to the Attorney General of the United States.

"SEC. 3. Whenever the use of the Forts Washington, Foote, and Hunt, or either of them, is no longer deemed necessary for military purposes they shall be turned over to the Director of Public Buildings and Public Parks of the National Capital, without cost, for administration and maintenance as a part of the said George Washington Memorial Parkway.

"SEC. 4. There is hereby further authorized to be appropriated the sum of $16,000,000, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the acquiring of such lands in the District of Columbia as are necessary and desirable for the suitable development of the National Capital park, parkway, and playground system, in accordance with the provisions of the said act of June 6, 1924, as amended, except as in this section otherwise provided. Such funds shall be appropriated for the fiscal year 1931 and thereafter as required for the expeditious, economical, and efficient accomplishment of the purposes of this act and shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia as follows, to wit: $1,000,000 on the 30th day of June, 1931; and $1,000,000 on the 30th day of June each year thereafter until the full amount expended hereunder is reimbursed without interest. The National Capital Park and Planning Commission shall, before purchasing any lands hereunder for playground, recreation center, community center, and similar municipal purposes, request from the Commissioners of the District of Columbia a report thereon. Said commission is authorized to accept the donation to the United States of any lands deemed desirable for inclusion in said park, parkway, and playground system, and the donation of any funds for the acquisition of such lands under this act.

"SEC. 5. The right of Congress to alter or amend this act is hereby reserved.

"SEC. 6. Section 4 of Public Act 297 of the Seventieth Congress, entitled 'An act authorizing the Great Falls Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls,' approved April 21, 1928, as amended, is hereby amended by adding at the end of said section the following:

"'*Provided,* That after the George Washington Memorial Parkway is established and the lands necessary for such parkway at and near Great Falls have been acquired by the United States, the United States may at any time acquire and take over all right, title, and interest in such bridge, its approaches and approach roads, and any interest in real property necessary therefor, by purchase or by condemnation, paying therefor not more than the cost of said bridge and its approaches and approach roads, as determined by the Secretary of War under section 6 of this act plus 10 per cent.'"

The SPEAKER. Is there objection?

Mr. McDUFFIE. Reserving the right to object, Mr. Speaker, I wish to ask the gentleman if his committee has gone over and given serious consideration to each of the forty-odd changes which have been made in the House bill?

Mr. ELLIOTT. Yes, sir. We had the matter up in committee for a long time yesterday, and we went over everything connected with the amendment. These 42 changes are brought together in one amendment by striking out all after the enacting clause of the bill and inserting the Senate bill. But we went all over them, and I think we have a pretty comprehensive idea of everything connected with the amendment.

Mr. McDUFFIE. The amendment of the Senate is vastly different in many respects from the bill as it passed the House. The amendment now carries authorization for appropriations in an amount of nine or ten millions of dollars, which is to be loaned to the District of Columbia, and the Senate has increased authorizations over the amounts in the bill as it passed the House.

Mr. ELLIOTT. Two million dollars was occasioned by reason of the fact that the House directed a free bridge to be built, and the House bill did not carry additional funds for that purpose.

Mr. McDUFFIE. That is quite true; but the gentleman will recall also that under the House bill the United States Government was to contribute about one-third the cost of the extension of this project into the State of Maryland. Here it is proposed that Congress expend $1,500,000.

Mr. ELLIOTT. Yes.

Mr. McDUFFIE. Under the Senate amendment we are to appropriate $1,500,000 to be contributed or loaned to the State of Maryland, but there is nothing in the bill which sets out specifically what shall be done with that $1,500,000. Of course, we are bound to assume that it shall be used for park purposes, buying lands, and so forth. On the other hand, the title of any land taken over by the Parkway Commission, either in Maryland or in the District of Columbia, would, under the House bill, vest in the United States Government, while under this Senate bill or amendment the title is to be vested in the State of Maryland.

Mr. ELLIOTT. The House bill did have such an amendment offered by the gentleman from Alabama himself, but when the bill went over to the Senate it was stricken out in the Senate. I understand we have already passed a law, which passed the Senate and was signed by the President, which governs the kind of title which can be taken by the Parkway Commission.

Mr. McDUFFIE. We are bound to assume, of course, that if the Government takes a title it will be a good title. I understand that, of course.

Mr. ELLIOTT. I say that Congress has already passed a law which governs the kind of title that can be taken in these cases.

Mr. McDUFFIE. That is true; but the point I make is that under the Senate bill the title taken will vest not in the United States Government, but in the State of Maryland, so far as the lands on the Maryland side of the river are concerned. I have no particular fault to find with the bill because a little amendment I offered was striken out in the Senate. We assume that

all titles taken for the United States Government will be good titles. That is not my reason for questioning the action of the House which the gentleman now asks. I fear we are doing an unwise and foolish thing by agreeing to this bill. Something that may be shortsighted. In our enthusiasm to make the environs of Washington more beautiful let us not become impractical.

Mr. CRAMTON. Let us keep it clear: The title to the lands in the Potomac Parkway must vest in the United States. The land that the gentleman speaks of is that contemplated in the extensions of Rock Creek and Anacostia into Maryland, including the valleys of Sligo Creek, Indian Creek, Northwest Branch, and so forth. It will constitute a great series of parkways connected with our parkways. It gives great benefit to the National Capital in that way, but the primary value to us is preservation of Rock Creek, which will disappear unless something is done. It also tends to guard against the pollution of Rock Creek and the Anacostia by sewage. For the cost of acquiring those lands we pay one-third, or $1,500,000, which can only be used toward paying the cost of the lands in the valleys I have mentioned, and the title does vest in the State of Maryland.

But let me advise the gentleman we are paying only one-third of the cost of these great parkways, and we not only protect the stream flow and purity of Rock Creek and Anacostia River but we will perpetually have the advantage of these parkways adjacent to the National Capital, and Maryland, or a subdivision of it, created for that purpose, perpetually will maintain as well as develop them. After they are developed, if they perpetually maintain them and pay two-thirds of the cost of them and devote them to public-park purposes, there is no harm in letting the title rest in the State of Maryland that I can see.

Mr. McDUFFIE. As to that I am not so sure. I understand we are to have this wonderful park under this bill, and I am the last man to object to beautifying the environs of Washington. I am delighted that the gentleman is building a monument to himself as well as to George Washington, but I doubt the wisdom and good judgment of this action by the Congress.

Mr. CRAMTON. I have no illusions about the matter. They will forget all of us within three years after we leave Congress.

Mr. McDUFFIE. I grant that is entirely possible as to the gentleman and myself, but the serious question involved, as I see it, is that we are about to destroy the commercial possibilities of a great waterway, and experts in whom I have confidence, the United States engineers, say that we may have that commercial possibility developed and preserve the park possibilities also. We may develop power, we may control floods, and we may beautify more intensively this wonderful parkway by having three or four or a half dozen lakes between Washington and Harpers Ferry and at the same time control the floods. That means three lakes between Washington and Great Falls, with their beautiful wooded sides and driveways, and at the same time we may develop a vast amount of cheap power. Now, why destroy that possibility?

Mr. CRAMTON. May I say to the gentleman from Alabama that the Senate went into that question at length and saw no reason to make any change in the House provision as to that. The Senate accepted the House provision embodied in the Dempsey amendment, framed, as the gentleman from Alabama knows, and presented by the Federal Power Commission and Secretary of War, and the Senate made no change in that whatever. The Senate is accepting what the House has done as to that matter, after giving full hearing to those interested in the power permit.

Mr. McDUFFIE. But did they give a full and complete hearing?

Mr. CRAMTON. Certainly. They gave full hearing to those that favored power development, but declined to hear fully from the National Capital Park and Planning Commission in opposition, for the reason that their minds were made up, and they said there was no occasion for considering that question. I think they were influenced in that largely by the fact that the bill as amended in the House by the Dempsey amendment expressly says that the next Congress and the one after that and every other Congress to come will have the power, notwithstanding this bill, to provide for any power development at Great Falls which they may desire.

Mr. McDUFFIE. Of course, we know the next Congress can do that, but the gentleman does not expect the next Congress nor many Congresses to come to undo this vast amount of work and to waste the vast amount of money that will be put into this parkway system as outlined in this bill.

Mr. CRAMTON. I will be frank as I was when the bill was in the House and when the Dempsey amendment was being considered, when I expressed the hope that this beautiful parkway would never be destroyed by a power development, but I admitted that we do not know what will be the needs of the future. The Dempsey amendment makes clear what already was the effect of the bill, that this bill does not constitute a declaration of Congress that there shall never be any power development at Great Falls. I hope there will not be. The gentleman from Alabama may hope there will be. Congress in the future may decide it.

Mr. McDUFFIE. If we can have it without destroying the beauty, as you conceive it, of your parkway, we should have it. We are just entering the electrical age in this country, and it seems to me it is an unwise policy to put a barrier between us and future development of so great an asset, which is estimated to be worth $100,000,000, by our best experts.

Mr. DALLINGER. Will the gentleman yield?

Mr. McDUFFIE. Certainly.

Mr. DALLINGER. It will be years before there will be anything done that will interfere with the water-power development. It will take years to acquire the land. That is what we want to do now. We want to get the land on both shores of the Potomac River. It would not interfere with the power development.

Mr. McDUFFIE. I never like to object to any request made by my good friend from Indiana [Mr. ELLIOTT]. I wish the gentleman would let this go over a few days and give me and the House an opportunity to study all these amendments.

Mr. ELLIOTT. I will say to the gentleman from Alabama that there is nothing in this bill, either the House bill or the Senate amendment, that interferes in the slightest with the development of navigation or power on the Potomac River.

Mr. McDUFFIE. Oh, no; certainly not, if Congress sees fit in the future to so provide, but Congress will not do it, in my judgment, after such improvement as this is made.

Mr. ELLIOTT. Not only that but there is nothing in this bill that seeks in any way to prohibit Congress in the future doing what they please in that matter. I do not think we have any power to do that if it were in the bill.

Mr. McDUFFIE. Of course not. I know that. The next Congress could undo all we do to-day. Everyone knows that.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. CHINDBLOM. The only other legislative course, if the gentleman's request does not receive the unanimous consent of the House, would be to send the bill with the amendment to the gentleman's committee for consideration there, and the committee would report the amendment back with the recommendation that the House agree to the same, would it not?

Mr. ELLIOTT. The committee has already considered it and has directed me to take this action.

Mr. CHINDBLOM. The committee has informally considered the amendment and has instructed the chairman, the gentleman from Indiana, to make this request. But this is a unanimous-consent request, and if this unanimous-consent request is not granted the ultimate result will be the same, because the gentleman's committee will, of course, recommend to the House that the House agree to the Senate amendment.

Mr. ELLIOTT. I presume that is right. They did it yesterday.

Mr. CHINDBLOM. It is only a question of delay.

Mr. McDUFFIE. Of course, I understand all that. I realize if the gentlemen responsible for legislation here decide that this bill must become a law, it is going to be a law, and I can not stop it, but in view of the fact that experts have testified that we can have both the development of power with a more beautiful parkway than here provided and at the same time get the commercial advantages also, it seems to me that we are rather hasty in laying down a program which certainly will not be upset in the immediate future by any Congress without great loss should we need to develop in the future a vast amount of power which is possible to be developed on the Potomac River.

Mr. ELLIOTT. I wish to say to the gentleman from Alabama that the Senate passed this bill several days ago.

I did not rush in hastily with this matter. I gave the matter careful consideration. We had it before the committee twice and yesterday I had it before the committee. We had a full hearing on it before a very large proportion of the members of the committee, considerably more than a quorum. After going over it for about two hours the committee came to the unanimous conclusion that the proper thing to do was to agree to the Senate amendment and instructed me to ask the House to agree with their position.

Mr. McDUFFIE. Has the gentleman from Michigan carefully studied the constitutional phase of this question with reference to the right of the Federal Government to make improvements in a State and to invest money in that State outside of the District of Columbia for such a purpose as this?

Mr. CRAMTON. I have given that question very careful consideration, and if the gentleman will do me the honor of reading my former speech, as I extended it in the RECORD, he

will find I pointed out one or two decisions, notably the decision in the Gettysburg case, where that question was directly at issue. It was sought to condemn land for the purpose of creating the Gettysburg National Park. That proceeding was attacked on the ground that the National Government did not have the right to establish a national park, and in that case the court directly held that the Federal Government had that authority. There are other cases that I will not take the time now to refer to, but there is no question whatever about the authority of the Federal Government in that respect.

While I am on my feet let me make this observation: I know the gentleman's views and mine are not the same as to power development at Great Falls. However, whether we agree or not, any Congress hereafter can do as it likes about that, and let me emphasize here that the Senate bill and the House bill have no difference as to that and hence when we accept the Senate amendment we are, as to that, only approving our own action in the House. The parliamentary situation is such that the issue as to power development has been eliminated, because the Senate has unanimously, in committee and on the floor, accepted the House action.

Mr. McDUFFIE. I agree that both Houses have agreed on that phase of it, but here we have 41 changes by the Senate in this bill.

Mr. CRAMTON. Many of those changes are minor.

Mr. McDUFFIE. I agree that some are minor changes. I can not stop the passage of this bill, of course, and my only purpose was to have an opportunity to look into it. Could we not bring it up to-morrow? I have no desire to set my judgment up against the judgment of the committee, which supposedly have gone into these questions, but I dislike to see such a far-reaching measure pass without the House having further opportunity to study the various changes which have been suggested by the Senate. However, I do not assume it is all my responsibility, and I can not stop it. I could only delay action on something that will eventually pass the House, and, therefore, I shall not object.

The SPEAKER. Is there objection?

Mr. EDWARDS. Mr. Speaker, reserving the right to object, is the Dempsey amendment still in the bill?

Mr. ELLIOTT. The gentleman means as to water power?

Mr. EDWARDS. Yes.

Mr. ELLIOTT. It is in the bill just as it passed the House.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

### MUSCLE SHOALS

Mr. SNELL. Mr. Speaker, I present a privileged report from the Committee on Rules for printing under the rule.

The SPEAKER. The gentleman from New York presents a privileged report, which the Clerk will report.

The Clerk read as follows:

House Resolution 222

*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 Senate Joint Resolution 49, to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment the committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and the amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. Referred to the House Calendar and ordered printed.

Mr. GARNER. I understand the gentleman from New York has given notice that he expects to call up this resolution on Tuesday next.

Mr. SNELL. On Tuesday next; yes.

Mr. GARNER. And continue the consideration of the bill until its final completion.

Mr. SNELL. I have no intention of putting anything else in between. Of course, Calendar Wednesday will intervene, and personally I should be glad if unanimous consent were asked to put Calendar Wednesday over to Thursday, so we could use two consecutive days in the consideration of this bill. If that could be done, I think it would be better, so we could go on with the bill until it was completed.

### RETIREMENT OF EMPLOYEES IN THE CLASSIFIED CIVIL SERVICE

Mr. LEHLBACH. Mr. Speaker, I call up the conference report on the bill (S. 15) to amend the act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," approved July 3, 1926, as amended, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from New Jersey calls up a conference report and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of the House of May 21, 1930.)

Mr. LEHLBACH. Mr. Speaker, the bill reported from conference is the bill that was passed here in the House some weeks ago. The changes do not go to the substance and have been fully explained in the statement, to the reading of which the House has just listened with rapt attention. I therefore move the previous question.

The previous question was ordered.

The conference report was agreed to.

### STATUE OF GEN. JOHN C. GREENWAY

Mr. DOUGLAS of Arizona. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution (S. Con. Res. 28).

The SPEAKER. The gentleman from Arizona asks unanimous consent for the present consideration of a Senate concurrent resolution which the Clerk will report.

The Clerk read as follows:

Senate Concurrent Resolution 28

*Resolved by the Senate (the House of Representatives concurring)*, That the thanks of Congress are hereby tendered to the State of Arizona for the statue of Gen. John Campbell Greenway, her illustrious son, whose name is so honorably identified with the State and with the United States; and be it further

*Resolved*, That this work of art by Gutzon Borglum is hereby accepted in the name of the United States and assigned to a place in Statuary Hall set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, suitably engrossed and duly authenticated, be transmitted to the Governor of the State of Arizona.

The concurrent resolution was agreed to.

Mr. DOUGLAS of Arizona. Mr. Speaker, I ask unanimous consent to speak for one minute with respect to this concurrent resolution.

The SPEAKER. The gentleman from Arizona asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. Mr. Speaker, the statue of Gen. John C. Greenway is to be unveiled on Saturday afternoon at 3 o'clock in Statuary Hall.

On behalf of the State of Arizona and on behalf of Mrs. Greenway I cordially extend to every Member of the House an invitation to be present.

### CHAIN STORES AND CHAIN BANKS

Mr. BROWNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on chain banks and chain stores.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his own remarks. Is there objection?

There was no objection.

Mr. BROWNE. Mr. Speaker, we have chains in the dry-goods business, in the hardware business, in the drug business, and in the grocery business. We have mail-order houses handling every kind of a commodity. None of the profits of these chain corporations remain in the local community for taxation or for other purposes.

The local banks are also becoming chain or branch banks. These chain banks have already acquired approximately 17 per cent of the total banking resources of the United States and the chain-bank system is rapidly extending itself in all parts of the United States. The profits of the business are escaping out of the local community in which the business is conducted.

The milk business, which used to be conducted by local distributors and creameries, is now conducted by large companies which have their headquarters in New York. It is estimated that 75 per cent of the fluid-milk business is conducted by New York companies and the profits leave the local community and are distributed in New York.

Many industrial plants all over the Nation have been purchased and merged with their main offices in the large cities.

The profits of all of these concerns no longer stay where they originated and no longer accumulate for the purpose of investment in the local community or to the development of the community, or even for taxation purposes for the maintenance of schools and other local activities.

The United States Treasury, through its income division, tells us that one-third of the income-bearing wealth of the United States is in 1 State, the State of New York; that there is one-half of the income-bearing wealth of the United States in 4 States and three-fourths in 8 States and the balance, or one-fourth, in 40 States. These figures prove conclusively that the wealth of the United States is fast moving into a very small section of the country, no longer to be used in the places where it was produced, and not even liable for taxation for any of the necessary activities of the various localities.

AMAZING GROWTH OF CHAIN STORES AND MAIL-ORDER HOUSES

The National City Bank of New York in its report on economic conditions May, 1930, shows that the net profits returned on capital and surplus of 58 chain stores amounted in 1928 to $639,340,000; in 1929, to $773,502,000. That the gross sales of 67 chain stores and mail-order houses in 1928 amounted to $3,513,402,000; in 1929, amounted to $4,149,753,000; a gain in sales of 18 per cent in one year. The six largest national chain stores have increased the number of their stores 144 per cent from 1920 to 1928 and increased their national sales 176 per cent for the same period.

MONEY WENT AWAY

All of this enormous amount of money went out of the locality. None of the profits helped support your schools, your churches, your streets, or any of your civic institutions. These mail-order houses paid no tax whatever in your localities and a very small property tax anywhere.

Recently a group of students of the University of Wisconsin, working under faculty direction, made an exhaustive study of chain-store growth and progress in the United States. They accumulated an enormous amount of statistical information. Their conclusions, briefly summarized, are these:

We are on the verge of establishing, or allowing to be established, mercantile feudalism as well as individual feudalism. Thirteen per cent of the population of the United States owns 90 per cent of the wealth. Ninety-five corporations made 50 per cent of last year's profits. Five hundred thousand independent dealers, or one in every three, have gone down before the chains, and in the next four years at the present rate 90 per cent of the independents will be out of business.

The enormous concentration of the wealth of the country is a menace to our form of government and will be greatly accentuated by the chain stores and chain banks. At this very time a group of 25 men control 82 per cent of the country's steam-transportation system, operating 211,280 miles of railroad. These 25 men divide between them 193 directorships. This means that they average nearly eight directorships apiece. These 25 men sit together on the board of directors of 99 class I railroads. These men also own 75 per cent of the coal mines in the United States, both anthracite and bituminous, and completely control the output of coal. They also control the largest banks and trust companies in the United States, including the National City Bank, the Chase National Bank, and the Guarantee Trust Co. and the New York Trust Co. and the United States Steel Co. They also control the greater portion of the developed water power in the United States, and are rapidly acquiring additional hydroelectric power.

The wealth of the United States increased from December 31, 1912, to December 31, 1922, from $186,000,000,000 to $320,000,000,000, an increase of $134,000,000,000; a larger increase than in the preceding 50 years. The coming census will undoubtedly show the same proportionate increase. This increase in wealth has been so unfairly distributed that the farmers constituting one-third of our population who have produced the major portion of this wealth have not received a living wage, and the value of farm property has decreased from 1920 to 1929 from over $70,000,000,000 to $57,000,382,000. During the same period corporate wealth increased from $99,000,000,000 to $134,000,000,000.

THE HOME MERCHANT

The home merchant faithfully served his people in fair weather and foul. No time clock or steam whistle marked his working hours. He paid his taxes, supported all civic activities, took a pride in the upbuilding of his schools, churches, roads, hospitals, and libraries. The profits of his business were spent in his city. He owned his home and his place of business and took a just pride in having them a credit to his city.

Under the new order the whole economic system will be changed. Instead of your own citizen conducting his own business, aiding the development of the community, you are to have a clerk representing a large chain corporation or bank in New York City. Your city is to become a vassal with thousands of other cities with the commercial overlord in Wall Street, to whom all the profits of the business must be sent. Instead of your bank, where the community and surrounding farming country deposits its money, being owned and directed by your friends and neighbors, the officers of the chain banks will never be seen on your streets, and you will have no acquaintance with them; you will deal with a clerk who represents the New York bank that owns the chain bank. If the branch is of a New York bank, it will be the New York point of view; or if a Chicago bank, it will be a Chicago point of view.

In either case loans will be made primarily on the basis of collateral, and the collateral in small local enterprise or farm mortgages is automatically excluded on account of the cost and time involved in an investigation sufficient to satisfy the New York bank officials who pass upon it. Therefore you will not have the opportunity to borrow that your banker neighbor formerly gave you.

Because a mail-order house or a chain store can sell you a tire or a bottle of perfume cheaper than your neighbor, your home merchant, will it pay you to drive your home merchant out of business?

Because you can paint an auto or a house with a spraying machine at less cost than you can paint a picture, it would not follow that it is in the general interest for the artist to throw aside his palette and take up the paint spray.

EVOLUTION OF THE SMALL CITIES

The smaller cities are rapidly becoming only the homes of the employees and agents. Main Street is becoming a succession of chain stores and filling stations, all of which are duplicate in every other town in color scheme, architectural design, and goods on their shelves.

If this movement keeps on, in a decade there will be no more neighborhood butchers or bakers or druggists or merchants or small manufacturers.

This condition will not make for a well-rounded prosperity or social and political stability.

ABSENTEE OWNERSHIP

Absentee ownership of banks, business, and land has wherever tried resulted in irreparable injury. It has created the caste system in the Old World and made tenants and peasants out of farmers and labor slaves out of free labor. The reason is that the profits of the business flow out of the community to the city where the owners live and are not spent in the locality where the profits are made. The absentee owners taking no interest in the employees or the community. Owners of these local banks and stores living thousands of miles away are not interested in the community activities where the various chain banks or stores are located. They are interested only in the size of their dividend checks and in the cities where they and their families reside. They are not interested in your city and in your schools, libraries, churches, hospitals, and your boys and girls.

The home merchant puts his money in the home bank, and if it is an independent bank and not a chain bank the money is there to be loaned and used by the community. The home merchant summers and winters with you. He gives you credit, he employs the local boys and girls and helps teach them the business, so they will be fitted for a business career and some time become the proprietors of a business. When you were sick or out of work your home merchant gave you credit. He did not say our employers who live in New York insist upon our carrying out their orders and point to a conspicuous sign which reads, We sell for cash only.

Chain stores pay low wages and give the employees no opportunity to become independent business men.

The Children's Bureau of the Department of Labor after a thorough study of conditions advise that of all the women employed in the chain-store system in this country, 70 per cent receive $15 or less per week; 44 per cent $12 or less per week; and 25 per cent are expected to be self-respecting and keep body and soul together on $10 per week.

HOPE OF AMERICA

The splendid independent middle class which has been the hope and strength of America and from which the Government and business has drawn for its best material is constantly growing smaller under the rapid and radical evolution which is taking place in business.

Equality of opportunity has been the boast of America. It has attracted to our shores the ambitious and worthy men and women from every country in the world. This is the only land where every child born who has the capabilities has the opportunity to rise to the highest position of honor in business and Government.

I firmly believe that the chain-bank and chain-store system is a very great menace to our free institutions.

I will repeat the words of an eminent judge, a member of the Supreme Court of Ohio, in the case of the State *v.* The Standard Oil Co. (49 Ohio State, pp. 136-137).

The court said:

Experience shows that it is not wise to trust human cupidity, where it has the opportunity to aggrandize itself at the expense of others. The claim of having cheapened the price to the customer is the usual pretext on which monopolies of this kind are defended. * * *

A society in which a few men are the employers and a great body are the employees or servants is not the most desirable in a republic; and it should be as much the policy of the law to multiply the number engaged in independent pursuits or in the profits of production as to cheapen the price to the consumer. Such policy would tend to an equality of fortune among its citizens, thought to be desirable in a republic, and lessen the amount of pauperism and crime.

I will close by introducing a letter written by one of Wisconsin's ablest bank presidents to his depositors on chain banks, and also by inserting a synopsis of a decision of the United States Supreme Court on bank mergers:

THE FIRST NATIONAL BANK,
*Marinette, Wis., October 4, 1929.*

*To Our Depositors and Citizens of Marinette:*

Until the directors of the First National Bank of Marinette can feel assured that the industries, depositors, residents, and the entire surrounding community can be better served by this bank joining one of the chain-banking groups now in process of formation we shall not do so.

We believe that a carefully managed bank owned and managed by citizens of Marinette is better for our city and citizens than any bank controlled by nonresidents with power to dictate its management.

We like to know and feel that the First National Bank is now owned by local people and that its profits in dividends are distributed in Marinette where they are earned.

For 40 years the people of this community have continued to show constantly growing confidence in this institution. Its present commanding position is impressive evidence of that confidence and patronage.

We do not believe that a stockholder's profit (no matter how large) alone considered is a valid reason for this bank to ignore its debt to this community's welfare and good will by subjecting the bank borrowing credit of our people to foreign control.

CHAS. A. GOODMAN,
*President of Board of Directors.*

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THE UNITED STATES SUPREME COURT ON BANK MERGERS

The question of the public policy involved in the alien control and management of banks was discussed in a decision rendered by the United States Supreme Court in Concord First National Bank *v.* Hawkins (174 U. S. 368), rendered in 1898. The decision, which is enlightening in view of present-day trends, reads, in part, as follows:

"Thus it is enacted, in section 5146, that 'every director must, during his whole term of service, be a citizen of the United States, and at least three-fourths of the directors must have resided in the State, Territory, or district in which the association is located for at least one year immediately preceding their election, and must be residents therein during their continuance in office.'

"One of the evident purposes of this enactment is to confine the management of each bank to persons who live in the neighborhood, and who may, for that reason, be supposed to know the trustworthiness of those who are to be appointed officers of the bank and the character and financial ability of those who may seek to borrow its money. But if the funds of a bank in New Hampshire, instead of being retained in the custody and management of its directors, are invested in the stock of a bank in Indiana, the policy of this wholesome provision of the statute would be frustrated. The property of the local stockholders, so far as thus invested, would not be managed by directors of their own selection but by distant and unknown persons. Another evil that might result, if large and wealthy banks were permitted to buy and hold the capital stock of other banks, would be that, in that way, the banking capital of a community might be concentrated in one concern and business men be deprived of the advantages that attend competition between banks."

CALL OF THE HOUSE

Mr. DOWELL. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 48]

| | | | |
|---|---|---|---|
| Allgood | Blackburn | Brunner | Campbell, Pa. |
| Aswell | Boylan | Burdick | Cannon |
| Bell | Britten | Byrns | Carley |
| Black | Brumm | Cable | Cartwright |
| Celler | Golder | Ludlow | Sabath |
| Chase | Goldsborough | McReynolds | Short |
| Connolly | Graham | Magrady | Sirovich |
| Curry | Griffin | Manlove | Steagall |
| De Priest | Hudspeth | Mead | Stedman |
| DeRouen | Igoe | Merritt | Stevenson |
| Dickinson | James | Michaelson | Sullivan, N. Y. |
| Dominick | Jenkins | Mooney | Sullivan, Pa. |
| Doyle | Johnson, Ill. | Murphy | Taylor, Colo. |
| Drane | Johnson, Ind. | Nelson, Wis. | Turpin |
| Englebright | Kearns | Niedringhaus | Underwood |
| Estep | Kennedy | Oliver, N. Y. | Vincent, Mich. |
| Fenn | Kerr | Palmisano | Warren |
| Fort | Kiefner | Patterson | White |
| Free | Kiess | Porter | Whitehead |
| Freeman | Kunz | Pritchard | Yon |
| Fuller | Kurtz | Quayle | |
| Gasque | Leech | Rayburn | |
| Gavagan | Lindsay | Reece | |

The SPEAKER. Three hundred and thirty-eight Members are present, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

THE HAGUE CONFERENCE—CODIFICATION OF INTERNATIONAL LAW

The SPEAKER. When the House adjourned last night the previous question had been ordered on House Joint Resolution 331, relative to The Hague Conference on the Codification of International Law. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

Mr. JOHNSON of Washington. Mr. Speaker, I move to recommit the bill to the Committee on Foreign Affairs.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. JOHNSON of Washington. I am in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JOHNSON of Washington moves to recommit House Joint Resolution 331 to the Committee on Foreign Affairs, with instructions to return the same forthwith with the following lines stricken out: Lines 3 to 7, inclusive, and the words *"Resolved further,"* in line 8.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. TEMPLE) there were 70 ayes and 74 noes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to the vote on the ground that no quorum is present.

The SPEAKER. The Chair will count.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I withdraw the point of no quorum, because the gentleman from Washington desires to ask for tellers.

Mr. JOHNSON of Washington. Mr. Speaker, I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. TEMPLE and Mr. JOHNSON of Washington.

The House again divided; and the tellers reported that there were 64 ayes and 91 noes.

Mr. SCHAFER of Wisconsin. I object to the vote on the ground that no quorum is present.

The SPEAKER. The gentleman from Wisconsin objects to the vote on the ground that no quorum is present. The Chair will count. [After counting.] Two hundred and fifty-five Members are present, a quorum.

So the motion to recommit was rejected.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

A motion by Mr. TEMPLE to reconsider the vote whereby the bill was passed was laid on the table.

JOINT COMMITTEE TO ATTEND ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF LEWIS AND CLARK EXPEDITION

Mr. SNELL. Mr. Speaker, I call up House Concurrent Resolution 28, and ask unanimous consent for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

House Concurrent Resolution 28

*Resolved by the House of Representatives (the Senate concurring)*, That a committee of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall represent the Congress of the United States at the one hundred and twenty-fifth anniversary of the celebration of American independence by the Lewis and Clark expedition on July 4, 1805, at a

point adjacent to what is now Great Falls, Mont., to be held at Great Falls, Mont., on July 4, 1930. The members of such committee shall be paid their actual expenses, one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives.

Mr. LEAVITT. Mr. Speaker, the purpose of this resolution is to give the recognition of Congress through the attendance of a committee of three Senators and three Representatives to the historical importance attached to the one hundred and twenty-fifth anniversary of the celebration of the Fourth of July, 1805, by the Lewis and Clark expedition. The event occurred at a spot above the Great Falls of the Missouri near the present city of that name.

On the 4th of July, 1930, that historic event of a century and a quarter ago will be commemorated. There will be a celebration and pageant depicting the passing cycles of time which have brought the development of a land, then inhabited by only savage tribes and without history save the unwritten lore of unrecorded ages. It has become a part of these United States, rich in the character of its people, under the American flag which those intrepid explorers thus first displayed within that boundless wilderness. It has become rich beyond their dreams by the development of its national resources of soil, of powers, of forests, and of minerals; but it is to become even richer yet in its contribution to the future of the Nation.

The States along the explorers' route, up the Missouri and down the Columbia to the western sea, will participate by representation in the commemoration of this one hundred and twenty-fifth anniversary of that celebration of the Independence Day. That observance by Lewis and Clark was on but the twenty-ninth anniversary since the adoption of the immortal declaration itself. The Constitutional Convention was only 18 years in the past. It was but two years ago that the Louisiana Purchase had been consummated by Jefferson, adding to the Union either all or part of what are now 14 States.

The significance of that commemoration of the Nation's natal day by a band of daring adventurers in a land unmarked and unknown to the white race except as Lewis and Clark were then in the very act of learning it, is such that the imagination is stirred and the heart is made to beat with a quickened stroke.

Those charged with the celebration of that event of 125 years ago will appreciate to the full this action of the Congress. They will welcome the Representatives of a Congress whose predecessor of over a century and a quarter ago provided by similar resolution for the expedition whose achievements made the names of Lewis and Clark immortal.

The concurrent resolution was concurred in.

INDEBTEDNESS OF THE GERMAN REICH

Mr. SNELL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 219.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

House Resolution 219

*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. 10480, a bill to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States army of occupation. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, 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. SNELL. Mr. Speaker, the resolution just presented provides for consideration of H. R. 10480, which gives authority to the Secretary of the Treasury, with the approval of the President, to settle with the German Government the claims of our Federal Government for the army of occupation and the awards of the Mixed Claims Commission, both for the Federal Government and of our individual nationals.

Under the convention of the armistice and also referred to in the treaty of Versailles it was granted that our Government should receive pay for the total cost of our army of occupation, and also the awards of the Mixed Claims Commission, both in favor of the Government and of our nationals.

The total cost of the army of occupation was $292,000,000. There is a balance due at the present time of $193,000,000.

The balance due on the Mixed Claims Commission awards is $256,000,000. Under the provisions of the terms of settlement the cost of the army of occupation has been reduced 10 per cent, and the Mixed Claims Commission awards are paid in full.

At the present time we have been receiving toward the payment of the Mixed Claims Commission awards 2¼ per cent of the total reparations collected from Germany. We have been receiving about $13,000,000 a year on the cost of the army of occupation. Under the terms of the Young plan, as we are not parties to that plan, there is no provision for the continuation of these payments by the German Government on either one of our two accounts. The question before Congress at the present time is, first, to decide whether the awards are satisfactory and, second, how we are going to collect the awards made under these two provisions. Under the provision of the settlement we will be paid $6,000,000 a year for 37 years to take care of the army of occupation. That will be the full amount due, with 3⅝ per cent interest. On the Mixed Claims Commission awards we receive $9,700,000 a year for the next 52 years, which is the total amount of the Mixed Claims Commission awards, plus 5 per cent interest. This agreement has already been approved by the German Government, and it is highly essential that it should be approved by us at a very early date, because unless it is approved, as I understand the situation, there is no arrangement whatever at the present time whereby Germany will pay us any regular amounts on these two claims. That in a general way is the proposition that is before us at the present time.

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

Mr. SNELL. Yes.

Mr. DUNBAR. The gentleman stated that under the proposed arrangements Germany would pay us $6,000,000 a year on the cost of the Army of Occupation. That is the amount that she will pay us in the beginning of the settlement; but when you get down to the years 1934, 1935, 1936, and 1937, and so forth, she will not pay us that much money.

Mr. SNELL. That is the average amount over the terms of years.

Mr. DUNBAR. The average amount over the terms of years, and not the amount fixed for any special year. In fact, some years we will receive as much as $12,000,000.

Mr. COLE. This is a very favorable settlement, is it not? We get not only the principal, but we get interest.

Mr. SNELL. We get reasonable interest, but of even more importance is the fact we get something definite. We have a definite bond of the German Government to pay, whereas at the present time all we have is an open book account.

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

Mr. SNELL. Yes.

Mr. HASTINGS. As I understand it, these deferred payments due on account of the Army of Occupation bear interest at the rate of 3⅝ per cent from September, 1929?

Mr. SNELL. Yes.

Mr. HASTINGS. On all of the deferred payments?

Mr. SNELL. That is the average.

Mr. HASTINGS. Then the aggregate amount of these deferred payments will make up the total amount due on account of the cost of the Army of Occupation, less 10 per cent?

Mr. SNELL. Yes.

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

Mr. SNELL. Yes.

Mr. WAINWRIGHT. Are we to understand that we will have the obligation of the Germany Government entirely irrespective of any arrangement that she has made with any other powers, or is this in some way mixed up with the claims of other powers?

Mr. SNELL. This has nothing to do with the Young plan and has no relation with any other country. It is the direct obligation of the German Government to the Government of the United States, and we get their bonds for the full amount.

Mr. WAINWRIGHT. We get their bonds?

Mr. SNELL. Yes.

Mr. DENISON. Does the German Government hypothecate anything at all to secure the payment of these bonds?

Mr. SNELL. Not as I understand it. It is the direct bond of the German Government, that is all.

Mr. DENISON. And these payments for the awards of the Mixed Claims Commission run over a period of how many years?

Mr. SNELL. Fifty-two years.

Mr. DENISON. What arrangement is made for the payment of those claims?

Mr. SNELL. For the first 35 years all of it goes toward the payment of private claims, and for the last 17 years toward Government claims.

Mr. DENISON. How are the priorities established?

Mr. SNELL. I can not tell the gentleman that.

Mr. DENISON. Will some of these claimants have to wait for 35 years to get their money?

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

Mr. SNELL. Yes.

Mr. STAFFORD. As I understand it, the money has already been appropriated by Congress and those claims have been paid. We are now being reimbursed for the money that we have advanced.

Mr. SNELL. Certainly; I had forgotten that.

Mr. DUNBAR. It is a fact that the United States now has paid more than $91,000,000 on these mixed claims?

Mr. SNELL. Yes.

Mr. COLE. Why the discrepancy of interest in one case of 3⅝ per cent and in the other 5 per cent?

Mr. SNELL. I can not answer that question. I yield three minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, in order that there may be no misunderstanding as to the attitude of the members of the minority on the Rules Committee, and some members at least of the minority on the floor of the House, I rise to make a brief statement with reference to the acquiescence of the Democrats on the Rules Committee in reporting out this rule. We all understand, of course, that it is a matter of considerable importance to our country and to the Treasury to have some final adjustment of these differences involved in the settlement of the Mixed Claims Commission, and also with reference to the payment of money expended by our Government for the army of occupation in Germany after the armistice.

I am informed that the minority members of the Ways and Means Committee, at least several of them, are not in favor of the terms of this settlement and have registered their opposition by voting against it. It is my further information that no intensive effort will be made by those gentlemen to defeat the bill. As far as the members of the minority on the Rules Committee is concerned, we acquiesced in reporting this rule because we thought it a matter of sufficient importance to justify its consideration by the House.

Mr. SNELL. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker, as a member of the Rules Committee, I want it thoroughly understood that I am not only in favor of the rule but am also in favor of the bill.

Mr. SNELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

The resolution was agreed to.

Mr. HAWLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10480) to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States army of occupation.

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. 10480, with Mr. LEHLBACH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10480, which the Clerk will report by title.

The Clerk read as follows:

A bill to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States army of occupation.

Mr. MICHENER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Oregon is recognized for one hour.

Mr. HAWLEY. Mr. Chairman and members of the committee, we have now reached a stage in our relations with Germany that makes it necessary to enter into direct financial relations with that country. Heretofore our relations with Germany have been indirect, and the money we have received has been received through the agency of other governments or through the Reparations Commission. But recently the nations which are Germany's creditors arranged to enter into separate agreements with that Government for the settlement of their claims, and the agencies that heretofore collected the money paid over to us will be dispensed with, so that unless we settle our relations with Germany we shall be without any agency with which to collect the money due us or have any financial agreement with her for the orderly payment of money due us.

These claims consist of two kinds. After the war, at the request of Germany——

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

Mr. HAWLEY. Yes.

Mr. WAINWRIGHT. Is not that agreement for the payment of reparations part of the treaty?

Mr. HAWLEY. Yes; but no arrangement has been made by which that is to be effected.

Mr. WAINWRIGHT. The arrangement has been an international arrangement, so far as an arrangement can be made?

Mr. HAWLEY. Yes.

The German Government, after the war, desired our troops to occupy certain German territory, agreeing to pay the cost of that occupation. Our Government sent troops into that country, maintained, and later withdrew them. That cost amounted on the whole to something like $292,000,000.

The other claims arise out of the indebtedness of the United States against Germany for injuries suffered by our citizens and the United States at the hands of the German Government during the war, the total at this time being about the sum of $256,000,000. This bill authorizes a settlement on a basis that we will receive payments during a period of about 52 years.

Germany has already adopted legislation of this kind, so that our relations with her are very cordial in this matter, and as soon as we adopt this legislation the arrangement becomes effective.

We have received heretofore the payments that would be due under various plans that have been proposed up to September 1 of last year, so that there has been no attempt on the part of Germany to evade the obligations in any way or to defer the payments.

As I stated in the beginning, the United States has heretofore been an outside party in all the engagements and arrangements that have been entered into by the governments of the world against Germany.

It may be interesting just to recite briefly the history of these matters. The Wadsworth agreement of May 25, 1923, was the first attempt to make a settlement. That agreement was signed by the principal allied powers and the United States, and provided that the United States should be reimbursed for the expenses of the army of occupation in 12 equal installments. These installments were to be repaid out of funds collected from Germany by the allied powers. This agreement was never ratified, but $14,725,154.40 was released to the United States when the Paris agreement of January 14, 1925, became effective.

In 1923, due to the unstable conditions in Germany, it became apparent that the demands of the Allies greatly exceeded the capacity of Germany to pay, at least in the immediate future, so the whole question of her war obligations was again considered.

The Reparation Commission, on November 30, 1923, invited a commission of experts, under the leadership of General Dawes, to consider three questions: First, balancing the German budget; second, stabilization of German currency; and, third, reparation payments by Germany in the immediate future. The Dawes committee reported in the spring of 1924.

Now, it was apparent that when they were determining the entire amount that Germany should pay, unless the claim of the United States was presented it would not be included in that amount. Three things were evident:

First. That Germany was virtually in receivership.

Second. Payments provided for to represent Germany's capacity to pay.

Third. The United States could not expect to receive payment of any sum not included in the plan.

In order to provide for the distribution of the annual payments made by Germany representatives of all creditor countries met and signed an agreement at Paris on January 14, 1925.

Under the terms of this Paris agreement the United States was to receive payments on two counts. First, $13,000,000 annually, beginning September 1, 1926, for expenses of the army of occupation costs until such costs were fully liquidated. These payments were to be a first charge on cash available for transfer out of the Dawes annuities after providing for certain obligations. Second, the United States was to receive on the account of the awards of the Mixed Claims Commission 2¼ per cent of all receipts from Germany available for distribution as reparations, but such amount was not to exceed $10,700,000 in any one year.

Germany was not a party to this agreement. It was a meeting of the creditors of Germany acting as receivers, determining what amount they could collect from an insolvent debtor.

The United States has received in full to September 1, 1929, the amounts provided for it by the Paris agreement, so that up to that time the moneys due us from Germany have been paid. The Dawes plan was intended to be simply a temporary arrangement to tide over to the time when the condition of Germany might be supposed to have attained some stability.

Now, as to the Young plan, named after an American who participated in the negotiations, on September 16, 1928, Germany, Belgium, France, Great Britain, Italy, and Japan agreed that a committee of financial experts should be selected to prepare proposals for a complete and final settlement of the reparations problem. The Young committee met in Paris on February 11, 1929, and reached a final agreement on June 7, 1929.

The Young plan provides that Germany shall pay an average annuity (exclusive of payments on her external loan of 1924) of $473,000,000 for a period of 37 years, and varying annuities for 22 additional years.

Under this plan the United States is to receive, first, for combined claims for costs of occupation and mixed claims an average annuity of $15,700,000 for 37 years; and, second, a flat annuity of $9,700,000 for 15 years thereafter. The Young plan, when adopted, will supersede the Dawes plan. All machinery through which payments have heretofore been collected from Germany and distributed to creditor governments will be abolished.

Now, two courses are open to the United States: First, to adopt the Young plan, with its many complicated arrangements, which has no application to the United States; and second, to negotiate a simpler, separate agreement with Germany alone. The United States can enter into relations with the other nations adopting the Young plan and be a party to the arrangements which other nations have made with Germany. But our country so far has abstained from any entangling alliances with other nations dealing with Germany.

So this bill proposes that we now absolutely segregate ourselves from any relations with other countries in the matter of settlement with Germany and make our own settlement with her direct.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. SPROUL of Kansas. Then what is the significance of the last sentence in paragraph No. 1 on page 2 of the bill if we have nothing to do with the settlement of other German war debts? Line 15 says:

> The obligations of Germany hereinabove set forth in this paragraph shall cease as soon as all the payment contemplated by the settlement of war claims act of 1928 have been completed and the bonds have not been matured evidencing such obligations shall be canceled and returned to Germany.

That provision indicates some relationship to the debts owing to other countries, does it not?

Mr. HAWLEY. I think not. My understanding is that this entire matter, the entire bill relates only to the debts which Germany owes us and the collection of them.

Mr. SPROUL of Kansas. But we cancel all bonds that are outstanding.

Mr. HAWLEY. That relates to the former act of this Government relating to debts owed to the United States or her nationals, known as the settlement of war claims act of 1928.

Mr. O'CONNELL. Was that the Dawes plan?

Mr. HAWLEY. No. It was an act of Congress.

Mr. SPROUL of Kansas. That is provided for in this bill, H. R. 10480.

Mr. HAWLEY. I must confess I do not quite understand the gentleman's question.

Mr. SPROUL of Kansas. In H. R. 10480, on page 2, at the end of line 15, there is a provision for and condition upon which a share of the debt from Germany to the United States is to be canceled. The bill contains this language:

> The obligations of Germany hereinabove set forth in this paragraph shall cease as soon as all the payments contemplated by the settlement of war claims act of 1928 have been complefed.

Mr. HAWLEY. Why, surely. When a debtor pays his debts in full, while there may still be outstanding some obligations of his for which there is no just claim, these ought to be canceled.

Mr. SPROUL of Kansas. But if there is no relationship between what Germany owes us, and it is completely independent of what Germany owes other countries, then why cancel a part of the debt that Germany owes us when other debts that Germany owes have been paid?

Mr. HAWLEY. If the gentleman is referring to debts owed by Germany to other nations, he is in error. It does not have anything to do with any other nation. It is only relations between the United States and Germany that are dealt with in this bill.

Mr. WIGGLESWORTH. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. WIGGLESWORTH. Is it not a fact that the settlement of war claims act of 1928, which has just been referred to, provides for the adjustment as between three classes of claimants growing out of the World War, namely, American holders of mixed claims, German owners of private property located in the United States and seized through the Alien Property Custodian by way of security, and German owners of ships, radio stations, and patents also located in the United States and seized by the United States during the war? The act has nothing whatsoever to do, I think, with the settlement of the debts which the gentleman from Kansas has in mind.

Mr. HAWLEY. Not at all.

Mr. McFADDEN. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. McFADDEN. Does this bill afford the only opportunity that Congress will have to approve or disapprove of the Young plan?

Mr. HAWLEY. The Young plan is not involved in this at all. We propose to separate ourselves entirely from that. We refuse to enter into any part of the Young plan. We make our own arrangement with Germany direct, having no connection with the claims or settlements made by other nations. This arrangement is between the United States and Germany only, relating to their settlement of the claim we have against them, and will be dissociated from every other government and every other plan.

Mr. McFADDEN. I think there is some danger, because of the involvement in the report that is made—it is referred to as Senate Document No. 95 of the Seventy-first Congress. What I am fearful of is that there is an involvement of reparations with war debts. The gentleman, I know, is in accord with the declared policy of the last administration, to the effect that there should be no mixing of reparations with war debts. I am fearful that in the adoption of this report there is involvement. Can the gentleman assure us that there is no such involvement?

Mr. HAWLEY. It is my understanding that there is not.

Mr. McFADDEN. Are these payments that are to be made under this bill to be made direct by Germany to the United States, or are they to be made through the Bank of International Settlements?

Mr. HAWLEY. They are to be paid into the Federal reserve bank.

Mr. McFADDEN. By whom are they to be paid to the Federal reserve bank?

Mr. HAWLEY. By the German agencies.

Mr. McFADDEN. By what German agencies?

Mr. HAWLEY. The fiscal agencies of the Government of Germany.

Mr. McFADDEN. The fiscal agent of the German Government might be the Bank of International Settlements.

Mr. HAWLEY. Well, it is to be paid on the authority of whatever officer in Germany corresponds to our Secretary of the Treasury, as I understand.

Mr. McFADDEN. Direct to the Federal Reserve Bank of New York? Is that correct?

Mr. CRISP. I do not think so.

Mr. McFADDEN. I would be glad to be enlightened on that particular point.

Mr. DUNBAR. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. DUNBAR. Somewhere in the gentleman's report the distinct statement is made that this settlement is not in accord with the Young plan; the Young plan has nothing whatever to do with it.

Mr. HAWLEY. Yes; that is right.

Mr. DUNBAR. And that our settlement proposition is with the German Government direct, regardless of any arrangements that might be made between Germany, in accord with the Young plan, and any other nation. I can not recall where I read that, but somewhere in the gentleman's report that is distinctly stated.

Mr. HAWLEY. In answer to the question of the gentleman from Pennsylvania [Mr. McFADDEN], let me read:

> All bonds issued hereunder shall be payable both principal and interest, if any, at the Federal Reserve Bank of New York for credit in the general account of the Treasurer of the United States in funds immedi-

ately available on the date when payment is due in United States gold coin in an amount in dollars equivalent to the amount due in reichsmarks, at the average of the middle rates prevailing on the Berlin Bourse, during the half monthly period preceding the date of payment. Germany undertakes to have the Reichsbank certify to the Federal Reserve Bank of New York on the date of payment the rate of exchange at which the transfer shall be made. Germany undertakes for the purposes of this agreement that the reichsmark shall have and shall retain its convertibility into gold or devisen as contemplated in section 31 of the present Reichsbank law and that for these purposes the reichsmark shall have and shall retain a mint parity of 1/2790 kilogram of fine gold as defined in the German coinage law of August 30, 1924.

Mr. McFADDEN. The gentleman will assure us there is no mixing of war debts with reparation?

Mr. HAWLEY. Does the gentleman mean European war debts?

Mr. McFADDEN. Yes.

Mr. HAWLEY. Of other nations?

Mr. McFADDEN. That there is no involvment of reparation payments with war debts.

Mr. HAWLEY. Does the gentleman mean war claims of other nations on Germany?

Mr. McFADDEN. Yes.

Mr. HAWLEY. Absolutely not.

Mr. McFADDEN. Then, this is not a ratification of the Young plan in any sense?

Mr. HAWLEY. No. I said that before, and I respectfully insist on it.

Mr. DUNBAR. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. DUNBAR. I wish to read from your report substantially just what the gentleman has said. It is on page 3, the second paragraph.

Mr. McFADDEN. I would like to call the gentleman's attention to the language of the bill on page 1, lines 7 and 8, that this proposed authorization in this bill is to be—

under the terms and conditions set forth in Senate Document No. 95, Seventy-first Congress, second session.

Mr. HAWLEY. The bill provides for the settlement.

With the approval of the President, the State and Treasury Departments have negotiated with the German Government a form of agreement under the terms of which it is proposed that the United States will receive from Germany on account of the costs of the United States army of occupation an average annuity of 25,300,000 marks (about $6,026,000) for a period of 37 years, and on account of the awards of the Mixed Claims Commission a flat annuity of 40,800,000 marks (about $9,700,000) for a period of 52 years. Under the Young plan the Governments of France and Great Britain forego the collection of about 10 per cent of their total army costs. At a critical stage of the deliberations of the Young committee, the President, after a conference concerning the entire situation with leaders of both Houses of Congress, none of whom raised any objection, stated for the information of the Young committee that he was prepared to recommend to the Congress that it authorize the acceptance of the annuities allocated to the United States which involve a similar reduction of 10 per cent of our army costs.

A statement of the army cost account as of September 1, 1929, follows:

*Army costs*

| | | |
|---|---|---|
| Total army-cost charges (gross), including expenses of interallied Rhineland High Commission (American department) | | $292,663,435.79 |
| Credits to Germany: | | |
| Armistice funds (cash requisitions on German Government) | $37,509,605.97 | |
| Provost fines | 159,033.64 | |
| Abandoned enemy war material | 5,240,759.29 | |
| Armistice trucks | 1,532,088.34 | |
| Spare parts for armistice trucks | 355,546.73 | |
| Coal acquired by army of occupation | 756.33 | |
| | | 44,797,790.30 |
| | | 247,865,645.49 |
| Payments received: | | |
| Under the army-cost agreement of May 25, 1923, which was superseded by agreement of Jan. 14, 1925 | 14,725,154.40 | |
| Under Paris agreement of Jan. 14, 1925 | 39,203,725.89 | |
| | | 53,928,880.29 |
| Balance due as of Sept. 1, 1929 | | 193,936,765.20 |

After allowing for the 10 per cent reduction, amounting to $29,266,343.58, the sum due on account of army costs will be $164,670,421.62. The United States will receive on account of this debt about $249,000,000 in varying annuities over a period of 37 years. The difference of about $85,000,000 is intended to compensate the United States for the deferment of its payments over a 37-year period rather than the 15-year period provided for under the Paris agreement, and represents interest at a rate of about 3⅝ per cent per annum on such deferred payments.

A statement of the estimated amount still due from Germany as of September 1, 1929, on account of the awards of the Mixed Claims Commission follows:

*Mixed claims*

| | | |
|---|---|---|
| Principal of awards certified to Treasury for payment | $113,295,478.68 | |
| Interest up to Aug. 31, 1929 | 59,407,605.03 | |
| | | $172,703,083.71 |
| Estimated principal amount of awards yet to be entered and certified | 32,000,000.00 | |
| Estimated interest up to Aug. 31, 1929 | 21,000,000.00 | |
| | | 53,000,000.00 |
| Awards to United States Government | 42,034,794.41 | |
| Interest up to Aug. 31, 1929 | 22,900,000.00 | |
| | | 64,934,794.41 |
| | | 290,637,878.12 |
| Received from Germany up to Aug. 31, 1929 | 31,831,472.03 | |
| Earnings and profits on investments | 2,149,692.70 | |
| | | 33,981,164.73 |
| Estimated balance due as of Sept. 1, 1929 | | 256,656,713.39 |

Under the Paris agreement the United States received during the standard Dawes year the sum of about $10,700,000 (45,000,000 marks) on account of mixed claims awards. The sum provided in the proposed agreement with Germany is an annual payment over 52 years of about $9,700,000 (40,800,000 marks). It is estimated that this latter annuity will pay in full all of the awards of the Mixed Claims Commission, United States and Germany, in favor of the United States and its nationals, with interest. On the basis of the annuity granted to the United States on this account under the Paris agreement, it was estimated that the awards to private claimants would have been paid in approximately 30 years and the awards to the Government in about 14 additional years. Under the proposed agreement it is estimated that the private claimants will be paid in full in about 35 years and that the Government will receive its payments in about 17 additional years with simple interest at 5 per cent. In other words, under the proposed agreement it will require approximately 5 additional years to pay off the private claimants and about 3 additional years to pay the Government's claims, all deferred payments, however, continuing to bear interest at the rate of 5 per cent per annum.

The proposed agreement follows in general those made with our other foreign debtors except that the obligations to be issued thereunder are payable in marks rather than dollars and are unassignable. The German Government, however, undertakes to maintain the mint parity of the mark.

The following official documents state the proposals in greater detail:

AGREEMENT

Made the _____ day of _____ 19___, at the city of Washington, District of Columbia, between the Government of the German Reich, hereinafter called Germany, party of the first part, and the Government of the United States of America, hereinafter called the United States, party of the second part.

Whereas Germany is obligated under the provisions of the armistice convention signed November 11, 1918, and of the treaty signed at Berlin, August 25, 1921, to pay to the United States the awards, and interest thereon, entered and to be entered in favor of the United States Government and its nationals by the Mixed Claims Commission, United States and Germany, established in pursuance of the agreement of August 10, 1922; and

Whereas the United States is also entitled to be reimbursed for the costs of its army of occupation; and

Whereas Germany having made and the United States having received payments in part satisfaction on account of these two obligations desire to make arrangements for the complete and final discharge of said obligations;

Now, therefore, in consideration of the premises and the mutual covenants herein contained, it is agreed as follows:

1. Amounts to be paid: (a) Germany shall pay and the United States shall accept in full satisfaction of all of Germany's obligations remaining on account of awards, including interest thereon, entered and to be entered by the Mixed Claims Commission, United States and Germany, the sum of 40,800,000 reichsmarks for the period of September 1, 1929, to March 31, 1930, and the sum of 40,800,000 reichsmarks per annum from April 1, 1930, to March 31, 1981. As evidence of this indebtedness Germany shall issue to the United States at par, as of September 1,

1929, bonds of Germany, the first of which shall be in the principal amount of 40,800,000 reichsmarks, dated September 1, 1929, and maturing March 31, 1930, and each of the others of which shall be in the principal amount of 20,400,000 reichsmarks, dated September 1, 1929, and maturing serially on September 30, 1930, and on each succeeding March 31 and September 30 up to and including March 31, 1981. The obligations of Germany hereinabove set forth in this paragraph shall cease as soon as all of the payments contemplated by the settlement of war claims act of 1928 have been completed and the bonds not then matured evidencing such obligations shall be canceled and returned to Germany.

(b) Germany shall pay and the United States shall accept in full reimbursement of the amounts remaining due on account of the costs of the United States army of occupation, the amounts set forth on the several dates fixed in the following schedule:

| | Reichsmarks |
|---|---|
| March 31: | |
| 1930 | 25,100,000 |
| 1931 | 12,750,000 |
| 1932 | 12,650,000 |
| 1933 | 12,650,000 |
| 1934 | 9,300,000 |
| 1935 | 9,300,000 |
| 1936 | 9,300,000 |
| 1937 | 9,300,000 |
| 1938 | 8,200,000 |
| 1939 | 8,200,000 |
| 1940 | 9,300,000 |
| 1941 | 9,300,000 |
| 1942 | 12,650,000 |
| 1943 | 12,650,000 |
| 1944 | 12,650,000 |
| 1945 | 12,650,000 |
| 1946 | 12,650,000 |
| 1947 | 12,650,000 |
| 1948 | 12,650,000 |
| 1949 | 12,650,000 |
| 1950 | 17,650,000 |
| 1951 | 17,650,000 |
| 1952 | 17,650,000 |
| 1953 | 17,650,000 |
| 1954 | 17,650,000 |
| 1955 | 17,650,000 |
| 1956 | 17,650,000 |
| 1957 | 17,650,000 |
| 1958 | 17,650,000 |
| 1959 | 17,650,000 |
| 1960 | 17,650,000 |
| 1961 | 17,650,000 |
| 1962 | 17,650,000 |
| 1963 | 17,650,000 |
| 1964 | 17,650,000 |
| 1965 | 17,650,000 |
| 1966 | 17,650,000 |
| September 30: | |
| 1930 | 12,750,000 |
| 1931 | 12,650,000 |
| 1932 | 12,650,000 |
| 1933 | 9,300,000 |
| 1934 | 9,300,000 |
| 1935 | 9,300,000 |
| 1936 | 9,300,000 |
| 1937 | 8,200,000 |
| 1938 | 8,200,000 |
| 1939 | 9,300,000 |
| 1940 | 9,300,000 |
| 1941 | 12,650,000 |
| 1942 | 12,650,000 |
| 1943 | 12,650,000 |
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| 1957 | 17,650,000 |
| 1958 | 17,650,000 |
| 1959 | 17,650,000 |
| 1960 | 17,650,000 |
| 1961 | 17,650,000 |
| 1962 | 17,650,000 |
| 1963 | 17,650,000 |
| 1964 | 17,650,000 |
| 1965 | 17,650,000 |

As evidence of this indebtedness, Germany shall issue to the United States at par, as of September 1, 1929, bonds of Germany, dated September 1, 1929, and maturing on March 31, 1930, and on each succeeding September 30 and March 31, in the amounts and on the several dates fixed in the preceding schedule.

2. Form of bonds: All bonds issued hereunder to the United States shall be payable to the Government of the United States of America and shall be signed for Germany by the Reichsschuldenverwaltung. The bonds issued for the amounts to be paid under paragraph No. 1 (a) of this agreement shall be issued in 103 pieces, with maturities and in denominations corresponding to the payments therein set forth, and shall be substantially in the form set forth in "Exhibit A" hereto annexed and shall bear no interest, unless payment thereof is postponed pursuant to paragraph No. 5 of this agreement. The bonds issued for the amounts to be paid under paragraph No. 1 (b) of this agreement shall be issued in 73 pieces, with maturities and in denominations corresponding to the payments therein set forth, and shall be substantially in the form set forth in "Exhibit B" hereto annexed, and shall bear no interest unless payment thereof is postponed pursuant to paragraph No. 5 of this agreement.

3. Method of payment: All bonds issued hereunder shall be payable both principal and interest, if any, at the Federal Reserve Bank of New York for credit in the general account of the Treasurer of the United States in funds immediately available on the date when payment is due in United States gold coin in an amount in dollars equivalent to the amount due in reichsmarks, at the average of the middle rates prevailing on the Berlin Bourse during the half-monthly period preceding the date of payment. Germany undertakes to have the Reichsbank certify to the Federal Reserve Bank of New York on the date of payment the rate of exchange at which the transfer shall be made. Germany undertakes for the purposes of this agreement that the reichsmark shall have and shall retain its convertibility into gold or devisen as contemplated in section 31 of the present Reichsbank law, and that for these purposes the reichsmark shall have and shall retain a mint parity of 1/2790 kilogram of fine gold as defined in the German coinage law of August 30, 1924.

4. Security: The United States hereby agrees to accept the full faith and credit of Germany as the only security and guaranty for the fulfillment of Germany's obligations hereunder.

5. Postponement of payment: Germany, at its option, upon not less than 90 days' advance notice in writing to the United States may postpone any payment on account of principal falling due as hereinabove provided, to any subsequent September 30 and March 31 not more than two and one-half years distant from its due date, but only on condition that in case Germany shall at any time exercise this option as to any payment of principal, the two payments falling due in the next succeeding 12 months can not be postponed to any date more than two years distant from the date when the first payment therein becomes due unless and until the payments previously postponed shall actually have been made, and the two payments falling due in the second succeeding 12 months can not be postponed to any date more than one year distant from the date when the first payment therein becomes due unless and until the payments previously postponed shall actually have been made, and further payments can not be postponed at all unless and until all payments of principal previously postponed shall actually have been made. All payments provided for under paragraph No. 1 (a) of this agreement so postponed shall bear interest at the rate of 5 per cent per annum, payable semiannually, and all payments provided for under paragraph No. 1 (b) of this agreement so postponed shall bear interest at the rate of 3⅝ per cent per annum, payable semiannually.

6. Payments before maturity: Upon not less than 90 days' advance notice in writing to the United States and the approval of the Secretary of the Treasury of the United States, Germany may, on March 31 or September 30 of any year, make advance payments on account of any bonds issued under this agreement and held by the United States. Any such advance payments shall be applied to the principal of such bonds as may be indicated by Germany at the time of the payment.

7. Exemption from taxation: The principal and interest, if any, of all bonds issued hereunder shall be paid without deduction for, and shall be exempt from any and all taxes or other public dues, present or future, imposed by or under authority of Germany or any political or local taxing authority within Germany.

8. Notices: Any notice from or by Germany shall be sufficient if delivered to the American Embassy at Berlin or to the Secretary of the Treasury at the Treasury of the United States in Washington. Any notice, request, or consent under the hand of the Secretary of the Treasury of the United States shall be deemed and taken as the notice, request, or consent of the United States and shall be sufficient if delivered at the German Embassy at Washington or at the office of the German Ministry of Finance at Berlin. The United States in its discretion may waive any notice required hereunder, but any such waiver shall be in writing and shall not extend to or affect any subsequent notice or impair any right of the United States to require notice hereunder.

9. Compliance with legal requirements: Germany and the United States, each for itself, represents and agrees that the execution and delivery of this agreement have in all respects been duly authorized, and that all acts, conditions, and legal formalities which should have been completed prior to the making of this agreement have been completed as required by the laws of Germany and of the United States, respectively, and in conformity therewith.

10. Counterparts: This agreement shall be executed in two counterparts, each of which shall be in the English and German languages, both texts having equal force, and each counterpart having the force and effect of an original.

In witness whereof, Germany has caused this agreement to be executed on its behalf by its ambassador extraordinary and plenipotentiary at Washington thereunto duly authorized, and the United States has likewise caused this agreement to be executed on its behalf by the Secretary of the Treasury, with the approval of the President, pursuant to the act of Congress approved ————, all on the day and year first above written.

THE GERMAN REICH,
By ——— ———.
*Ambassador Extraordinary and Plenipotentiary.*
THE UNITED STATES OF AMERICA,
By ——— ———.
*Secretary of the Treasury.*

Approved:
——— ———,
*President.*

EXHIBIT A

(Form of bond)

THE GERMAN REICH

R. M. 20,400,000 No. —

The German Reich, hereinafter called Germany, in consideration of the premises and the mutual covenants contained in an agreement dated ———— between it and the United States of America, hereby promises to pay to the Government of the United States of America, hereinafter called the United States, on ————, the sum of twenty million four hundred thousand reichsmarks (R. M. 20,400,000). This bond is payable at the Federal Reserve Bank of New York in gold coin of the United States of America in an amount in dollars equivalent to the amount due in reichsmarks at the average of the middle rates prevailing on the Berlin Bourse during the half-monthly period preceding the date of payment.

This bond is payable without deduction for, and is exempt from, any and all taxes and other public dues, present or future, imposed by or under authority of Germany or any political or local taxing authority within Germany.

This bond is issued pursuant to the provisions of paragraph numbered 1 (a) of an agreement dated ————, between Germany and the United States, to which agreement this bond is subject and to which reference is hereby made.

In witness whereof, Germany has caused this bond to be executed on its behalf by the Reichsschuldenverwaltung and delivered at the city of Washington, District of Columbia, by its ambassador extraordinary and plenipotentiary at Washington, thereunto duly authorized, as of September 1, 1929.

For THE GERMAN REICH,
THE REICHSSCHULDENVERWALTUNG,
By ——— ———, *President.*
——— ———, *Member.*

EXHIBIT B

(Form of bond)

THE GERMAN REICH

R. M. ———.

The German Reich, hereinafter called Germany, in consideration of the premises and the mutual covenants contained in an agreement dated ———— between it and the United States of America, hereby promises to pay to the Government of the United States of America, hereinafter called the United States, on ————, the sum of ———— reichsmarks (R. M. ————). This bond is payable at the Federal Reserve Bank of New York in gold coin of the United States of America in an amount in dollars equivalent to the amount due in reichsmarks at the average of the middle rates prevailing on the Berlin Bourse during the half-monthly period preceding the date of payment.

This bond is payable without deduction for, and is exempt from, any and all taxes and other public dues, present or future, imposed by or under authority of Germany or any political or local taxing authority within Germany.

This bond is issued pursuant to the provisions of paragraph No. 1 (b) of an agreement dated ————, between Germany and the United States, to which agreement this bond is subject and to which reference is hereby made.

In witness whereof, Germany has caused this bond to be executed on its behalf by the Reichsschuldenverwaltung and delivered at the city of Washington, D. C., by its ambassador extraordinary and plenipotentiary at Washington, thereunto duly authorized, as of September 1, 1929.

For THE GERMAN REICH,
THE REICHSSCHULDENVERWALTUNG,
By ——— ———, *President.*
——— ———, *Member.*

NOTES TO BE EXCHANGED BETWEEN GERMANY AND THE UNITED STATES SIMULTANEOUSLY WITH THE EXECUTION OF THE AGREEMENT FOR THE COMPLETE AND FINAL DISCHARGE OF THE OBLIGATIONS OF GERMANY TO THE UNITED STATES WITH RESPECT TO THE AWARDS MADE BY THE MIXED CLAIMS COMMISSION, UNITED STATES AND GERMANY, AND FOR THE COSTS OF THIS GOVERNMENT'S ARMY OF OCCUPATION

The German Government (the Government of the United States) has the honor to set forth its understanding of paragraph No. 4 of the agreement executed this day between the United States and Germany in the following sense:

(a) In respect of the acceptance by the United States of the full faith and credit of Germany as the only security and guaranty for the fulfillment of Germany's obligations under the agreement, Germany will be in the same position as the principal debtors of the United States under the debt-funding agreements which exist between them and the United States.

(b) Nothing contained therein shall be construed as requiring the United States to release any German property which it now holds other than as heretofore or hereafter authorized by the Congress of the United States.

The German Government (the Government of the United States) also desires to expressly recognize, so far as the agreement executed this day between the United States and Germany is concerned, the prior rights of the holders of the bonds of the German external loan as provided in the general bond securing the loan dated October 10, 1924.

The United States has received the sum of R. M. ——— and the sum of R. M. ——— on account of the bonds No. 1 to be delivered under paragraphs No. 1 (a) and 1 (b), respectively, of the agreement executed this day between the United States and Germany. The receipt of these amounts will be evidenced by an indorsement by the United States on the bonds on account of which the sums were received.

The agreement executed this day between the United States and Germany is substituted for the direct arrangement providing for the realization by the United States of its 2¼ per cent share in German payments under the experts' plan of 1924.

Mr. CRISP. Mr. Speaker, I am not going to make any speech upon this bill, for reasons satisfactory to myself. I do not expect to vote for the bill, but I realize the futility of any fight being made on it. The Committee on Ways and Means were practically all in favor of the bill when it was reported out. I am simply going to state to the House just what this bill does, and will be content after I have voted against it.

Mr. McFADDEN. Will the gentleman yield?

Mr. CRISP. Yes.

Mr. McFADDEN. Inasmuch as the gentleman is going to explain this matter, I would like to have him, if he will, explain what effect this 10 per cent reduction has in connection with the possibility of its ratifying the Young plan. In other words, my own thought is that the reduction of 10 per cent in the volume of these payments is a backhanded endorsement of the Young plan, inasmuch as it says definitely it shall not be operative without it.

Mr. CRISP. I think the hearing before the committee was indefinite and uncertain as to the question which the chairman of the Banking and Currency Committee has propounded to my chairman, and which he now propounds to me. I will give him all the information I have on it, and, of course, I can not give anything but what I know.

The effect of this bill is for the United States to reduce its claim against Germany by $29,000,000 on account of the cost of our army of occupation in Germany. It further extends the time for the payment of this money 15 years. That is all that is intended to be accomplished by this bill.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. CRISP. I will not yield until I have made my statement. It is fair to state that all of the other creditors of Germany have reduced their claims for reparation against Germany on account and the cost of army of occupation in the same way that the United States is reducing its claim for reparations. Of course, the other nations have this in view: It enables them to collect hundreds of billions of marks of war reparations which Germany owes them, while the United States has no claim and makes no claim against Germany for anything except the cost of the army of occupation—and the army went there at the request of Germany—and the small amount of reparations that the United States has received for its nationals, its private citizens, who had claims against Germany in which the United States Government had no interest. This bill is intended to do just those two things, namely, to reduce the claim of the United States against Germany by $29,000,000 and to extend the time of payment 15 years.

The testimony was indefinite as to how these payments should be made, and, therefore, unsatisfactory. I think it is fair to say this to the House—because I always try to take the House into the fullest confidence in any matter that I present to it, and I did not know this when we had the hearing on this bill, but subsequently it developed that before the Young plan was finally agreed to there was a conference at the White House with President Hoover and that there were present the Speaker, Mr. TILSON, Mr. HAWLEY, and Mr. GARNER; also Senator WATSON, Senator SMOOT, Senator HARRISON, or Senator SIMMONS. The matter was considered, and before the Young plan finally was agreed to, these leaders of the two Houses and the President agreed to offer no objection to it, and the Young plan was approved and went into effect. That is the whole history of the matter, so far as it was brought out before the Ways and Means Committee. I now yield to the gentleman from New York.

Mr. WAINWRIGHT. I was just going to ask the gentleman—and he has practically answered my question—why this reduction is made now, when it comes out that this reduction of $29,000,000 is made by us in order that the Young plan may become effective.

Mr. CRISP. Mr. GARNER is in conference, and he insisted on my explaining the matter to the House. I have given the House all the information that I have on the subject.

Mr. WAINWRIGHT. That is the fact, is it not, that that was practically our contribution in order to make the Young plan effective.

Mr. CRISP. I have explained the whole thing and that is all I can do. What actuated them or what their motives or reasons were, of course, I can not say, but I have given you the facts.

Mr. DUNBAR. I would like to ask the gentleman from New York on what he bases his conclusion, and simply because it accords with the reduction made by other governments he is justified in saying that it was made so that we might indorse the Young plan.

Mr. WAINWRIGHT. No; I did not say that. I said there was a question whether the Young plan would become effective and whether it could be consummated, as I understand from the statements made here, and that we agreed to reduce the amount of Germany's obligation to us by $29,000,000, which was a definite obligation to pay the cost of the army of occupation.

Mr. CRISP. Ten per cent of $291,000,000 is $29,000,000.

Mr. WAINWRIGHT. Which appears to have been made in order that we might facilitate the Young plan going into effect.

Mr. DUNBAR. I do not think that had anything to do with it. I think it was because we did not want to demand any more from Germany than the other nations were demanding.

Mr. CRISP. Mr. Chairman, I reserve the remainder of my time.

Mr. HAWLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. MCFADDEN. Mr. Chairman, ladies and gentlemen of the committee, this is an important measure and one upon which the House should be fully informed. I think it is very evident from the answers that have been made to the interrogatories here to-day that the House is not being fully advised on this particular piece of legislation.

To my mind there is a serious possibility of involvement, by the passage of this legislation, of reparations and war debts through the acceptance of this 10 per cent reduction of the costs of Army occupation, which is a part of the Young plan, which reduction caused a rewriting of the schedules of the Young plan, and in order to have it enforced it must be accepted both under the Young plan and by the Congress.

Mr. CRISP. Will the gentleman yield?

Mr. MCFADDEN. Yes.

Mr. CRISP. I simply want to say to the gentleman that so far as I am concerned I was giving the House all the information I had. Of course, I had nothing to do with it and had no way of knowing what was going on in Europe. I had nothing to do with the collection of reparations, I had nothing to to do with the administration of the Government, and I simply informed the House fully as to all the pertinent matters that came out before the Ways and Means Committee.

Mr. MCFADDEN. I know the gentleman is correct in that. He is always frank with the House. There is a lack of definite information in connection with this particular matter, as I will attempt to show if I have sufficient time to explain the matter fully to the House.

On several occasions I have spoken in the House and out of the House on this particular subject. It is an important matter to the United States. The Coolidge administration was very careful to see to it that there was no involvement of reparations with war debts, and that is the question that is involved here. They did not dare to come here with a proposition directly asking for approval of the Young plan. They come here with a proposition to indirectly approve the Young plan, and that is what this question involves. There is grave danger in involving the war debt and reparations problems by the action which the House will be taking to-day.

Just how the Young plan is to work is set forth in a dispatch to the New York Times of May 19 by James, one of their leading international writers, from which the following is a quotation:

> Not only does the Young plan bring France, the greatest allied creditor, and the debtor, Germany, into better relations, but the plan, through the working of the international bank at Basel, promises important political results, not only for the European nations but for the United States as well.
>
> From now on it is a question of the European debt to America rather than the debts of the individual states which borrowed money from Washington.
>
> The Young plan coordinates the whole business. From to-day Germany pays to meet the obligations to America of the former Allies.
>
> As long as the Young plan works, the payments to America do not fall directly on the taxpayers of Britain, France, Italy, and the other debtors to America.
>
> The Young plan sets forth definitely the sums Germany must pay for 57 years to meet the annuities due to America. Two-thirds of what Germany pays goes to the United States in this manner while one-third goes to the allied creditors. Should America ever remit the claims on the former Allies, Germany will profit to the extent of two-thirds of any such remission. * * *
>
> The payments to America do not constitute any part of the burden on the British taxpayers this year, or any years so long as the Young plan works.

This is a definite statement of the position of Europe. Europe sees no difference between reparations payments and war debts. They think that the ratification we are asked to put through here to-day is an absolute mixing of these two things, and this is the fight that the United States has always had with Europe. The allied countries propose that Germany shall pay to the United States the debt that Germany owes to the Allies. It is a very clever scheme and they are about to put it across.

Mr. CROWTHER. Will the gentleman yield?

Mr. MCFADDEN. Yes.

Mr. CROWTHER. The gentleman must remember that these newspaper men are very clever fellows, too. Has the gentleman any more authentic information than a newspaper dispatch of this character?

Mr. MCFADDEN. I think the gentleman will be satisfied by the time I have finished with this matter.

Mr. CROWTHER. They are about the cleverest people in the world, as the gentleman knows.

Mr. MCFADDEN. I realize that.

Mr. CROWTHER. And one has to read between the lines to find out what is the honest subject matter in many of these dispatches.

Mr. MCFADDEN. I think there is grave danger of involvement of international reparations with war-debt settlements in this bill to-day.

Mr. PALMER. Will the gentleman yield?

Mr. MCFADDEN. Yes.

Mr. PALMER. Does the International Banking Association have anything to do with this?

Mr. MCFADDEN. The international bankers are involved in this situation, of course.

The concurrent memorandum signed by the European experts at the time the Young plan was signed refers to their payments to the United States as "outpayments," and names specific sums out of the annual German reparations which are required to cover these outpayments. It provides that in the event of modifications of those obligations for outpayments by which the creditors benefit, Germany shall benefit to the extent of two-thirds of the net relief, and as to the last 22 years the whole of such relief shall be applied to the reduction of Germany's liabilities.

There is a close connection between this concurrent memorandum and the Young plan itself. The Young plan fixed the amounts of the successive annuities for 37 years to correspond with the annual sums due by the allied states to the United States, and in these decisions the American members of the committee participated. They did not sign the concurrent memorandum, but it was their action as members of the Young committee that made the provisions of the concurrent memorandum possible.

What is the bearing upon this general situation of House bill 10480?

If passed as introduced, Congress will have authorized the Executive to "go along with the Young plan."

This will be construed in Europe as a definite acceptance of the Young plan, which itself was instituted by the European governments as "a final and definite settlement of the reparations problem."

The United States will have relinquished its absolute right to repayment by the allied states of the debts which they owe, a right which it now possesses and which the allied states admit. Instead it will have accepted a contingent obligation; for the Young plan and the concurrent memorandum make it plain that these payments are to come from Germany only. By approval and acceptance of the Young plan, the United States will be estopped from claiming that allied debts to the United States are absolute obligations.

This is why President Coolidge consistently held that "there is no connection between German reparations and allied debts to the United States."

The sale of a first slice of $90,000,000 worth of the Young plan reparation bonds is about to begin on Wall Street, and there is nothing to prevent a succession of similar offerings of the reparation bonds. The passage of H. R. 10480 unamended, being an indorsement of the Young plan, will be an indorsement of legitimacy of these bonds.

Plain sailing for the Young plan in the United States having thus been assured, we have this result:

First. The $11,000,000,000 debt of the allied states to the United States becomes only a contingent claim.

Second. The capital sum of German reparations is paid in cash to the Allies (with the money paid by American investors in Young plan bonds) and the hazard of nonpayment of annuities by Germany is borne by the American investors and not by the allied governments.

Now, suppose that American investors do not buy the Young plan bonds and that they cease to buy German securities.

Then Germany can not find the money to pay annuities on the commercialized bonds. It was with the money received in loans from America that Germany paid annuities under the Dawes plan.

If Germany does not pay annuities approximating the annual payments due by allied governments to America then the allied governments will refuse to pay those annual debts by means of taxation on their own people, saying that Germany should pay under the Young plan.

They will say that the cure is in the hands of the United States only; that if America requires the allied governments to keep up their annual payments, then Americans must continue to make adequate loans to Germany so that Germany can find the money to pay annuities covering allied annuities to the United States.

In a word, American money must go into Germany continually so that Germany can pay annuities covering the annuities that the allied states pay to the United States.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. MORTON D. HULL. The gentleman does not claim that this bill in any way cancels the agreement made with all the allied governments with reference to this matter?

Mr. McFADDEN. I say there is strong likelihood of this bill involving reparation payments with war debts, which is contrary to the earlier announced policy of the entire administration, and it is contrary to the announced policy of our State Department at the present time.

Mr. MORTON D. HULL. That does not answer my question. This does not dispose of or interfere with the agreements made with the allied countries with respect to their debts to the United States.

Mr. McFADDEN. I have just said it made a contingent liability rather than a direct liability that possibly exists; yes.

Mr. MORTON D. HULL. I do not get the connection.

Mr. McFADDEN. There is that possibility. Now, in connection with the effort which is about to be launched in this country to sell these reparation bonds, I desire to send to the Clerk's desk a letter which I addressed to the State Department, with a copy of their reply, and I will ask that the Clerk may read them in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

MAY 6, 1930.

Hon. HENRY L. STIMSON,
*Secretary of State, Washington, D. C.*

MY DEAR MR. SECRETARY: On several occasions during the past year I have spoken in and out of Congress on the subject of the proposed Bank for International Settlements and German reparation bonds, which are proposed to be issued and sold under the auspices of this bank through the provisions of the Young plan.

In this connection I have questioned not only the distribution and sale of these bonds in this country because of the possibility therein afforded of involving this Government in international affairs against the wishes of a majority of our people, but I have raised definitely the question of the legality of the issue of these bonds and have set forth in my speeches the basis of this belief.

I am now sending you herewith copies of these several speeches under dates of February 10 and 26, March 27, April 7 and 28, and May 2. Please consider these speeches together with other definite facts already officially in your possession pertaining to this matter, and advise me whether or not these particular reparation bonds, which are authorized under the Young plan, and of which $300,000,000 are about to be commercialized, issued, and sold in the major countries of the world including the United States, are legal and fit for the American investing public to purchase; whether through the carrying out of this plan there is not a possibility of involving this country in international debts and reparations by mixing debt settlements with reparation payments by the fact that the Bank for International Settlements are authorized to collect and disperse reparation payments and also to issue and sell these reparation bonds to our people; and also whether or not you will issue a public statement in regard to the sale of these reparation bonds in this country in accordance with the already established policy of your department in regard to the issue and sale of other foreign securities in this country.

Your prompt reply will be expected.

Respectfully yours,

L. T. McFADDEN.

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DEPARTMENT OF STATE,
*Washington, May 10, 1930.*

The Hon. LOUIS T. McFADDEN,
*House of Representatives.*

SIR: I transmit the following replies to the three questions asked in your letter of May 6, 1930:

Question 1: Whether or not these particular reparation bonds, which are authorized under the Young plan and of which $300,000,000 are about to be commercialized, issued, and sold in the major countries of the world, including the United States, are legal and fit for the American investing public to purchase.

Reply: The bonds to which you refer are those provided for in the agreements signed at The Hague conference January 20, 1930, and approved by German law of March 13, 1930 (Reichsgesetzblatt, pt. 2, No. 7, of March 19, 1930). It is understood that these agreements have not yet come into force, the ratification and other procedure prescribed therein not having been completed.

The department has not attempted to examine the questions of law which your question suggests are involved and does not expect to. The Department of State does not undertake to pass upon the legality or the soundness of contemplated issues of bonds. This is well understood. As stated by the Secretary of the Treasury in his report for 1926:

"It is the banker floating the loan in this country who must decide the question in the first instance, and it is the investor using his savings to acquire the security who must finally decide whether or not the risk is to be accepted."

It is customary for American bankers intending to float foreign loans to consult the Department of State before final action is taken by them. In failing to raise any objection the department does not pass upon the merits of the financing in any way or assume responsibility of any sort in connection therewith.

Question 2: Whether through the carrying out of this plan there is not a possibility of involving this country in international debts and reparations by mixing debt settlements with reparation payments by the fact that the Bank of International Settlements is authorized to collect and disperse reparation payments and also to issue and sell these reparation bonds to our people?

Reply: The question is not entirely clear, and in any event seems to call only for our opinion. It is not believed that the Government of the United States is likely to become involved in the manner you suggest or otherwise by operation of the Young plan or The Hague conference agreements of January 20, 1930, to none of which is the United States a party, and none of which engages the responsibility of the United States.

The debt settlements of the United States with other governments are evidenced by bonds of each debtor government held in the Treasury of the United States. A similar settlement with Germany has been submitted for the approval of the Congress.

Question 3: Whether or not the Department of State will issue a public statement in regard to the sale of these reparation bonds in this country in accordance with the already established policy of this department in regard to the issue and sale of other foreign securities in this country?

Reply: It is not the established policy of the Department of State to issue public statements in regard to the issue and sale of foreign securities in this country. Occasionally oral reply is made in the press

conference to inquiries regarding the department's attitude toward particular loans of apparent public interest.

The question of the issuance of a statement has not yet arisen for decision in the matter of the reparation bonds.

Very truly yours,

J. P. COTTON.

During the reading of the letters the time of Mr. MCFADDEN expired and he was yielded 15 minutes additional by Mr. CRISP.

Mr. MCFADDEN. Mr. Chairman, these letters need no further explanation by me; they are perfectly clear to you and they should be perfectly clear to the American people that the State Department is evasive on this important subject. They are involved in the international debt situation to the extent that they are not being frank with the American people. In view of the great uncertainty that exists, not only in this country but in England and throughout the world, the State Department should make a definite statement—$300,000,000 worth of these German reparation bonds are about to be commercialized and sold. Eighty or ninety million are to be sold in the United States by the international bankers, who are the official agents of leading governments, whose debts are being paid by and through money obtained from citizens of the United States. The State Department knows this and are in possession of all the facts. Why should they not speak frankly now? In two weeks these bonds will be offered to the American public.

Mr. Chairman, in the modern world the most powerful forces operating in the field of politics and economics are often the least obvious, and by preference those who direct these forces frequently choose means which will conceal the ultimate purpose and which will not arouse popular discussion or popular or political interference.

In the ancient states of Europe, monarchical and arbitrary in their tendencies, this is quite a matter of course. It manifests itself especially in their foreign relations, where combinations of power effected secretly by a few men or groups determine relationships of peace and war and financial and economic alliances, while they remain unknown to the people and to their representatives in parliament. The very objects of these secret combinations may remain entirely undisclosed until they become obvious in some fait accompli effecting far-reaching changes in international relations.

The history of Europe is the history of mutual aggressions, of never-ending perils from without the state, and this condition is no doubt the explanation of the fact that the populations of Europe in general are politically docile, yielding power of decision wholly to a ruling class, and depending upon the skill and adroitness of their political supermen to gain advantage for the state in foreign negotiation, to carry it into war when advantageous, and to obviate the danger of entrance into war that would be disastrous.

No such conditions have been present in the evolution of our country. The least of the problems which American statesmen have had to face was menace to the integrity of the State from foreign attack. The republican principle upon which the Government was founded called for common counsel in determining the relations of the State to foreign governments, lodged the power to declare war and to advise and consent to treaties in the Congress, and left to the decision of public opinion through congressional action the use of those powers which in Europe were exercised in camera by superstatesmen without the knowledge or consent of parliaments or peoples.

Mr. SLOAN. Will the gentleman yield?

Mr. MCFADDEN. I yield.

Mr. SLOAN. I would like to ask whether or not these involvements which the gentleman suggests are based on any overt statements or agreements made by any American authority, or are they based upon deductions from incidental acts?

Mr. MCFADDEN. I will say that the various conferences took place which I have referred to in my various speeches—the conference at Versailles, the conference at Paris, at the Spa, the conference in connection with the Young plan at The Hague, and conferences back and forth between the heads of the governments, and conferences of experts—I think all indicate and prove my contention.

Mr. SLOAN. There were negotiations, but has the gentleman any overt statement or agreement made that we could base our deductions on, or is it confined to circumstances and coincidences that the gentleman has so well stated?

Mr. MCFADDEN. I think both, but I have not now the time to go into the details.

This system of government has been practiced successfully here for a hundred years. The genius of the American people and the geographic position of the country make it possible, and the republicanism of our social institutions make it practicable and desirable. Popular determination of the foreign policy of the United States Government has vindicated itself always, and there is visible to-day in the war-torn world an almost pathetic dependence upon American public opinion for guidance abroad. Oppressed peoples in their struggles turn eagerly to American public opinion for support; and reactionary rulers, contemptuous of the populace at home, strive to present their measures in such a way that public opinion in the United States may not be tempted to utter its moral disapproval. There is no doubt that the United States to-day is the exponent of justice in international relations and that to its moral leadership the whole world pays homage.

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

Mr. MCFADDEN. Can I have some additional time?

Mr. CRISP. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 37 minutes.

Mr. CRISP. I will yield the gentleman 10 additional minutes.

Mr. MCFADDEN. Mr. Chairman, I ask unanimous consent to extend and revise my remarks, and in that I want to include some quotations from the Secretary, because I will not have an opportunity to read them.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MCFADDEN. Is it not in this example of successful self-government that the American people are making their greatest contribution to the good of the world? They conduct domestic government through common counsel, and they require of their statesmen that the relations of the United States to foreign states be discussed and determined in the open light of day, and that the moral implications of treaty relationships be publicly discussed. They have seen the dark and devious policies of ambitious and predatory governments drive their unsuspecting peoples into cruel and unprofitable wars, and they distrust among their own statesmen any leadership which shows a tendency to condone or imitate the methods of the European supermen.

Mr. Speaker, since the Great War in Europe—great enough to have affected our interests as no other European war has done—Old World political methods and Old World conceptions of the relations of a government to the people have become visible in the conduct of our foreign relations at Washington. This change in our traditional method has manifested itself in the Government's attitude toward questions growing out of the treaty of Versailles, and particularly the obscure question of German reparations. The Government professes to have no connection with German reparations and to know little about them; yet, in view of recent developments, somebody acting on behalf of the Government must have had much to do with them and to have taken steps which make the reparation question one of more than academic interest to the people of the United States.

The report of the Secretary of the Treasury regarding the proposed agreement and exchange of notes with Germany, which this House is now considering, undertakes to inform the Congress of developments of relations with Germany since the armistice convention of November 11, 1918, and the separate treaty of peace of August 25, 1921. It refers to the London ultimatum of May 2, 1921, fixing a liability of $33,000,000,000 upon Germany, and to the Dawes plan of 1924, providing for the payment of annuities for an indeterminate period, and indicates that the United States was not a party to these settlements. But the United States became a party to the Paris agreement of January 24, 1925, allocating the Dawes plan annuities, and a recipient of a part of the reparations.

Inasmuch as the Dawes plan did not fix the number of annuities Germany was to pay, the principal interested governments, not including the United States, agreed in 1928 to set up a committee of independent financial experts to draw up proposals for the complete and final settlement of the reparations problem. The report of this committee, known as the Young plan, requires a reduction of 10 per cent in army cost accounts.

It is to reduce the claims of the United States by 10 per cent that the Secretary of the Treasury asks this legislation of Congress. Incidentally opportunity is here taken to extricate the Government from its rôle under the Dawes plan as a co-collector of German reparations. Under the proposed agreement with Germany the United States will cease to participate in the general agreements which impose the payment of reparations by Germany. Thus, technically, the United States ceases to be a party to the general reparations settlement.

As the concessions asked are small, and there is no justification for refusal, the Secretary of the Treasury recommends the passage of this legislation, and in this the President concurs.

Mr. Chairman, this information would indicate that the passage of this bill means no more than a bilateral agreement with Germany for the payment of army costs and mixed claims by annual installments. There is nothing in the Secretary of the Treasury's report to indicate that there are any far-reaching implications in it. He indicates that we do not avail ourselves of the machinery provided for by the Young plan and the Bank of International Settlements, yet he concludes his report with the statement that the execution of the agreement with Germany will be conditional on the coming into operation of the Young plan, and the Undersecretary of the Treasury has advised the Congress, in support of this bill, that we "should go along with the Young plan."

I quote now from the report of the Secretary of the Treasury:

> The United States has at all times maintained a detached position with respect to the European reparation question, and the claims of the United States against Germany, except definite accounts like Army costs, have been determined independently by an international judicial commission on which Germany was equally represented.
>
> The United States has not participated in the determination either of the total reparations payable by Germany under the treaty of Versailles ($33,000,000,000) or of the percentages of distribution fixed by the principal creditor powers in 1920.
>
> Both the Secretary of State and I have felt that the position steadfastly adhered to by our Government was a sound one, and that there was no justification at this late date for involving our country in the responsibilities of collecting and distributing reparation payments which adoption of the Young plan would necessitate. Very obviously we could not avail ourselves of the machinery provided for by the Young plan and at the same time refuse to accept any of the responsibilities.

Mr. Chairman, I said a moment ago that Old World political methods and Old World conceptions of the relations of a government to the people have become visible since the war in the conduct of our foreign relations at Washington. They reveal themselves in the statements which I have just quoted.

It is quite apparent that the United States did not maintain a detached position with respect to the European reparations question when it became a party to the Paris agreement of January, 1925. Why should the Secretary of the Treasury so state when under that agreement we participated directly in the division of the reparations collected by the allied governments? And why, if it were right for the United States to participate in the reparation annuities in 1925, should it be necessary now, under this agreement, for the United States to divest itself of those rights?

We find by reference to the records that the United States did not maintain a detached position at the time of the London ultimatum in 1921, when Germany was compelled by menaces to accept a liability of $33,000,000,000, but that, on the contrary, the Secretary of State, Mr. Hughes, intervened diplomatically and threw all the prestige of his Government to the support of the allied demands. Without this powerful pressure the German signature could not have been secured.

Mr. DUNBAR. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. DUNBAR. The gentleman says that the Undersecretary of the Treasury is opposed to mixing war-reparation debts with the Young plan.

Mr. McFADDEN. With war debts—the debts that Germany owes the Allies.

Mr. DUNBAR. Does he make any special reference to debts that Germany owes us?

Mr. McFADDEN. The occupation of the Ruhr—I do not know that he made special reference to that.

It was the suggestion of Secretary Hughes in his New Haven address that encouraged the international bankers of New York to enter into independent negotiations with the European governments for the purpose of becoming agents of the allied governments in collecting from Germany the maximum sums within her capacity to pay, and out of which negotiations the Dawes plan was evolved. The State Department thereupon yielded up its function of negotiation to these bankers, and thereafter, together with the Treasury Department, gave its unofficial support to the negotiations of the bankers. Parallel with this development the Secretary of the Treasury progressively loosened the ties which hold the Federal reserve system to Government policy yielding up to the private bankers the power to deflect the flow of credit into foreign channels. Mr. Hughes and Mr. Mellon were both present in London at the most critical stage of the Dawes plan negotiations, and it was undoubtedly the rôle which they played there which resulted in putting the Dawes plan into operation.

Why, then, should the Secretary of the Treasury now declare to the Congress that "the United States has at all times maintained a detached position with respect to the European reparation question," and that the United States "has not participated in the determination either of the total reparations payable by Germany or of the percentages of distribution"?

Is the Congress of the United States an inferior parliamentary body, like some of those in Europe, to be told only so much of the conduct of foreign affairs as the foreign offices choose, or even to be cajoled with representation of facts that would not bear the light of analysis?

In connection with that statement I again call the attention of the House to the statement of the gentleman from Georgia [Mr. CRISP], who was a member of the debt settlement committee, who to-day admits on the floor of this House his lack of knowledge as regards this particular bill.

Why is it that the State Department and the Treasury Department have so little information about German reparations to impart to the Congress and to the people, and why has the Secretary of the Treasury in his report stated facts that are not true?

In view of the grave discrepancy between the facts which the State and Treasury Departments would have us accept and the facts which are known, the conclusion can not be escaped that these departments have deliberately deceived the Congress and the people.

Among the financial advisers of President Wilson in the peace conference were Thomas W. Lamont and Norman Davis, of the firm of J. P. Morgan & Co. Their efforts were directed to the imposition upon Germany of an indemnity approximating $33,000,000,000, which was in flagrant violation of the Wilson peace agreement with Germany. The provision in Annex II of the treaty, providing for commercialization of the reparation bonds, met with their approval.

Since 1921 the international bankers have been fortunate in having in the offices of Secretary of State and of the Treasury men who have been in whole-hearted accord with the financial settlements of the treaty of Versailles. They have been largely instrumental in bringing about the present situation.

Mr. Chairman, it is time to consider what the commercialization of German reparation bonds means.

The war in Europe impoverished the rich European States. Besides the general destruction of property and stocks of goods, it denuded Europe of its money and the stored-up wealth represented by securities. As a result of the war nearly all of Europe's money and its valuable securities were shipped to America and elsewhere to pay Europe's debts. The total in gold, and in securities convertible into gold, shipped in this way out of Europe was probably thirty or forty billion dollars.

If the Continent was to be restored to its privileged position at an early date after the war, this monetary wealth must be repatriated at once. And to get it back Europe must have something to sell for it to purchasers outside of Europe.

By the treaty of Versailles such an asset was created by imposing upon Germany the obligation to pay reparations which were fixed by the Reparations Commission at the sum of $33,000,000,000. As provided in the treaty, bonds covering the total indemnity were to be sold to private investors, the proceeds to go into allied treasuries, while the private holders of the commercialized bonds would look to Germany for payment. This was the method by which the financial liquidation of the war was to be effected.

As there was no market for gold bonds in Europe it was upon securities markets elsewhere that these bonds were to be placed. Inasmuch as the postwar United States was incomparably the largest securities market of the world this device in the treaty of Versailles, providing for commercialization of the reparation bonds, ought thereafter have become a matter for the closest scrutiny by the Government of the United States. It was not to the interest of the United States that its significance be kept secret. Publicity upon this issue was a matter of public right.

Since 1921 there has been unfavorable publicity. The history of German reparations, and of European diplomacy for 10 years, is the history of the effort to sell these reparation bonds in the United States.

The total of the bonds which could have been commercialized here under the London ultimatum of 1921 was $12,000,000,000; under the Dawes plan of 1924, $5,000,000,000; and now under the Young plan, $3,250,000,000.

Repeated attempts were made to induce President Coolidge to permit the Dawes plan bonds to be sold on Wall Street, but President Coolidge had no sympathy with the scheme and these attempts failed.

But the Young plan now meets with the approval of our Government and we are asked by the passage of this legislation to authorize the Government to go along with the Young plan and the Bank of International Settlements. The State Depart-

ment has indicated that it has no objection to the sale of the Young plan bonds here, and the international bankers have announced that the bonds will be offered on the investment markets here in June.

Mr. Chairman, the holders of these bonds will become heirs to one of the most dubious claims in history. If the negotiations which brought about the armistice constituted a preliminary treaty of peace, then the treaty of Versailles is illegitimate, because the terms of the preliminary treaty were subsequently repudiated and a different settlement imposed by force and duress. There is little doubt that this is true, and when we bear in mind that the bonds of the colossal indemnity were to be commercialized and sold outside of Europe we do not have to go far to find a motive for varying the armistice terms.

The device of commercialization is a transparent fraud upon the American investing public. Germany to-day, owing reparations to the allied governments, dare not, under the menace of allied bayonets, publicly assert the illegitimacy of the reparations debt. But when the Allies have been paid through the operation of the Young plan in America, and the menace of their bayonets is removed, Germany will assert it against the private holders of the commercialized bonds. I again quote the Secretary of the Treasury:

> Both the Secretary of State and I have felt that the position steadfastly adhered to by our Government was a sound one, and that there was no justification at this late date for involving our country in the responsibilities of collecting and distributing reparation payments which adoption of the Young plan would necessitate.

What does the Secretary of the Treasury mean by this? The legislation which he now asks will carry approval of the Young plan, and he is willing to permit the sale of the Young plan bonds in the United States. When the bonds are sold here, who but the United States Government will have the responsibility of protecting these bondholders? These American citizens will have succeeded the allied governments as reparations creditors of Germany.

Mr. Chairman, the State and Treasury Departments have been conniving with European governments and with international bankers who have been at once agents of both parties.

Since 1921 our Government has revealed a dual personality. The official Government has proclaimed the purity of governmental motives. It has repeated assurances that the Government has taken no part in the imposition of reparations upon Germany or in their collection. Its voice, trusted by Congress and the people, has lulled them into a sense of rectitude and allayed suspicions that all was not right in connection with German reparations.

The other personality, the unofficial Government, has held itself above and free from the obligation of good faith and answerability to the public. It has negotiated secretly; it has followed subtle and dubious courses; it has utilized intrigue and indirections; and its efforts have culminated in the request for the enactment of this innocent-appearing bill which will put the Young plan into operation in the United States. This is the first time in our history that rulers of the state have undertaken to move the populace like pawns according to the time-honored formula of European ministries. [Applause.]

Mr. CRISP. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, an agreement having been reached between the United States and Germany for the settlement of the indebtedness of the German Reich to the United States, on account of the awards of the Mixed Claims Commission and the costs of the United States army of occupation, I shall vote for the pending bill, H. R. 10480, which authorizes and approves such settlement. I consider this adjustment fair to Germany and not unfair to the United States.

Germany is paying us in full all she owes on account of awards made in our favor by the Mixed Claims Commission, which is approximately $290,000,000. Germany under the pending bill will also pay the United States $292,000,000, costs of our army of occupation, less 10 per cent, or $29,000,000, which is the same discount the other nations allowed Germany on the cost of their armies of occupation. Moreover, this settlement enables us to deal directly with Germany and takes the payment of this claim out from under the jurisdiction and control of those who administer the so-called Young plan for the collection of reparations. This avoids an entanglement that might involve us in serious controversy with European nations at some future time.

My colleagues know that I vigorously opposed all the bills for the refunding of the war debts due us from the other European nations, because those measures sacrificed and, in effect, canceled approximately one-half of what those nations owed the American people. The worst of those settlements was the one we made with Italy in which we canceled three-fourths of what was due us. The French settlement was almost as scandalous, as in that transaction we canceled one-half of what France owed us.

These foreign war-debt settlements were railroaded through Congress by the Coolidge and Hoover administrations. They were grossly unfair to the American people, because they lifted a burden of four or five billion dollars off of the shoulders of the people of Europe and placed that load squarely on the backs of the American people. The so-called debt refunding or debt settlement bills were in truth and fact debt cancellation measures.

Although we were at war with Germany, she has acted more decently and dealt more fairly with us than our former allies. Germany has shown a disposition to be fair and to discharge her treaty obligations. Of course, the pending bill makes substantial concessions to Germany, and the present worth of the refunding bonds we will get from Germany under this settlement is less than what Germany owes us. I think we are justified in making these reductions. In view of the petty spirit some of our allies have shown, and considering the large cancellations we have made of their indebtedness to us, the concessions we are making to Germany in this settlement are amply justified. I very much regret that the matter has gone so far that we can not recall some of the concessions we have made to the other European nations and transfer a little more of our bounty to Germany.

I take this occasion to call to the attention of Congress and our country the militaristic attitude of France since the conclusion of the World War. Last December newspapers in the United States carried the following news item:

> FRANCE TO FORTIFY RHINE—FORTY MILLION DOLLARS TO BE SPENT IN ALSACE-LORRAINE IN 1930
>
> (By the Associated Press)
>
> PARIS, December 27.—France will spend 1,000,000,000 francs, or about $40,000,000, in 1930 to fortify the frontier along the Rhine in Alsace-Lorraine. A bill for that purpose was passed to-night as the 1929 session of Parliament was drawing to a close. The engineering section of the army will have three-quarters of the appropriation. It earlier had been agreed that 3,000,000,000 francs would be spent on the frontiers between 1930 and 1934.

This means that France, notwithstanding her plea of poverty, instead of making a sincere effort to discharge her war indebtedness to the United States, proposes to expend in 1930 $40,000,000 to fortify the frontier between France and Germany. Since the conclusion of the World War, France has never ceased to proclaim her inability to pay her war debts to the United States. French statesmen have loudly and continuously asserted that France is bankrupt and unable to repay the money she borrowed from the United States when the German Army was on her soil threatening her national existence.

But during all these years France has managed to find plenty of money for military purposes. Each year she has expended enormous sums to maintain her army and navy. She has the largest, best-trained, and most efficiently organized standing army in the world. This immense military establishment has been maintained continuously since the armistice. She has spent hundreds of millions of dollars on her army and navy, instead of paying these immense sums on her honest debts to the United States.

In the last 10 years France spent about $700,000,000 for education, while for the same period her expenditures for military and naval purposes aggregated 59,000,000,000 francs, which at the stabilized value of the franc as fixed by the act of June 24, 1926 ($0.0392), would be approximately $2,000,000,000. If it had been applied on her war debt to the United States it would have greatly reduced that obligation. Now that France has seduced the United States into canceling more than half of what she owes us, she comes out in the open and announces that she still intends to carry on her military and naval program. Forty million dollars, that in all fairness should have been paid on her war debt to the United States, she now purposes to use in building fortresses along the Rhine frontier, bristling with guns pointing toward Germany.

In 1929 France spent 3,000,000,000 francs, or approximately $118,000,000, on her schools. During the same year she spent 8,000,000,000 francs, or $313,000,000, on her army and navy. This amazing policy justifies the conclusion that France considers it more important to train her soldiers than to educate her children.

By the treaty of Versailles, which ended the World War, Germany was compelled to disarm, pull down her fortresses, junk her armament and munition factories, and was permitted to maintain an army of 100,000 men. Germany, having been defeated in the World War, by stress of necessity was compelled

to accept these ignominious terms dictated by triumphant, arrogant, and overbearing France. As Saul of Tarsus stood by consenting and holding the outer garments of those who stoned Stephen, the first martyr to the Christian faith, so the United States and other allies of France stood by and allowed Germany to be "hog tied," despoiled of her territory and rich mineral resources, and reduced to a position of military impotence.

France led the other nations to believe that she was tired of war, desired peace, and that her motives for disarming Germany were to promote world peace, so it would be no longer necessary for France and other nations to maintain large standing armies. But after ravaging and disarming Germany, France adopted a haughty, blustering, and imperious attitude, and refused to disband her own standing army, invaded the Ruhr and the Saar Basin, and insolently announced to the world that she had determined to hold steadfastly to her militaristic traditions.

For 12 years France has made no effort to conceal her purpose to become the dominant military power of the world. In parliamentary debate, in state papers, in the press, on the platform, and in the pulpit, men who dominate the French Republic have in unequivocal language announced that the irrevocable policy of France is to retard and, if possible, prevent the economic, industrial, and political rehabilitation of Germany, even if that program imposes on the French people an unbearable burden of taxation. In other words, France is determined by fair means, if possible, and by foul means, if necessary, to cripple Germany and destroy her power and influence among the nations of the earth.

According to statistics compiled by the United States War Department, as of October 1, 1929, France maintains a regular standing army of 643,675 men, in addition to a reserve force of 5,442,318 men, which brings her total organized military forces to over 6,000,000 men. It may be of interest to add that the active forces, that is the standing armies of the world, now aggregate more than 6,000,000 men, with organized reserve forces numbering over 28,000,000 men. In this enlightened age, there is no justification or excuse for maintaining these immense military establishments that burden the people and ceaselessly suck the economic life of the nations. The French standing army, is not only a menace to an independent and self-respecting Germany, but it is a constant threat against the peace of the world.

The people of the United States can not look with indifference and complacency on the domineering, insolent, and imperious military program of France. The expenditure this year by France of $40,000,000, to fortify the frontier along the Rhine in Alsace-Lorraine, is but the beginning of a comprehensive and far-reaching military program to overawe and humiliate the German Republic, as the French plans call for the expenditure of 3,000,000,000 francs, or approximately $118,000,000 for the construction of fortresses along the frontier between France and Germany. These enormous expenditures do not indicate that France is weary of war, or desires to travel the path of peace.

I vigorously opposed the refunding of the French war debt to the United States, because it canceled $2,000,000,000 or one-half of that indebtedness. The administration railroaded the settlement through Congress against the wishes and judgment of a great majority of the American people. The settlement was obviously unfair to us, because it took $2,000,000,000 of war debts off the shoulders of the French people and saddled them on the shoulders of the American people; and this was done because the administration claimed that France was impoverished and unable to pay more than one-half of her indebtedness to the United States. Obviously France should not embark on any extensive or expensive militaristic program until she has paid her just obligations to the American people.

As further evidence of the militaristic program of France, I remind you that, in the recent London conference, the belligerent attitude of France and Italy prevented a 5-party agreement, which would have resulted in a substantial limitation of the naval armament of the five greatest naval powers, and would have saved the American taxpayers not only millions but billions of dollars. In the Washington conference France refused to join the United States, Great Britain, and Japan in limiting naval armaments. France is also building battleships, submarines, and airplanes to strengthen her military and naval position.

The World War is over, and I pray a benign Providence may forever protect the human race from another such scourge. Now that peace is come we should forget the hatreds and animosities that precipitated the greatest conflict of the ages. The nations that participated in that calamitous struggle should live at peace and on friendly terms with each other. There is no reason why France should seek to overawe Germany, retard her rehabilitation, or deny the German people a place in the sun and the high destiny which a divine Providence has undoubtedly intended for her. The United States should not look with tolerance on the militaristic or saber-rattling program of France toward Germany and other nations. I do not mean that we should go to war to prevent France from nagging Germany and building fortresses along the German frontier, but we should, in no uncertain manner, let the world in general and the French people in particular know that their haughty and vainglorious military program is not approved by an overwhelming majority of the right-thinking and right-acting American people. [Applause.]

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

Mr. HAWLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. DUNBAR].

The CHAIRMAN. The gentleman from Indiana is recognized for 10 minutes.

Mr. DUNBAR. Mr. Chairman and members of the committee, there is no Member of this organization for whom I have more respect and whose opinion I value more highly than the gentleman from Pennsylvania [Mr. MCFADDEN]. I listened with interest to his argument against the settlement proposed with Germany, but I could not agree with the conclusion he arrived at. I am rather afraid that the Congressman from Pennsylvania has had at heart some previous agreements and some previous contracts with foreign governments which have resulted in no more than a scrap of paper—that is, comparatively speaking—and I think there has been embedded in his mind an apprehension or fear that if our settlement with Germany is agreed to by the House, in some mysterious way or through intrigue or by contriving, it may be mixed up with the Young plan. But I do not see how such a thing is possible.

Now, in the report of the committee, which I presume is unanimous, and in the statement of the gentleman from Oregon [Mr. HAWLEY], which the gentleman from Georgia [Mr. CRISP] says he has not studied very much, I think there is some reliable authenticity for these statements, which I am about to read. The report says:

> There seemed to be no justification at this late date for involving the United States in responsibility for collecting, mobilizing, and distributing reparation payments, which the adoption of the Young plan and participation in the organization and management of the Bank for International Settlements would necessitate.

And then it goes on to say that this treaty is the result of negotiations conducted with the approval of the President by the State and Treasury Departments. Negotiated with whom? None with any of the members of the Young plan organization, none associated with the settlement of foreign debts in accordance with the Young plan. Whom did they negotiate with? They negotiated with Germany direct, and as I understand it the Young plan has no place in these negotiations which we have made and which to-day we propose to ratify. This settlement is the result of negotiations between the President of the United States, the Secretary of the Treasury, and the State Department, and the Government of Germany, and in which the Young plan had no part to play.

Now, the gentleman from Pennsylvania says that the State Department is very evasive. I suppose the State Department on a great many matters is evasive. It has been part of our policy and diplomacy heretofore to be evasive, especially on the point of not telling anything more than is necessary. But I do not believe from any evidence which the gentleman from Pennsylvania has presented that there is any cause for alarm or fear that we are to be associated or connected with the Young plan if this bill becomes a law.

Now, I am in favor of this bill.

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

Mr. DUNBAR. Gladly.

Mr. CRISP. I simply want to say that neither do I believe the passage of this bill in any way invalidates our different debt settlements with the Allies, for if I believed it I would be very much against the adoption of this bill and would exhaust all possible methods to defeat it. But I do not believe that it in any way invalidates our different settlements with the Allies that have been approved by Congress.

Mr. DUNBAR. I do not see that it would be possible in any way to involve us in our debt settlements that have been made with foreign governments.

Mr. MCFADDEN. Mr. Chairman, will the gentleman yield there?

Mr. DUNBAR. Yes.

Mr. MCFADDEN. I know that the gentleman does not want us to be involved.

Mr. DUNBAR. No; I do not.

Mr. McFADDEN. And I am sure he will favor the amendment which I shall offer when the bill is read for amendment, to the effect that it is expressly understood that in this settlement there shall be no agreement with the allied nations with reference to the allied debts. Is the gentleman in favor of that?

Mr. DUNBAR. I shall vote for it gladly.

I believe in this settlement because I believe that, aside from the settlement with Great Britain, it is the best settlement we have made with any foreign government, and I believe Germany will pay more on the amount she owes us than any other government except Great Britain.

Now, there is this particular feature that applies to this settlement which does not apply to the other debt settlements: The settlement with France, in which my friend from New York [Mr. WAINWRIGHT] is much interested, compares unfavorably with the settlement made with Germany. In this particular case as to Germany the interest has been included in advance. The interest has been added to the principal, and the obligation which Germany gives us includes not only the principal but the interest, so that we shall obtain from Germany every dollar she owes us, plus more than 3 per cent interest.

Now, some of the settlements with other countries—and I believe that is the reason why the gentleman from Pennsylvania is so exercised about this—are not so favorable. We have made settlements wherein it was agreed that we should receive 3 per cent or 3½ per cent interest. Outside of Great Britain, there is none on which we may hopefully receive both principal of their debt plus 3 per cent or 3½ per cent interest. Take the case of Rumania, for instance; and it is likewise true as to many other governments, though not on so large a scale.

Rumania agrees to pay 3 per cent for a period of years and 3½ per cent later. Rumania owed us at the time we made the settlement in 1926 $45,000,000, but because deferred interest payment is permitted in 1940, she will owe us $51,000,000 or $6,000,000 more than she owed us when the treaty was made.

Now, we are supposed to be receiving money from the settlement of our obligations with foreign countries, and yet it is a fact that last year we received from all of the countries, in principal and interest, but $199,000,000. Of this amount Great Britain paid $161,000,000, leaving the amount of payments from all other nations but $38,000,000, and of that Germany paid us $13,000,000 on account of her interest, leaving but $25,000,000 total received from all of our other creditors all over the world; not enough to pay us any interest, practically, and yet much of it is devoted to the payment of principal on a debt which is owed to us.

I just want to say in conclusion that I am in favor of this bill, and will vote for the amendment which will be offered by the gentleman from Pennsylvania [Mr. McFADDEN].

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

Mr. CRISP. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH], who at one time was secretary of the American World War Debt Funding Commission.

Mr. WIGGLESWORTH. Mr. Chairman and members of the committee, I have no intention of speaking at length to-day, but as our able and respected friend the gentleman from Georgia [Mr. CRISP] has pointed out, I have a personal interest in this subject both by reason of my association in the past with the World War Foreign Debt Commission and as a result of experience overseas where for a period of about four years I was privileged to serve as assistant to the agent general for reparation payments and as counsel for the organizations created under the Dawes plan. If I can be of any help to the members of the committee, in answering questions or in any other way, I am happy to be of service.

I feel obliged to say at the outset that I have listened with attention to-day to the remarks of the distinguished chairman of the Committee on Banking and Currency, that I have read with care views which have been attributed to him recently in other addresses and public statements, and that I regret to say I have been unable either to follow his reasoning or to understand his conclusions. With all deference, it seems to me that our distinguished colleague is apprehensive of results for which there is no foundation.

The gentleman from Pennsylvania [Mr. McFADDEN] has referred from time to time to the Bank for International Settlements. He has suggested various dangers which he foresees as possible in connection with that institution. I confess I am unable to share in the fears expressed. It seems to me that they overlook entirely the limitations embodied specifically in the statutes of the bank themselves, as well as the control enjoyed by the governments and central banks of the world which are concerned.

The gentleman has also referred to the reparation bonds which may be floated from time to time. He is said to have gone so far as to suggest that they might be held void in law on the theory, as I understand it, that the Dawes plan and the Young plan were both executed under duress. It is difficult for me to believe that this suggestion upon the basis suggested is fairly attributable to the chairman of the Committee on Banking and Currency. The bonds if issued will be issued pursuant to the solemn agreement of the duly authorized representatives of the German Government, duly ratified by the German Parliament, and duly approved by the President of the German Republic. Presumably they will also be passed upon by competent counsel when issued.

The principal point which the gentleman from Pennsylvania [Mr. McFADDEN] makes to-day in opposition to the agreement before us is that if it be ratified it may in some way serve to make the payment of indebtedness to the United States by our former allies subject to the payment of reparations by Germany to those allies. I am unable to follow him. As a practical matter, we hold the direct and unconditional obligations of each and every one of the debtor nations with whom we have concluded debt-funding agreements. As a practical matter, in obtaining those obligations we have made it absolutely clear in each instance that their discharge would be expected without regard to the amount of reparations collected. As a practical matter, the agreement before us simply provides for a further direct and unconditional obligation from a debtor nation, in this instance Germany, entirely distinct from reparation obligations. It seems to me wholly immaterial where or how our debtor nations elect to obtain the funds with which they, in turn, satisfy their obligations to us.

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

Mr. HAWLEY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. WIGGLESWORTH. I think if anyone will read the Young plan carefully he will satisfy himself that throughout the plan the experts have taken the utmost care to divorce the question of reparation payments from that of interallied debts. The United States Government has been equally careful from the outset to keep these two problems entirely separate.

I believe that this agreement should be approved. I believe it represents an equitable settlement. The sacrifice which we are asked to make is similar to that asked of France and Great Britain in the same connection. By approving the agreement we merely indicate that we are ready to accept terms which are consistent with the total annuity payable by Germany under the Young plan, the plan which has just been put into effect by the principal nations of the world as a definite solution of the reparation problem, a problem which, as the members of the committee know, for the past 10 years has defied solution and jeopardized the cause of world reconstruction and peace.

Mr. ABERNETHY. Will the gentleman yield?

Mr. WIGGLESWORTH. Gladly.

Mr. ABERNETHY. Is it not a fact that this country will be called upon to raise most of the money for these reparation bonds? Is that not the great trouble we are up against at this particular time, that they expect to do most of the financing in the United States, and are we able at this time to finance all of these reparation bonds? I would like to have the gentleman explain that, if he can.

Mr. WIGGLESWORTH. I will answer the gentleman from North Carolina [Mr. ABERNETHY] in this way: That portion of the annuity which Germany is called upon to pay, which it is contemplated shall be "commercialized," is the so-called unconditional portion of the annuity amounting to something like $150,000,000. That sum would be adequate to meet interest and sinking-fund payments in respect to bonds aggregating in principal amount something like two and one-half billions of dollars issued over a period of 37 years. American citizens will, no doubt, have an opportunity to subscribe to a part of such issues as may from time to time be offered on the markets of the world. The first issue, which is to be offered in the near future, will probably amount to about $300,000,000, the share available to Americans amounting to something like $75,000,000.

Mr. ABERNETHY. As I understand, that is what has been apportioned to this country, so that we must finance at least $75,000,000 worth of these bonds in order to make the scheme a success—is that right?

Mr. WIGGLESWORTH. I believe that $75,000,000 is the amount available here, the balance of the issue being in demand abroad. If the bonds are not disposed of it simply means that certain creditor nations will be forced to content themselves with the sums required for the service of the bonds in

place of the proceeds of their sale. It has no other direct effect on the operation of the Young plan.

Mr. ABERNETHY. We have made all of these debt settlements and we have been very liberal with all of these foreign nations. Does it occur to the gentleman that we should not add this burden on our people at this time in order to carry this forward? That is the way it strikes me.

Mr. WIGGLESWORTH. I will say to the gentleman in that connection that if he or I or anyone else buys any of these bonds it appears to me to raise primarily a personal question. There is no obligation in the matter. If we buy, we do so presumably because we think the bonds are an attractive investment.

Mr. ABERNETHY. I understand we are giving away in this bill something like $29,000,000. Is that correct? That is the information I have received from a member of the Ways and Means Committee.

Mr. WIGGLESWORTH. We are reducing our total claim on account of Army costs from about $292,000,000 to about $263,000,000, or our total claim on account of mixed claims and Army costs from about $583,000,000 to about $554,000,000, a reduction of about $29,000,000.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. HAWLEY. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I have asked for these two minutes simply for the purpose of calling the attention of the House to a speech made in San Francisco on March 24 and appearing in the RECORD of April 25, 1930. This speech was made by Owen D. Young, the man who has been so often referred to here to-day. I want to invite your attention not only to this speech but to other speeches he has made and speeches he will make in which he ridicules politics and tells us that economics will always win in the end. He is winning to-day, and to-day we agree with him in this settlement. We agree that economics in the end must win in such matters; but we should watch his speeches when he ridicules politics, which may include the Congress of the United States, as we try to protect the people of the United States against his views of economics as to the tariff, radio, power, and other important matters. His views on the economics, if such subjects need the most careful attention of the representatives of the people, although we may be classed as politicians only. I again call the attention of the Members of this House to that San Francisco speech, as it is valuable to this discussion of the matter before us to-day.

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

Mr. CRISP. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, since there will probably be no roll call on this measure, I am taking advantage of this opportunity to express my disapproval of it. My opposition is not inspired by any disrespect for or antagonism toward Germany or the German people. I have voted against all the debt settlements made with the allied nations, and I am going to vote against this one. I was opposed to giving the Allies five, six, or eight billion dollars, and I am opposed to giving this $29,000,000 to Germany, especially at this time, when we have so many thousands of ex-service men who are dying for the want of attention, and who are denied compensation under the present law.

Permit we to say in that connection, with reference to this talk of adjournment, that I for one shall oppose any resolution for the adjournment of this Congress until the bill which we passed some time ago for the relief of these uncompensated disabled veterans of the World War is reported out of the Senate committee and voted on by that body, and if passed given an opportunity to go to the White House and back. I shall not even vote for the adjournment of Congress while that measure is reclining on the doorsteps of the President, because I am not willing to leave it exposed to the possibility of a pigeonhole veto, such as was the fate of the Muscle Shoals bill a few years ago.

In my opinion, this measure should not pass. I think I can see behind it the same groups which I think prompted the other debt settlements, for the purpose of strengthening the securities of the money powers of this country which had loans in foreign countries. My honest opinion is that if it had not been for the influence of the great financial powers of this country, which had loans in foreign countries and which they desired to strengthen even at our Government's expense, you would never have passed those debt-funding measures. In my humble judgment the same influence is more or less behind this bill, and I for one shall register my vote against it if I have the opportunity, and for fear I may be denied that opportunity I have taken this moment of time to express my disapproval of it and to say that I for one shall not only oppose this measure but any other measure that takes money out of the Federal Treasury and gives it to a foreign government so long as our ex-service men are dying for the want of attention and are denied compensation at the hands of their Government. [Applause.]

Mr. HAWLEY. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Mr. Chairman and members of the committee, at the conclusion of the general debate upon this measure, perhaps it may be well to recapitulate just what we do by this proposed legislation.

We are settling our accounts with Germany. These accounts come under two heads: Cost of the army of occupation and mixed claims against Germany in favor of the United States and its nationals.

The total cost of the army of occupation is estimated at $292,663,435.79. Against this we have received in credits from Germany $44,797,790.30, making a balance due us of $247,865,645.49, and further credits in the way of payments received from Germany since 1923 of $53,928,880.29, making the net balance due on account of army costs as of September 1, 1929, of $193,936,765.20.

The mixed claims so far allowed and likely to be allowed against Germany in favor of the United States and its nationals as of September 1, 1929, amount to $290,637,878.12, upon which we have received from Germany cash and credits of $33,981,164.73, making a net balance as of September 1, 1929, of $256,656,713.39.

It is to be noted that both of the original amounts for army costs and for mixed claims are practically the same, about $292,000,000 in the first instance and $290,000,000 in the second.

The second feature of this proposed legislation is the discount of 10 per cent allowed Germany upon the cost of the army of occupation, amounting to approximately $29,000,000, which is 10 per cent upon the cost of the army of occupation and 5 per cent upon the total of the entire settlement.

We are making this discount in order to conform with the action of other governments, which have made a like discount in order to make possible the final settlement by the governments of the world with Germany under which it has become possible for Germany to discharge its obligations, growing out of the World War.

The gentleman from Pennsylvania [Mr. MCFADDEN] has given notice that he proposes to offer an amendment to the effect that it is expressly understood that in this agreement there shall be no connection between German reparation payments and allied debts owing to the United States. The gentleman asked one of his colleagues whether, since both he and the gentleman from Indiana [Mr. DUNBAR], who was then speaking, agreed that this bill does not touch reparations payments or allied debts, the gentleman on that account would not be willing to support the amendment.

The amendment is unnecessary. In my opinion, it is clearly out of order. It has nothing to do with the purposes of this bill, and I do not think we should, by indirection or by innuendo, even admit that it might by any possibility have any relation to allied debts or to German reparation payments generally.

In addition to this, we have a settlement here which has already been consummated by Germany. You will find it in the report of the committee, beginning at page 13. This settlement has been ratified by the German Government in the very words in which it appears here. If by some unnecessary act we add a reservation or an understanding or any other proviso to that agreement, we do stand some risk of having the German Government feel that they must take some further action in order to meet the reservation which we may have made, and there is no necessity for taking any such chance as that.

The bill has nothing to do with those two subjects, and it ought to be clear to every Member of the House that this is the situation. I hope therefore that a point of order will be made against the amendment when it is offered, and if the point of order is not sustained that the amendment will be defeated.

The great German nation is offering us a fair and honorable settlement of their accounts with our Republic and we should accept it with dispatch and in fine spirit. It makes for international good will and the cementing of a peace between two great peoples, which we devoutly hope will never cease.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury, with the approval of the President, is hereby authorized to conclude an agreement for the settlement of the indebtedness of the German Reich (hereinafter referred to as Germany) to the United States of America under the terms and conditions set forth in Senate Document No. 95, Seventy-

first Congress, second session. The general terms of the agreement shall be as follows:

(1) Mixed claims: Germany shall pay in full satisfaction of its obligations remaining unpaid on account of awards, including interest thereon, entered and to be entered by the Mixed Claims Commission, United States and Germany, an aggregate amount of 2,121,600,000 reichsmarks to be evidenced by bonds of Germany which shall be dated September 1, 1929, and, except for the first, which shall mature March 31, 1930, shall be paid in semiannual installments, beginning September 30, 1930, and continuing up to and including March 31, 1981, subject, however, to the right of Germany to make such payments in 3-year periods, any postponed payments to bear interest at 5 per cent per annum, payable semiannually. The obligations of Germany hereinabove set forth in this paragraph shall cease as soon as all the payments contemplated by the settlement of war claims act of 1928 have been completed and the bonds not then matured evidencing such obligations shall be canceled and returned to Germany.

(2) Army costs arrears: Germany shall pay in full reimbursement of the amounts remaining due on account of the costs of the United States army of occupation an aggregate amount of 1,048,100,000 reichsmarks, to be evidenced by bonds of Germany which shall be dated September 1, 1929, and, except for the first, which shall mature March 31, 1930, shall be paid in semiannual installments beginning September 30, 1930, and continuing up to and including March 31, 1966, subject, however, to the right of Germany to make such payments in 3-year periods, any postponed payments to bear interest at 3½ per cent per annum, payable semiannually.

(3) In addition to the payment of the bonds maturing on March 31 or September 30 of any year Germany shall have the right on such dates to make payments on account of any unmatured bonds of either series under such conditions as to notice or otherwise as the Secretary of the Treasury may prescribe.

(4) All bonds issued hereunder shall be payable in United States gold coin in an amount in dollars equivalent to the amount due in reichsmarks. Germany shall undertake for the purposes of the agreement that the reichsmark shall have and shall retain a mint parity of one and two thousand seven hundred and ninety ten-thousandths kilograms of fine gold.

With the following committee amendment:

Page 3, line 18, strike out "one and two thousand seven hundred and ninety ten-thousandths kilograms of fine gold" and insert "1/2790 kilograms of fine gold."

The committee amendment was agreed to.

Mr. McFADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The clerk read as follows:

Amendment offered by Mr. McFADDEN: Page 2, line 1, after the word "session," insert "and that it is expressly understood that in this agreement there shall be no connection between German reparation payments and allied debts owing to the United States."

Mr. HAWLEY. Mr. Chairman, I make the point of order against the amendment that it is not germane.

Mr. McFADDEN. Will the gentleman reserve the point of order?

Mr. HAWLEY. I reserve it.

Mr. McFADDEN. Mr. Chairman and members of the committee, the substance of the language in this amendment is the declaration of ex-President Coolidge when he stated his position with regard to the possible mixing of reparations and war debts. It is the declared policy of the administration, as I understand it, or at least I am so informed.

There is a possible involvement here through this reduction of 10 per cent of war debts, which required a revamping of the Young plan.

The so-called conference at the White House, which has been referred to here, occurred at a time, I understand, when the committee of four, dealing with the reparation settlements with Germany, at The Hague or in Paris, I have forgotten which it was, were in session, and the results of this conference were reported directly to the chairman of the committee.

Therefore, I insist there is a question of doubt as to whether or not this reduction of 10 per cent involves the Young plan, and the action that is about to be taken here is a backhanded approval of the Young plan, and I will say further it is so regarded and reported in the press throughout Europe—that Congress to-day is acting upon the question of ratification of the Young plan.

There can be no harm in the adoption of the amendment, and such action will confirm our position as regarding mixing reparations with war debts.

Mr. STAFFORD. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. STAFFORD. The gentleman does not contend that the United States Government was directly a party to the Young plan?

Mr. McFADDEN. They stated that they were not.

Mr. STAFFORD. It is understood generally throughout the world that the United States Government was not a party to the Young plan.

Mr. McFADDEN. I can not agree with the gentleman. Indirectly, yes; but abroad from the time of the treaty at Versailles the allied countries have always mixed reparations with war debts. It has been the aim of the Allies to get out from under the payment of the debts which they owe to the United States through a provision that would compel Germany to make payments directly to the United States. They have almost succeeded, and if I am rightly advised, one of the leading statesmen of England is about to deliver an address in New York City in which he will advocate the cancellation of all government war debts.

Mr. STAFFORD. Under the agreement at Spa it was agreed by the foreign governments that we should have a proportion of the reparation payments to be applied to payment of our mixed claims and for the army of occupation, and it is generally accepted everywhere, and the proceedings at The Hague during the preparation of the Young plan confirm, that the United States was not in any way a party to the negotiations.

Mr. McFADDEN. Not officially but unofficially.

Mr. STAFFORD. We were not a party unofficially. This is a contract between the United States and the Government of Germany that Germany owes the Government irrespective of any reparations payments under the Young plan.

Mr. LOZIER. How could the reduction or even the total cancellation of the obligation of Germany to the United States necessitate under any contingency a default under the Young plan or the payments thereunder? If we were increasing the obligations of Germany that would be a different situation.

Mr. McFADDEN. It required a rewriting of the Young plan to conform to this 10 per cent reduction.

Mr. LOZIER. Is it not fundamentally true that even with the cancellation of the entire obligations of Germany, it would not necessitate any change in the Young plan? If we were increasing the obligations of Germany it might be different.

The CHAIRMAN. The Chair is ready to rule.

The bill under consideration deals with the indebtedness of the German Reich to the United States of America. It sets forth that this indebtedness is composed of the awards of the Mixed Claims Commission, and second of the cost of the United States army of occupation. That indebtedness constitutes what is owed by Germany to the United States.

The amendment reads as follows:

And that it is expressly understood that in this agreement there shall be no connection between the German reparation payments and the allied debts owing to the United States.

In paragraph 777 of the Rules of the House we read the rule concerning germaneness which is in the following language:

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The subject matter of the amendment is the German reparations payments and the allied debts owing to the United States. The Chair, therefore, sustains the point of order.

In accordance with the provision of the rule, the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, 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. 10480) to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States army of occupation, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. Under the rule the previous question is ordered. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. McFADDEN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Pennsylvania demands the yeas and nays. As many as favor taking the vote by the

yeas and nays will rise and stand until counted. [After counting.] Three gentlemen have risen, not a sufficient number, and the yeas and nays are refused.

So the bill was passed.

A motion to reconsider the vote by which the bill was passed was, on motion of Mr. HAWLEY, laid on the table.

INDEBTEDNESS OF GERMAN REICH

Mr. SANDERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANDERS of Texas. Mr. Speaker, I can not support the resolution which provides for the consideration of H. R. 10480, a bill to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States army of occupation. This bill, having been recommended by the President, will be blindly supported by his partisans. This bill simply reduces the claims against Germany $29,000,000, and further extends the time of the payment of the German debt by 15 years. Heretofore I have voted against all the debt settlements, by which this Government reduced the debt due by Austria, Belgium, Czechoslovakia, Estonia, Finland, France, Great Britain, Greece, Hungary, Italy, Latvia, Lithuania, Poland, Rumania, and Yugoslavia, in the enormous sum of $11,565,093,885. The reduction contemplated in this bill can not be justified. With 5,000,000 unemployed in the United States at the present time, with want and misery and poverty stalking abroad in this country and the great bulk of our citizenship hard pressed, I fail to see how anyone can justify his vote for this bill.

REFERENCE OF A BILL

Mr. ARENTZ. Mr. Speaker, I ask unanimous consent that the bill S. 135 be rereferred from the Committee on Irrigation and Reclamation to the Committee on Indian Affairs.

The SPEAKER. Has the gentleman discussed the matter with the chairmen of these two committees?

Mr. ARENTZ. Yes.

The SPEAKER. The gentleman from Nevada asks unanimous consent that the bill (S. 135) to provide for the payment of benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes, be rereferred from the Committee on Irrigation and Reclamation to the Committee on Indian Affairs. Is there objection?

There was no objection.

THE TARIFF

Mr. COLE. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a couple of paragraphs on the tariff bill with special reference to some remarks made by Mr. Mark Peter, minister from Switzerland.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLE. Mr. Speaker, certain remarks made by Mr. Mark Peter, envoy extraordinary and minister plenipotentiary from Switzerland to the United States, having been made the subject of adverse comment in another body of the Congress, I deem it only right that I should set forth certain facts with respect to that speech. It was my pleasure and honor to speak with Mr. Peter, introducing him to his nation-wide radio audience over the Columbia broadcasting system.

The minister's speech was delivered in a series of international good-will speeches, and Mr. Peter did not violate, in my opinion, the spirit of good will among the nations. In the course of his speech he spoke of the industries of his own country and of its imports and exports. His only reference to the tariff, for which he was criticized on the floor of the other body, was in a single sentence and in the following words:

> It is not without concern that they heard in Switzerland of the new American tariff with high and almost prohibitive duties which threaten to impair the economic relations of the two countries.

When these words are separated from the rest of the speech they may be interpreted as critical of what is a domestic policy of the United States, but when taken in connection with the rest of the speech there is in these words no matter for serious criticism, certainly not for the statement that the minister "ought to be recalled" for his remarks.

As Americans we should not be so supersensitive nor so supercritical and we should not be so ready to take offense. The minister was not speaking in criticism of our country; on the contrary, his whole speech was replete with expressions of friendship and good will. In the sentence which has been criticized he was speaking only of economic relations and not of political relations. He presented a friendly inquiry and not a hostile criticism.

Mr. Peter has been an accredited representative from his country to the United States for 10 years. His rank in the diplomatic service is high. He has the respect and confidence of the whole diplomatic corps and of the Government and the people of America. A man of such standing should not be condemned on stray words taken from the body of a speech, a speech in which he paid tribute not only to his own country but to the country to which he is accredited.

I may add that following our speeches over the radio I discussed the American tariff with Mr. Peter, and I found no offense in his attitude toward what is recognized as a fixed American policy. I assured him that under the pending tariff bill America would continue to import Swiss products, for they are so characteristic of that country and so excellent that the Americans would continue to use them, and in this he acquiesced.

As the basis for my assurance that imports from Switzerland would not be curtailed seriously, I cited what Andrew W. Mellon, Secretary of the Treasury, said in a speech some time ago, to the effect that "It is the consumption capacity of the American people and not the tariff rates that controls imports." In explanation of this basic statement, I told Mr. Peter that under protection America had uniformly enjoyed a higher degree of prosperity than it had under lower tariffs and that the resultant prosperity gave the American people purchasing power and "consumption capacity." When the American people are prosperous they go to the ends of the earth to find the things they desire.

I also told Mr. Peter that the "concern," which he had expressed in behalf of his country, was the same kind of concern that had been associated with every tariff revision in the United States. In 1922 when the Fordney-McCumber tariff was under consideration the same objections were made to it. Even in our own country it was predicted that the higher rates would curtail both our imports and exports. But neither of these calamities happened. Instead, under that tariff we doubled both our imports and our exports. This was due to the fact that under the prosperity brought by that tariff the American people had increased purchasing power and "consumption capacity."

To all of these statements I found the Minister from Switzerland not only a willing but an agreeable listener. I may also add that I found Mr. Peter a most charming, friendly man, an official of his Government without the taint of ill will or even prejudice. Knowing his sentiment and his motives in the matter which has been criticized, I can not do less than express my regret over the incident.

HON. HENRY M'MORRAN

Mr. CRAMTON. Mr. Speaker, I bring to the attention of the House the death of Hon. Henry McMorran at Port Huron, Mich., on Friday, July 19, 1929. He was my immediate predecessor as Representative in Congress from the seventh district of Michigan, serving from March 4, 1903, until March, 1913, at which time he retired voluntarily, having declined to be a candidate for renomination. He was one of the outstanding business and political figures of the Thumb district of Michigan, and played an important part in the industrial development of that section, while his service for 10 years as a Member of this House was dignified and successful.

At the time of his death he was 85 years old, having been born June 11, 1844, at Port Huron in the very early days of Michigan's statehood. He saw the development of a great industrial State from pioneer beginnings and played his part in that development.

There were no public schools in the then village of Port Huron and he attended the private school conducted by a Mr. Crawford. He was 11 years old when his father died. He early entered upon his business career as a clerk in the general store of W. H. B. Dowling & Co. In 1865, when he was 21, he organized a wholesale grocery business.

In 1878 he played a leading part in the organization of the companies and the building of the Port Huron & Northwestern Railroad and the Port Huron & Southwestern Railroad. He was one of the first to grasp the great possibilities of the Thumb country, that fine agricultural region in the thumb of Michigan, between Lake Huron and Saginaw Bay, a region possessing great industrial possibilities as well.

The Port Huron & Northwestern Railroad, of which he was general manager from 1878 to 1889, was built from Port Huron through Croswell and Palms to Sand Beach, which is now Harbor Beach.

He afterwards aided in the building of a line from Palms to Port Austin. Then still later he undertook with his associates the building of the Port Huron & Southwestern line to Almont with a line from the junction in Grant township to Saginaw.

The lines were bought in 1889 by the Flint & Pere Marquette Railroad, which is now the Pere Marquette Railroad.

Subsequently the firm of McMorran & Co. was established, which built a large flour mill in Port Huron. About the same time Mr. McMorran became the owner of the Farmers' Elevator Co.

He was one of the organizers and the first vice president of the Port Huron Savings Bank, which opened its doors for business January 20, 1870, and which is now one of the group of banking institutions which were included to make the consolidated organization now known as Federal Commercial & Savings Bank.

For the last 24 years of his life he was a director of the First National Bank & Trust Co. He became a director of the First National Bank & Trust Co. April 15, 1905, and so careful was he of his business affairs that he was rarely known to miss a meeting of the board of directors.

For many years he was president of the old Port Huron Light & Power Co. At one time he owned a block of stock in the Port Huron Daily Times, which he sold out to the late L. A. Sherman. He had been interested in several seed companies at the time of his ownership of the McMorran Milling Co., and had a financial interest in the Havers Motor Car Co.

For many years he was the owner and general manager of the Port Huron & Sarnia Ferry Co. As general manager of the company he attended personally to all the details of the organization.

He relinquished his ownership of the ferry company in January, 1925. Large sums of money were spent for the improvement of the ferry system during the administration of Mr. McMorran.

Mr. McMorran was one of the organizers of the Great Lakes Foundry Co., of which he was vice president at the time of his death. At the time of his death he was also president of E. B. Mueller & Co., chicory and cereal manufacturers.

In spite of his numerous commercial and industrial affiliations Mr. McMorran had time to serve his community and the Nation in a political way.

He was a member of the board of aldermen of Port Huron in 1867 and city treasurer in 1875, and as a member of the State canal commission he served the State of Michigan well for a number of years.

While Mr. McMorran will be remembered for his numerous commercial connections and business genius, his service as Representative of the seventh district in Congress was perhaps his most distinguished work.

He was elected as a Republican to the Fifty-eighth and to the four succeeding Congresses, and served from March 4, 1903, to March 3, 1913. He was not a candidate for renomination in 1912.

The story of his nomination in convention for Representative from the seventh congressional district is in itself an interesting chapter in the history of State and National politics.

He was nominated for Congress in one of the hardest-fought congressional convention battles held in the State of Michigan. The nomination took place in the circuit court room of the courthouse in Port Huron. I remember it very well, as I was present as a spectator. St. Clair County and Macomb County were the largest in population, and combining their forces could control the nomination. It was the last convention struggle for choice of congressional nominee from that district, the primary system coming into vogue a few years later. At that time the seventh congressional district consisted of the counties of Huron, Sanilac, St. Clair, Lapeer, Macomb, and a part of Wayne.

Macomb County was supporting Representative Edgar Weeks, who was asking for renomination, as were also Sanilac County and a part of Wayne. The Lapeer County delegation was advocating the nomination of William B. Williams, of Lapeer, one of the ablest lawyers in the State. Huron County was indorsing Judge Woodworth.

While the St. Clair County delegation was at heart favorable to the nomination of Mr. Williams, it was deemed wise, because of local conditions, to have a candidate in the field. After long conferences with party leaders, Mr. McMorran consented to the use of his name.

The contest resulted in a deadlock. After more than 650 ballots had been taken, Representative Weeks, knowing that he would not be renominated and determined to defeat Mr. Williams, threw his strength to Mr. McMorran. Macomb preceding St. Clair on the roll call, the latter county, of course, voted for its own candidate and Mr. McMorran was nominated. Everyone was very much surprised—perhaps none so surprised as he.

A testimonial to the splendid service rendered his country in Congress by Mr. McMorran was the speech made in the Lower House by that grand old national legislator, "Uncle Joe" Cannon. He publicly commended Mr. McMorran for outstanding committee service, in which the man from Michigan saved the Nation huge sums of money in the repair of Government colliers.

A bill providing for the repair of Government boats was before Congress at the time; and while it apparently was favorable, Mr. McMorran objected on the grounds that the sums appropriated for the expenditure were exorbitant.

This occurred at a time when Representative McMorran was being boomed for Senator from Michigan, and Speaker Cannon told the Representatives in Congress that "if the States could all send men to Congress of the type advanced by the seventh district of Michigan," the Federal Government would be able to show more for its expenditures.

Mr. McMorran at the time of his service in Congress showed the same personal traits in Washington that he exhibited in his own business—attentiveness, punctuality, and industry. He worked on the job and could always be depended upon to uphold the principles of his party and the policies of the administration.

Throughout his life he had exemplary habits. His punctuality and his attention to detail in all his affairs combined to insure success in his multitude of undertakings.

Mr. McMorran is survived by a son, David, Port Huron; two daughters, Mrs. Clara E. MacKenzie, Regina, Saskatchewan; and Mrs. Emma J. Murphy, Port Huron; a sister, Mrs. James R. Hosie, Detroit; a half sister, Miss Ida Chase, Port Huron; and two grandchildren, Charlotte McMorran and Henry Gordon McMorran, children of David McMorran.

Port Huron, marked on the early maps as Fort Gratiot, began as a trading post in 1685. It was but a village when McMorran's parents, Robert William McMorran, a native of Scotland, and Isabella (Kewley) McMorran, a native of the Isle of Man, settled there. It has become a city; its mud streets are now paved; its public-school system extends to the junior college, giving two years of work, with credits accepted at the University of Michigan. Industrially, it has advanced from its small lumber mills to a variety of important industries. Served then by water transportation on the St. Clair and by the military Gratiot Pike to Detroit, now the greatest tonnage in the world passes along the St. Clair; two great railroad systems, the Grand Trunk and the Pere Marquette, carry great tonnage on the steel rails; while paved highways extend in every direction. When Henry McMorran was born at Port Huron it was in a State where pioneers were battling the wilderness. It is now one of the most advanced in the Union in prosperity, population, and progress. That he played his part in this development is the monument he builded for himself.

### COMMUNIST PROPAGANDA IN THE UNITED STATES

Mr. MICHENER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 220, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

House Resolution 220

*Resolved*, That the Speaker of the House of Representatives is authorized and directed to appoint a committee of five Members of the House of Representatives to investigate communist propaganda in the United States and particularly in our educational institutions; the activities and membership of the Communist Party of the United States; and all affiliated organizations and groups thereof; the ramification of the Communist International in the United States; the Amtorg Trading Corporation; the Daily Worker, and all entities, groups, or individuals who are alleged to advise, teach, or advocate the overthrow by force or violence of the Government of the United States, or attempt to undermine our republican form of government by inciting riots, sabotage, or revolutionary disorders.

The committee shall report to the House the results of its investigation, including such recommendations for legislation as it deems advisable.

For such purposes the committee, or any subcommittee thereof, is authorized to sit and act at such times and places in the District of Columbia or elsewhere, whether or not the House is in session, to hold such hearings, to employ such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary.

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

Mr. MICHENER. Yes.

Mr. RAMSEYER. This resolution, I was advised some time ago, was reported out of the Committee on Rules, and I was under the impression that we would get notice beforehand when it would be called up. I really wanted to make some investigation as to the necessity for this kind of a resolution. There are great economic questions before the country, and unless there is some good reason for the passage of this resolution, I do not

propose to allow false issues to be injected before the American people at this time. I am not saying now that I would be opposed to this resolution if I were familiar with the evidence before the Rules Committee. I am saying that I have not had time to look over the hearings and to determine in my own mind whether there is any necessity to go out on a wild-goose chase, to dig up something that probably does not exist, and distract the minds of the American people from the great economic issues before them.

Mr. MICHENER. I did not yield to the gentleman for a speech. Is it the gentleman's idea that the House should adjourn this matter until he has had sufficient time to make an investigation and satisfy himself?

Mr. RAMSEYER. I think a resolution like this ought not to be called up without notice to all the Members. If the gentleman insists on considering it now, I shall probably do what I rarely have done before—that is, make a point of no quorum.

Mr. MICHENER. The gentleman might as well proceed to make it, then.

Mr. TILSON. Of course, the gentleman has been on notice for a week or more. The rule was reported, and it has been pending on the calendar subject to be called up at any time.

Mr. RAMSEYER. I knew that the rule was reported, but the gentleman probably knows that the gentleman from Iowa has other things to do besides posting up on all of the rules that are reported out from the Committee on Rules. Usually on matters of this importance we get some notice beforehand, just as we got notice last week what the business would be to-day, and as we got notice to-day what the business on Tuesday next will be. There is not a Member here, unless he be a member of the Committee on Rules, and they are not all here, who had any idea that after we got through with the German debt settlement there would be anything else before the House to-day. I simply now am undertaking to appeal to the members of the Committee on Rules in all fairness to give us some time to look into and study the necessity for this resolution.

Mr. MICHENER. I ask the gentleman to desist for a minute. He has made a half hour's speech here criticizing the House and the procedure of Congress and the Rules Committee, because the House and the Rules Committee have not investigated to find out personally what the gentleman from Iowa was doing, or to notify him personally so that he might be satisfied that everything was all right, in order that this House might to-day, on this occasion, consider legislation which is brought here under the ordinary rules of the House, and in the usual way. I might say it has been suggested heretofore that this resolution was reported out of the Committee on Rules.

The chairman of the Committee on Rules [Mr. SNELL] announced that it would be brought up for consideration at the first available opportunity. Possibly the gentleman did not know that, and I am not criticizing him if he did not. I am sorry that the Committee on Rules has not informed the gentleman personally, and possibly we should do that, if, in the future we are to go along with legislation and have the gentleman satisfied.

Now, I am sure there is no disposition on the part of the Committee on Rules to bring this resolution out hastily and force consideration. We are simply doing that which we thought was for the best interest of the measure, in order that it might be brought before the House, and the business of the House thereby expedited. The gentleman can make his point of no quorum, and if he makes such a point we will bring in a quorum and find out.

Mr. RAMSEYER. The gentleman is looking at me, apparently as though he were reading me a lecture. I was not criticizing the Committee on Rules. As a matter of legislative policy I was stating in the presence of the entire House, with such members of the Committee on Rules as are here, that a matter of this importance should not be called up without previous notice. Is not that a perfectly legitimate observation to make? Should not Members be notified in the weekly program so they may know what will come up, so that they can study and be prepared? It is probably my fault, but I will say to the gentleman that I feel unprepared to pass upon the merits of this proposed legislation this afternoon.

Mr. MICHENER. Then I suggest that the gentleman ask unanimous consent to let the matter go over until he can study it and be satisfied.

Mr. RAMSEYER. I think my appeal to the Committee on Rules that Members should have time in which to study this matter is a reasonable one. I had not the least idea that this resolution was to be called up to-day. I look over the weekly programs that come out and I try to advise myself as to the merits of the legislation to be considered.

Mr. SNELL. In the opinion of the Committee on Rules it is rather an obligation on the part of the Committee on Rules to bring up a rule within 10 days. This rule has been up more than 10 days. I told the gentleman that he was at liberty to come to the Committee on Rules and see all the matters we have there and all the letters I have received and look at the hearings. I think it is entirely legitimate that the resolution should be called up to-day.

Mr. RAMSEYER. Let us have a perfect understanding. The gentleman did tell me that I was welcome to see the hearings in the Committee on Rules and look them over. I do not recall that the gentleman said that it was his purpose to call up this resolution to-day. If he says he told me so, I do not dispute his word.

Mr. MICHENER. I disapprove of the controversy between the two gentlemen. [Laughter.]

Mr. UNDERHILL. I will say to the gentleman that I am in the same position with a reverse English he is. I have been waiting for over three weeks for this resolution and have been insistent with the Committee on Rules that the matter might come up. I have not only been studying that for three weeks but for three months. It seems to me it is a matter of paramount importance and ought to be brought up at the present time, so that the committee can go to work.

Mr. RAMSEYER. The gentleman's statement has great weight with me, but it is not conclusive with me. The gentleman probably does not know that I am working on other matters, and have been for months, and the particular matter that I now have under investigation may take another month to complete.

Mr. MICHENER. I can not yield further. I regret that it is not possible for us to wait another month until the gentleman from Iowa acquaints himself with this resolution.

Mr. RAMSEYER. I will not ask you to wait another month. If you give us a few days' time, I shall prepare myself on the matter; but to be notified one minute that it will be called up in another minute is another matter.

Mr. COLE. May I ask the gentleman from Michigan if his Committee on Rules has had hearings on this resolution?

Mr. MICHENER. It has.

Mr. RAMSEYER. Let me ask the gentleman a question on the procedure he contemplates.

Mr. MICHENER. Certainly.

Mr. RAMSEYER. This is a resolution to create a special committee. Under the rule there is an hour's debate. Is that correct? Does the committee contemplate giving more time than one hour?

Mr. MICHENER. The committee contemplated nothing of the kind. However, that matter is in the control of the House. The Committee on Rules is never arbitrary.

Mr. RAMSEYER. Let me ask the gentleman a frank and fair question. How much time does he intend to allow for general debate on this resolution?

Mr. MICHENER. One hour is allowed by the rule, and the committee had no idea that more time was needed. It was not a matter of controversy in the committee, and the committee had no idea that it would be controverted. If the gentleman had full information, I am sure he would not be seeking to delay the consideration of the resolution.

Mr. RAMSEYER. It is possible that the gentleman may inform the gentleman from Iowa in the course of one hour's debate.

Mr. MICHENER. I think all gentlemen will be informed with one hour's debate.

Mr. RAMSEYER. That does not include, of course, the gentleman from Iowa.

Mr. SCHAFER of Wisconsin. If we have one hour's debate, shall we have plenty of time to debate the resolution or will we be gagged?

Mr. BANKHEAD. I suggest that the gentleman from Wisconsin may have five minutes.

Mr. RAMSEYER. Well, I make the point of order that there is no quorum present.

Mr. MICHENER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

| | | | |
|---|---|---|---|
| Aswell | Burdick | Connolly | Estep |
| Baird | Busby | Cooper, Ohio | Fenn |
| Beck | Byrns | Craddock | Fort |
| Beedy | Cable | Crowther | Frear |
| Bell | Campbell, Pa. | Curry | Freeman |
| Black | Cannon | Dempsey | Fulmer |
| Blackburn | Carley | De Priest | Gambrill |
| Bloom | Carter, Wyo. | Dickinson | Gasque |
| Boylan | Cartwright | Dominick | Gavagan |
| Brand, Ohio | Celler | Douglas, Ariz. | Golder |
| Britten | Chase | Doutrich | Graham |
| Brumm | Clancy | Doyle | Greenwood |
| Brunner | Clark, Md. | Drane | Griffin |

| | | | |
|---|---|---|---|
| Hale | LaGuardia | Niedringhaus | Stone |
| Hammer | Lambertson | O'Connor, N. Y. | Strong, Kans. |
| Haugen | Lampert | Oliver, N. Y. | Sullivan, N. Y. |
| Hoch | Lankford, Va. | Owen | Sullivan, Pa. |
| Holaday | Lea | Palmisano | Taylor, Colo. |
| Hopkins | Leech | Patman | Thurston |
| Hudspeth | Linthicum | Peavey | Treadway |
| Hull, William E. | Ludlow | Porter | Tucker |
| Hull, Tenn. | McClintic, Okla. | Pou | Turpin |
| Igoe | McCormack, Mass. | Pritchard | Underwood |
| James | McCormick, Ill. | Rainey, Henry T. | Vestal |
| Jenkins | McKeown | Ransley | Vincent, Mich. |
| Johnson, Ill. | McMillan | Rayburn | Vinson, Ga. |
| Johnson, Ind. | McReynolds | Reece | Warren |
| Johnson, Tex. | Magrady | Sabath | Welch, Calif. |
| Johnston, Mo. | Mead | Schneider | Welsh, Pa. |
| Kearns | Menges | Short | White |
| Kennedy | Merritt | Simms | Whitehead |
| Kerr | Mooney | Sirovich | Wingo |
| Kiess | Moore, Va. | Steagall | Wright |
| Kunz | Mouser | Stedman | Yates |
| Kurtz | Murphy | Stevenson | Yon |

The SPEAKER. Two hundred and ninety-seven Members have answered present, a quorum.

On motion of Mr. MICHENER, further proceedings under the call were dispensed with.

Mr. MICHENER. Mr. Speaker, I yield to the gentleman from Iowa [Mr. RAMSEYER] 20 minutes.

Mr. RAMSEYER. Mr. Speaker, there is pending before you now a resolution from the Rules Committee to create a special committee of five Members of the House of Representatives to investigate communist propaganda in the United States, and particularly in our educational institutions.

I sought to stay consideration of this resolution until the Members of the House, especially myself, could have an opportunity to read the hearings to see what was before the committee to justify a resolution of this kind.

Every now and then people get alarmed about something and start out to investigate or to hunt something or to chase somebody. Two or three hundred years ago up in Massachusetts they hunted witches. They not only hunted them, but they burned them. As long as they hunted witches they found them. When they quit hunting witches the witches ceased to exist. This seems to be a kind of a witch-hunting expedition, to see whether there is anybody in this country that should be destroyed, or whether there is somebody in this country trying to destroy us.

As I stated before, and as I want to repeat, I do not know whether there is a necessity for such investigation. We do not hear much about such things out in the Middle West. We have troubles there that I am sure are greater than the troubles which this resolution seeks to cure. I know the entire country has troubles that are greater than this resolution will ever cure. If there is anybody in this country who is seeking to overthrow the Government by force or organize a revolution against the Government they should be placed where they can do no harm.

We have all kinds of laws now, both State and National, to punish persons seeking to overthrow the Government by force. Just what aid an investigation of this kind will be to the safety of the country I do not know, and I do not think any other Member of this House knows. I do know, as a member of the Rules Committee for 4 years and watching the activities of the Rules Committee for the last 10 years, that the Rules Committee was always set against investigating committees. Now, that committee comes in here with a resolution to do some investigating.

I have spent about a year and a half as a member of the Ways and Means Committee studying chiefly the tariff question. We have contacted every phase of the industrial life of the Nation. We have had the business men of the Nation before us; we have had the leaders of labor before us; we have had the farm leaders before us, and they have discussed with us frankly the problems that confronted them. There are great economic problems before this country that we should face frankly and squarely, and one reason why I am against this resolution, unless very strong reason therefor exists, is that I do not want anything to distract the minds of the people from the great economic problems with which we are confronted. [Applause.]

One problem which confronts us is the problem of unemployment. Under our industrial and economic system to-day, every so often we encounter a panic, and when the panic comes upon us we have a surplus of everything to eat and wear and materials with which to build shelter. When we have the most of everything, we encounter a panic, and then we have the greatest number of people without food, without clothing, and without shelter. An economic and industrial system that permits that, ladies and gentlemen of this House, has something wrong with it. Instead of going out and looking up the communists of the country, which the State and National authorities can now look after, this Congress had better create a committee to study the reasons for unemployment in this country and the cause and cure of business slumps. [Applause.]

This Congress ought to create a committee to see what is wrong with our industrial and economic system, which, when we are in the midst of plenty of food and clothing and shelter, permits the most distress for want of food and clothing and shelter. We have a distressful situation in the country to-day. Why do we not address ourselves to that problem? Oh, it is easier to go out on this wild-goose chase, to go witch hunting, and the Members who will be appointed on this committee will be on the front pages of the newspapers of the country every day and thereby it is hoped that the minds of the people will be shifted from the great economic problems on which they should be centered to the activities of this special investigating committee. [Applause.]

We had a scare in this country about 10 years ago, under Attorney General Palmer. Everybody now concedes that his activities were without foundation in fact. The House had no investigating in Palmer's time, and there is less reason for an investigation now than then.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. RAMSEYER. No; I do not yield.

Now, we propose to have another eruption in this country.

I am not here speaking in defense of a single man or woman born here or abroad, citizen or foreigner, who is trying to organize any group to destroy this Government by force. In contacting the business men and the representatives of labor before the Ways and Means Committee we found among both groups a spirit of wanting to work out this problem of unemployment in fairness to both labor and capital.

Recently, in a magazine known as Survey Graphic, for April, 1930, which I am sorry I do not have with me, but which is in my office, the senior Senator from Michigan, Senator COUZENS, himself at one time a great industrialist, and at the present time reputed to be the wealthiest man in the Senate, contributed an article on the subject of unemployment, incorporating therein parts of an address which he delivered some time previously to a group of employers in his own State, in which he told them that unless they worked out this unemployment problem on terms of equity to the laboring people, so as to give the laborers of this country constant and continuous employment, Congress itself would have to legislate, and possibly provide for old-age pensions and unemployment pensions and other aids and doles, in order to maintain for laborers proper and equitable living conditions.

I made some brief reference to this problem when I addressed you on the 24th day of March last, on the subject of Politics in Tariff Making.

I want to read to you a few paragraphs from that address, and that will give you concisely my earnest feeling on this subject. I want to avoid having false and fake issues in this coming campaign. If the election in Pennsylvania day before yesterday indicated anything, it was that the great mass of the people of Pennsylvania, whether wet or dry, are not going to permit prohibition to be made the paramount issue in this coming campaign. [Applause.] They are thinking of economic conditions and pressing social and economic problems. They are striving to solve these social and economic problems. I want this legislative body, together with the people of the country, the farmers, the business men, and the laboring men, to center their minds on the great economic and social problems that are before us. They are problems which are greater than prohibition. They are problems which are greater than the tariff, and on those greater problems of economic and social welfare I want the people of the country to center their minds. I do not want this House to inject any distracting issues to hinder them in centering their minds upon those problems.

I now refer to a few paragraphs in my address, which you will find in the daily CONGRESSIONAL RECORD of March 24, and I will first read from the first column on page 6036. I say toward the conclusion:

> Now, I want to conclude. There are some people who seem to think that if we get the tariff on a sensible and equitable basis and out of politics, there will not be any issue to divide the parties. Well, I do not know whether the tariff issue is much of an element in dividing the parties now or not. We have, of course, some great problems before the country. The tariff is one of them and prohibition is another, but in the few minutes I have remaining I want to call your attention to a problem that transcends the problems I have just named; in fact, before the problem I am about to call to your attention, prohibition and the tariff fade into insignificance.

On the same page I quote a few lines from the report of the committee on unemployment which President Harding appointed

and of which Mr. Hoover, then Secretary of Commerce, was chairman. I quote these lines from Mr. Hoover's report in 1921:

There is no economic failure so terrible in its import as that of a country possessing a surplus of every necessity of life in which numbers, willing and anxious to work, are deprived of these necessities. It simply can not be if our moral and economic system is to survive.

I read a few more lines from Mr. Hoover's report:

What our people wish is the opportunity to earn their daily bread, and surely in a country with its warehouses bursting with surpluses of food, of clothing, with its mines capable of indefinite production of fuel, with sufficient housing for comfort and health, we possess the intelligence to find solution. Without it our whole system is open to serious charges of failure.

What brings about the unrest in the country? Is it the preachings of radicals? The thing that brings about unrest in the country and brings about conditions for the formation of new parties is not the preachers of unrest or the radical advocates. The thing that brings about great changes and revolutions in a country is distressed economic conditions. Why, in a country that has sufficient food and comforts, where there is work for everybody, and there is a proper and equitable distribution of the comforts and necessities of life, all the soap-box orators in the world, I care not how radical they may be, can never get a following. But when there is economic distress, a starving people, an unclothed people, an unsheltered people, then it is that the people in such condition will rise up in protest with or without leaders. [Applause.]

I read another paragraph from my speech of March 24:

Now, here is the problem that challenges the intelligence of both Republicans and Democrats. Here is a problem that not only should be solved but must be solved. Our warehouses bursting with surpluses of food, our storehouses filled with clothing, yet we have masses of people in this country going hungry for want of food and cold for want of clothing. Have we the intelligence to find the solution?

The answer I get to this question is a resolution of this kind to create a committee to investigate what the soap-box orators preach and what is taught in the educational institutions. Great Lord, the educational institutions are under the supervision of the respective States and of the religious denominations of the country. Can not the religious denominations in my State and your State take care of the teachings in their institutions? That is the chief thing in the resolution, to go out and investigate the college professors and some of the students. The State institutions and denominational colleges are not under national laws, and this House can not give a committee jurisdiction to investigate such educational institutions.

Then they want to investigate the Daily Worker. Evidently this is a communistic paper. I never saw a copy of this paper. I thought it was a foreign-language paper, but I am informed it is an English paper that anybody can read. Whether the committee which is to investigate this matter can read English any better than the people of the State of New York remains to be demonstrated. Why the Rules Committee singles out this one communistic paper printed in English has not yet been explained. This is good advertising for the paper. Just watch its circulation grow. Then they want to investigate the Amtorg Trading Corporation, which spends in the neighborhood of $200,000,000 annually in this country to buy machinery and other things to send over to Russia. Does the committee think that right now our exports should be further curtailed?

I do not know much about conditions in Russia, and yet I think I know as much as the gentlemen who get up here and talk about Russia. [Applause.]

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

Mr. RAMSEYER. I regret that time does not permit a further analysis of the pending resolution.

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

Mr. FISH. Mr. Speaker and Members of the House, the gentleman from Iowa is greatly concerned over the question of unemployment. He did not volunteer to solve the problem of unemployment, and I do not think he is going to get any help from the communists to solve it in this country. [Applause.] The communists would do more than any other group in the United States to undermine our industrial and economic structure and try to create additional unemployment. That is the fundamental policy of the communists in America, to destroy our capitalistic system, or, in other words, the right to own private property, and break down our high standard of living and of wages. Yet the gentleman from Iowa bases his argument here to-day against this resolution on the question of unemployment, which is the very thing the communists are seeking to promote by their revolutionary activities in order to further their aims in this country which breed on discontent.

Mr. CULLEN. Will the gentleman yield?

Mr. FISH. For a brief question.

Mr. CULLEN. In regard to the unemployment situation which exists throughout the country—and which is admitted—the bills which were introduced by Senator WAGNER, of New York, which were passed by the Senate and which are now in the House, would correct that condition. Would the gentleman be in favor of passing those bills?

Mr. FISH. That is up to the committees to which those bills have been sent.

Mr. CULLEN. We could solve the unemployment question to some extent if we could pass those bills. [Applause.]

Mr. FISH. There is one thing you can say about the communists which does not apply equally to the Democrats or the Republicans in this country. The communists adhere strictly to their platform and their platform is, world revolution, the destruction of capitalism, and the promotion of atheism and class hatred. The communists in America are just the same as the communists all over the world. They take their orders directly from the Third International, with headquarters at Moscow. Over 50 per cent of the communists in the United States are aliens. The chief of police in Chicago estimates that over 80 per cent of the communists there are aliens. You can not be a communist and a loyal American citizen. You can not give allegiance to the red flag and the American flag at the same time. [Applause.] Everyone of these communists, whether they are aliens, naturalized citizens, or whether they are American-born citizens, take their orders directly from the Third International, with headquarters in Moscow, and should be deported.

They seek above all things to incite strikes, riots, disorders, and revolutionary activities among our working classes, and thereby to create unemployment. The American Federation of Labor knows all about the insidious and revolutionary activities of the communists and is the most consistent and bitterest opponent of communism, as it sees through its false propaganda and realizes its menace to the best interests and welfare of the American wage earners. Let me call the attention of the Democrats, because they applauded the last speaker, to this fact. Go down into North Carolina or into Tennessee and if you will investigate down there you will find the ramifications of the Third International in the strikes that recently occurred in those two Southern States. Go into every Southern State in the Union and you will find the red hand of the Third International among the negro workers in those Southern States trying to arouse racial antagonism by use of Soviet gold.

So much for the question of unemployment. If you want to help create jobs for loyal, faithful American citizens out of employment, let us deport every communist in America. [Applause.] Certainly, no one can have any objection to deporting the alien communists, and until we do there will be a just cause of complaint against the Congress of the United States for the responsibility is ours.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FISH. I only have a few minutes.

Mr. JOHNSON of Washington. How can you deport anybody to Russia? We have a thousand waiting now to be deported, and we can not do it.

Mr. FISH. That is one of the main reasons for this resolution. The hands of the departments are tied. They have no power, and they have no money, either to get information or to deport alien communists. Only 15 communists have been deported in the last four years. The main purpose of the resolution is to get facts in order to legislate intelligently so that we can deport from the United States every single alien communist; and, if you want to help the unemployment situation, then let us give those jobs to honest, loyal American citizens who are unemployed. The main question before the House is to see to it that this revolutionary activity that exists in every industrial center of the United States, that has its fangs in every industrial section of the country, is brought out into the open so that we may know who our enemies are; and as to these aliens who are criticizing and denouncing our form of government and urging revolutionary methods, is there any sane reason why we should compromise with them?

Why should we tolerate them for a moment? Let us deport them, and if we can not deport them to Russia, I will say to the gentleman from Washington [Mr. JOHNSON], let us deport them out of this country to some island in the far distance where they can practice communism among themselves to their hearts' content, and they can stay there or go away from

there so long as they do not come back to the United States of America.

Mr. GREEN. Will the gentleman yield? While the gentleman is deporting in order to make our country safe, I hope he will give consideration to attaching thereto and containing therein the deportation of all people from America, into some specially segregated section of America, if you desire, all persons who are not of white blood. [Laughter.]

Mr. FISH. I know, Mr. Speaker, of only one possible objection to this resolution, and that is that the American people may get the idea it is aimed at pacifists, socialists, radicals, free thinkers, or any other group of American citizens who have the right under the Constitution to criticize and denounce our Government in times of peace, whether it is a foreign or domestic policy that is being criticized. It is not the purpose of this resolution to interfere with any group except the communists in the United States, and we propose to deport all the alien communists. [Applause.]

Mr. MICHENER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. UNDERHILL] five minutes.

Mr. UNDERHILL. Mr. Speaker, there is no Member of this House who has so consistently opposed investigations as your humble servant. I have felt that as a rule they led nowhere and accomplished nothing, but I have made a study of this situation, and although I can not present an argument in the brief time allotted to me, I can present an illustration.

In the city of Cambridge, adjoining my home in Massachusetts, for over 150 years stood a magnificent tree. The weary traveler rested himself in its shade. Under its branches George Washington took command of the American Army.

It was right in the shadow of Harvard College and Radcliffe College. It was a shrine, an inspiration to the youth of this land who attended these institutions of learning. For years it had stood, and although a great, busy city had crowded it, although pests had fed on its leaves with no idea of anything except that which they could devour, although drought had dried its roots, although the snow and ice of winter had broken its branches, and even fire had threatened it, its friends were able to save it from all dangers. But one morning it lay prone on the ground, a dead thing; and no one at first knew what had caused this catastrophe, until investigation showed that throughout its trunk, branches, and roots it was riddled by the borers from within.

The inspiration and the shrine had gone, but the lesson remains; and that is the indifference of the public to the dangers which are hidden—the ability of the friends of the Nation and the Government to save the Nation and the Government from its enemies from without, but it is almost impossible to reach the borer from within.

Now, this insidious, slimy insect—if you want to call it a borer—drags its length throughout the breadth of this and other lands. It permeates and poisons labor, education, finance, politics, religion; yes, the very hope of humanity for the future. It is a serious problem which confronts us to-day; and yet many of the people of the country look upon it with a mild degree of suspicion, and others would make a joke of it.

It is no joke. I have not the time to tell you of the facts to support our contention that this is necessary legislation.

You men of the South, East, North, and West are equally patriotic, honest, and earnest when danger threatens our institutions in any part of our Nation. The Democratic Party and those of the Republican Party—yes, and those of the Socialist Party—have seen this danger grow and grow and grow in the last four or five years. It threatens the very existence of civilization, of humanity itself. It is the duty of Congress and of this great Nation to put a stop to it, so far as possible, within our own borders, and to thus encourage other nations to active and militant opposition to this red menace which, through mad class and religious hatred, would destroy the world of to-day and the hope of the future for mankind. [Applause.]

Mr. MICHENER. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker, what can one say in a few minutes on a subject of such importance? I am pleased that this resolution has taken form, and that an investigating committee will be appointed. All members of the House Committee on Immigration and Naturalization will wish that committee well. We hope that its investigations will head up and expose some of the things that our committee knows about. If that committee should recommend a special secret service for the Government in connection with dangerous international activities against our own Government, it will have done something. The Bureau of Immigration has no secret service, not enough help, not enough money. If the new committee proves charges made over and over again by our Immigration Committee, we shall be grateful. If attention is called to the important proposed legislation which the House committee already has on the calendars of the House, it may help some. I think those who are to be the five members of this select committee will learn something about House procedure before their legislative recommendations become law.

I have had the honor to serve on the Committee on Immigration and Naturalization ever since I came to Congress 17 years ago. At the beginning of the organization of the extra session of the Sixty-sixth Congress on May 19, 1919, I became chairman, and in 1920 the House Committee on Immigration reported the amendments to the alien deportation act of 1918, so that that act, as amended, is the only really effective law we have excluding and deporting alien enemies of our Government, and is as follows:

EXCLUSION AND EXPULSION OF ANARCHISTS AND SIMILAR CLASSES

[Act approved Oct. 16, 1918 (40 Stat. 1012), as amended by the act approved June 5, 1920 (41 Stat. 1008)]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918, is amended to read as follows:

"That the following aliens shall be excluded from admission into the United States:

"(a) Aliens who are anarchists;

"(b) Aliens who advise, advocate, or teach, or who are members of or affiliated with any organization, association, society, or group, that advises, advocates, or teaches, opposition to all organized government;

"(c) Aliens who believe in, advise, advocate, or teach, or who are members of or affiliated with any organization, association, society, or group, that believes in, advises, advocates, or teaches: (1) The overthrow by force or violence of the Government of the United States or of all forms of law, or (2) the duty, necessity or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character, or (3) the unlawful damage, injury, or destruction of property, or (4) sabotage;

"(d) Aliens who write, publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, distribution, publication, or display, any written or printed matter advising, advocating, or teaching, opposition to all organized government, or advising, advocating, or teaching: (1) The overthrow by force or violence of the Government of the United States or of all forms of law, or (2) the duty, necessity or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, or (3) the unlawful damage, injury, or destruction of property, or (4) sabotage;

"(e) Aliens who are members of or affiliated with any organization, association, society, or group, that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in subdivision (d).

"For the purpose of this section: (1) The giving, loaning, or promising of money or anything of value to be used for the advising, advocacy, or teaching of any doctrine above enumerated shall constitute the advising, advocacy, or teaching of such doctrine; and (2) the giving, loaning, or promising of money or anything of value to any organization, association, society, or group of the character above described shall constitute affiliation therewith; but nothing in this paragraph shall be taken as an exclusive definition of advising, advocacy, teaching, or affiliation."

SEC. 2. That any alien who, at any time after entering the United States, is found to have been at the time of entry, or to have become thereafter, a member of any one of the classes of aliens enumerated in section 1 of this act, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the immigration act of February 5, 1917. The provisions of this section shall be applicable to the classes of aliens mentioned in this act irrespective of the time of their entry into the United States.

SEC. 3. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act, thereafter return to or enter the United States or attempt to return to or enter the United States shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment for a term of not more than five years; and shall, upon the termination of such imprisonment, be taken into custody, upon the warrant of the Secretary of Labor, and deported in the manner provided in the immigration act of February 5, 1917.

In preparing this law the Immigration Committee spent many hours in an effort to provide a definition for the word "com-

munists" that would be legal for the purpose intended. However, at that time, although the Third International had been formed, international communists had not acquired any definite position as at present, and the committee abandoned its attempt to secure a definition for "international communists."

Federal officials and the courts have had no difficulty in ascertaining the meaning and intent of Congress when it used the word "anarchists" for deportation purposes, and if the above act be amended to include the words "international communists," I believe the meaning of the words and intent of Congress will be better understood by officials of the Government and the courts.

Since 1921, as chairman I and other members of the Committee on Immigration, particularly the gentleman from Texas, Judge Box, ranking Democratic member of the House Committee, have appeared before the Appropriations Committee and have spoken on the floor over and over again, asking for, begging for, pleading for more adequate appropriations to deport the additional hundreds of highly undesirable aliens who are deportable. We have not had much success. We have been told on this floor to go back to our committee rooms and prepare more laws. And we have done that. But how to get the bills up, that is the question. Our committee is not privileged. We must have a rule, or be recognized by the Speaker for suspension of the rules, for every piece of legislation which can not be passed by unanimous consent. And you do not get unanimous consent on problems which are the touchiest and most important problems of the United States. And, then, think of it, our Immigration Committee has not been reached in the past four or five years on the call of the calendar on Wednesdays, and will not be reached for a long time! Strange, is it not?

Some one just said, "Deport the undesirable to an island." Oh, gentlemen, if I have heard once the statement made that we should deport all communists to some distant island I have heard it a thousand times. Of course, there is nothing to it. You could not do it, and if you could, you would simply make martyrs of the victims. Our committee knows that right now the Department of Labor has a line on 800 or more anarchistic and communistic Russians in the United States, who should be deported. But we can not deport them to Russia for the reason that we have no diplomatic relations with that country. The United States can not deport anyone to any country unless we have made arrangements with that country to receive them, and that is a matter of diplomatic agreement. Neither can we stop the entrance of certain Russians, who come on visas and not on actual passports. We do not want to make martyrs; we want to protect the United States of America.

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

Mr. JOHNSON of Washington. Yes; I yield.

Mr. PALMER. Does the gentleman not think it would be a good idea to appoint this committee, then?

Mr. JOHNSON of Washington. Why certainly the country needs the committee. I am not opposing the appointment of the committee. I am for the passage of this resolution. However, I wish the committee were to be made up of 15 hard-working members. The five members will find out what work is. There is so much to do and the problem divides and scatters so quickly. The new committee will be at it all summer; yes, and all winter, too, unless I miss my guess.

In the meantime, what are we going to do about unemployment and the immediate problems? Listen, please, mark this: Every able-bodied alien who comes here now does one of two things. He either takes a job which should go to one of our own unemployed or joins the already too long line of those looking for a job. Who can deny that? To anyone but a statesman the remedy would be evident—admit no more unnecessary immigrants until this run of unemployment is over.

Gentlemen, why can we not do something between now and the end of the session toward suspending unnecessary immigration from any and all countries? Right now. [Applause.]

Mr. O'CONNELL. From what authority is the gentleman reading?

Mr. JOHNSON of Washington. I was paraphrasing a letter. I receive literally hundreds of that kind. I am going to read from another. Here it is—a letter from New Haven, Conn.:

DEAR SIR: There is a lot of talk at present on unemployment and ways and means to overcome it. I have never seen printed or heard expressed the opinion that an amendment to the present immigration law, giving the Secretary of Labor the right to shut off such immigration as was unnecessary, would be a partial solution to the problem.

At a time such as we are passing through, when there are more people than jobs by several million, we should have the right to stop unwanted people coming here to aggravate the situation.

W. B. ROBERTS.

NEW HAVEN, CONN., March 22, 1930.

And here is a paragraph from another:

DEAR MR. JOHNSON: The greatest boon the working people of this country could have given to them would be the declaration of a 10-year immigration moratorium, during which time no immigrants from anywhere should be permitted to enter this country.

FRANK A. EGAN.

NEW YORK, April 15.

We all know he is right. [Applause.]

Mr. Speaker, if all of us are energetic, if we mean business, if all the Members on both sides who know what we should do, will help, we can quickly prepare emergency legislation which would suspend immigration except those coming to relatives, and except those now exempt from quota restrictions. [Applause.] We can make it apply to all the countries of the world. We can make it permanent, or temporary, if the Rules Committee is afraid we can not work it out in detail. And if we all pull together we can show the Rules Committee that the whole country wants just this thing—and wants it now. [Applause.]

Why should we be admitting people from any country to jobs here in this time of unemployment? I think the President will be with us. The Senate has already shown it would not delay on that.

No American citizen can go to Mexico, or to Canada, or to England, or to France, or any other country that I know anything about and take a job away from a native in any one of those countries. Their laws forbid it. Then why should the United States permit the nationals of Canada, Mexico, England, Cuba, or any other country in the world to come here to take the jobs that are needed for our own people? [Applause.]

Our Immigration Committee this very day reported favorably the Harris-Box bill to place Mexico under the quota system. The Senate passed it last week. We want it for permanent law. I shall extend my remarks later in the RECORD on that, with tables and statistics. The report will be ready at once.

Mr. Speaker, I for one want this select committee on communist activities to go to work; I want it to make a dignified, high-class, serious inquiry.

I am rather sorry that one particular newspaper, the Daily Worker, has been picked out by name in the resolution, to advertise it, because it will thrive on this advertisement.

But, Mr. Speaker, while this committee works all summer finding out about certain aliens and others who are actually gnawing at the very foundations of this country, why should not all the Members of Congress come to the aid of the Committee on Immigration, which has struggled so hard with so many problems, under such heavy legislative handicaps, and help us to get the power to show the Rules Committee and all of the leaders between now and adjournment just what laws we need right now to stop the arrival of immigrants who come either to take the jobs of our constituents or to force other citizens on the weary, weary march to find bread for their families. [Applause.]

Mr. Speaker, under leave granted to extend, I intended to discuss the Amtorg and its activities in the Pacific Northwest in the lumber industry—how they are hiring millwrights and sawmill experts in the Northwest for work in Russia. I wanted to discuss the men or agents who seem to do business for Russia in the daytime and business for international communism at night. I wanted to discuss the 25 or 30 new Amtorg agents now hung up at Ellis Island for inquiry. I wanted to discuss cooperation or lack or cooperation of the police of big cities with immigration officials, and so on. Also, I wanted to discuss the immediate perils and dangers of the cities as shown by hearings held by the Immigration Committee. Also, I might point out some of the real perils of this Republic. It is a tremendous all-important subject. I may find time to extend these remarks in the CONGRESSIONAL RECORD at an early date.

I desire to call attention to the suggestion contained in a letter received to-day, as follows:

MY DEAR CONGRESSMAN JOHNSON: With the thousands of American citizens idle, why should not Congress stipulate that in all Federal-aid road work that none but native or naturalized Americans be employed? I know that here in New Hampshire, for instance, a great many of the lowest bids for road construction are made by Italian contractors from Massachusetts or Connecticut or Rhode Island. They are supposed to give the citizens of New Hampshire an opportunity to work, but how does it work out? They will come up with their Italian crews and bosses and hire the American citizens, but in a day or two they will find them "unsatisfactory" for some strange reason, or the native will find it so unpleasant that he will leave of his own accord.

Why should there be big crews of Italians, with not over one or two men of any other extraction on the whole job, when American tax money is paying for the work and many American citizens are looking for employment? And why should these contractors bring their laborers 200

or 300 miles to work when there is much idle labor where the job is being done. If they would give a 50-50 break, it wouldn't look so bad, but where they want it about 99 to 1 their way it surely looks as though a man is at a disadvantage to be an ordinary American citizen in the United States.

Trusting that you may secure a speedy enactment of this Mexican restriction bill and assuring you that your splendid work for immigration restriction has been deeply appreciated up in this north country, I remain,

Sincerely yours,

——— ———.

Here is one along the lines suggested in my speech:

NEW YORK CITY, *May 18, 1930.*

MY DEAR MR. JOHNSON: I know how splendid your work is and all you have accomplished in meeting our immigration problem, and feel the inclosure will be of interest to you. Could not Congress consider the unemployment situation and on account of these conditions temporarily refuse admission to aliens? Apparently to-day there is no difficulty for foreigners to gain entry, even though they bring with them large families of dependent minors. This is deplorable and should be stopped. Go on with your good work. With best wishes for your continued success, I am,

Very sincerely yours,

——— ———.

I submit one more extract from a letter printed in one of our hearings:

NEW YORK, *February 1, 1930.*

DEAR SIR: * * * There is, I am told, a law in New York State which says only citizens shall be employed on public works, but it is not enforced.

I am told that in the Ford plant in Newark, N. J., the employees are at least 50 per cent aliens. Men are not allowed to speak to the "bosses" to ask for work. Every day you can see from 600 to 1,000 men waiting for a sign to go to work; and that is a conservative estimate. They stand all day long hoping for work.

The economic situation is really in a deplorable condition. These men are willing to work, they have nothing to sell but their labor, and it isn't wanted, and there are those who are dependent upon them.

I have been a social worker for 10 years and have never encountered such desperate situations before amongst the working people. No wonder we are having crime waves.

If the social workers of the country were called to Washington to testify, they could give facts that would amaze you.

The cry of the American man out of a job is that he is discriminated against in favor of an alien because an alien works "cheaper."

What can be done about this situation? If the working man can get no work, his wife can not spend any; business will feel it, and the hospitals and the jails will do a thriving business.

A law enforcing citizenship should be passed, and if a person, an alien, did not become a citizen in a stipulated time send him or her back to where they came from. Also a total exclusion act for at least a period of years to enable the American citizen workman to get on his feet and at least one jump ahead of poverty.

Mr. Speaker, I could submit letters such as these by the hundreds weekly. They are so numerous we can not print them in our committee hearings, and yet the State Department forwarded to me to-day three letters—three—from California fish men protesting against Mexican restriction, as it might hurt their business.

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

Mr. SNELL. Mr. Speaker and gentlemen of the House, I always listen with a great deal of interest to my good friend from Iowa [Mr. RAMSEYER]. He generally presents a very logical argument upon the floor of the House, but in my judgment he did not register to-day in his usual effectiveness. The only thing that I got out of his argument was that he is dissatisfied with the things as they are at the present time. I do not know that the gentleman from Iowa has done any more to rectify those conditions than the other Members of the House. I do not know of any resolutions that he has introduced for us to consider along the lines of his speech. As a matter of fact, he spent his entire time discussing economic conditions, but practically said not a single word about the resolution before us, to which he is apparently opposed.

I do not think the present membership of the Committee on Rules can be charged with being unduly alarmed over conditions. I do not think that they have chased many false witches in the last few years. This is not the usual resolution of investigation that is presented to the Rules Committee. The average resolution is simply a political investigation or a personal investigation for the aggrandisement of some party, but this is a much broader proposition than the average one, and one not so easily brushed aside. I do not know that there is anything in this country that is seriously threatening the life of American institutions, and I hope there is not; but there was so much evidence of an unusual nature before us that we did not feel like carelessly brushing it aside, and as a result of the hearing and other information the Rules Committee felt it ought not to take the responsibility of refusing the investigation.

If the House does so, well and good. Then it is your responsibility and not ours. There was enough evidence to convince me that we should give it some consideration at this time.

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

Mr. SNELL. Not at present. When the resolution was first introduced I think I was opposed to it. I know that I was at least neutral about it for a long time; but the more I studied it, the more I looked over the various pieces of evidence submitted, the more I became interested and convinced that we should do something, and I am enthusiastically in favor of this resolution at the present time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Not at present. One of the things which influenced me was this: Evidence came to the committee that the departments here in Washington have no laws at the present time which gives them authority to deal with this situation. That, to me, was very decisive. I supposed that the Department of Justice, through their secret service, was following these various communists in America. I supposed that they knew who they were, what they were doing, and whether it was anything that was detrimental to American institutions, but I found on investigation that they have no authority for doing this thing, really know nothing definite about it, and as a matter of fact, there is no one connected with the Government at the present time who knows the exact situation that exists in regard to what communists may or may not be doing here in the United States.

There is not another country in the world but what follows these movements and keeps informed up to the minute.

Now, there is no other medium except the Federal Government to get this information and do this work. I feel that the matter is important enough for us to investigate and see if there is anything we ought to know or any legislation needed to give the departments more power and money. If there is nothing, we shall not have done any harm.

Among the various people I have talked with in regard to making this investigation the only argument that has been put forward against it has been, Why dignify them by an investigation? That is the only argument that has ever been suggested why we should not do it. To a certain extent that reason appeals to me, but that is an excuse and not a real reason; and on the other hand, if there is something going on here that is opposed to our form of government and Americanism I am not going to be responsible for not looking into it and finding out before it is too late.

Now, the gentleman from Iowa [Mr. RAMSEYER] spoke of the Amtorg Trading Corporation. I appreciate what he said.

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

Mr. MICHENER. Mr. Speaker, I yield to the gentleman three additional minutes.

Mr. SNELL. At first I was very much opposed to putting into the resolution the name of the Amtorg Trading Corporation. I knew that they were buying a great many of our manufactured products. But after the exposé in New York City I was told by men, who knew the direct representatives of this corporation, that they wanted an opportunity to clear themselves and show themselves absolutely clean, so far as these accusations are concerned, and that this was the only forum before which they could present their evidence.

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

Mr. SNELL. Yes.

Mr. RAMSEYER. Do I understand that this resolution is to be passed at the request of the communists of the United States?

Mr. SNELL. It certainly is not. So far as I know, there is no reason why we should not make a careful, thorough, and dignified investigation of this subject. If there is anything wrong here we want to find it out, and if there is nothing, that is all right, and it will be much to my pleasure.

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

Mr. SNELL. Yes.

Mr. HUDDLESTON. Has there been any investigation of Fascism in the United States?

Mr. SNELL. I guess this covers it, if it is something wrong. I do not know what that is and guess I better not discuss it at this time. [Laughter.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. SCHAFER of Wisconsin. I have been unable to find that hearings have been held on the pending resolution. I find, however, that hearings have been held on House Resolution No. 180, introduced by Representative FISH. Is this resolution that we have before us now the Fish resolution after it had been hijacked by the Committee on Rules?

Mr. SNELL. I do not understand that word. [Laughter.]

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

Mr. SNELL. Yes.

Mr. BURTNESS. I wonder what the purpose is to emphasize the educational institutions. Why not make the resolution general and cover all communist propaganda in the United States. It looks as if the committee could well start out and investigate particularly the educational institutions and stop there. It occurs to me that it would be better to make the investigation general.

Mr. SNELL. It is proposed to investigate the proposition generally, but from some school publications submitted to committees, I guess it will do no harm.

Mr. BURTNESS. Would it not help the resolution to eliminate the word "particularly"?

Mr. SNELL. No; I do not think so. I see no reason why this resolution should not be unanimously adopted by this House, for there is one thing that is mighty sure, it is an American resolution and no true citizen need have any fear of the results. [Applause.]

Mr. MICHENER. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. RAMSEYER. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 210, noes 18.

So the resolution was agreed to.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BURDICK (at the request of Mr. ALDRICH), for an indefinite time, on account of illness;

To Mr. HARE, for 3 days, on account of important business; and

To Mr. WARREN (at the request of Mr. CLARK of North Carolina), indefinitely, on account of the illness of his mother.

### COMMUNISTIC PROPAGANDA IN THE UNITED STATES

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks on the communist resolution.

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

There was no objection.

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I, like the distinguished gentleman from Iowa [Mr. RAMSEYER], come from a part of the country that does not have a large foreign population, and the question of communists and their propaganda are strangers to us, and I do not have any first-hand personal contact or experience with that sort of thing.

I appreciate the attitude as expressed by the distinguished gentleman from New York [Mr. SNELL], chairman of the Rules Committee; I appreciate his attitude and opinion concerning all of the legislative investigations.

The alert and able gentleman from Washington [Mr. JOHNSON] has brought before us the unsatisfactory results in the way of legislative enactment which he has been able to obtain from this body on the subject of deportation of undesirable aliens.

When the bill on the census and reapportionment was before this House for debate and vote a number of gentleman, including myself, made every effort to amend that bill, requiring persons of foreign birth to state whether they were naturalized citizens or not, and if not, by what legal right, if any, they were in this country. I am at a loss to understand how any citizen or any Members of this House, or even any alien who is legally here, could make any valid objection to this requirement. But the amendment was opposed successfully and we did not include it in the bill. Instead we decided to ask the people whether they had a radio or not!

Anyone who pretends to be informed knows that communism has for its purpose the destruction of all other forms of government as well as what is commonly called the capitalistic system. This means nothing more or less than a denial of the right of private property.

Many learned and sincere gentlemen in this body, and outside of it, continually speak of the policy of placing property rights above human rights. To me the right of private property is a human right. It is one of the sacred human rights. "You take my life when you take that by which I live." It was the acquisitive desire and the right to acquire something that the individual could call "mine" which was one of the main legs on which the race marched forward from savagery to civilization.

Marriage displaced promiscuity not just because of sentimental feelings or the awakening of a new moral consciousness, but largely because the woman who was the mother of children wanted her children to be legitimate and as such to be entitled to inherit the property of their father as against the claim of the offspring of other women who had not received the sanction of law and had not been raised thereby to the dignity of wifehood.

If this were a resolution which proposed to give the authority to the Department of Justice to investigate this alien propaganda and propagandist and appropriate funds therefor and to recommend back to Congress the further necessary legislation, if any, required to protect this Government from that sort of thing, I would be heartily in favor of it. Such an investigation by the Department of Justice, which is the branch of our Government charged with the dealing with violations of the law, and which has the training and machinery to conduct these investigations, would be pursued in a secret, lawyer like, and judicial manner.

But I am opposed to an investigation by a committee of this House.

I believe the passage of this resolution will be another illustration of the fact that people, out of good intentions, not infrequently do silly and stupid things. The passage of this resolution will result only in aggravating the matter sought to be remedied; if this committee runs true to the form of the various investigating committees of the other body, it will get on the front page of the daily press, and all this propaganda that they uncover will be "played up" in the newspapers. Which means this: That where one person is now reached by the secret propaganda who might be influenced by it, misinformed by it, and misled by it, there will be a hundred reached through the daily press.

We are doing here just what is done in some communities where the conscience of the police is stronger than their mind and they announce that they are going to investigate and close a show that is so risque as to be "risky." What happens? Nine times out of ten the show demonstrates its legal right to exhibit, and the publicity that has been given—that it is very naughty and should be seen only by nice people—packs the house.

The best advertisement that a book can receive is to have the "heart-and-hand" club of some city prevent its sale and distribution It immediately becomes a "best seller."

And what we are doing here is to start a movement which will give this communistic propaganda publicity which they could not buy for a million dollars. Everybody will now know the Daily Worker. It will be quoted from in the press of the Nation. It will be sought eagerly by the discontented and the dissatisfied and the radicals everywhere. This committee will prove to be the best circulation promoter for the Daily Worker that any publication ever had.

In my opinion this House could render a greater service in meeting this situation if, instead of trying to shut off the supply of this propaganda, it addressed itself to doing something to lessen the demand for it. When men who want work are profitably employed such propaganda falls on deaf ears. But when millions of men who want work are walking the streets then they become eager listeners. They do not know the cause of their unemployment. All they know is that Congress is in session and apparently has no solution.

If the committee would report out the two unemployment bills which were passed by the Senate, and the House were to consider the same, I think we would do considerable more to cut down the demand for communistic propaganda. The idle men of America are asking for jobs, and we are authorizing an investigation.

I am not one of those who believe that economic or natural laws can be changed or helped very much by statutory laws. But I do say that the best way to fight communistic propaganda is to put something in soup besides statistics.

And when men want a job a resolution to investigate some of these wild-eyed aliens only advertises the aliens, their propaganda, and obtains for them an audience among the unemployed.

If we are to have a congressional investigation of propaganda, I believe we should investigate the general subject of the extent to which this country is governed by propaganda—in the face of the fact that every well-organized, well-financed, highly vocal minority in the country is achieving a large measure of success in writing its program into the laws of the land.

It would be interesting to investigate the propaganda in the press against the tariff bill—not just now, when it is practically and finally made up, but all through its history. Who was the bright boy who "lined up" the thousand and twelve and a half college professors who protested against the bill? It would be interesting to know whether or not any of these learned gentlemen are not "out-and-out" free traders and do not believe in the tariff policy at all. Then one of our leading industrialists gets the front page in the press of the Nation as opposing the tariff bill, and there is no counterpropaganda to show that that gentleman is making all his tractors abroad with foreign material and foreign labor and shipping them in "duty free" to be sold in America.

Commerce means exchange and I am not one of those who believe that we can do all the selling and none of the buying. But with all the propaganda opposed to the tariff I have found none in support of it that sought to bring out the change of heart and the center of gravity from high duties to low duties, or free trade on the part of all of those who through investments in foreign countries not only in the owning of public securities, but in large private enterprises, have for that reason become much more interested in prosperity abroad than at home.

The authority in this resolution to investigate propaganda in our colleges and educational institutions, in my opinion, is fraught with danger and can easily become subject to abuse. Science and education must be left free and unafraid to speak out.

Have we decided that we have reached a point where now we have discovered all the truth, where we have achieved the final and last stage in the growth of civilization and the achievement of better relations among men in society? Or is it possible that further truth may be found and advancement may be made?

I so strongly believe in the wisdom and justice of our free institutions that I am not fearful of their being undermined or destroyed by alien propaganda. But the minute that the propagandists advise force, violence, or the violation of the law of the land, then there should be legislative authority to deport them as undesirable aliens.

But we do not want to be stampeded by hysteria. We do not want to burn down the barn to destroy the rats. We do not want to recede to any extent, or yield in any degree, from the sacred right of freedom of speech and freedom of the press, which is another way of saying freedom of thought. When everybody thought alike nobody thought at all.

### COOLIDGE URGES PUBLIC TO BACK ADMINISTRATION

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a speech made by Hon. Calvin Coolidge, at Northampton, on May 19, 1930.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech by Hon. Calvin Coolidge at Northampton, Mass., on May 19, 1930.

[From the Springfield (Mass.) Daily Republican, May 20, 1930]

COOLIDGE URGES PUBLIC TO BACK ADMINISTRATION—GIVES FIRST POLITICAL SPEECH SINCE LEAVING WHITE HOUSE—STATE G. O. P. CONDUCTS PROGRAM AT NORTHAMPTON

NORTHAMPTON, May 19.—An address of greeting and good will by ex-President Calvin Coolidge featured a political school conducted by the Republican State committee at Hotel Northampton to-day. Mr. Coolidge spoke of the peculiar appeal made to him of a chance to gather with his friends and neighbors of Northampton and the neighboring towns and, after speaking of the vital part played by party organization in the government of a free country and the advantages of the 2-party system over a multiplicity of parties, bespoke public confidence and support for those in office, irrespective of party designation. "We have only one President," said Mr. Coolidge, "and the success of the presidential office is, more or less, the success of the country."

ANDRE LAUDS COOLIDGE

Mr. Coolidge was introduced by ex-Mayor J. G. Andre, president of the Northampton Republican Club, who said that the first consideration for a school is a faculty that knows its subjects, and he felt sure that there was no teacher for a school of Republican politics more competent than Mr. Coolidge. The audience rose in recognition of the presentation of the former President.

Mr. Coolidge said in opening that he found some difficulty when asked to speak on this occasion in deciding what to do, because his present inclination is against formal speech making, but that an invitation to meet the friends and neighbors of Northampton and surrounding towns made a stronger appeal than almost anything that could come to him. "So," said Mr. Coolidge, "I said I would come and extend my greetings and good wishes for the success of the school."

He then launched into his brief talk, saying:

"It is necessary to have parties to maintain our form of government. Free government must be through political parties. The countries which we consider or speak of as backward continue to suffer most because they do not have well-organized political parties. When changes are desired they are often driven to revolutionary methods to gain what is wanted.

"We ought not to expect perfection in our Government, certainly not when it is in the hands of the opposition, and certainly the opposition does not expect it of us when the power is in our hands. I do not know of any other method of perfecting our form of government except through parties. One person becomes ineffective, and the only method for success is through cooperation.

"We have come to believe that the best results come from having two major parties rather than a multiplicity of parties. We have always had two parties under one name or another. We are not warranted in expecting perfection in parties, but we must pick out the principles which we believe are the best and go with the party which best represents them.

"The success of a President is more or less the success of the country, and unless the people give the President their support, the country will not be a success."

### STATEMENT BY MINNESOTA COOPERATIVE MARKETING ASSOCIATION

Mr. KVALE. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a statement from the Minnesota Cooperative Marketing Organizations regarding the present tariff legislation.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks by inserting a communication from the Minnesota Cooperative Marketing Associations regarding the present tariff situation. Is there objection?

Mr. SCHAFER of Wisconsin. Reserving the right to object, is the resolution in favor of or opposed to the present tariff legislation?

Mr. KVALE. I will say to the gentleman that this resolution seems to be very decidedly in opposition.

Mr. SCHAFER of Wisconsin. Is it also opposed to the protection given to the agricultural products of the farmers?

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

There was no objection.

Mr. KVALE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement from the Minnesota Cooperative Marketing Organizations regarding the present tariff legislation:

The cooperative organizations signing below have made a very careful analysis of the tariff rates as agreed upon in conference and have reached the very definite conclusion that the tariff bill "does not place the agricultural interests of America on a basis of economic equality with other industries," as pledged by both political parties. We are convinced that the bill does not give agriculture equality nor change its unfavorable position. Agriculture will be no better off with the new law than with the old. United agriculture has repeatedly informed Congress of the rates necessary to give us the home market, but these requests on the principal products have been ignored, while at the same time industrial rates have been materially increased.

It is generally recognized that the rapid extension of tariff protection to manufacturing industries has adversely affected agriculture. This is well set forth in the report of the national industrial conference board of the United States Chamber of Commerce in the following words:

"There is little doubt that the steady extension of tariff protection to manufacturing industries, and particularly the increase in the tariff level in postwar years, has on the whole affected agriculture unfavorably in comparison with manufacturing industry."

The new tariff bill certainly will still further increase the unfavorable relation between manufacturing and agriculture.

Many of the spectacular increases on agricultural products will have absolutely no beneficial effect. We are firmly convinced that the increases to manufacturing more than offset the effective increases to agriculture and that the huge burden of increased prices on the American consumer, estimated by some at $1,000,000,000, is not justified by any possible benefit to agriculture. In fact, the farmers will share in this huge increase in the cost of building materials and essential supplies which he buys to such an extent that the final result of the bill will be a loss to him as well as the city consumer.

One thousand prominent economists in their recent statement to the President stated that the present tariff act if passed will be a disturbing factor in foreign relations. Agriculture in this country must depend to a considerable extent on exports and while our farmers receive no net gain in the bill the ill will throughout the world caused by the new rates will be a distinct disadvantage to agriculture.

In brief, our reasons for objecting to the bill are:

(1) It does not fulfill the home market pledges made by both parties to give agriculture parity with industry. These pledges have been absolutely disregarded by the Congress.

(2) It places an increased burden on the consuming public which is entirely unwarranted and which does not have any offsetting advantage to agriculture.

(3) A special session was called for agricultural relief. This was to have been the main purpose of the session. Agriculture has not been given justice, and we refuse responsibility for an increased cost of living.

We sincerely appreciate the efforts of those who have consistently supported the rates requested by united agriculture, and take this opportunity of thanking all who have supported these rates.

In view of the fact that this bill does not in our opinion correct the gross inequalities which now exist between agriculture and industry, but will have the effect of penalizing the consuming public, including the farmer, it is our belief that this country would be best served if the tariff bill in its present form is defeated.

LAND O'LAKES CREAMERIES (INC.),
By JOHN BRANDT, *President.*
CENTRAL COOPERATIVE ASSOCIATION,
By J. S. MONTGOMERY, *General Manager.*
TWIN CITY MILK PRODUCERS' ASSOCIATION,
By W. S. MOSCRIP, *President.*
MINNESOTA FARM BUREAU,
By A. J. OLSON, *President*

SENATOR WAGNER'S SOLUTION OF THE PROBLEM OF UNMEPLOYMENT

Mr. PRALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the unemployment situation and also on the Federal education bill.

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

There was no objection.

Mr. PRALL. Mr. Speaker and ladies and gentlemen of the House, I am interested in the early reporting of the Wagner unemployment bills, known as the Senate bills Nos. 3059, 3060, and 3061.

One bill, in a word, is for the collection of accurate information of our economic conditions each month in 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.

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 when 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. In a word, this bill provides for 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.

One carries with it an appropriation of $4,000,000 to be used for conducting surveys of labor and unemployment; to set up a national employment system under Federal and State operation, and to provide a balance in the labor market by conducting labor from districts and States where there is a labor depression to districts and States where labor is needed.

The others provide for monthly application by the Department of Labor statistics of up-to-date unemployment statistics and long-range plans of future public works, involving the expenditure up to $150,000,000, which may be undertaken in slack industrial periods and provide for an adequate free employment service nation-wide in scope, through which aid will be extended to States which already have employment services.

A majority of the States which already conduct employment services of their own have approved these bills and regard them as essential to any definite plans of cooperation in the problem of unemployment. These bills also have the unqualified approval of organized labor throughout the country and have been strongly indorsed by chambers of commerce, womens' clubs, civic and employers' organizations, industrial leaders, and economists throughout the country.

The bills are not designed for political purposes, but to meet an economic situation that, say what we may, is alarmingly increasing and must be solved by Congress. It is not a State problem and can not be met by the States independently of each other.

This Congress is about to complete an arduous labor which has consumed many months, but it would be remiss in its duty to the Nation were it to end its labors without passing in the House this very necessary legislation which has already passed the Senate after its Committee on Education and Labor had conducted exhaustive hearings covering many weeks.

These bills are not political nor sectional nor are they discriminatory in favor of or against capital or labor, but will be, when in operation, the most effective cure for discontentment and discouragement among working men and women the Nation can prescribe.

No question of greater economic importance to the future prosperity of the Nation has ever faced the Congress than that of unemployment of labor with its consequent responsibility for the failure to provide food, raiment, and education for every family of every man unable to find work.

The responsibility for all of this lies with the membership of this House in view of the Senate's action in passing these bills.

We have, perhaps, been too much concerned with the passing of laws relating to material things and somewhat tardy in our consideration of our unfortunate brother who should, after all, receive first consideration from this body. An army of 3,000,000 unemployed men really represents twelve to fifteen million unfortunate and possibly starving women and children.

I am sure the Committee on Rules will receive the immediate approbation of this House and of the country, if it allows these bills to reach the floor of the House for action. There is very little the House can do but mark time from now until the closing days of Congress. We have not been called upon to consider any question of more importance, with respect to the economic future of our country, than that of unemployment which is concededly increasing each year at an alarming rate, and which is undoubtedly the most demoralizing force with which we have to contend. Its solution, by the enactment of these bills, is the responsibility resting upon this House and should be met before another winter is upon us with its additional seasonal labor depression.

This legislation will practically guarantee every American citizen a title deed to share in the blessings of the best Government in the world.

The Constitution provides that the President shall, from time to time, advise the Congress upon the state of the Union. Without the use of governmental machinery to do so, how can the President reliably advise us as to the state of the Uniou if the lack of unemployment statistics make it impossible for him or anyone else to know the facts, and, lest we forget, unemployment is a most essential factor with respect to the state of the Union.

Unemployment is the choicest morsel upon which the so-called red agitator can feed, as there is no prey so easily cajoled by the agitator than a hungry man out of a job.

The House has just passed a bill authorizing the appointment of a committee to investigate the activities of the communists. I venture to say that if the governmental machinery as provided in the Wagner bills had been functioning there would have been no necessity for the appointment of this committee. The great army of the unemployed in this country to-day are not reds or communists and are not associated with groups that defy law and order.

The enactment of these bills will do more for the unemployed American working men and working women than the so-called farm relief act will ever do for the farmer, and in that legislation we authorized an expenditure of $500,000,000.

These bills will materially contribute to a prevention or recurrence of unemployment such as the country has suffered during the past winter, and from which it is still suffering, and another winter will soon be upon us.

For political reasons, there has been a hesitancy in the past to disclose the facts regarding the true question of unemployment throughout the country. Past administrations have sidestepped the issue and refused to disclose the facts maintaining through the reports of the Department of Labor an ever-ready, overoptimistic view of the situation, and presenting statements showing the country to always be in a prosperous condition.

We know to-day that business is not good, that conditions are demoralizing, and that chronic unemployment is increasing. We may as well face the facts, and in this session provide, as far as is possible, for the prevention of the spread of enforced idleness and solve the problem in a scientific manner. This we can do by passing the Wagner bills.

However discouraging the situation may be to-day, there are no records or statistics disclosing the real conditions, and unless we are in possession of the facts, how are we to deal with a condition so acute and of such vital importance to the welfare of the Nation? By passing these bills we will show our capacity for statesmanship and for intelligent advanced planning of unusual order.

If we refer back to the campaign speeches of President Hoover and subsequent conferences of business executives and governors called by the President and urged to accelerate building, railroad, and other improvements, including public works, we must feel assured of his support of this, the only legislation designed to continue the steady employment of labor by a scientific process.

Senator WAGNER, in a speech on the floor of the Senate on April 28 last, very succinctly presented the facts. He said:

> 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.

I might add to this, or a legal device by which we can bring the man to the job or the job to the man. The day has passed when we can look upon unemployment as a personal matter brought about by incompetence or indolence or is by any means a problem to be solved by the individual working man or working woman in his or her own way. It is an obligation which is ours and the responsibility for its eradication is ours. It is far beyond the power of the individual workingman to remedy. Idleness spells for gross waste that once in the red can never be recovered. Unemployment means withdrawal of savings-banks deposits and the further depletion of funds that are usually invested in mortgages upon new buildings, and in consequence of this withdrawal a cessation in building operations naturally further increases unemployment. In the first three months of this year it is estimated that labor alone lost a billion dollars in wages. Think what that amount taken out of circulation means to the business interests of the country.

In summation, unemployment makes for child labor, disrupted family life, bad citizenship, and discontent with government. This program of action, not perfect, but the best that the present state of our knowledge makes possible, having within it the seeds of further development, not a panacea for all our ills, but bound to contribute to the solution of unemployment. Let us pass the Wagner bills and consider them our contribution to the welfare of human souls.

### FEDERAL EDUCATION BILL

Mr. PRALL. Mr. Speaker and ladies and gentlemen of the House, I am opposed to H. R. 10, the bill creating a department of public education. I can not support it and shall not vote for it.

I am convinced that its purpose, if enacted into law, would result in another invasion of State rights.

These attempts to federalize or centralize the authority now enjoyed by the people embody a great and enduring principle; on the one side the freedom of the individual and the integrity of the States, on the other side governmental control of the individual and governmental invasion of the States.

Public education is purely a State function and is so recognized by the people of every State in the Union.

It is the State which establishes the standard by which education shall be gauged, and the requirements so fixed by law by the States are the standards which govern the education of the children of the land.

This attempt to create a Federal department of education, seemingly harmless in its present guise, is the entering wedge through which its advocates would nationalize the teaching of the young, and I predict will rob the States of their control of this important function which is now closely controlled by the people themselves.

By the processes of amending our laws, surrendering our rights, acquiescing to Federal demands, and indifferent to the centralization of government, we are so building up the Federal Government at the expense of the States that we are not only weakening the States but are in danger of weakening the whole national structure.

In this process we are infringing and endangering the rights and liberties of the individual; rights which the founders tried to protect, and the protection of which has made us a free Nation and a great Nation. And, lest we forget, it was the States that formed the Union and not the Union the States. We must hold down the Federal power to the wise limits prescribed by the fathers.

The result of the surrender of State powers has been to vest in the Federal Government a power that often approaches tyranny, and to produce a degree of centralization and bureaucratic autocracy that has no place with a free people.

Our present system of education in the several States comprises the public schools, the private schools, the denominational schools, and parochial schools. Each fills an essential need, and it is the duty of the State and not the Federal Government to protect each against legislative interference so that each may function freely.

Together these institutions have produced the flower of American manhood and womanhood. Let us preserve them in their integrity and resist this latest effort to standardize the boys and girls of the land according to the conceptions and mandates of still another set of Federal bureaucrats far removed from the communities and the children they would supervise and control.

Even in the several States we find centralization at times excessive officialism. But State officials are too close to their creators to develop bureaucracies. The force of public opinion can keep them in check. But who knows anything about the great army of bureaucrats that administer the affairs of the Nation from Washington? Even those who do the appointing must do so on information and belief. Changes in administration in Washington do not change the bureaucracies. They are not affected by elections and are beyond the reach of public opinion. Good government depends upon popular interest in government. The more remote the agencies of government, the less interest the citizen will take in it. If you take from the State the agency of public education and federalize it, the citizen will lose interest even though the proper education of his children may depend upon it.

We must call a halt to this ever-growing Federal interference with the rights of the individual. This latest gesture is filled with that sort of usurpation, and further trespass by the Federal Government upon the principles of home rule will be met by a firm resentment of the people who are already disgusted with it.

This proposed department of public education, if created, will prove itself to be another highly powered governmental organization, which will in time increase and expand its powers and control of every form of education, be it public or private, denominational or parochial. The history of all Federal departments and bureaus is one of expansion, of increased power and greater control.

Any arm of the Federal Government which attempts to secure the control and direction of the schools of the Nation will bring upon itself the censure it deserves.

The Federal Government must keep its hands off the schools.

### NATIONALITY LAWS FOR WOMEN

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, under leave granted to extend my remarks on House Resolution 220, I desire to say that the question of inequality between men and women under existing naturalization laws of the United States has been under discussion in the House Committee on Immigration and Naturalization for many years.

Attempts to enact laws with regard to some of the inequalities are made more difficult owing to the fact that such enactment would disturb certain phases of the present rights of repatriation and for several other reasons. Among the present inequalities are the following:

#### PRESENT INEQUALITIES BETWEEN MEN AND WOMEN IN THE NATIONALITY LAW OF THE UNITED STATES

First. A woman having United States nationality who marries a foreigner and who resides continuously for two years in her husband's country or five years outside of the United States, is presumed to have lost United States nationality, and must overcome this presumption by showing that she intends "to return to the United States permanently to reside," and also that she falls within one of certain specified groups. There is no corresponding presumption of loss of nationality in the case of a man who marries a foreign woman and resides two years in her country or five years in any foreign country. (Act of Congress, September 22, 1922, sec. 3, 42 Stat. 1022; order by U. S. Department of State, March 6, 1928.)

Second. A woman having United States nationality loses that nationality upon marriage to a foreigner ineligible to United States citizenship. There is no corresponding loss of nationality in the case of a man who marries a foreigner ineligible to United States citizenship. (Act of Congress, September 22, 1922, sec. 3, 42 Stat. 1022.)

Third. A foreign woman whose husband is ineligible to United States citizenship can not be naturalized herself as a United States citizen during the continuance of the marriage. There is no corresponding restriction upon a foreign man whose wife is ineligible to United States citizenship. (Act of Congress, September 22, 1922, sec. 5, 42 Stat. 1022.)

Fourth. A woman having United States nationality is permitted upon marriage to a foreigner to make a formal renunciation of United States nationality before the proper court if she wishes to do so. A man of United States nationality has no corresponding right as to a choice of nationality upon marriage to a foreign woman. (Act of Congress, September 22, 1922, sec. 3, 42 Stat. 1022.)

Fifth. A foreign woman, if eligible to citizenship, who marries a citizen of the United States or whose husband is naturalized after the marriage is released from the usual naturalization requirement of a declaration of intention. Furthermore, the usual requirement of five years' residence within the United States and one year's residence within the State or Territory where the naturalization court is held is reduced for such a woman to the requirement of one year's continuous residence in the United States, Hawaii, Alaska, or Porto Rico immediately before the filing of the petition. No corresponding reduction in the requirements for naturalization is made, however, in the case of a foreign man who marries a woman having United States citizenship. (Act of Congress, September 22, 1922, sec. 2, 42 Stat. 1022.)

Sixth. When a foreign man who has declared his intention to become a citizen of the United States dies before his naturalization is completed, his widow and minor children can be naturalized without making any declaration of intention, upon complying with the other requirements concerning naturalization. No corresponding reduction in the naturalization requirement concerning a declaration of intention is made, however, in the case of a foreign man whose wife has declared her intention to become a United States citizen and who has died before her naturalization is completed. (Act of Congress, June 29, 1906, sec. 4, subdivision 6, 34 Stat. 598; U. S. *v.* Manzi, 1928, 276 U. S. 463.)

Seventh. When a foreign man who has declared his intention to become a citizen of the United States becomes insane before his naturalization is completed, and when his wife thereafter makes a homestead entry under the land laws of the United States, the wife and their minor children can be naturalized without any declaration of intention, upon complying with the other requirements concerning naturalization. No corresponding reduction in the naturalization requirement concerning a declaration of intention is made, however, in the case of a foreign man whose wife has declared her intention to become a United States citizen and has become insane before her naturalization is completed, the husband having thereafter made a homestead entry under the land laws of the United States. (Act of Congress, February 24, 1911, 36 Stat. 929.)

Eighth. A legitimate child born outside the jurisdiction of the United States of a father having United States nationality at the time of the child's birth has United States nationality, provided that the father has at some time prior to the child's birth resided in the United States. In order to receive the protection of the United States such a child continuing to reside outside the United States upon reaching the age of 18 years must record at an American consulate its intention to become a resident and remain a citizen of the United States, and must take the oath of allegiance to the United States upon reaching majority. A woman who has United States nationality, however, and who is married to a foreigner can not give United States nationality to her legitimate child born outside the jurisdiction of the United States. (Act of Congress February 10, 1855; sec. 1993, Rev. Stat., 1878; act of Congress March 2, 1907, sec. 6, 34 Stat., 1929; Weedin *v.* Chin Bow, 1927, 274 U. S. 657; information supplied by G. H. Hackworth, solicitor of U. S. Department of State, December 22, 1928.)

Ninth. An illegitimate child born outside the jurisdiction of the United States of a mother having United States nationality at the time of the child's birth has United States nationality, provided that the mother has at some time prior to the child's birth resided in the United States. In order to receive the protection of the United States such a child, continuing to reside outside the United States, upon reaching the age of 18 must record at an American consulate its intention to become a resident and remain a citizen of the United States, and must take the oath of allegiance to the United States upon reaching majority. A man who has United States nationality, however, can not give that nationality to an illegitimate child born outside the jurisdiction of the United States. (Act of Congress, February 10, 1855; sec. 1993, Rev. Stat., 1878; act of Congress, March 2, 1907, sec. 6, 34 Stat. 1229; Ng Suey Hi *v.* Weedin, 1927, vol. 21, F. (2d), p. 801; Weedin *v.* Chin Bow, 1927, 274 U. S. 657; information supplied by G. H. Hackworth, Solicitor of U. S. State Department, December 22, 1928.)

Tenth. The naturalization of a foreign man as a subject of the United States carries with it the naturalization of his minor child born outside the United States, from the time when such minor child begins to reside permanently in the United States. The naturalization of a foreign woman, however, as a subject of the United States does not carry with it the naturalization of her minor child born outside the United States, in those cases where the father and mother are living together and the father has not become naturalized. (Act of Congress, April 14, 1802, modified and incorporated in Rev. Stat. 1878, sec. 2172; act of Congress, March 2, 1907, sec. 5, 34 Stat. 1229; In re citizenship status of minor children where mother alone becomes citizen through naturalization, United States District Court D., N. J., March 1, 1928, 25 F. (2d) p. 210.)

In addition, I desire to present the following advance report of table from the forthcoming edition of the Inter-American Commission of Women, as follows:

TABLE V.—*Equality between men and women in nationality*

| Parentage | Marriage | Change of nationality by husband or wife | Change of nationality by parents | In all respects |
|---|---|---|---|---|
| In the following countries there is equality— | | | | |
| Between the father and mother in the capacity to transmit nationality to their child at birth (1) | Between a man and woman in regard to the effect of marriage upon nationality (1) | Between a husband and wife in regard to changing nationality after marriage (1) | Between a father and mother in the capacity to change the nationality of a minor child (1) | Between men and women in all matters connected with nationality (1) |
| 1. Argentina.<br>2. Chile.<br>3. Colombia.<br>4. Dominican Republic.<br>5. Ecuador.<br>6. Nicaragua.<br>7. Panama.<br>8. Paraguay.<br>9. Peru.<br>10. Soviet Union.<br>11. Turkey.<br>12. Uruguay.<br>13. Venezuela. | 1. Argentina.<br>2. Chile.<br>3. Colombia.<br>4. Cuba.<br>5. Panama.<br>6. Paraguay.<br>7. Soviet Union.<br>8. Uruguay. | 1. Argentina.<br>2. Brazil.<br>3. Chile.<br>4. Guatemala.<br>5. Paraguay.<br>6. Soviet Union.<br>7. Uruguay. | 1. Argentina.<br>2. Brazil.<br>3. Chile.<br>4. Guatemala.<br>5. Paraguay.<br>6. Soviet Union.<br>7. Uruguay. | 1. Argentina.<br>2. Chile.<br>3. Paraguay.<br>4. Soviet Union.<br>5. Uruguay. |
| (1) For details see Table VII. | (3) For details see Table X. | (1) For details see Table XI. | (1) For details see Table XII. | (1) For details see the synopses of the laws of the above 5 countries in Part III of this volume. |

I regret that the tables referred to in the footnotes are not at this time available.

Mr. Speaker, in conclusion let me say that my attitude toward the first paragraph of this resolution is well known. In the Committee on Immigration and Naturalization, as a member and as chairman, I have always favored equality between men and women in naturalization and all other matters. Recognizing the industry, energy, and ability, as well as his great interest in bringing about citizenship and naturalization equality of the sexes, I appointed Congressman JOHN L. CABLE, chairman of the Subcommittee on Naturalization, and to his able leadership not only in this but previous Congresses is largely due the great progress that has been made in bringing about equality, a splendid bill having already passed the House this session, and there

already being on the statute books what is known as the Cable act, both of which I took great pleasure in supporting, and both of which evidence the efficient legislative ability of their author, Congressman CABLE, of Ohio, and the wisdom of his having been placed at the head of the subcommittee having in charge all naturalization matters.

UNREST AND UNEMPLOYMENT

Mr. ROMJUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROMJUE. Mr. Speaker and Members of the House, that there exists some unrest in the United States at the present time no one can truthfully deny. It is regretted, of course, that business conditions have been brought into an unsatisfactory situation. There exists very plain reasons why the situation is as it is. That there exists considerable unemployment in the industrial centers of the country at the present time likewise can not be truthfully denied. This situation is to be deplored.

However, there are positive reasons for the existence of this unemployment, or perhaps it is better to say these conditions of unrest and unemployment are brought about and produced by certain facts and affirmative action in the form of legislation or governmental administration policy which gives to some that which it takes from others.

Whenever any governmental agency or political party in power withholds from a large class of its citizens that which it bestows upon a favored few, there is sure to come a day of accounting, and when that day comes it usually strikes vigorously and leaves nothing uncertain about its purpose.

The ballot box is the people's great reservoir of power. It is there they reward the faithful and stand by those in authority who have kept the faith, and it is there, also, that the political party that has helped the few and the strong get advantage over the many and the weak meets with a final and just rebuke.

The American citizen of to-day is as patriotic and loyal to the fundamentals of this Government as he or she has ever been, and those who by open charges or by legislative gesture assert that America and its citizens are due to be examined by a special committee to see just how much they are tinctured by "Bolshevism" or just how much of the "red virus" is getting under the American people's skin had better take a first-class look at themselves, for above all the American people are not en masse to be fooled and misled. They know that their trouble is economic and not loss of patriotism, and they will be quick to understand that a recent proposal to have a committee investigate to see just how and why and to what extent their patriotism is being undermined is merely to mislead, and they will understand the story of the wolf.

If the people of this country are certain of anything at all they are certain of the fact that the American farmer was promised before the last presidential election some assistance by the political party in power from the unequal burden agriculture was carrying. They now know that instead of getting the promised assistance they are to get, by the pending tariff bill, another brick. Those who relied on that promise are now beginning to find out that when a famous statesman said to a farmer that he was "too d— dumb!" that he probably thought exactly what he said, but it is asserted that it is "dumber" for any political party to think that the farmers of America and the consuming public in general are altogether to be misled by a "red herring" trail.

The truth is that of all the citizens of the United States there is no class, as a class, that has remained more loyal to the Government than the farmer himself. During the Coolidge and Hoover administrations, the American farmer has lost at least one-half of his wealth. He is not worth to-day to exceed one-half of what he was 10 years ago. I am speaking of the entire farm population and as a matter of fact, many farmers have gone completely bankrupt; still I have yet to hear a single utterance from an American farmer that was antagonistic to the fundamentals of our Government. The embarrassed situation into which the Republican Party has brought itself can not be set aside by a resolution to "see about the destruction of patriotism in the United States." Most of the present living American citizens were born before yesterday. They know too well that you can not make them like the tariff bill that "robs Peter to pay Paul." They know that there are in China to-day millions of starving and hungry people, as well as in other sections of the world. They know that when a man is hungry and his belly empty, that it is a better policy to present bread, bacon, beans, and beef to him than it is to talk about the London conference. The American farmer knows that if there is a surplus of farm products, local or otherwise, that there is more sense in getting his crops not required for domestic needs over to China and other hungry nations at a fair sale price than it is to have some administration official to tell farmer John Smith to raise more asparagus and not so much corn, or to tell Bill Brown to cut out half of his oat crop and raise butter beans.

Last year, shortly before the present Farm Board of Mr. Hoover's administration commenced to operate, I sold the wool from my sheep for 34 cents per pound. This year so far, I can only get 20 cents per pound. The Farm Board is in reverse. This matter of shifting the gear right is quite an important factor these days. I hope the president of the Farm Board, Mr. Legge, will lift his foot and step on the gas. I want to go forward a little while.

The present Republican Party must not think a tariff wall can be built up around the United States so that industry and the manufacturing interests can prosper by profits charged against the farmers and consumers generally of this country, and at the same time sell their surplus production to other nations when other nations can not sell anything to us. The "big fish" in America must not expect to live altogether off of our own little "fish." We have got to have trade with other nations. We can not sell to them all the time and buy nothing from them. We must not think other nationalities are totally "dumb"; over a thousand leading economists of the United States, and many of them Republicans, see the injury to the people of this country the pending tariff bill will do. Many prominent business men of this country can see the fallacy and injustice generally of the pending tariff measure. The agricultural interests of the country have so suffered that the farmer can no longer buy to the extent he did some years ago and pay the purchase price, the result of which is beginning to make itself felt in the factories, and men from industrial sections are by the thousands out of work. New England can not sell her goods from the factory to the American farmer when by special legislation in the tariff the farmer's burden is increased. If the factory's goods can not be purchased by the American farmer and American consumer generally, laborers go out of employment as they are now.

Foreign nations will not buy either American crops or factory goods when we refuse to buy anything from them, and especially when we build up a tariff wall so high that they can not sell here at all.

The tariff should be removed or reduced on many things the farmer has to buy. Our Government should assist in marketing and selling American agricultural products in other nations. This will give the American farmer a greater ability to purchase and pay for what he gets. It would help to restore to employment those now out of work in factory and mine.

A few weeks ago Thomas Cawley, 39-year-old man, was found dying with self-inflicted bullet wounds. He prayed for death to hurry him on to the "other side." He was out of work. During the last month police officials at one of the big industrial plants and centers in the United States, with clubs and tear bombs, dispersed between ten and fifteen thousand disappointed men who were looking for work. A few weeks ago Alfred Ellicocks was out of employment. He and his family straggled into Wood River, Nebr. The family was walking, hunting work. The mother carried a 3-months old infant in her arms. She was weak from want of nourishment, so much so she could hardly speak. A 2-year-old boy dragged wearily at her free hand. The 3-months old infant was sick and they sought medical aid. With the assistance of the good citizens of that section they were clothed and warmed, but before the mother could reach the doctor's office with the little bundle in her arms, the child died. They were out of work. Recently, in the city of Washington, Arthur Coffy, 29 years old, was found hanging from the ceiling of his home. He had worried himself into taking this horrible course because he was out of work.

Poverty and illness go hand in hand. There is something wrong with any nation's industrial system when large numbers of people who are willing to work are out of employment like they are at the present time. Here we are in the middle of the summer season and millions of people yet unemployed.

The troublesome situation in America to-day is not lack of patriotism. It is not to any appreciable extent a lack of devotion to American institutions of Government by her citizens but the trouble lies in great concentrated wealth seeking, and too often obtaining, special legislative favors, while instead of such policy those in charge of the administrative and legislative functions of the Government should give more thought and effort to the prevention of such legislation as increases the burdens upon the weaker and poorer while extending greater favors to the special few.

THE PRIVATE CALENDAR

Mr. TILSON. Mr. Speaker, in the consideration of the Private Calendar to-morrow, I ask unanimous consent that the Clerk begin where we last left off. It is indicated by the star.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that in the consideration of the Private Calendar to-morrow the Clerk begin at the star. Is there objection?

Mr. CRAMTON. Reserving the right to object, the Consent Calendar has several hundred bills on it that have never been called. We hope the session is approaching the close. Has the gentleman from Connecticut any idea that an extra day for the call of the Consent Calendar might be put in next week some time?

Mr. TILSON. The first day that is available I shall ask that we have another Consent Calendar day, but I can not tell the gentleman as far ahead as next Thursday whether we can have it that day, but I hope the House will be prepared for a day next week, either next Thursday or soon thereafter.

Mr. CRAMTON. If these House bills are to have any chance in the Senate, they should be reached next week.

Mr. TILSON. The gentleman from Michigan is correct, and I shall use all diligence to find an opportunity to consider them.

Mr. HASTINGS. Reserving the right to object, are there any important matters to come up other than bills on the Private Calendar to-morrow?

Mr. TILSON. No; not to-morrow.

Mr. COCHRAN of Missouri. Further reserving the right to object, there are only about 20 bills on the calendar above the star.

Mr. STAFFORD. Oh, no; there are a great many.

Mr. CHINDBLOM. Reserving the right to object, it is, of course, understood that we will consider only bills not objected to?

Mr. TILSON. That was the request before, and that they may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED

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

H. R. 3975. An act to amend sections 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto;

H. R. 6807. An act establishing two institutions for the confinement of United States prisoners;

H. R. 7412. An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes; and

H. R. 11196. An act to extend the times for commencing and completing the construction of a bridge across the White River at or near Clarendon, Ark.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 195. An act to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes;

S. 320. An act authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyo.;

S. 1171. An act to establish and operate a national institute of health, to create a system of fellowships in said institute, and to authorize the Government to accept donations for use in ascertaining the cause, prevention, and cure of disease affecting human beings, and for other purposes;

S. 3746. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky.; and

S. 3934. An act granting certain lands to the city of Sault Ste. Marie, State of Michigan.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 185. An act to amend section 180, title 28, United States Code, as amended;

H. R. 7491. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes; and

H. R. 9444. An act to authorize the erection of a marker upon the site of New Echota, capital of the Cherokee Indians prior to their removal west of the Mississippi River, to commemorate its location, and events connected with its history.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Friday, May 23, 1930, at 12 o'clock noon.

## COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, May 23, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Second deficiency bill.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Authorizing the Secretary of the Navy to accept, without cost to the Government of the United States, a lighter-than-air base near Sunnyvale, in the county of Santa Clara, State of California, and construct necessary improvements thereon (H. R. 6810).

Authorizing the Secretary of the Navy to accept a free site for a lighter-than-air base at Camp Kearny, near San Diego, Calif., and construct necessary improvements thereon (H. R. 6808).

## EXECUTIVE COMMUNICATIONS, ETC.

481. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1930, for construction of buildings, utilities, and appurtenances at military posts barracks at Fort McKinley, Portland, Me., amounting to $50,000 (H. Doc. No. 411), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 222. A resolution providing for the consideration of S. J. Res. 49, to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals, in the State of Alabama, and for other purposes; without amendment (Rept. No. 1576). Referred to the House Calendar.

Mr. HALL of Indiana: Committee on the District of Columbia. S. J. Res. 77. Joint resolution providing for the closing of Center Market in the city of Washington; with amendment (Rept. No. 1585). Referred to the House Calendar.

Mr. KNUTSON: Committee on Pensions. S. 958. An act granting increase of pensions under the general law to soldiers and sailors of the Regular Army and Navy, and their dependents, for disability incurred in service in line of duty, and authorizing that the records of the War and Navy Departments be accepted as to incurrence of a disability in service in line of duty; with amendment (Rept. No. 1586). Referred to the Committee of the Whole House on the state of the Union.

Mr. STALKER: Committee on the District of Columbia. S. 4223. An act to amend the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927; without amendment (Rept. No. 1587). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALL of Indiana: Committee on the District of Columbia. S. 4224. An act to provide for the operation and maintenance of bathing pools under the jurisdiction of the Director of Public Buildings and Parks of the National Capital; without amendment (Rept. No. 1588). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 7638. A bill to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field; with amendment (Rept. No. 1589). 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. GRAHAM: Committee on the Judiciary. H. R. 11121. A bill for the relief of James River Bridge Corporation; with amendment (Rept. No. 1577). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. S. 1756. An act granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927; without amendment (Rept. No. 1578). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 7672. A bill for the relief of Carroll K. Moran; without amendment (Rept. No. 1579.) Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8183. A bill for the relief of Thomas J. Allen, jr.; without amendment (Rept. No. 1580). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 9390. A bill for the relief of Sophia A. Beers; without amendment (Rept. No. 1581). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10631. A bill for the relief of Barnet Albert; without amendment (Rept. No. 1582). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10804. A bill for the relief of Irma Upp Miles, the widow, and Meredeth Miles, the child of Meredith L. Miles, deceased; without amendment (Rept. No. 1584). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 10798. A bill for the relief of Lowela Hanlin; with amendment (Rept. No. 1583). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 12548) to designate streets to be known as Thomas Jefferson Boulevard; to the Committee on the District of Columbia.

By Mr. VESTAL: A bill (H. R. 12549) to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union; to the Committee on Patents.

By Mr. KENNEDY: A bill (H. R. 12550) 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; to the Committee on the Judiciary.

Also, a bill (H. R. 12551) 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; to the Committee on the Judiciary.

Also, a bill (H. R. 12552) to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913; to the Committee on Labor.

By Mr. HAMMER: A bill (H. R. 12553) authorizing appropriations for the construction of a highway in Hoke County, N. C.; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12554) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. ABERNETHY: Resolution (H. Res. 223) ordering the replacement with manual telephones of dial telephones in the House wing of the Capitol and the House Office Building; to the Committee on Accounts.

By Mr. JOHNSON of Washington: Resolution (H. Res. 224) providing for the consideration of bill (S. 51) to amend subdivision (c) of section 4 of the immigration act of 1924, as amended; to the Committee on Rules.

By Mr. GREEN: Joint resolution (H. J. Res. 344) authorizing an investigation of the vicious "chain-system way" of conducting business, and to provide ways by which remedies may be found to correct the evil and guarantee the public welfare; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULKIN: A bill (H. R. 12555) granting an increase of pension to Julia Cavallier; to the Committee on Invalid Pensions.

By Mr. GAVAGAN: A bill (H. R. 12556) granting an extension of patent to Walter D. Johnston; to the Committee on Patents.

By Mr. HALSEY: A bill (H. R. 12557) granting an increase of pension to Amarillous Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12558) granting an increase of pension to Emma J. Williams; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 12559) for the relief of El Paso Electric Co. and Spears & Co. (Inc.); to the Committee on the Public Lands.

By Mr. KEMP: A bill (H. R. 12560) concerning the claim of Jacobs Landry; to the Committee on the Public Lands.

By Mr. MOORE of Kentucky: A bill (H. R. 12561) granting a pension to Isaac N. Abner; to the Committee on Invalid Pensions.

By Mr. PRALL: A bill (H. R. 12562) for the relief of Edward C. Burke; to the Committee on Claims.

By Mr. SEIBERLING: A bill (H. R. 12563) granting an increase of pension to Mary Dottarar; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12564) granting an increase of pension to Patrick M. Shea; to the Committee on Pensions.

Also, a bill (H. R. 12565) granting a pension to Rose E. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12566) granting an increase of pension to Belle Greenslate; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 12567) granting a pension to Mazie E. Langley; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 12568) granting an increase of pension to Almedia R. Hichborn; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 12569) granting a pension to Carrie B. Martin; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7345. By Mr. BRIGHAM: Resolution of the C. J. Bell Pomona Grange, No. 13, of Addison County, Vt., signed by H. G. Pratt, master, and members of the committee, stating the opposition of that organization to the so-called debenture plan of farm relief and requesting the Vermont Representatives in Congress to oppose the same; to the Committee on Ways and Means.

7346. By Mr. CLARKE of New York: Petition of Woman's Christian Temperance Unions, of Arkville, Treadwell, and Norwich, N. Y., favoring Federal supervision of motion pictures in international commerce; to the Committee on Interstate and Foreign Commerce.

7347. By Mr. EATON of Colorado: Resolution of the town of Julesburg, Colo., memorializing Congress of the United States to enact House Joint Resolution 167, directing President of the United States to proclaim October 11 of each year as General Pulaski's memorial day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

7348. By Mr. HESS: Petition of various citizens of Cincinnati, Ohio, urging the passage of House bill 8976, increasing the pension of the veterans and widows and minor orphan children of the veterans of the Indian wars; to the Committee on Pensions.

7349. By Mr. HOPKINS: Petition signed by various citizens of northwest Missouri respectfully requesting the Congress of the United States and the War Department to provide for immediate action on the revetment and dike work now needed at Corning, Mo.; to the Committee on Rivers and Harbors.

7350. By Mr. SWANSON: Petition of Woman's Christian Temperance Union of Woodbine, Iowa, urging Federal supervision over motion pictures in interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7351. By Mr. UNDERHILL: Petition of the Board of Aldermen of Everett, Mass., to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

7352. By Mr. WOLVERTON of West Virginia: Petition of Thomas J. Rigby, president Postal Laborers' Union, No. 17294, of St. Paul, Minn., urging favorable action on the Dyer bill, H. R. 2402, in the present session of Congress; to the Committee on the Post Office and Post Roads.