business operation, and to report findings to Speaker; to the Committee on Interstate and Foreign Commerce.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 360) providing for a national conference on uniform State labor and welfare laws; to the Committee on the Judiciary.

By Mr. O'CONNOR of Louisiana: Joint resolution (H. J. Res. 361) authorizing the Secretary of War to lease to the New Orleans International Trade Exhibition New Orleans Quartermaster Intermediate Depot Unit No. 2; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 12877) granting an increase of pension to Adelia A. Masters; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 12878) granting an increase of pension to Martha E. Aughinbaugh; to the Committee on Invalid Pensions.

By Mr. BLACK: A bill (H. R. 12879) for the relief of John J. Kennelly; to the Committee on Claims.

By Mr. COCHRAN of Missouri: A bill (H. R. 12880) for the relief of Frederick V. Armistead; to the Committee on Military Affairs.

Also, a bill (H. R. 12881) granting a pension to Viny Carey; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 12882) granting a pension to Willie D. Harrelson; to the Committee on Pensions.

By Mr. EVANS of California: A bill (H. R. 12883) for the relief of Seymour H. Dotson, otherwise known as William Dodson; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 12884) granting an increase of pension to Rhoda Button; to the Committee on Invalid Pensions.

By Mr. HALL of North Dakota: A bill (H. R. 12885) granting an increase of pension to Mary E. Folsom; to the Committee on Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 12886) granting an increase of pension to Emma Huston; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 12887) granting an increase of pension to Sarah C. Pile; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12888) granting an increase of pension to Mary Jane Mimmy; to the Committee on Invalid Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 12889) for the relief of officers and enlisted men of the First Virginia Ambulance Company, later One hundred and fifteenth Ambulance Company, One hundred and fourth Sanitary Train; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 12890) granting a pension to Rosa E. Myers; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 12891) granting a pension to Mary West; to the Committee on Pensions.

By Mr. STALKER: A bill (H. R. 12892) granting an increase of pension to Betsy A. Waight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12893) granting an increase of pension to Sarah E. Swan; to the Committee on Invalid Pensions.

By Mr. SIROVICH: A bill (H. R. 12894) extending the benefits of the emergency officers' retirement act to Wolcott LeClear Beard; to the Committee on World War Veterans' Legislation.

By Mr. TARVER: A bill (H. R. 12895) granting a retirement annuity to W. A. Cody; to the Committee on the Civil Service.

By Mr. TILSON: A bill (H. R. 12896) granting an increase of pension to Katie J. Jerolmon; to the Committee on Invalid Pensions.

By Mr. WELSH of Pennsylvania: A bill (H. R. 12897) granting a pension to Esther Simpson Bingham; to the Committee on Pensions.

By Mr. WIGGLESWORTH: A bill (H. R. 12898) to extend the benefits of the employees' compensation act of September 7, 1916, to Carl G. Lindstrom, a former employee at the Watertown Arsenal, Watertown, Mass.; to the Committee on Claims.

By Mr. WYANT: A bill (H. R. 12899) granting an increase of pension to Mary A. Steiner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12900) granting an increase of pension to Mary E. Klingensmith; 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:

7518. By Mr. ALDRICH: Petition of Providence Fraternal Association of Providence, R. I., opposing the enactment of legislation designed to create either a voluntary or compulsory system of alien registration; to the Committee on Immigration and Naturalization.

7519. By Mr. CAMPBELL of Iowa: Petition of the Woman's Christian Temperance Union, of Merrill, Iowa, urging that Congress enact a law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7520. By Mr. GLOVER: Petition of American Train Dispatchers' Association, urging the passage of Senate Joint Resolution 161; to the Committee on Interstate and Foreign Commerce.

7521. By Mr. LUCE: Petition of employees of the Boston regional office of the Veterans' Bureau, favoring passage at the present session of the bill relating to a 44-hour week for Government employees; to the Committee on the Civil Service.

7522. By Mr. HARCOURT J. PRATT: Petition of president and secretary of Woman's Christian Temperance Union, of Middleburgh, Schoharie County, N. Y., praying for enactment of laws to provide Federal supervision of motion-picture production; to the Committee on Interstate and Foreign Commerce.

7523. By Mr. RAMSEYER: Petition of Woman's Christian Temperance Union, of Lynnville, Iowa, requesting the enactment of a law for the Federal supervision of motion pictures establishing higher standards for production of films to be licensed for interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

7524. By Mr. STONE: Petition of Finor H. Works, Wynnewood, Okla., urging the date to be extended to 1930 in the Rankin bill; to the Committee on World War Veterans' Legislation.

7525. Also, petition of John P. Tyon, of Davidson, Okla., urging the date to be extended to 1930 in the Rankin bill; to the Committee on World War Veterans' Legislation.

7526. By Mr. YATES: Petition of D. J. O'Connell, corresponding secretary International Union of Journeymen Horseshoers, 3917 Flourney Street, Chicago, Ill., urging the passage of the 44-hour bill for Federal employees; to the Committee on the Civil Service.

7527. Also, petition of George W. Overton, president of the Reuben H. Donnalley Corporation, 320 East Twenty-first Street, Chicago, Ill., protesting the passage of House bill 11096, and states in his opinion it will decrease rather than increase revenue; to the Committee on the Post Office and Post Roads.

7528. Also, petition of E. M. Pettinger, general manager Direct Mail Advertising Co., 431 South Dearborn Street, Chicago, protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7529. Also, petition of Jessie M. Kehoe, 327 South La Salle Street, Chicago, protesting the passage of House bill 11096, and stating that if passed it would decrease rather than increase revenue; to the Committee on the Post Office and Post Roads.

SENATE

WEDNESDAY, *June 11, 1930*

(*Legislative day of Monday, June 9, 1930*)

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

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

The VICE PRESIDENT. The clerk will call the roll.

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

Allen	Capper	Gillett	Hebert
Ashurst	Caraway	Glass	Heflin
Baird	Connally	Glenn	Howell
Barkley	Copeland	Goldsborough	Johnson
Bingham	Couzens	Greene	Jones
Black	Cutting	Grundy	Kean
Blaine	Dale	Hale	Kendrick
Borah	Deneen	Harris	Keyes
Bratton	Dill	Harrison	La Follette
Brock	Fess	Hatfield	McCulloch
Brookhart	Frazier	Hawes	McKellar
Broussard	George	Hayden	McMaster

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

McNary	Ransdell	Steck	Tydings
Metcalf	Reed	Steiwer	Vandenberg
Moses	Robinson, Ind.	Stephens	Wagner
Norris	Robsion, Ky.	Sullivan	Walcott
Oddie	Sheppard	Swanson	Walsh, Mass.
Overman	Shipstead	Thomas, Idaho	Walsh, Mont.
Phipps	Shortridge	Thomas, Okla.	Waterman
Pine	Simmons	Townsend	Watson
Pittman	Smoot	Trammell	Wheeler

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

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 3298. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Evansville, Ind.;

S. 3386. An act giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on February 12, 1929;

S. 3466. An act to legalize the water pipe line constructed by the Searcy Water Co. under the Little Red River near the town of Searcy, Ark.;

S. 3868. An act granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River at or near Talisheek, La.;

S. 4175. An act to legalize a bridge across Duck River, on the Nashville-Centerville Road, near Centerville in Hickman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road; and

S. J. Res. 155. Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson.

The message also announced that the House insisted upon its amendment to the bill (S. 3619) to reorganize the Federal Power Commission, disagreed to by the Senate, agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PARKER, Mr. HOCH, and Mr. RAYBURN were appointed managers on the part of the House at the conference.

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 Senate to the joint resolution (H. J. Res. 270) authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress to be held at Lima, Peru, July, 1930.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1086) for the relief of George W. Posey.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8479) to amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928.

The message also announced that the House had passed the following bill and joint resolution of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.; and

S. J. Res. 127. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1268. An act authorizing the States of Illinois and Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Vincennes, Ind.; and

S. 4196. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 252. An act to facilitate work of the Department of Agriculture in the Territory of Alaska;

H. R. 3087. An act granting leaves of absence with pay to substitutes in the Postal Service;

H. R. 5627. An act relating to the naturalization of certain aliens;

H. R. 7926. An act to provide for terms of the United States District Court for the Eastern District of Pennsylvania to be held at Easton, Pa.;

H. R. 9227. An act to establish additional salary grades for mechanic's helpers in the motor-vehicle service;

H. R. 9676. An act to authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Hospital, Washington, D. C.;

H. R. 10425. An act to amend the act of June 6, 1912 (37 Stat. L. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands";

H. R. 11051. An act to amend section 60 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900;

H. R. 11144. An act to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes;

H. R. 11784. An act to provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado;

H. R. 11853. An act to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark;

H. R. 11903. An act granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Niagara Falls, N. Y.;

H. R. 11933. An act granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Tonawanda, N. Y.;

H. R. 11934. An act authorizing the Monongahela Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near the town of Star City, W. Va.;

H. R. 11966. An act to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.;

H. R. 11971. An act to amend section 79 of the Judicial Code (U. S. C., title 28, sec. 152) by providing two terms of court annually at Bloomington, in the southern division of the southern district of Illinois;

H. R. 11974. An act granting the consent of Congress to the Beaufort County Lumber Co. to construct, maintain, and operate a railroad bridge across the Lumber River at or near Fair Bluff, Columbus County, N. C.; and

H. R. 12663. An act granting the consent of Congress to the Texas & Pacific Railway Co. to reconstruct, maintain, and operate a railroad bridge across Sulphur River in the State of Arkansas near Fort Lynn.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

H. R. 975. An act providing that subscription charges for newspapers, magazines, and other periodicals for official use may be paid for in advance;

H. R. 1086. An act for the relief of George W. Posey;

H. R. 8479. An act to amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

PETITION

Mr. GLENN presented the petition of the American Hungarian Revision League of the Midwest, Chicago, Ill., signed by its president, Dr. Arpád Baróthy and other officers, praying for support of the efforts of Hungary to secure a revision of the treaty of Trianon, which referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. KENDRICK, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 86) creating a commission to make a study with respect to the adequacy of the supply of unskilled agricultural labor, reported it with amendments.

Mr. DENEEN, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 186) providing for an investigation and report, by a committee to be appointed by the President, with reference to the representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities, reported it without amendment and submitted a report (No. 883) thereon.

Mr. JOHNSON, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment:

H. R. 11679. An act to provide for acquiring and disposition of certain properties for use or formerly used by the Lighthouse Service; and

H. R. 12447. An act to extend hospital facilities to certain retired officers and employees of the Lighthouse Service and to improve the efficiency of the Lighthouse Service.

Mr. DALE, from the Committee on Commerce, to which was referred the bill (S. 4517) to provide for the regulation of tolls over certain bridges, reported it without amendment and submitted a report (No. 890) thereon.

Mr. COPELAND, from the Committee on Commerce, to which was referred the bill (S. 4400) to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., reported it with amendments and submitted a report (No. 891) thereon.

Mr. GLENN, from the Committee on Claims, to which was referred the bill (S. 4419) for the relief of J. W. Nelson, reported it without amendment and submitted a report (No. 884) thereon.

Mr. SMOOT, from the Committee on Finance, to which were referred the following bills and joint resolutions, reported them severally without amendment and submitted reports thereon:

H. R. 8881. An act to carry out the recommendations of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928 (Rept. No. 886);

H. R. 12440. An act providing certain exemptions from taxation for Treasury bills (Rept. No. 887); and

H. J. Res. 340. Joint resolution extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income (Rept. No. 888).

Mr. BORAH, from the Committee on Foreign Relations, to which was referred the bill (H. R. 12348) to provide for the partial payment of the expenses of foreign delegates to the Eleventh Annual Convention of the Federation Interalliee des Anciens Combattants, to be held in the District of Columbia in September, 1930, reported it without amendment and submitted a report (No. 889) thereon.

Mr. FESS, from the Committee on the Library, to which was referred the joint resolution (H. J. Res. 289) providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes, reported it without amendment.

RELIEF OF WORLD WAR VETERANS

Mr. SHORTRIDGE. On behalf of the Committee on Finance I report back favorably, with amendments, the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended. I beg to add that the bill will be printed by to-morrow and within a few days a report (No. 885) accompanying the bill will be available to Senators in studying the measure.

The VICE PRESIDENT. The bill will be placed on the calendar, and, without objection, leave is granted to file a report later with the bill.

ANNEX TO THE LIBRARY OF CONGRESS

Mr. FESS. From the Committee on the Library I report favorably without amendment the bill (H. R. 8372) to provide for the construction and equipment of an annex to the Library of Congress. I ask unanimous consent for the immediate consideration of the bill. It is to provide for the construction of an annex to the Library of Congress, and is rather an emergency measure.

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

Be it enacted, etc., That the commission created by the act entitled "An act to provide for the acquisition of certain property in the District of Columbia for the Library of Congress, and for other purposes," approved May 21, 1928, is authorized and directed to provide for the construction and equipment of a fireproof annex to the Library of Congress (including approaches, connections with the Capitol power plant, and architectural landscape treatment of the grounds). Such building shall be constructed on the site acquired under the provisions of such act of May 21, 1928. It shall contain suitable space for book, newspaper, and file stacks; for storage, reference, and other rooms; offices for the Copyright Office, card service, and the branch printing office and bindery. It shall be connected by a suitable tunnel with the Library of Congress, for which purpose the necessary structural changes in the Library of Congress building and additions to the said building are authorized. Such annex shall be equipped with such furnishings and mechanical and other equipment and apparatus as may be necessary, including equipment and apparatus required for transportation and communication between the Library of Congress and the annex.

SEC. 2. All plans for the construction or alteration of buildings under authority of this act shall be approved by the commission. The Architect of the Capitol, under the direction of the commission, is authorized, in carrying out the provisions of this act, to enter into contracts to purchase materials, supplies, equipment, and accessories in the open market, to employ necessary personnel, including architectural, engineering, and other professional services, without reference to section 35 of the act approved June 25, 1910 (U. S. C., title 40, sec. 265), section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the classification act of 1923, as amended (U. S. C., title 5, chap. 13; U. S. C., Supp. III, ch. 13), and to make such expenditures as may be necessary, including expenditures for advertising and travel and for the purchase of technical and reference books.

SEC. 3. The commission created under the act of May 21, 1928, shall continue in existence until six months after the completion of the building.

SEC. 4. There is authorized to be appropriated the sum of $6,500,000, or so much thereof as may be necessary, to enable the commission to carry out the provisions of this act. Appropriations made under authority of this act shall be disbursed by the disbursing officer of the Department of the Interior.

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that to-day, June 11, 1930, that committee presented to the President of the United States the following enrolled bills:

S. 2836. An act to admit to the United States Chinese wives of certain American citizens;

S. 4085. An act to authorize the use of a right of way by the United States Indian Service through the Casa Grande Ruins National Monument in connection with the San Carlos irrigation project;

S. 4169. An act to add certain lands to the Zion National Park, in the State of Utah, and for other purposes;

S. 4170. An act to provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes;

S. 4203. An act to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; and

S. 4318. An act to amend the act entitled "An act to permit taxation of lands of homestead and desert-land entrymen under the reclamation act," approved April 21, 1928, so as to include ceded lands under Indian irrigation projects.

REPORTS OF NOMINATIONS

As in executive session,

Mr. JOHNSON, from the Committee on Commerce, reported favorably the nomination of Edward C. Plummer, of Maine, to be a member of the United States Shipping Board for a term of six years from June 9, 1930 (reappointment), which was placed on the Executive Calendar.

He also, from the same committee, reported the nominations of sundry officers in the Coast Guard, which were placed on the Executive Calendar.

Mr. BORAH, from the Committee on Foreign Relations, reported the nominations of sundry officers in the Diplomatic and Foreign Service, which were placed on the Executive Calendar.

He also, from the same committee, reported without recommendation the nomination of Hanford MacNider, of Iowa, to be envoy extraordinary and minister plenipotentiary of the United States of America to Canada, which was 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. GREENE:

A bill (S. 4680) granting an increase of pension to Adeline Barrows; to the Committee on Pensions.

By Mr. SULLIVAN:

A bill (S. 4681) to provide for blue dress uniforms for enlisted men of the Regular Army; to the Committee on Military Affairs.

By Mr. TYDINGS:

A bill (S. 4682) to authorize the Chief of Engineers of the Army to enter into agreements with local governments adjacent to the District of Columbia for the use of water for purposes of fire fighting only; to the Committee on Military Affairs.

By Mr. VANDENBERG:

A bill (S. 4683) to authorize the sale of all of the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan; to the Committee on Military Affairs.

A bill (S. 4684) granting a pension to Adelaide S. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 4685) for the relief of William A. Gallagher; to the Committee on Claims.

By Mr. GLENN:

A bill (S. 4686) granting a pension to Eugene T. Wooldridge; to the Committee on Pensions.

A bill (S. 4687) granting the consent of Congress to the city of Aurora, Ill., to construct, maintain, and operate a free highway bridge from Stolps Island in the Fox River at Aurora, Ill., to connect with the existing highway bridge across the Fox River north of Stolps Island; to the Committee on Commerce.

By Mr. GOLDSBOROUGH:

A bill (S. 4688) granting an increase of pension to Martha E. Tilghman (with accompanying papers); to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 4689) granting a pension to William F. Glispin; to the Committee on Pensions.

A bill (S. 4690) granting the consent of Congress to the State of Montana or the county of Roosevelt, or both of them, to construct, maintain, and operate a free highway bridge across the Missouri River at or near Poplar, Mont.; to the Committee on Commerce.

By Mr. SHEPPARD:

A bill (S. 4691) for the relief of Sidney J. Lock; to the Committee on Military Affairs.

By Mr. BROOKHART:

A bill (S. 4692) granting a pension to Clyde C. Foreman (with accompanying papers); to the Committee on Pensions.

By Mr. BAIRD:

A bill (S. 4693) to provide for the closing of certain streets in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 4694) to correct the military record of Albert Anderson; to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A bill (S. 4695) granting a pension to Mary L. Ickes; to the Committee on Pensions.

A bill (S. 4696) granting to the Butte Anglers' Club, of Butte, Mont., a patent to lot 1, section 5, township 2 south, range 9 west, and a patent to the Northern Pacific Railway Co. of lot 2 in said section 5; to the Committee on Public Lands and Surveys.

By Mr. CARAWAY:

A bill (S. 4697) granting the consent of Congress to the Texas & Pacific Railway Co. to reconstruct, maintain, and operate a railroad bridge across Sulphur River in the State of Arkansas near Fort Lynn; to the Committee on Commerce.

HOUSE BILLS REFERRED

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

H. R. 252. An act to facilitate work of the Department of Agriculture in the Territory of Alaska; to the Committee on Agriculture and Forestry.

H. R. 3087. An act granting leaves of absence with pay to substitutes in the Postal Service; and

H. R. 9227. An act to establish additional salary grades for mechanic's helpers in the motor-vehicle service; to the Committee on Post Offices and Post Roads.

H. R. 5627. An act relating to the naturalization of certain aliens; to the Committee on Immigration.

H. R. 7926. An act to provide for terms of the United States District Court for the Eastern District of Pennsylvania to be held at Easton, Pa.; and

H. R. 11971. An act to amend section 79 of the Judicial Code (U. S. C., title 28, sec. 152) by providing two terms of court annually at Bloomington, in the southern division of the southern district of Illinois; to the Committee on the Judiciary.

H. R. 9676. An act to authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Hospital, Washington, D. C.; to the Committee on Naval Affairs.

H. R. 10425. An act to amend the act of June 6, 1912 (37 Stat. L. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands"; to the Committee on Indian Affairs.

H. R. 11051. An act to amend section 60 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900; to the Committee on Territories and Insular Affairs.

H. R. 11144. An act to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes; to the Committee on Public Buildings and Grounds.

H. R. 11784. An act to provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado; to the Committee on Public Lands and Surveys.

H. R. 11853. An act to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark; to the Committee on the Library.

H. R. 11966. An act to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.;

H. R. 11974. An act granting the consent of Congress to the Beaufort County Lumber Co. to construct, maintain, and operate a railroad bridge across the Lumber River at or near Fair Bluff, Columbus County, N. C.; and

H. R. 12663. An act granting the consent of Congress to the Texas & Pacific Railway Co. to reconstruct, maintain, and operate a railroad bridge across Sulphur River in the State of Arkansas near Fort Lynn; to the Committee on Commerce.

AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. TYDINGS submitted an amendment proposing to appropriate $671,950 as an additional amount for general expenses of the Office of the Public Buildings and Public Parks of the National Capital for completing roads in the Rock Creek and Potomac Parkway, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENT TO RIVER AND HARBOR BILL—BAY RIDGE AND RED HOOK CHANNELS, NEW YORK HARBOR, N. Y.

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 11781, the river and harbor authorization bill, which was ordered to lie on the table and to be printed.

THE MERCHANT MARINE

Mr. COPELAND. Mr. President, I desire to enter a motion to reconsider the vote by which the amendment offered by the Senator from Tennessee [Mr. McKELLAR] was adopted on Monday last to the bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928.

The VICE PRESIDENT. The motion will be entered.

HELEN T. SCOTT

Mr. MOSES submitted the following concurrent resolution (S. Con. Res. 30), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate (the House of Representatives concurring), That there shall be paid out of the contingent funds of the Senate and House of Representatives to Helen T. Scott, widow of Walter W. Scott, late an employee of the Joint Committee on Printing, a sum equal to six months of his compensation as such employee, one-half of said sum to be paid by the Senate and one-half by the House, and an additional amount, not exceeding $250, to defray the funeral expenses of said Walter W. Scott, shall be paid by the House.

Mr. DENEEN subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which the foregoing concurrent resolution was referred, reported it favorably without amendment, and it was considered by unanimous consent and agreed to.

REPRINT OF DOCUMENT ENTITLED "COLORADO RIVER DEVELOPMENT"

Mr. ODDIE submitted the following resolution (S. Res. 289), which, with the accompanying document, was referred to the Committee on Printing:

Resolved, That Senate Document No. 186, Seventieth Congress, second session, entitled "Colorado River Development," be reprinted as a Senate document, with corrections, and that 5,000 copies be made available for the use of the document room.

CONSOLIDATION OF RAILROAD PROPERTIES

Mr. COUZENS submitted the following resolution (S. Res. 290), which was referred to the Committee on Interstate Commerce:

Resolved, That for the purpose of obtaining information as a basis for legislation, the Committee on Interstate Commerce, or any duly

authorized subcommittee thereof, is hereby authorized and directed to make a study of and to investigate the matter of consolidation and unification of railroad properties and the effect of such consolidations and unifications upon the public interest.

The committee shall report to the Senate the results of its studies and investigations, including such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act at such times and places during the sessions and recesses of the Senate, to employ such experts and such clerical and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation herein authorized, shall be liable to the penalties provided by section 102 of the Revised Statutes of the United States. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee or subcommittee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

WABASH RIVER BRIDGE NEAR VINCENNES, IND.

The PRESIDING OFFICER (Mr. COUZENS in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1268) authorizing the States of Illinois and Indiana to construct, maintain, and operate a free highway bridge across the Wabash River, at or near Vincennes, Ind., which were to strike out all after the enacting clause and insert: "That the times for commencing and completing the construction of a bridge across the Wabash River at or near Vincennes, Ind., authorized to be built by the States of Illinois and Indiana, by an act of Congress approved June 20, 1929, are hereby extended one and three years, respectively, from June 20, 1930.

"SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved"; and to amend the title so as to read: "An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Vincennes, Ind."

Mr. WATSON. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

COAL AND ASPHALT DEPOSITS IN LANDS OF CHOCTAW AND CHICKASAW NATIONS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes.

Mr. FRAZIER. I move that the Senate disagree to the amendments of the House, ask for a conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FRAZIER, Mr. MCMASTER, and Mr. ASHURST conferees on the part of the Senate.

ROADS AS BUSINESS BUILDERS

Mr. FESS. Mr. President, I ask unanimous consent to insert in the RECORD an address delivered over the radio by Dr. Julius Klein, Assistant Secretary of Commerce, on Roads as Business Builders.

The VICE PRESIDENT. Without objection it is so ordered.

The address is as follows:

Some time ago, you may recall, we discussed the business effects of road building in foreign countries. I mentioned a number of the great highway contracts overseas that have been obtained by American firms, notably the success of a Boston concern with a huge highway project in Cuba, probably the largest in the world. So to-night I will confine myself to the commercial advantages of good roads here in our own country.

The meaning of good roads for better business was brought home to us very vividly a few weeks ago when President Hoover signed the Dowell bill—certainly one of the most notable pieces of legislation in the history of highways in this country. It appropriates $300,000,000 of Federal money to aid the States in the construction of roads during the next three years. Its economic importance would be difficult to exaggerate.

The subject of the commercial value of roads is particularly timely now, I feel, because reports recently made to Secretary Lamont by the governors of 35 States indicate extraordinary activity in highway construction this year. Thirty States report increases over last year, and 16 of these announce contract awards so far this year 100 per cent or more above the same period last year. Contracts for highways reached the total of $196,678,000 during the first four months of 1930, against $142,668,000 during the corresponding period of 1929. There we see a real contribution toward business stability. And I am glad to say there is a unanimous agreement among these State officials that the element of political strife must absolutely be barred from the vital matter of administering roadway improvement—through the appointment of thoroughly competent, impartial commissions and engineers. Only in this way can full efficiency be assured in the control of expenditures for road construction as well as maintenance. There is still much room for improvement in county-road administration. Out of the three thousand and odd counties in the country, Mr. T. N. MacDonald, the able, energetic chief of our Federal Bureau of Public Roads, tells me that only about a half are now employing expert, competent engineers to supervise their road works. The injection of politics into this problem is both wasteful and dangerous.

The greatest relative increases in road work this year, I find, are in Ohio and Idaho; in the former State the road-construction awards for the first three months of this year were eleven times greater than in the corresponding quarter a year ago, while Idaho shows awards more than ninety times as large as last year. But some of our wide-awake Southern States are also setting a lively pace. There is Arkansas, which is now in the midst of a highway-development program on which $25,000,000 will be expended this year; this will be very significant in the economic development of that whole section of the country.

It is this early season highway construction that represents such a substantial contribution to the stabilization of business. It involves the use of millions of tons of material drawn from widely separated sources, and thus provides employment (both directly and indirectly) over broader areas than any other type of public work. For one thing, it is calculated that nearly 50 cents of each dollar spent for highway building and maintenance is paid for the labor involved. And this does not mean merely the able shovel wielders out in the hot sun; it includes makers of cement in distant cities, chemists in explosive plants, steel workers, lumber-yard employees, and countless others who contribute to the creation or selling of road and bridge materials.

The extent and quality of a nation's roadways determine, to a high degree, its rank in the material civilization of the present day. For the swift necessities of present-day business, good highways are absolutely indispensable. But way back in the days of the Romans they had what might almost be called a "religion of the road" as a vital factor in well-being, law, and order. The Roman road enabled the imperial city to become the mistress of practically all the then known world. Those roads formed an intricate and gigantic network, stretching out to Spain, up to Scotland, to Germany, to Syria, and across northern Africa. Sometimes as much as 3 feet thick, and almost as enduring as primeval rock, these Roman highways struck straight for definite goals. They penetrated forests, surmounted morasses, and cut boldly across barren deserts. Over them thundered the Roman legions, and in the wake of the legions came the Roman law, the "Roman peace," the enormous business life of that mighty empire.

Most of our early American statesmen were passionately enthusiastic about the value of roads. Washington, as a young engineer, was a road builder. That brilliant Carolinian, Calhoun, declared in 1819 that "a judicious system of roads, constructed for the convenience of commerce and the transportation of the mail, would, by consolidating our Union and increasing our wealth and fiscal capacity, add greatly to our resources."

Those were the days of turnpikes, tollgates, and so-called "corduroy roads" (made of small logs), which you still ride across (or, rather, bump across) in the remote mountains of California and the West. I must not forget to mention the "Wilderness Road" which Daniel Boone hewed out from North Carolina to the heart of the Kentucky country. It was ungraded—dotted with stumps and holes—but over it journeyed westward those humble, desperately poor, but immortal benefactors of the Republic, the grandparents of Abraham Lincoln. Then, there was the famous "National Road" which was started from Cumberland, Md., in 1808; it took 3 Presidents, 10 Congresses, and 14 governmental acts to get that road even as far as Wheeling, W. Va., about 135 miles. But it was one of the first "roots" of that far-flung growth of highways over which our sturdy forefathers fought their way toward that remote western coast, which is now (thanks to this magical device that you and I are using this minute) so happily and closely linked with the rest of the country.

Most of us who are not excessively young can recall very well the "pre-good-roads" days out in the country districts—the narrow dirt strips deep in dust or mud—the ruts and bogs and bumps and ridges. It was a task in those days—a feat of endurance and hardihood in many cases—merely to make 15 miles to "get to town" or out on a Sunday picnic in a buggy or in one of the hard, lumbering, old-fashioned country wagons.

And what, we may ask, was the social effect—or, more specially, the business effect—of that condition? Transportation and trade were impeded. The tendency was one of isolation, of segregation, of social and commercial life concentrating in and around countless small centers—the crossroads settlement, the hamlet, the village, the little

city. Business was restricted very largely by the geographic limitations of the given region. There was very little of the ferocious competitive pressure of the sort that harasses the small business man these days.

Under the resistless compulsion of the automobile's spread, the good-roads movement here in the United States has advanced with giant strides. Even so recently as 1904 our State and Federal Governments alone spent for rural highways only a little more than two and one-half million dollars. In 1928, the most recent year for which we can obtain complete statistics, the comparable figure was more than $827,000,000. That is three hundred and thirty times as much. And, in addition to that huge State and Federal road budget, the expenditures of the counties and other local governments for roads in 1928 reached a total of $832,000,000. In the last 10 years the aggregate expenditures for roads in this country have mounted above a billion dollars every year.

We now have more than 3,000,000 miles of public roads. This, to be sure, includes roads of all classes outside the limits of municipalities and is made up largely—nearly four-fifths—of local roads of small importance. The "Federal-aid system"—which includes the roads of highest traffic importance built jointly with national and State funds—comprises nearly 190,000 miles, a system of splendid highways which would extend almost eight times around the world if it were in one unbroken road. An admirable beginning in many respects, but a continent-wide nation certainly needs more. Because of these fine hard-surfaced roads we spend vastly less than otherwise would be necessary for gasoline, operating expenses, upkeep of cars, and tires. Just ask some tire manufacturer—he may burst into tears as he tells you of how these roads are too easy on tires, but you can cheer him up by reminding him of the increased market for more cars and tires as a result of the extension of good roads. There can be no doubt whatever that the amount thus saved in running our nearly 27,000,000 cars exceeds the sums that we have been spending on our roads.

That is what good highways have meant to the automobile industry, which provides employment—directly or indirectly—for one out of every ten of the workers in the United States. Therefore, the business benefits from good roads in this single major aspect are widespread and enormous.

They have also helped the farmer, of course, by cutting the cost of getting his produce to market and especially by widening his market. They have reduced the expense of his merchandising, and the economies thus effected have meant money in the pockets of every single one of us. He now ships many more perishable commodities to the city and to more cities much more readily, especially "garden truck," fruit, and milk. Of course, that has taken some traffic from the railways, especially those serving congested districts; but in general the trucks running over the roads are helpful to the rail lines as "feeders," tapping new territory, engendering new rail traffic, especially for longer hauls.

As regards bus traffic, you may be interested to know that busses now carry more than 3,000,000,000 passengers annually in the United States; that is twenty-four times the total population of the country. Probably if you ran into the usual Sunday afternoon traffic jams on the roads to-day, you are convinced that most of those 3,000,000,000 were out bus riding to-day and each with a bus to himself or herself.

Prompt deliveries represent one of the greatest commercial contributions of the motor road. The small-town store can keep a fresher stock, can enjoy the big savings of quicker turnovers, is relieved of the necessity of having so large an inventory, and can cope with that ominous bugbear of to-day's business, the swift style cycle, much more readily than in the past. Of course, that has complicated things for the manufacturers, who can not shove off a lot of out-of-date chromos and "seconds" on the country trade out in the "sticks" any more, because there are no "sticks"—or hardly any.

As a rather striking example of the way in which good roads have helped to alter business no less than social customs there is the case of our daily bread. In 1910 about 80 per cent of the bread consumed in this country was baked by housewives in the homes; to-day the proportion is exactly reversed, four-fifths of the bread being now produced in bakeries. Good streets and roads and motor transport, especially to suburban regions or outlying small towns, have been a major factor in bringing this relief to mother from her sweltering kitchen and back-breaking oven tending, though the delicious results of her efforts may still linger fragrantly in our memories.

To illustrate effectively the specific business benefits from roads let us take just one State as an example, North Carolina. Between 1919 and 1926 that vigorously progressive southern Commonwealth constructed $125,000,000 worth of highways. And largely as a result 40 new and active cooperative farm marketing associations were developed in North Carolina—and found new markets within and outside the State for poultry, eggs, hogs, fruits, and vegetables which previously had scarcely moved beyond their own gateposts. The result was that the farm women put modern conveniences into their homes, dressed themselves and their children better, painted their houses, and beautified their yards—and themselves—thus creating substantial business for a variety of merchants. Since 1900 the true value of North Carolina property has multiplied eight times; that is double the rate of the entire United States. As a direct accompaniment and outgrowth of the new good roads, North Carolina built consolidated rural schools valued at $35,000,000.

Those are concrete proofs of the business benefits from highways—not idle theories, but authentic and attested facts.

REVISION OF THE TARIFF—CONFERENCE REPORTS

The Senate resumed the consideration of the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. LA FOLLETTE. Mr. President, the pending conference report on the Hawley-Smoot tariff bill represents the twenty-first general revision of tariff duties in the history of this country.

This report levies import taxes on a greater number of articles at higher rates of duty than any tariff bill brought into this chamber for approval since Alexander Hamilton drafted the first tariff bill of 1789. In 141 years since the establishment of the protective system the rates provided in the pending report have not been equaled nor, except in time of war or under abnormal conditions of panic, have they been even nearly approximated. Considering the number of articles included on the dutiable list this report erects the highest and longest tariff wall in American history.

I realize that certain Senators have cited the ad valorem equivalent of the Dingley and McKinley Acts as being higher than the present bill, but in considering that estimate it must be remembered that those two acts did not place duties upon hundreds and hundreds of articles which are contained in the conference reports pending now in the Senate.

That is the point at which we have arrived after more than 14 months since consideration of this bill commenced in the lower House. That is the nature of the legislation we are asked to approve at the end of a session of Congress called by President Hoover to fulfill the Republican pledge of a "limited revision" of the tariff, primarily in the interests of agriculture.

I appreciate the fact that this bill has been subjected to analysis and scrutiny such as no previous tariff measure has received. It is apparent that the supporters of the bill are impatient to secure its final enactment and to divert the attention of the public to other questions. Nevertheless, I believe that the struggle that has been waged here in the Senate during the last eight months has involved principles that should not be brushed lightly aside now, and that will survive the passage of this bill. I shall not be deterred, therefore, from discussing the conference report in the light of those principles and asserting what seem to me to be compelling objections against its adoption by the Senate and its approval by the President.

I contend that the pending bill is a complete betrayal of President Hoover's pledge, solemnly given to the American people throughout the 1928 campaign, that he would favor a "limited revision" of the tariff as a means toward giving agriculture equality with industry.

In the face of the pledge to give agriculture equality with industry made by the Republican Party in 1924, and by both parties in 1928, the pending bill places new burdens upon the farmer which increase the disparity against him, deny him relief, and leave him without hope of sharing in any substantial benefits of the protective system, considering agriculture as a whole.

PENDING BILL TURNS THE CLOCK BACK 20 YEARS

I propose to show further that the pending bill, in its general upward revision of the Fordney-McCumber Act, and in the burdens it lays upon business and industry and the consumer, goes far beyond the revision of the Dingley Act consummated in 1909 in the Payne-Aldrich Act under the Old Guard leadership of Senators Aldrich, Crane, Penrose, and SMOOT.

Finally, I charge that the same subterfuge to which the authors of the Payne-Aldrich bill resorted to conceal what they did in 1909 is being adopted here to-day to force this fraud down the throats of the American people.

This bill turns the clock back 20 years in the tariff history of this country. It undoes the work of a whole generation of progressive Republicans who commenced their struggle under Dolliver and La Follette in the Senate and NORRIS in the House against the domination of the party and the Government by Aldrich and Cannon. That struggle was waged on behalf of the common man, asserting his right to control his own Government and his right to an equal share in the benefits it should afford. This bill brings the Republican Party to the crossroads at which it stood in 1909, under the control of the Old Guard leaders who wrote the Payne-Aldrich Act at the dictation of special interests and led the party to disaster in 1912. The

rates in this bill have been dictated by the same interests that wrote the schedules of the Payne-Aldrich Act. It is defended to-day by the surviving Members of the same group of party leaders. And once more this conservative element, with the acquiescence of a Republican President unable or unwilling to demand compliance with his own campaign pledges, are riding roughshod over the sentiment of the rank and file of the party and the interests of the mass of the people.

When you consider the character of the rates of the bill, the methods by which they have been adopted, and the conditions under which we are revising the tariff, the parallel between the pending bill and the Payne-Aldrich Act is complete.

In the 1908 campaign President Taft pledged the Republican Party to a downward revision of the Dingley Act of 1897. He made the pledge in response to the demand of consumers of the country and particularly of the farmers of the great agricultural States of the West who had been agitating for years against the excessive industrial duties of the Dingley Act. That pledge was necessary to Republican success at the polls in 1908.

I remember full well, Mr. President, that my distinguished father declined to state his position in the 1908 campaign until President Taft made his famous speech, in which he pledged the influence of his great office, if elected President of the United States, to a downward revision of the rates of the Dingley Act. The position taken at that time by my father was held by millions of people in this country. I do not think any person will challenge the statement which I have made that unless President Taft had pledged himself to a downward revision of the Dingley rates in 1908 he would not have been elected President.

REPUBLICAN PARTY BETRAYED ITS PLEDGE IN 1909

After the election in 1908 a bill was written that afforded only a slight decrease in half the schedules of the Dingley Act and revised the other schedules upward. As a result of that betrayal the Republican Party lost the House in 1910, lost every State in the Union save Utah and Vermont in 1912, and did not regain control of the Presidency and of Congress until 12 years after the passage of the Payne-Aldrich Act.

We are now asked to approve a bill written on the same doctrine as the Payne-Aldrich Act, bearing the name of the only majority member of the Finance Committee of 1909 who survives in this Chamber.

After the Payne-Aldrich Act had been passed in 1909 and the Republican Party had been driven from power by the outraged citizens of the country, the Democrats in 1913 revised the tariff downward by passing the Underwood Act. The Underwood Act was subject to the same criticism that can be made against all tariff legislation enacted without adequate data from reliable sources on costs of production, but I maintain it was an honest attempt to carry out the pledge to revise the Payne-Aldrich rates downward, and in the 1916 election the people sustained it. After the World War the rates were revised upward by the passage of the Fordney-McCumber Act of 1922. It was enacted on the plea that cheap foreign-made goods would flood the markets of this country upon the return of Europe from a war to a peace basis. It was enacted at a time when the attention of the American people was absorbed by other issues that had arisen out of the World War.

I quoted once before, Mr. President, but I venture to quote again upon this floor the statement made by the late Senator Nelson, of Minnesota, in connection with the revision of the tariff in the Fordney-McCumber Act of 1922. Upon the floor of the Senate the then Senator from Minnesota declared that the industrial interests had come down to Washington in 1922, had gone into the secret meetings of the Finance Committee with their schedules in their brief bags, and had had them written into law.

FORDNEY-M'CUMBER ACT VIOLATED REPUBLICAN PLATFORM

No one has ever successfully defended the economic soundness of the existing Fordney-McCumber Act. Its schedules were written on the same unscientific basis as previous bills. The recommendations of the Tariff Commission were ignored and the principle that had been written into Republican platforms that tariff rates should equal the difference in the costs of production at home and abroad plus a reasonable profit was defied. The excessive rates in the Fordney-McCumber Act have only been justified by the defenders of that act on the specious argument that under its operation the country has been "prosperous." The truth is that from 1923 to the present hour, while the Fordney-McCumber Act has been in effect, agriculture, our great basic industry, has been struggling for its very existence, and to-day under the operation of that act we are in the midst of a grave industrial and business depression.

That depression, Mr. President, has exploded the theory advanced by the defenders of the Fordney-McCumber Act that it and it alone was responsible for our so-called prosperity.

Thus it has been, Mr. President, that during the last decade we have witnessed a revival among the people of the West and the South of the demand for a readjustment of the burdens and benefits of Federal legislation. The West and the South have not sought special privileges for their own people. They have protested against the conferring of such privileges on others at their expense. They never will accept the theory that the rights and the interests of three-fourths of this country should be subordinated to those of a narrow fringe of States along the northern Atlantic coast.

AGRICULTURE BURDENED BY TRANSPORTATION ACT AND DEFLATION POLICY OF FEDERAL RESERVE BOARD

A tariff system that is effective in protecting the profits of the industrial East and ineffective in protecting the products of the West and the South is not the only grievance of the people of these sections. The Fordney-McCumber Act of 1922 was preceded by the criminal deflation policy of the Federal Reserve Board, which brought about the worst financial panic in the history of the world and by the passage of the Esch-Cummins Transportation Act of 1920, which increased freight rates more than one-third in the interior sections of the country.

May I say in passing, Mr. President, that the farmer has been the chief sufferer under the terrific increase in freight rates which took place following the passage of the transportation act of 1920. The farmer is the only producer in the United States to-day who can not add the cost of transportation to the selling price of his products; on the contrary, because of the economic conditions which surround the marketing of agricultural commodities, the farmer has the cost of transporting his goods to market deducted from the selling price of his products, while, on the other hand, he has to pay the added freight cost on everything which he buys to use upon his farm. Thus he has been caught both coming and going by the terrific advance in freight rates made mandatory by Congress through the enactment of a piece of special privileged legislation in the interest of the owners of railroad securities in the United States.

The deflation policy of the Federal Reserve Board was imposed upon the West and the South without warning, and the people were helpless to avoid the disastrous consequences of that policy.

Secretary of Agriculture Wallace, a conservative in the Cabinet of a conservative Republican President, declared, after a searching investigation, that it was his estimate that the deflation policy on the part of the Federal Reserve Board had cost the farmers of the United States $15,000,000,000.

The West and South have sought relief from extortionate transportation charges under the Esch-Cummins Act and it has been denied them. At every session during the last eight years they have come to Washington declaring that their plight was the result of those two acts upon the part of the Federal Government, and in justice they demanded that the Federal Government take action to relieve them from the distress in which the Federal Government itself had plunged them; that aid be afforded to their basic industry; but legislation they have sought has been denied them.

Meanwhile, during this period the people of the West and South have witnessed the steady march of private monopoly until to-day, in violation of the Sherman and Clayton Antitrust Acts, behind the protection of the Republican tariff wall, the business and the industry of this country and the control of prices in the home market has passed into the hands of the great industrial and financial interests of the East.

DEMAND FOR TARIFF EQUALITY

It was inevitable, Mr. President, that these conditions should breed general dissatisfaction with the excessive rates and inequalities of the Fordney-McCumber Act. Beginning a few years ago the farmers and business men of the West and the South adopted formal resolutions giving notice to the country that unless they were to be accorded some measure of equal protection with other industries in other sections they would no longer sustain the Republican conception of a protective tariff system.

The American Farm Bureau Federation in 1923 published an analysis showing that when increases in agricultural rates were set off against the increases on industrial rates voted in 1922 the net loss to the farmers of the country amounted to not less than $300,000,000 a year. The United States Senate itself is on record as condemning the inequalities of the Fordney-McCumber Act. On January 16, 1928, the Senate adopted, by a

vote of 54 to 34, a resolution offered by the junior Senator from South Dakota, as follows:

Resolved, That many of the rates in existing tariff schedules—

Referring, of course, to the Fordney-McCumber Tariff Act—

are excessive, and that the Senate favors an immediate revision downward of such excessive rates, establishing a closer parity between agriculture and industry, believing it will result to the general benefit of all.

Is there any man in this Chamber who contends that these two conference reports conform to the declaration of policy contained in the McMaster resolution?

Six months after that resolution was adopted the Republican National Convention met at Kansas City. The senior Senator from Utah [Mr. SMOOT], coauthor of the pending bill, presided over the resolutions committee during the convention. Before this committee appeared accredited representatives of agriculture asking legislation to enable the farmer to control and market his surplus products. That plan of farm relief had already twice been approved by a Republican Congress but had been vetoed in 1927 and 1928 by President Coolidge. This plan of farm relief received the approval of 15 of the members of the committee on resolutions at the Republican National Convention. As the Wisconsin member of the committee on resolutions I submitted a minority platform. It enumerated the inequalities of which I have spoken here to-day. It rejected in its entirety the plan of aiding agriculture through upward revision of the Fordney-McCumber Act. A minority plank on agriculture was submitted to the convention with the support of 15 of the leading farm States which likewise rejected and repudiated the theory that equality for agriculture could be attained through upward revision of the tariff.

But, Mr. President, the coauthor of the pending bill submitted to the convention as the chairman of the resolutions committee a platform holding out to the farmer the false hope that the Republican Party would solve his problems through tariff revision and that platform was adopted over the protest of 277 delegates from the farm States. The Republican national convention thus refused to the farmer the remedy he sought. It offered him the remedy of tariff revision and imposed it upon him against his will.

PRESIDENT HOOVER DECLARED TARIFF REVISION FOUNDATION OF FARM RELIEF

In his address of acceptance on August 11, 1928, President Hoover undertook to interpret the Kansas City platform. In that address he said:

The most urgent economic problem in our Nation to-day is in agriculture. It must be solved if we are to bring prosperity and contentment to one-third of our people directly and to all of our people indirectly. We have pledged ourselves to find a solution.

Mr. Hoover then listed the remedies which he proposed as a solution for this problem. As the first and most important item upon that list, emphasized above all others, Mr. Hoover placed revision of the tariff. He said:

An adequate tariff is the foundation of farm relief. Our consumers increase faster than our producers. The domestic market must be protected. Foreign products raised under lower standards of living are to-day competing in our home markets. I would use my office and influence to give the farmer the full benefit of our historic tariff policy.

Mr. President, no Senator can successfully defend the proposition that the pending bill carries out that pledge.

It is unnecessary to review the 1928 campaign in detail to demonstrate conclusively that it was Mr. Hoover, more than any other political leader, who is responsible for the fact that a bill revising the tariff is pending in this body to-day. As the nominee of the Republican Party he literally dragged the tariff issue into the campaign. In speech after speech he emphasized the need of tariff revision. Yielding to the exigencies of the campaign, President Hoover sought to perpetuate the tariff as a partisan political issue and by his interpretation of the Republican platform he committed himself and the party to tariff revision as the chief remedy for the solution of the farm problem.

PRESIDENT PLEDGED LIMITED REVISION IN INTEREST OF AGRICULTURE

When I assert that President Hoover pledged himself and the Republican Party, without qualification and in the most explicit terms, to a "limited" revision of the tariff, primarily to aid agriculture, I am simply quoting his own language. In his message to the special session of the Seventy-first Congress the President said:

I have called this special session of Congress to redeem two pledges given in the last election—farm relief and limited changes in the tariff * * *. In considering the tariff for other industries than agriculture we find that there have been economic shifts necessitating a readjustment of some of the tariff schedules * * *. It would seem to me that the test of necessity for revision is, in the main, whether there has been a substantial slackening of activity in an industry during the past few years, and a consequent decrease of employment due to insurmountable competition in the products of that industry. (April 16, 1929.)

Will any Senator maintain that the terrific increases in the industrial schedules of the pending bill were based upon that limited formula laid down by the President? Why, Senators on the floor have contended for an increase of duty where the imports were less than 10 per cent of the domestic production.

In using this language in his message to the special session of Congress, the President thus acknowledged as a "pledge" given to secure his election a "limited" revision of the tariff, to which he had again and again referred during the campaign as "the foundation of farm relief."

How do the pending conference reports square with that pledge? History is repeating itself, Mr. President. In 1909, after the Old Guard Republicans had repudiated the pledge for downward revision of the Dingley Act, Senator Aldrich and Representative Payne submitted to the Senate and the House a table of figures purporting to show that the pledge of 1908 had been redeemed. The fictitious character of those figures was at once challenged on this floor. The then senior Senator from Wisconsin, my father, exposed the falsity of the claim that the Payne-Aldrich Act represented a downward revision. He produced an official report from the United States Bureau of Statistics analyzing the bill schedule by schedule and conclusively demonstrating by a comparison of the ad valorem rates on imports that while the duties had been decreased in four of the schedules of the Payne-Aldrich bill and retained at practically existing levels in three of the schedules, in six of the schedules the Dingley rates had been increased. The accuracy of these figures was never questioned, and the fact that the Payne-Aldrich Act revised the Dingley rates upward, in violation of the Republican pledge of 1908, resulted in Republican defeat in 1910 and 1912.

Mr. President, let us see how these conference reports on the Hawley-Smoot bill conform to the Republican pledge of 1928 for a limited revision of the Fordney-McCumber rates to afford equality to agriculture with other industries.

SENATOR SMOOT'S FIGURES GIVE MISLEADING IMPRESSION—REVISION LIMITED

On May 27 the author of this bill, the senior Senator from Utah, presented certain figures which he declared represented an analysis of the bill "by the best informed body of tariff specialists ever assembled." The Senator undertook to demonstrate that the pending bill represents the "limited" revision of the Fordney-McCumber rates "written primarily for agriculture" which was pledged by President Hoover in the 1928 campaign.

For the purposes of this discussion, Mr. President, I do not question the accuracy of the figures estimating the duties under the present law and under the proposed bill and the ad valorem equivalents based on 1928 imports which the Senator has presented. I am willing to assume that these figures have been furnished the Senator by the United States Tariff Commission, and for the purpose of a comparison between the rates of the proposed bill and the existing law I accept them as accurate.

When the Senator undertakes, however, to compute the percentage of increase of the proposed rates over the existing rates I reject his method as totally inaccurate and assert that it conveys an entirely erroneous understanding of the increases which are carried in this conference report. The method employed by the Senator leads him to the conclusion that taking the ad valorem equivalents of the duties for the bill as a whole the proposed bill represents an increase of 6.86 per cent over the existing Fordney-McCumber rates.

PENDING BILL BOOSTS RATES 20 PER CENT

The fact is, Mr. President, that the proposed Hawley-Smoot bill represents an increase of 20 per cent above the rate structure of the existing Fordney-McCumber Act. This increase is clearly shown in the ad valorem equivalents for each of the 15 schedules of the bill and by a comparison of the computed ad valorem duties under the act of 1922 and the pending bill, estimated on the basis of imports for 1928. The Senator himself admits in the figures he has presented to the Senate that the duties under the rates of the pending bill are estimated at $630,456,280, as compared with $522,649,383 under the present law. This is an increase of 20 per cent. According to the Senator's figures the ad valorem equivalents of the duties are 33.22 per cent under the Fordney-McCumber Act and 40.80 per cent under the Hawley-Smoot bill. This represents an increase of

the proposed ad valorem rates over the existing ad valorem rates of 20 per cent. The Senator from Utah, however, has left the Senate and the country with the impression that it represents an increase of 6.86 per cent. The trouble with the Senator's method of figuring is that he has simply subtracted the present ad valorem rate from the proposed ad valorem rate in order to calculate the percentage of increase. He should have carried his calculation a step farther. He should have divided the figure at which he has arrived, namely, 6.86 per cent, by the present ad valorem rate, namely, 33.22 per cent, and he would have arrived at the correct figure showing the percentage of increase in the proposed bill over the present law, namely, 20 per cent. I have no doubt that the Senator's figures are entirely clear to him, and certainly they are as persuasive as any figures that could be produced here to support the claim that this bill is a limited revision of the existing law. Unfortunately these figures and the method the Senator has employed in arriving at them and stating them, are certain to be misunderstood by the country, and so far as they furnish a comparison of the proposed bill with the existing law they underestimate the increase in rates by more than two-thirds of the actual increase.

I ask to insert at this point a table, using the same basic figures of the United States Tariff Commission which the Senator from Utah employed, but using an accurate and more clear method of calculation to show the increase in the proposed rates over the existing rates for each of the 15 schedules of the bill.

If any Senators take the time to look at this table, when they come to consider the agricultural schedule they must remember that in computing the percentage of increases there have been included all of the "paper" duties upon the products of the farmer of which he has an exportable surplus, which without the debenture amendment are utterly worthless.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection?

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

Comparison of Hawley-Smoot rates and Fordney-McCumber rates

Schedule	Computed ad valorem rates			Amount of duties		
	Fordney-McCumber	Hawley-Smoot	Increase	Act of 1922	Pending bill of 1930	Increase
	Per cent	*Per cent*	*Per ct.*			
1. Chemicals, oils and paints	31.40	29.22	7	$27,688,949	$29,748,153	$2,059,204
2. Earths, earthenware, and glassware	45.62	53.64	17	25,511,007	29,995,159	4,484,152
3. Metals and manufactures of	33.71	35.01	3	40,003,772	41,537,266	1,533,494
4. Wood and manufactures of	7.97	10.49	31	4,191,356	5,519,370	1,328,014
5. Sugar, molasses, and manufactures of	67.85	77.21	12	118,572,109	134,939,588	16,367,479
6. Tobacco and manufactures of	63.09	64.78	2	39,314,791	40,371,197	1,056,406
7. Agricultural products and provisions	19.86	34.00	71	64,124,404	109,740,518	45,616,114
8. Spirits, wines, and other beverages	36.48	47.44	30	523,045	680,069	157,024
9. Manufactures of cotton	40.27	46.42	15	19,451,364	22,422,198	2,970,834
10. Flax, hemp, jute, and manufactures of	18.16	19.14	5	24,191,702	25,500,925	1,309,223
11. Wool and manufactures of	49.54	59.83	20	57,636,641	69,609,241	11,972,600
12. Manufactures of silk	56.56	59.13	4	18,348,161	19,181,350	833,189
13. Manufactures of rayon	52.68	53.62	2	6,019,359	6,126,964	107,605
14. Paper and books	24.74	26.06	5	5,113,098	5,385,775	272,677
15. Sundries	21.97	27.39	24	71,959,625	89,698,507	17,738,982
Total	33.22	40.08	20	522,649,383	630,456,280	107,806,897

Mr. LA FOLLETTE. Mr. President, this table demonstrates that the conference report represents one of the most sweeping upward revisions of existing tariff duties in the history of the country. Whereas the Payne-Aldrich Act increased the general level of the rates in only six schedules, the pending conference report increases the general level of the rates in every one of the 15 schedules of the Fordney-McCumber Act.

I repeat, for the purpose of emphasis, the bill which caused the people of this country to repudiate the Republican Party in 1910 and 1912 carried increases in only six schedules of its rate structure, whereas the pending bill, claimed to be a revision in the interest of agriculture, increases the rates in every one of the 15 schedules of its rate structure. Is that a limited revision of the tariff? Is that a fulfillment of the pledge made by President Hoover and the Republican Party in order to win in the campaign of 1928?

An examination of the rates in the bill, schedule by schedule, as reported from conference, shows how far short this legislation falls in providing equal protection for agriculture with industry under the protective system. This bill increases the ad valorem rates in Schedule 2, earths, earthenware, and glassware, to 53.62 per cent, or an increase over existing law of 17 per cent. In Schedule 9, manufactures of cotton, it increases the rates to 46.42 per cent, or an increase over existing law of 15 per cent. It increases the rates in Schedule 11 on wool and manufactures of wool to 59.83 per cent, or an increase over existing law of 20 per cent. It increases the rates in Schedule 12, manufactures of silk, to 59.13 per cent, or an increase over existing law of 4 per cent. It increases the rates in Schedule 13, manufactures of rayon, to 53.62 per cent, or an increase over existing law of 2 per cent. These schedules embrace articles of manufacture, upon which many of the duties are highly effective and which the farmer, along with the mass of the consumers of the country, must purchase as necessaries of life. The pending bill increases the rates in Schedule 7, agricultural products and provisions, to 34 per cent, and while this represents an increase of 71 per cent over existing law, it leaves farm products far below the level of rates of the schedules of the bill covering manufactured articles of which the farmer is a consumer Out of the 15 schedules of the bill as a whole, Schedule 7, covering agricultural products and provisions, ranks tenth in the height of the rates which this bill provides. As I said a moment ago, of course that calculation includes all the worthless "paper" duties on products of which the farmer has an exportable surplus.

The highest rates in the entire bill are to be found in Schedule 5, covering sugar, molasses, and their manufactures. The ad valorem rates of this schedule amount to 77.21 per cent of the value of imports, or an increase of 12 per cent over existing law. It is asserted that this tax of 77 cents on every dollar of imports has been levied in the interests of the farmer. According to the latest figures of the United States Census Bureau, there are only 147,000 farmers in the entire country producing sugar and sirup crops. That is less than 3 per cent of the 6,371,000 farmers in the United States. As I demonstrated here on the floor of the Senate when the sugar schedule was under consideration, these 147,000 farmers will get but a meager share of this increase in duties when it comes to fixing the price of their beets. In other words, more than 6,000,000 farm families in this country will share the burden with consumers generally of the increased rates in the sugar schedule, from which only 147,000 farmers will receive any possible immediate and direct benefit.

I wish to present briefly the results of an examination of the economic status of farm producers generally and the effect of the pending bill upon their products.

STAPLE CROPS GET NO BENEFIT

The Department of Labor's wholesale-price figures show that prices generally are approximately one-third above the level prevailing in 1913. Commodities whose prices have advanced less than one-third have therefore—unless their method of production has changed radically so as to lower production costs—lost in purchasing power, and their producers are suffering from a depression below their former position in 1913. When we compare the wholesale prices of farm products in April, 1930, with those of 1913, we find that the list of commodities whose prices have fallen below the general price level includes wheat, corn, oats, barley, and rye. It includes hogs and sheep, cotton, tobacco, and several other important staple items.

While this standard is perhaps not conclusive, it is strongly reinforced when we remember that the staple-producing States—the grain, livestock, and cotton States—have suffered most from the agricultural depression of the last 10 years. To take only the outstanding example, in Montana, North Dakota, and South Dakota, 200 out of every 1,000 farms were sold at tax sales or bankruptcy sales during the 4-year period 1926–1929. If the States are arranged according to the proportion of bankruptcies and sales for delinquent taxes, it will be found that the staple-crop producing States come at the top of the list. At the bottom are the States whose proximity to large markets, or whose climatic conditions permit the growing of diversified and specialized crops. These, also, have suffered, but they have suffered very little in comparison with the States of the Northwest.

No tariff, no matter how high the duties which we may write into this bill, will by itself affect the price of commodities produced so extensively that a surplus must be exported. That fundamental principle will not be denied by anyone. Furthermore, even an absolute embargo against imports will have no

appreciable effect upon prices if imports are so small that they constitute only a negligible percentage of our production, or if domestic production can be quickly expanded to cover the entire domestic consumption and more.

It is absurd to speak of this bill as a tariff for the benefit of agriculture when we realize that $10,000,000,000 worth of agricultural commodities, which are on an export basis, will not derive one nickel of benefit from the rates carried in this bill; that only a partial and probably temporary benefit from these paper rates will accrue to the producers of another $3,000,000,000 worth of commodities; and that the full benefit of the new duties will reach only the producers of some $368,000,000 worth of our annual agricultural production.

Nothing will go to the grain growers except the few who grow high-protein wheat, nothing will go to the short-staple cotton producers or to the raisers of hogs. The rates on these commodities are of no importance whatsoever as the bill now stands with the debenture provision eliminated. Nothing will go to the producers of the principal northern fruit crops. On other important products, such as those of the dairy industry, the new rates may help a little for a time and in some portions of the country, but will soon be made ineffective by an expanding domestic production.

BENEFIT LIMITED TO FEW FARMERS

Substantial benefits, possibly amounting to the full amount of the tariff rates, will be assured only to a comparatively small number of farmers. It may reasonably be expected that the price of flaxseed will be increased by the amount of the new duty. Wool producers should benefit, though the excessive and unwarranted compensatories imposed upon woolen cloth will nullify much of this. The producers of mushrooms, of nuts, of semitropical fruits, and of winter vegetables may likewise profit by the full amount of the tariff. But when we add the production of these commodities and of sugar the total for the continental United States is but $368,000,000. And the careless claims of benefits to agriculture as a whole overlook the obvious fact that farmers buy agricultural commodities themselves. The additional price to be paid for sugar by farmers who do not grow beets will counterbalance the higher prices which may be received by beet growers, particularly when we remember that the beet-sugar factories will be on the alert to cut into the higher rate now proposed. While a few men classified as farmers will benefit from the new duties on cattle feeds and on field and grass and garden seeds this benefit will come out of the pockets of other farmers.

I ask to have inserted as an exhibit to my remarks a study prepared by the Rawleigh Tariff Bureau entitled "What the farmer gets out of the Smoot-Hawley tariff bill."

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See Exhibit A.)

Mr. LA FOLLETTE. Mr. President, while the conference report was pending in the Senate the United States Tariff Commission gave to the press what amounted to a partisan appeal for the enactment of this bill on the ground that agriculture would "benefit greatly" thereby. Nowhere in this statement is the reader informed of the true effect of the tariff upon the staple crops. Nowhere is it pointed out in that statement that these paper duties are worthless to the farmers. Even the most optimistic calculation of the effects of the agricultural duties shows that on products amounting to over $8,500,000,000—more than half of the total farm production in 1928—the actual increases in duties amount to but $1,900,000.

It has been claimed that these increased duties on agricultural products will amount to $55,448,390. Let us see what class of farmers will receive this benefit.

TARIFF BENEFITS ON AGRICULTURAL PRODUCTS CONFINED TO RELATIVELY FEW COMMODITIES

Sugar takes $15,703,366 of that total of $55,448,000. Hides take $8,144,686 of that total, and, as was pointed out by the junior Senator from Nebraska [Mr. HOWELL] on yesterday, the benefit of that duty on hides to the farmer is exceedingly problematical. Long-staple cotton takes $7,455,035. In other words, Mr. President, of the $55,448,000, these three commodities which I have mentioned take $31,303,087, or 56.45 per cent of the total.

Flaxseed takes $4,394,000; cattle, $2,948,000; fresh tomatoes, $2,882,000; onions, $1,881,000; wool, $1,665,000; dried beans, $1,544,000; wrapper tobacco, $1,056,000.

In other words, the 10 commodities which I have mentioned and which every person familiar with agriculture knows are infinitesimal as compared with the great body of American farm products absorb 85.99 per cent of the alleged $55,448,000.

Twenty items which take 96.29 per cent of this total comprise such items as narcissus bulbs, fish, cherries, white potatoes—largely seed potatoes which the farmer buys—lemons, sugar, filberts, maple sugar, and so forth.

Mr. President, I ask unanimous consent to insert the table as a part of my remarks.

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

The table is as follows:

Comparison of duties on certain agricultural products

	Computed duties on 1928 imports			
	Act of 1922	Pending bill	Excess of pending bill over act of 1922	Per cent
Sugar	$117,153,997	$132,857,363	$15,703,366	
Hides	Free.	8,144,686	8,144,686	
Long-staple cotton	Free.	7,455,035	7,455,035	
Total for 3 items	117,153,997	148,457,084	31,303,087	56.45
Flaxseed	7,031,444	11,426,096	4,394,652	
Cattle	3,838,279	6,787,128	20,948,849	
Fresh tomatoes	576,540	3,459,241	2,882,701	
Onions	1,254,373	3,135,933	1,881,560	
Wool	16,829,690	18,495,680	1,665,990	
Dried beans	2,162,811	3,707,677	1,544,866	
Wrapper tobacco	12,676,857	13,733,263	1,056,406	
Total for 10 items	161,523,991	209,202,102	47,678,111	85.99
Chickpeas or gorbanzos	Free.	992,350	992,350	
Tulip, lily, and narcissus bulbs	483,581	1,450,743	967,162	
Figs	611,467	1,528,668	917,201	
Cherries	375,687	1,087,785	712,098	
White potatoes	1,098,792	1,648,189	549,397	
Lemons	1,394,961	1,743,705	348,744	
Sugarcane	228,777	571,943	343,166	
Filberts	318,592	637,183	318,591	
Green peas	143,259	429,777	286,518	
Maple sugar	278,181	556,362	278,181	
Total for 20 items	166,457,288	219,848,807	53,391,519	96.29
Total all agricultural raw materials	195,239,834	250,688,224	55,448,390	100.00

Mr. LA FOLLETTE. Mr. President, the agricultural products that collect real increases in duties under the Hawley-Smoot tariff are mostly the ones that do not specially need help or that can only be produced in this country uneconomically. I think the table from which I have just quoted proves that statement up to the hilt. The great agricultural staples, according to the figures of the Tariff Commission, get practically nothing because the duties are ineffective.

LABOR GETS BUT LITTLE BENEFIT UNDER THIS BILL

The increases carried in this bill not only fail to give equality to agriculture or to increase the net income of farmers raising the great staples; the bill likewise offers nothing but additional burdens to the mass of the wage earners of the country. It can not be shown that the increases in this bill will add a dollar to the pay envelopes of employees in any basic line of industry.

On the other hand, it is apparent that by increasing the cost of living the bill will reduce the real wages of the mass of workers, and that by increasing the cost of the tools and materials of industry it may lead to actual reductions in the daily wages in many lines of employment. It has been shown that this bill carries high rates, most of them heavily increased, on 800 materials used in the automobile industry, 150 in the textile industries, and more than 50 in the boot and shoe industry. These additional costs must be absorbed by the consumer or the wage earner.

I invite attention at this point to a table based upon reports of the United States Census Bureau listing major groups of wage earners and professional occupations, who can not conceivably obtain any direct wage benefits from the passage of this bill in the form of increased protection.

Persons employed in gainful occupations who will pay increased living costs under the Hawley-Smoot bill while receiving no tariff protection follow:

United States

Trade	4,242,000
Transportation	3,100,000
Clerical	3,147,000
Professional service	2,145,000
Personal and domestic service	3,405,000
Mining	1,100,000
Public service	770,000

Manufacturing and mechanical:	
Machinists	900,000
Carpenters	900,000
Building laborers	225,000
Painters	325,000
Mechanics	300,000
Electricians	225,000
Plumbers and gas and steam fitters	200,000
Tailors, tailoresses, and dressmakers	450,000
Blacksmiths	200,000

For perhaps the first time in its history the Republican Party is proposing to revise the tariff upward in the face of opposition from a substantial element of the industrial and business leaders of the country. This opposition can not be brushed aside with the worn-out argument that the importers are the only American business group opposing increased rates.

In connection with that statement, which I have heard made here on the floor, I want to quote from former Senator Aldrich, of Rhode Island, in 1909. Said he:

I have no misgivings as to the future. I have heard before dismal prophecies like that which has just been uttered by the Senator from Texas. I have witnessed the passage of five tariff bills by the Senate and I have on frequent occasions heard Senators sitting on the other side of the aisle repeat and reiterate these dismal prophecies as to what would follow if we should follow the dictates of our judgment and adhere to the policy to which the Republican Party has been so thoroughly committed.

Said Senator Aldrich:

I have no fears of the future. The American people can be relied upon to maintain their unswerving loyalty to the protective policy.

It is a matter of history how well the then Senator from Rhode Island, Mr. Aldrich, understood the minds of the rank and file of the people of this country. In 1912 the Republican Party, after its betrayal of the pledge made by President Taft to reduce the rates in the Dingley Act, carried only two States, Utah and Vermont, in the national election.

ECONOMISTS PROTEST PASSAGE OF BILL

Mr. President, the Senator from Mississippi [Mr. HARRISON] placed in the RECORD of May 5, 1929, a petition and statement signed by 1,028 of the leading economists of the United States protesting against the passage of the pending bill. I desire to read but a few excerpts. Said these gentlemen:

We are convinced that increased protective duties would be a mistake. They would operate, in general, to increase the prices which domestic consumers would have to pay. By raising prices they would encourage concerns with higher costs to undertake production, thus compelling the consumer to subsidize waste and inefficiency in industry. At the same time they would force him to pay higher rates of profit to established firms which enjoyed lower production costs. A higher level of protection, such as is contemplated by both the House and Senate bills, would therefore raise the cost of living and injure the great majority of our citizens.

Other statements:

Few people could hope to gain from such a change * * *. The vast majority of farmers, also, would lose * * *. Our export trade, in general, would suffer.

Continuing:

We do not believe that American manufacturers, in general, need higher tariffs. The report of the President's committee on recent economic changes has shown that industrial efficiency has increased, that costs have fallen, that profits have grown with amazing rapidity since the end of the war. Already our factories supply our people with over 96 per cent of the manufactured goods which they consume, and our producers look to foreign markets to absorb the increasing output of their machines. Further barriers to trade will serve them not well, but ill.

The junior Senator from California [Mr. SHORTRIDGE], in referring to the statement signed by these 1,028 economists, men who have made a study of the play of economic forces in this country and abroad, attempted to brush it aside with a slurring statement that they were visionary and impractical dreamers who "never earned an honest dollar by the sweat of their brows." I for one resent that attack upon the intellectual integrity and the scientific standing of this great group of economists.

I desire now to read briefly from an article by a man who may be referred to, I think, as the dean of American economists. I refer to Prof. F. W. Taussig. In an article in Foreign Affairs for October, 1929, he said:

The reader will observe that the rates instanced are chiefly of ad valorem duties. They have been singled out for attention partly because their meaning is easily seen. In order to understand what a specific rate means, one must know the current price of the commodity as well as the stated duty. Ad valorem duties tell their own tale. In the good old days, half a century ago, when the protective system was still in the early stages, a rate of 25 per cent was thought as much as might be asked, and 35 per cent was already on the defensive. When, for example, the present system of duties upon woolen goods was settled on, shortly after the Civil War, a net protection of 25 per cent was supposed to be the reasonable thing. We have changed all this; in each successive measure, about once in every six or eight years, an additional 5 per cent or so has been put on. On woolen goods the maximum rate of protection had gone up to 50 per cent ad valorem before the Great War. In the pending bill it is to be 55 per cent and 65 per cent. Until within very recent years the legislator would have hesitated long before putting upon the statute book a rate as high as that 60 per cent. In the tariff act of 1922 there were already rates considerably higher, and there are now plenty of cases in which figures of 70, 80, or 90 per cent are overtly proposed. The round figure of 100 per cent has not yet appeared; perhaps it is thought too unblushing.

INDUSTRIAL LEADERS PROTEST PASSAGE OF BILL

Since the petition of these economists to which I have referred was filed protests against the passage of the bill, advancing similar arguments, have been publicly offered by scores of the most conspicuous figures in American industry. I ask to insert in the appendix to my remarks excerpts from the statements of W. T. Rawleigh, Henry Ford, A. C. Loring, James D. Mooney, F. B. Patterson, and 20 other business and industrial leaders who have protested the passage of this bill.

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

(See Exhibit B.)

Mr. LA FOLLETTE. Mr. President, I have a letter which came to me this morning. It is so much in point that I desire to read it. It is from J. H. Rand, jr., president of Remington Rand (Inc.), manufacturers of some of the most complex machinery in the United States—calculating devices and machinery of that kind.

REMINGTON RAND (INC.),
New York City, June 10, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Senate Office Building, Washington, D. C.

SIR: I am writing to you as a manufacturer affording employment to workers in our plants located in Connecticut, Massachusetts, Michigan, New York, Ohio, and Pennsylvania on the subject of the proposed tariff bill now before the Senate.

In my opinion—which is shared by every director of our company, comprising representative bankers and business men—the passage of the tariff bill in its present form will result in a tremendous increase in unemployment through the reaction created in foreign countries, reducing our exports.

Already reprisals are being started in foreign countries as a result of the expectancy that our tariffs are to be increased through the passage of this bill. German, French, and British manufacturers are endeavoring to capitalize on the unfavorable attitude existing in our established foreign markets. Our foreign competitors are using every means to encourage the boycotting of American goods. This is on top of an already unfavorable position in that "America is too rich to be loved"—quoting from the words of Owen D. Young.

In the interest of employees and employers as a whole, I urge the defeat of the tariff bill in its present form.

Very truly yours,

J. H. RAND, Jr.

IMPORTANCE OF FOREIGN TRADE

Mr. President, I do not think this aspect of the situation can be overemphasized. While it is true that we export but 10 per cent of our manufactured production abroad, it is recognized by eminent students of our industrial life that that 10 per cent represents the difference between depression in industry in the United States and prosperity. In other words, because of the enormous expansion of our production capacity, due to the war and also because of the increase in our production capacity due to the employment of mass production, the technical improvement of industry and the resultant increase of per man per hour output, that 10 per cent of our production which must be exported abroad is growing and is bound to grow.

Already industries operated upon an efficient basis and not sheltered by the tariff are beginning to feel the pinch of the prolongation and continuance of this indefensible special-privilege protective theory as embodied in the present law and in the proposed general upward revision of its rates.

By the passage of this bill we are putting a penalty upon the efficient industries, ready to stand on their own feet, in

order to protect industries which are on an uneconomic basis and which are being maintained solely by the extortionate protection afforded them by the existing law and the increased protection proposed to be afforded by the pending bill.

Furthermore, Mr. President, if we shall continue this policy we will further encourage the establishment of branch industries in foreign countries; if we shall continue this program of penalizing efficient industry, at the expense of the uneconomic, withered and anemic infant industries, I say we are doing a disservice to business in the United States and to the consumers as well.

PENDING BILL CONTRIBUTES TO DECLINE IN OUR FOREIGN TRADE

Closely related to the unfavorable status of wage earners under the pending bill is the effect it will produce on our foreign trade, already reflected during the period that this legislation has been under consideration. During the first quarter of 1930 American exports have declined at the rate of more than $1,000,000,000 a year.

The fact will not be disputed that if this decline is not checked it will inevitably produce further unemployment and a continuance of industrial and business depression.

In the face of this decline in foreign trade, the pending bill carries increases in rates which have been formally protested by 35 foreign countries, including all the best customers for American goods. I ask to insert at this point a table based upon the official reports of the Department of State and the Department of Commerce showing that 80 per cent of our export trade is dependent upon the buying power and the good will of these 35 nations and that we have heretofore enjoyed a favorable balance of trade—when the total is added together—amounting in the aggregate to $1,323,881,000.

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

The table referred to is as follows:

Countries	Exports to	Imports from
Argentina	$210, 288, 000	$117, 585, 000
Australia	150, 110, 000	31, 939, 000
Austria	5, 331, 000	12, 260, 000
Belgium	114, 854, 000	74, 045, 000
Bermuda	4, 000, 000	775, 000
British Honduras	1, 893, 000	3, 336, 000
British India	55, 360, 000	149, 332, 000
Canada	948, 501, 000	504, 277, 000
Czechoslovakia	6, 122, 000	46, 127, 000
Denmark	51, 444, 000	4, 563, 000
Dominican Republic	14, 204, 000	8, 465, 000
Egypt	14, 027, 000	39, 675, 000
Finland	14, 894, 000	11, 232, 000
France	265, 656, 000	171, 491, 000
Germany	410, 259, 000	254, 674, 000
Greece	16, 741, 000	17, 757, 000
Hungary	2, 328, 000	1, 839, 000
Irish Free State	14, 421, 000	4, 262, 000
Italy	153, 974, 000	117, 065, 000
Japan	259, 128, 000	431, 873, 000
Latvia	2, 320, 000	4, 043, 000
Mexico	133, 961, 000	117, 707, 000
Netherlands	128, 292, 000	83, 853, 000
Newfoundland	12, 506, 000	10, 411, 000
Norway	23, 647, 000	21, 240, 000
Paraguay	1, 500, 000	528, 000
Persia	2, 714, 000	8, 648, 000
Portugal	15, 135, 000	7, 326, 000
Rumania	9, 795, 000	558, 000
Spain	82, 121, 000	36, 060, 000
Sweden	58, 704, 000	52, 982, 000
Switzerland	12, 499, 000	48, 350, 000
Turkey	5, 810, 000	12, 161, 000
United Kingdom	847, 980, 000	329, 767, 000
Uruguay	28, 245, 000	18, 677, 000
Total	4, 078, 764, 000	2, 754, 883, 000

Mr. LA FOLLETTE. I doubt, Mr. President, if any single piece of legislation has met with the sweeping condemnation which this bill has received both at home and abroad.

Yet, in the face of this opposition, we are asked to enact the bill into law without any regard whatever to the changes in economic conditions which have taken place in this country since the bill was drafted and passed by the lower House.

If this bill is to be defeated, if the farmers generally, the wage earners, the consumers, and the industry and commerce of this country are to be spared from its burdens and inequalities, I contend that it should be rejected here and now by the vote of the Senate.

BILL SHOULD BE DEFEATED IN THE SENATE

I do not share the hope of some of those who have predicted that the President will veto the bill if it is presented to him for signature. There is nothing in the record of the past 14 months to justify that hope.

The President himself, as I have already pointed out, injected the tariff issue into the 1928 campaign, emphasized tariff revision as the foundation of farm relief, and opened the door to an upward revision of the existing tariff rates. The leaders in the lower House who framed the bill took it to the White House and submitted it to the President before they introduced it on the floor. The President's political secretary, Walter Newton, then a Representative from Minnesota, announced that at the President's request he would remain in the House until the tariff bill was disposed of, and at the end of the debate he cast his vote for its passage.

Throughout the consideration of this bill in the Senate the President has not once, by word or deed, lent the slightest aid or encouragement to those who have been making the fight against the excessive industrial rates of duty carried in this bill. His most loyal supporters in this Chamber have voted for the bill as it came from the Finance Committee and against proposed amendments to reduce excessive rates in the Fordney-McCumber Act on one roll call after another. The President has been in frequent conferences with those who have led the fight for the most excessive rates in the bill and for its passage. Two of the members of the Finance Committee who helped to frame the bill, the former Senator from New Jersey, Mr. Edge, and the former Senator from Kentucky, Mr. Sackett, have received two of the most important appointments within the President's gift since the bill was introduced in the Senate. There had not been a day during the last 14 months that the President might not have terminated the debate and forced the withdrawal of this bill by repudiating its general upward revision of industrial rates, in violation of the pledge he made to the American people as the leader of his party and the Chief Executive of the Nation.

If the President had remained silent and neutral throughout the debate, regardless of the obligation that rested upon him to see that his pledge was fulfilled, something at least might be said for his consistency in the premises. But he did not hesitate to attack the debenture plan, which was the only provision in the bill that could bring even a measure of protection to the great staple agricultural crops. He issued a public statement declaring that the flexible provisions of the Fordney-McCumber Act, which have resulted in the demoralization of the Tariff Commission since 1923, represented one of the most "progressive" enactments of modern times. He demanded that the Senate reject an amendment restoring to Congress its constitutional power to fix tariff duties and restoring the Tariff Commission to its proper place as a nonpartisan, impartial tribunal. While the bill was in conference the President actively intervened to force the elimination of the Senate's amendments on the debenture and the flexible provisions, and in response to his demands those two features were dropped from the final text of the bill.

FLEXIBLE POWER RETAINED BY PRESIDENT DESPITE BAD RECORD MADE IN PAST EIGHT YEARS

Thus the Smoot-Hawley bill, if enacted, will enable the President and the Tariff Commission to continue to exercise the taxing power which the Constitution vests in Congress. And this will be done in the face of the shameful record of the Tariff Commission and of President Harding and of President Coolidge in the use of the power granted by the flexible provisions of the 1922 Fordney-McCumber Tariff Act.

In 1922 the Congress passed the amendment giving this extraordinary power to the President upon the theory that the commission and the President would exercise it to the end that changing economic and trade conditions could be promptly met and that the tariff would be taken out of politics. Instead an impartial study of the work of the commission under Presidents Harding and Coolidge proves that the most sinister political influences have undermined public confidence in the Tariff Commission.

The record of the commission since 1922 shows that it has been subordinated to the will of two Presidents and that independence of thought and action of the commissioners has been completely destroyed. Instead of a commission composed of men of experience, judgment, and economic training, acting in a quasi judicial capacity, we have had a commission subservient to political influence, intrigue, and cabal.

The history of the sugar and other cases shows that Presidents have repeatedly interfered with the commission, making impartial and scientific tariff adjustments impossible. Even the appointments of members to the staff of the Tariff Commission, who should have been chosen for their professional competence alone, have been dictated by the political influence of the President or of others known to stand high in the councils of the administration. The morale of the scientific staff has thus been broken down in order to have men in key positions ready to

report to the commission "scientific" data "cooked" up to support the preconceived judgments of commissioners and other interested parties.

The same argument for the adoption of the flexible provisions was made in 1922 that is now being made for the continuance of that power in the hands of the President. They said then, and they say to-day, that the power will be used to correct any inequities which may be in the pending tariff bill. Even Senator SMOOT in 1922 assured the Senate that he looked for "more decreases than I do for increases." In the 37 cases since 1922 in which the flexible power has been used to change tariff rates, 32 have been increases, and only 5 have been decreases.

Again, it is claimed by the supporters of the President that he wants to take the tariff out of politics; that he will use the flexible power to readjust tariff rates in the pending bill where injustices may be found and that it will be a quick remedy; the same old "bunk," Mr. President, which was handed out in 1922.

We are justified in judging the future by the past. The record discloses that the flexible power has worked just one way—upward; that political influences have worked in secret to obtain further special tariff favors from the President, and that it has taken an average of 30 months for each case to be acted upon by the commission and the President.

Throughout the debate one of the strongest influences for the passage of the bill has been the claim, fostered and stimulated at the White House, that this legislation must be enacted in order that the President may correct inequities in the rate structure through use of the flexible provisions. The President has the power to-day, under existing law, to increase or lower tariff duties to the extent of 50 per cent of the statute rate. The passage of the pending bill simply inserts a wedge under the general structure of the existing rates by lifting the rate structure, as I have demonstrated, 20 per cent, with the result that the President's power to raise tariff duties will be increased, while his power to lower tariff duties will be diminished. In other words, if this bill is passed the President will have the power to increase tariff duties 70 per cent above the general rate structure now in force in the Fordney-McCumber Act. He can reduce rates only 30 per cent below the rate structure now in force.

Since 1923 it has required an average of 30 months for the Tariff Commission to complete its investigations and to make the flexible provisions effective in order to change a single rate. Assume that the President is successful in introducing a phenomenal degree of efficiency in the operations of the Tariff Commission. Assume that President Hoover works some miracle that enables the commission to do its work three times as rapidly under his direction as it did under President Coolidge. Assume that this revitalized commission, under President Hoover, completes its investigations in a period of 12 months. If the commission undertakes to test the economic soundness of the new rates in the pending bill and speeds up its work nearly threefold, it would require 80 years for the President to pass simply on the increases in rates that this iniquitous measure will place on the statute books. If the Executive undertakes to revise only five rates in each schedule, it will require seven and one-half years.

Mr. President, the passage of this bill, under any such absurd pretexts, must be accepted as a confession of bankruptcy in the statesmanship of this Congress and of the party in power. The enactment of this measure is a gross betrayal of the pledge given to a third of our population, engaged in agriculture, who have formed the backbone of the Republican Party for more than 70 years. To put this bill on the statute books is to ignore the protest of the most enlightened and progressive of our industrial and financial leaders. The passage of this bill permits the interests which have fattened on tariff favors through monopoly practices to take advantage of the farmer's necessity to satisfy their own avarice and to increase the disparity which already exists between agriculture and industry under the present law.

The struggle to establish equality for every section and every interest under the policies of the Federal Government will not end with the passage of this bill. You have denied the basic industry of three-fourths of this country the aid of the Government required for the successful marketing of surplus crops. You have rejected the debenture plan to make the tariff effective in the home market upon $8,500,000,000 of staple agricultural crops. You have demonstrated on the face of this bill that your plan for farm relief through upward revision of the tariff is a sham and a fraud.

Just as the passage of the Payne-Aldrich bill within four years forced a downward revision of the rates then in force under the Dingley Act, the passage of the pending bill and the public understanding of the methods by which it has been achieved will bring about an irresistible demand for a reduction of the excessive and unjustifiable rates which this bill carries. The shameful logrolling methods by which the bill has been forced through both Houses of Congress will do more to discredit and destroy an embargo tariff system, erected by twisting and warping the doctrine of protection, than all tariff revisions of the past.

Mr. President, Senators may have decided to pass this bill and to put it on the statute books. They may ignore the protests which business and industrial leaders have made against the bill. They may spurn the judgment of 1,028 economists who have analyzed the effects of this bill upon our industrial and economic life. They may brazenly repudiate the pledge which President Hoover and the Republican Party made to agriculture in 1928—namely, that they would revise the tariff in the interest of agriculture and that it was the foundation of farm relief.

Mr. President, a majority of Senators in this Chamber may assume the attitude which Nelson W. Aldrich took on the floor of the Senate and say that prophecies as to dire results growing out of its passage are purely partisan political statements. I say to you here and now, if you pass this bill, every Senator who is up for reelection who votes for it will have to meet that as the primary issue of his campaign in 1930; and, Mr. President, when they meet that issue, those who voted for this bill will regret that they have violated the pledge for a limited revision in the interest of agriculture and that they have ignored the protests of those who are most vitally interested in the economic effects of this measure. I venture the prediction that the American people will reject this iniquitous bill at the polls.

Mr. President, I ask unanimous consent to insert as an appendix to my remarks sundry studies and statements and tables concerning this bill.

The VICE PRESIDENT. Without objection, it is so ordered. (See Exhibits B, C, and D.)

EXHIBIT A

WHAT THE FARMER GETS OUT OF THE SMOOT-HAWLEY TARIFF BILL

(A statistical study prepared by the Rawleigh Tariff Bureau, Washington, D. C.)

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WHAT THE FARMER GETS OUT OF THE SMOOT-HAWLEY TARIFF BILL

Careful analysis of the Smoot-Hawley tariff bill demonstrates that it will fail completely to accomplish the primary purpose for which this revision was advocated—the relief of American agriculture, so far as this can be accomplished by tariff legislation.

This analysis leads inevitably to the following conclusions:

First. The Smoot-Hawley tariff bill will carry no substantial benefits for the farmers of those sections of the country which during recent years have been suffering the most severe depression, namely, the great grain-producing States of the Middle West, Northwest, and Rocky Mountain sections and the cotton-producing States of the South. Without the debenture the bill will not add a penny to the price received for the product of any grain grower.

Second. The most substantial benefits arising from the increased duties will be reaped almost entirely by the fruit and nut growers of California and Florida; the truck farmers located on the Gulf, South Atlantic, and Pacific coasts; and a few other relatively small groups of specialized farmers.

Third. The rate increases will be wholly ineffective as applied to farm products with an aggregate value of $10,069,645,000, which includes the

great farm staples—corn, wheat (other than high protein), oats, barley, rye, short-staple cotton, hogs, sheep and lambs, poultry, and eggs.

Fourth. In contrast the increased rates will be fully effective on farm products whose aggregate value is less than half a billion dollars. Except for the three staples—flaxseed, sugar, and wool—these effectively protected commodities consist almost entirely of fruits, nuts, winter vegetables, and other specialized products which are grown in a limited area by a comparatively small number of farmers.

Fifth. Finally the pending bill fails entirely to provide effective relief for those agricultural sections which are genuinely depressed and in large measure confers its bounties upon those classes of farmers who are now most prosperous.

WHICH FARMERS NEED RELIEF?

The first step of Congress in attempting to revise the tariff for the relief of agriculture should have been to determine what classes of American farmers are suffering from extraordinary depression and are entitled to special consideration from the Federal Government. It is obvious that groups of farmers who are now relatively prosperous or who are enjoying exceptionally high prices for their products are not entitled to receive special aid.

There are two excellent indexes by which we may determine which agricultural sections are now unusually depressed and which classes of producers are entitled to governmental attention. These are:

1. The official statistics showing the number of forced sales of farms for taxes and foreclosures in bankruptcy in each State.

2. The official statistics of wholesale prices for agricultural products showing which of those products are now commanding prices higher than the general commodity price level and which are definitely below that level.

AGRICULTURAL STATES SUFFERING GREATEST DEPRESSION

In the Agricultural Yearbook for 1930 the Department of Agriculture presents statistics showing for each State the number of forced sales of farms for delinquent taxes and foreclosures in bankruptcy. These statistics cover the four years 1926–1929, which may properly be combined in order to eliminate the effect of year-to-year fluctuations and give a correct picture of the condition of the farmers in these States.

When this is done we secure the basic figures from which Table I has been constructed. This table shows for each State the total number of farmers, the number of farms per thousand sold for delinquent taxes or foreclosed during the four years 1926–1929, and the principal farm products upon which the prosperity of the State is dependent.

When we examine this table it becomes evident immediately that there is a wide variation of prosperity as evidenced by the percentage of tax sales and foreclosures. At one end of this scale of prosperity we find the farmers of Massachusetts, Connecticut, and Pennsylvania, who have had less than thirty-three out of every thousand farms sold for taxes or foreclosed during the past four years. At the other end of the scale we find the farmers of Montana, North Dakota, and South Dakota in the very depths of depression, with more than two hundred out of every thousand farms sold for taxes or foreclosed during the same period. To put the matter in another way, less than 1 out of every 30 farmers in Massachusetts, Connecticut, and Pennsylvania has been foreclosed or sold out for taxes, while in Montana, North Dakota, and South Dakota more than 1 out of every 5 farmers has suffered this fate.

With such wide variations in the prosperity of farmers in different sections of the country it is obviously absurd to talk about "farm relief" in general. We must find some means of determining with some degree of accuracy which States are worse off than the average and are, therefore, peculiarly entitled to receive the consideration of Congress.

When we examine the statistics in Table I we find that, taking the United States as a whole, eighty-seven out of every thousand farmers have been sold out for taxes or foreclosed during the past four years. This is the average for the entire country. It is reasonable, therefore, to use this average as a base and to assume that those States in which tax sales and foreclosures have exceeded eighty-seven out of every thousand farms are peculiarly depressed and entitled to receive such relief as governmental assistance can provide.

When we arrange the States on this basis we find that those in which tax sales and foreclosures exceed the average are as follows, in the order named: Montana, South Dakota, North Dakota, Colorado, Arizona, Idaho, Wyoming, Minnesota, South Carolina, New Mexico, Iowa, Georgia, Oklahoma, Missouri, Washington, Nebraska, Mississippi, Wisconsin, Michigan, Utah, Nevada, Louisiana, North Carolina, and Arkansas.

When we examine this list we find that it includes not only most of the great agricultural States of the Union, but particularly those which are primarily responsible for the production of the great agricultural staples—grain, cotton, and livestock—upon which the welfare of the Nation depends. This may be seen most clearly by examining the list of principal products shown for each State in Table I, which is inserted at this point.

TABLE I.—*Agricultural depression as indicated by farm tax sales and foreclosures during the four years 1926–1929*

	Number of farms, 1925	Number of farms sold for taxes or foreclosed, 1926–1929	Principal farm products (values in millions of dollars)
United States	6,371,640	87	
New England:			
Maine	50,033	67	Hay (18), potatoes (15), butter (5).
New Hampshire	21,055	48	Hay (9), potatoes (1), dairy products.
Vermont	27,786	45	Hay (17), milk (9), butter (6).
Massachusetts	33,454	31	Hay (14), milk (14), tobacco (3).
Rhode Island	3,911	37	Truck farming.
Connecticut	23,240	32	Tobacco (11), milk (11), hay (10).
Middle Atlantic:			
New York	188,754	66	Milk (117), hay (72), cattle (31), apples (22), truck farming (22), cheese (22), eggs (22), butter (20).
New Jersey	29,671	37	Truck farming (27), milk (8), fruits.
Pennsylvania	200,443	32	Hay (58), milk (57), corn (46), eggs (27), cattle (25), wheat (22), hogs (21), potatoes (20).
Delaware	10,257	47	Truck farming (4), fruits.
Maryland	49,001	68	Corn (17), truck farming (13), wheat (11), hay (10), milk (9), tobacco (4).
East North Central:			
Ohio	244,703	54	Corn (103), hogs (63), butter (49), hay (43), oats (37), milk (34), cattle (31), eggs (30).
Indiana	195,786	85	Corn (111), hogs (91), oats (34), butter (32), cattle (30), hay (29), eggs (22).
Illinois	225,601	65	Corn (257), hogs (130), oats (66), hay (52), cattle (48), milk (42), butter (41), eggs (31).
Michigan	192,327	93	Butter (46), corn (42), cattle (27), oats (25), beans (20), hogs (18), wheat (18), eggs (18), potatoes (14).
Wisconsin	193,155	94	Butter (81), milk (75), cheese (75), hay (72), corn (71), oats (46), eggs (16), potatoes (12), tobacco (9).
West North Central:			
Minnesota	188,231	132	Butter (130), hogs (99), corn (88), oats (53), cattle (52), hay (48), barley (30), wheat (22), eggs (20).
Iowa	213,490	117	Corn (318), hogs (253), cattle (117), oats (88), butter (88), hay (54), eggs (35).
Missouri	260,473	104	Corn (132), hogs (108), cattle (55), hay (44), butter (40), eggs (35), wheat (23).
North Dakota	75,970	214	Wheat (115), barley (23), butter (22), cattle (20), oats (18), hogs (17), flax (16).
South Dakota	79,537	225	Corn (58), hogs (57), cattle (41), wheat (29), oats (19), butter (18), barley (17), hay (13).
Nebraska	127,734	99	Corn (151), hogs (118), cattle (90), wheat (65), butter (45), hay (33), oats (30), sugar beets (7).
Kansas	165,879	75	Wheat (167), corn (116), cattle (85), hogs (62), hay (33), butter (30), eggs (25).
South Atlantic:			
Virginia	193,723	60	Corn (45), hay (22), truck farming (21), tobacco (19), apples (16), hogs (16), wheat (13), cattle (13).
West Virginia	90,380	67	Corn (17), hay (17), cattle (9), apples (8).
North Carolina	283,482	86	Tobacco (87), cotton (77), corn (43), butter (13), hay (13), peanuts (9).
South Carolina	172,767	128	Cotton (66), corn (18), tobacco (10), hogs (10), truck farming (9).
Georgia	249,095	112	Cotton (93), corn (39), hogs (22), tobacco (11), peanuts (10), peaches (10).
Florida	59,217	70	Oranges (36), truck farming (36), grapefruit (25).
East South Central:			
Kentucky	258,524	81	Corn (63), tobacco (58), hay (27), hogs (24), butter (20).
Tennessee	252,669	65	Corn (56), cotton (38), hay (30), hogs (22), butter (21).
Alabama	237,631	54	Cotton (100), corn (33), butter (13), hogs (13), hay (7), peanuts (6).
Mississippi	257,228	97	Cotton (136), corn (23), butter (12), hogs (10).
West South Central:			
Arkansas	221,991	85	Cotton (113), corn (30), hogs (12), hay (10).
Louisiana	132,450	87	Cotton (61), rice (16), truck farming (15), sugarcane (10).
Oklahoma	197,218	110	Cotton (103), wheat (59), corn (47), cattle (33), hogs (20), butter (20), broomcorn (20).
Texas	465,646	44	Cotton (446), cattle (87), corn (77), sorghums (33), butter (32), hogs (27), truck farming (19), wool (10), sheep (9).
Mountain:			
Montana	46,904	246	Wheat (64), cattle (27), hay (22), sheep (14), butter (9), oats (8), sugar beets (3).
Idaho	40,592	163	Hay (29), wheat (25), sheep (12), cattle (11), butter (9), potatoes (9), beans (7), wool (4), sugar beets (2).

TABLE I.—*Agricultural depression as indicated by farm tax sales and foreclosures during the four years 1926–1929*—Continued

	Number of farms, 1925	Number of farms sold for taxes or foreclosed, 1926–1929	Principal farm products (values in millions of dollars)
Mountain—Contd.			
Wyoming	15,512	141	Cattle (17), sheep (12), hay (12), wool (6), sugar beets (2).
Colorado	58,020	175	Cattle (31), hay (29), sugar beets (17), wheat (15), corn (12), hogs (12), butter (11), sheep (9), truck farming (8), beans (7), wool (2).
New Mexico	31,687	118	Cattle (20), cotton (8), hay (7), sheep (5), wool (3).
Arizona	10,802	167	Cotton (17), truck farming (10), hay (12), cattle (9), sheep (3).
Utah	25,992	91	Hay (16), sheep (11), cattle (8), wheat (7), butter (5), wool (5), sugar beets (4½).
Nevada	3,883	88	Hay (7), cattle (6), sheep (4).
Pacific:			
Washington	73,267	100	Wheat (48), apples (30), hay (28), butter (15), eggs (12), milk (10), cattle (10), sheep (3).
Oregon	55,911	81	Wheat (24), hay (23), cattle (14), butter (12), sheep (10), hogs (7), wool (5).
California	136,409	66	Oranges (79), truck farming (76), hay (74), cattle (40), butter (36), grapes (36), barley (22), prunes (22), lemons (20), beans (20), wheat (19), sheep (17), hogs (16), cotton (16), peaches (13), apples (12).

AGRICULTURAL DEPRESSION HITS STAPLE PRODUCTS HARDEST

It is evident that governmental assistance will be unavailing, as far as the farmers of these depressed States are concerned, unless it will benefit the producers of the great staple products upon which the prosperity of these States is so largely dependent.

This conclusion is confirmed by the application of our second test, namely, the extent to which the prices of agricultural products are above or below the general price level.

As a basis for this comparison we have the fact that 550 articles covered by the Department of Labor in its wholesale price index have had an average increase of 31.6 per cent in April, 1930, over the pre-war year 1913. Any commodity whose price has increased to an even greater extent than this during the same period has, therefore, at least maintained its full pre-war purchasing power, while the prices of those which have not so largely increased are obviously defective in purchasing power and fairly entitled to be called depressed.

Upon this basis we have constructed Table II which lists those farm products whose prices in April, 1930, were below the general level, as well as those which are found to be above that level.

TABLE II.—*Comparison of prices of farm products with general price level, April, 1930*

BELOW GENERAL PRICE LEVEL	ABOVE GENERAL PRICE LEVEL
Grains:	
Barley.	
Corn.	
Oats.	
Rye.	
Wheat.	
Livestock:	Livestock:
Calves.	Cows.
Hogs.	Steers.
Sheep.	Poultry.
Other farm products:	Other farm products:
Cotton	Beans.
Eggs.	Apples.
Lemons.	Oranges.
Hay, clover and timothy.	Hay, alfalfa.
Hops.	Milk.
Peanuts.	Flaxseed.
Seed, clover.	Seeds, alfalfa and timothy.
Tobacco.	Potatoes, white.

Examination of the above table confirms the conclusions drawn from Table I by showing that the greatest depression in farm prices exists in the case of those great staple products which form the essential food of the country. It is the producers of these commodities who need relief and whatever benefit can be secured through the tariff, not those whose prices are already in excess of the general price level.

TARIFF WHOLLY INEFFECTIVE FOR MOST IMPORTANT FARM PRODUCTS

We come now to the most important question of all as far as the pending legislation is concerned. This question is, How far will the increased tariff rates of the Smoot-Hawley bill be effective in benefiting American producers of depressed agricultural products?

As a basis for such a determination we have the detailed studies made for the Rawleigh Tariff Bureau by a group of economists at the University of Wisconsin under the direction of Profs. John R. Commons, Benjamin H. Hibbard, and Selig Perlman, covering a wide range of agricultural products.

These studies have resulted in the establishment of certain basic principles which may be applied in determining whether the tariff on any particular commodity will be effective. It is obvious, for example, that if an agricultural product is on an export basis, so that the quantity sent out of the country greatly exceeds that which is brought in, the mere imposition of an increased duty will have no appreciable effect upon the domestic price. It is also obvious that if the imports are so small as to be negligible, even though the commodity may not be upon an export basis, the exclusion of such small imports by higher tariffs will have no appreciable effect upon the price. Experts have also shown that where the domestic output of an agricultural product may be readily expanded, the effect of the exclusion of imports upon price will be only temporary, unless both production and prices are more closely controlled than is customary in the case of agricultural products. Potatoes, for example, can be grown in almost any part of the United States, and both production and price are subject to no form of effective control. It is clear, therefore, that even if the extraordinarily high tariff of 75 cents per hundred pounds (roughly, 50 cents per bushel) imposed on potatoes in the pending tariff bill should be effective in excluding all of the relatively small imports (1.1 per cent), any increase in price during the first year would inevitably be destroyed by larger production in the second year and probably in each succeeding year thereafter.

It is upon the basis of the findings of these experts and in accordance with the principle set forth above that Table III, "What the farmer gets out of the tariff," has been constructed. The principal farm products have been classified in four groups upon the basis of the benefit which they may derive from the nominal increases of the Smoot-Hawley tariff bill. Group 1, for example, includes those farm products which receive no benefit whatever from the existing tariff and will not, therefore, have their prices increased by any higher duties than may be imposed by the pending bill. In most cases these commodities are on an export basis, while in a few cases the imports are so small in relation to the domestic production that their complete exclusion can have no appreciable effect upon their prices.

NO BENEFITS ON GREAT STAPLE PRODUCTS

This great group of farm products which receive no benefit from the existing tariff and can not be helped by higher duties without the debenture had a total farm value in 1928 of more than $10,000,000,000. Even if the duty on these commodities were raised to 1,000 per cent, the American farmer would not receive a penny more for his product.

It includes all of the great staple grain crops with the exception of high-protein wheat, which have an annual farm value of $3,846,000,000. We exported $298,792,000 worth of these products in 1928 and imported only $1,176,000.

It includes the great hay crop of the country, valued at more than a billion dollars. It is obvious that even if the nominal tariff on hay, which has now been increased to the equivalent of 62 per cent, should be effective, it would only be taking the money out of the pocket of one farmer to pay another.

It includes only the short-staple cotton crop, one of the few farm products which still remain on the free list, as well as cottonseed. These two commodities, which are both on an export basis and can not, therefore, be benefited by a protective tariff, have an annual value of almost a billion and a half dollars.

The same is true of hogs and pork products with a total farm value of $1,387,000,000, of which we exported more than $150,000,000 in 1928.

The tobacco schedule carries high nominal rates of duty, but when we subject the facts to careful analysis we find that the bulk of the tobacco crop receives no benefit whatever from the tariff. Substantially all the increased duties in the tobacco schedule, we find, go to benefit a small group of producers of cigar-wrapper tobacco which is grown in a limited section of Connecticut under highly artificial conditions.

Finally, we have the great fruit crops of the country, which are on an export basis and can not receive any substantial benefits from high duties. Such competition as may be felt by the orange and grapefruit growers of Florida will come primarily from Porto Rico and other territory which is under the American flag and can not be restrained by higher tariffs.

Group 2 includes those farm products on which the effects of the tariff are found to be either doubtful or negligible. In this group we have included long-staple cotton, in spite of the fact that certain groups of cotton growers have fought hard for the imposition of the duty of 7 cents per pound carried by the pending bill in the belief that it would be of substantial benefit to them. We have relied, however, upon the findings of the group of economists at the University of Wisconsin that "even though imports of long staple be entirely excluded and domestic long staple be substituted, there would still be about 450,000 bales of long staple to be sold on the export market. It is doubtful, therefore, whether any benefit could be derived from this duty."

It seems obvious that the products of farm gardens and truck farms which produce for summer use should also be included in this group.

It is true that the present bill imposes heavy duties upon fresh vegetables, but it is clear that these duties can be effective only during the winter when the supply is limited and exclusion of imports will have a material effect upon prices.

PARTIAL BENEFITS ON WHEAT AND DAIRY PRODUCTS

Group 3 includes those farm products on which the tariff is partially effective. In the case of high-protein wheat the economists of the University of Wisconsin reported to the Rawleigh Tariff Bureau that the existing tariff of 42 cents per bushel is effective to the extent of only 9.8 cents per bushel on one-half of the hard wheat. This, they calculated, produces an average annual benefit of $17,600,000 which goes chiefly to farmers in three States—Montana, Kansas, and North Dakota. They found that even this benefit was in some measure offset by the lower price received by the producers of low-protein wheat. Whatever the facts may be, the pending Smoot-Hawley bill carries no increased benefit to the wheat farmers, since the rate is left at 42 cents per bushel.

The benefit to be derived by American farmers of the very high duty of 75 cents per hundred pounds imposed by the pending bill on white potatoes is a subject of considerable controversy. Some economists have contended that the entire increase in the tariff will be reflected in higher prices while others have held that, with the enormous areas in the United States suitable for potato production, such price increase could at most be only temporary. The estimate contained in the present table of the increase in farm prices which may result from the higher duties imposed by the pending bill is based upon analysis of the chart showing the relation of the size of the domestic crop to the price of potatoes published in the Department of Agriculture Yearbook, 1930 (p. 589). This chart shows clearly that the exclusion of all imports will not increase the price level more than 2 cents per bushel.

The increased benefit of $90,000,000, which the table shows may go to livestock producers for their cattle and calves, is based upon the findings of the University of Wisconsin group. They hold that, while the present duties on cattle and dressed beef are effective, the increased rates in the pending bill will be only partially effective and will not increase farm prices more than 1 cent per pound. This analysis is confirmed by the Department of Agriculture's study of the relation between the price of beef and the amount of the domestic slaughter, which indicates that even the complete exclusion of present imports will raise beef prices considerably less than 1 cent per pound.

No separate calculation has been made of the possible benefit that may be derived by farmers from the duty of 10 per cent that has been placed on hides in the Smoot-Hawley bill. The value of the hides is included in the Department of Agriculture's estimate of the total farm value of cattle, and it is believed that the estimate of $90,000,000 additional benefit is large enough to cover any possible increased returns to the farmer that may result from the hide duty. Even the representative of the Farm Bureau Federation testified that the benefit to the farmer would be very small.

The effect of the greatly increased duties on milk and cream in the pending bill is so highly problematical that it is impossible to make even an approximate estimate in terms of dollars and cents. On this point the University of Wisconsin economists reported to the Rawleigh Tariff Bureau as follows:

"Should the proposed duty of 48 cents (on cream) become effective, however, it will probably entirely exclude imports from Canada. The total consumption of the New York and Boston markets will then be met by domestic producers. It appears that New England dairymen will not increase their production sufficiently to meet the demand. The price should, therefore, rise high enough to encourage the necessary shipments of three or four million gallons annually from the Mid West. Since this will require the payment of an additional freight rate of 10 cents per gallon, the price of cream will probably rise by this amount. This will aid the New England producers accordingly and will directly benefit the Mid West by increasing its market, and indirectly aid by raising butter prices. All dairymen will benefit to the extent that the domestic butter market will be strengthened.

"The magnitude of the benefit under the present and proposed tariffs is difficult to ascertain because of the smallness of the imports and the relatively unorganized state of the milk and cream markets."

The present tariff on butter is held by all authorities to be only partially effective and it is clear, therefore, that the increased duty granted by the Smoot-Hawley bill will be of no benefit to American dairy farmers. On the contrary, the economists at the University of Wisconsin hold that domestic production is increasing so rapidly behind the tariff wall that even the existing benefits of 6 cents per pound, which American producers are receiving, will soon be substantially reduced. (Report on Agricultural Tariffs, Rawleigh Tariff Bureau, p. 31.)

FULL BENEFITS TO SMALL GROUPS OF FARMERS

Group 4 includes those products on which the tariff is fully effective. It will be noted that this group includes only three staples—sugar beets and cane, flaxseed, and wool. Even in these cases the increased benefits carried by the pending bill go to a relatively small number of producers. The typical products included in this group are the fruits and nuts, which can be grown only in a very limited area and already enjoy a relatively high degree of protection.

This group is not complete because there are some additional products upon which the tariff is effective. The table, however, includes all the commodities upon which sufficiently definite figures are available to permit even approximate estimates to be based. Even if all were included it is certain that the total farm value of the products falling within this group would not exceed $500,000,000.

With the foregoing explanation and analysis, the facts presented in Table III, which follows, should be readily understood even by those who are not familiar with the many intricate problems involved in the application of tariff duties to agricultural products. In brief, this table shows that the farm value of the commodities upon which the farmer will receive no benefits or benefits of negligible value is more than three times as great as that of the commodities upon which the tariff will be wholly or partly effective.

TABLE III.—*What the farmer gets out of the tariff*

GROUP 1. FARM PRODUCTS WHICH RECEIVE NO BENEFIT FROM THE EXISTING TARIFF AND WILL NOT BE HELPED BY INCREASED DUTIES

Commodity	Total farm value of production, 1928 (000 omitted)	Imports (000 omitted)	Exports (000 omitted)	Approximate ad valorem equivalents of duties		Increased benefit to farmers
				1922	1930	
				Per cent	*Per cent*	
Corn	$2,341,462	$628	$28,527	14	23	None.[1]
Wheat, other than high protein	666,554	(2)	193,743	33	33	Do.[1]
Oats	597,480	372	10,510	21	22	Do.[1]
Barley	204,751	174	48,445	16	16	Do.[1]
Rye	36,002	2	17,567	13	13	Do.[1]
Total grains	3,846,249	1,176	298,792			Do.
Hay	1,182,960	564	303	44	62	Do.
Cotton, short staple	1,224,502	28,620	798,552	Free.	Free.	Do.
Cottonseed	227,895	15	12,913	24	24	Do.[1]
Hogs and pork products	1,387,122	3,683	154,753	5	12	Do.[1]
Sheep, lambs, and mutton.	197,406	698	298	23	40	Do.[1]
Horses and mules	52,204	701	3,617	21	21	Do.
Poultry	444,208	3,473	920	25	29	Do.[1]
Eggs	746,285	5,538	6,222	35	43	Do.[1]
Sweetpotatoes	72,680	(3)	(3)			Do.
Tobacco, other than wrapper and filler.	238,550	25,219	153,556	63	63	Do.
Apples	200,582	212	26,663	14	14	Do.
Peaches	63,649	15	730	11	11	Do.
Pears	24,167	(3)	4,143	11	11	Do.
Oranges	142,285	111	13,912	16	16	Do.
Grapefruit	18,901	199	2,904	32	48	Do.
Total, other than grain	6,223,396	69,048	1,179,486			
Total, Group 1	10,069,645	70,224	1,478,278			

GROUP 2. FARM PRODUCTS ON WHICH INCREASED BENEFITS FROM SMOOT-HAWLEY TARIFF BILL ARE DOUBTFUL OR NEGLIGIBLE

Buckwheat	$11,794	$60	$169	6	14	Negligible.[1]
Rice	37,319	1,214	13,235	39	49	Do.
Cotton, long staple	[4] 76,000	14,178	123,296	Free.	24	Doubtful.[1]
Farm gardens	[4] 303,000	(3)	(3)			Negligible.
Cheese, American	[4] 83,812	17,118	798	25	40	Do.[1]
Truck crops (summer)	[4] 275,000	(3)	(3)			Do.
Wheat, high protein	234,200	(2)	(2)	33	33	None.
Total, Group 2	1,021,125	32,570	137,498			

GROUP 3. FARM PRODUCTS ON WHICH THE TARIFF IS PARTIALLY EFFECTIVE AND WHICH WILL RECEIVE SOME INCREASED BENEFIT FROM SMOOT-HAWLEY TARIFF BILL

Peanuts	$39,213	$2,613	$523	72	121	[5] $7,600,000
Grapes	49,601	318	2,505	11	11	None.
Potatoes, white	293,679	3,231	2,253	35	53	[6] 9,260,000
Beans, dry	73,815	5,640	1,177	38	66	[7] 8,000,000
Cattle and beef products	1,137,176	27,531	5,866	20	36	[8] 90,000,000

[1] Findings of group of economists at University of Wisconsin, headed by Prof. John R. Commons, as reported to Rawleigh Tariff Bureau in study of agricultural tariffs.

[2] Imports of wheat for domestic grinding, $208,000; for export, $22,908,000. Not segregated by varieties, but most imports are high protein.

[3] Import and export data not segregated.

[4] Estimated.

[5] Estimate based upon findings of University of Wisconsin economists that peanut duty is about 50 per cent effective.

[6] Estimate based upon study of relation of production to price of potatoes—Department of Agriculture Yearbook, 1930 (p. 589), indicating that exclusion of all imports will not increase price above level more than 2 cents per bushel.

[7] Estimate based upon study of relation between prices of beans and production, indicating that exclusion of net imports of about 2,000,000 bushels will increase price approximately 50 cents a bushel.

[8] Increased benefit computed on finding of University of Wisconsin group that higher duties on cattle and beef will increase price to farmers not more than 1 cent per pound. This is confirmed by analysis of study of relation of beef prices and production of Department of Agriculture (Yearbook, 1930, p. 590), indicating that exclusion of all imports would raise beef prices on the farm not more than two-thirds of 1 cent per pound.

TABLE III.—*What the farmer gets out of the tariff*—Continued

GROUP 3. FARM PRODUCTS ON WHICH THE TARIFF IS PARTIALLY EFFECTIVE AND WHICH WILL RECEIVE SOME INCREASED BENEFIT FROM SMOOT-HAWLEY TARIFF BILL—continued.

Commodity	Total farm value of production, 1928 (000 omitted)	Imports (000 omitted)	Exports (000 omitted)	Approximate ad valorem equivalents of duties		Increased benefit to farmers
				1922	1930	
				Per cent	*Per cent*	
Milk and cream	[9] $1,032,539	$7,771	$15,836	13	35	(10)
Butter	[9] 228,139	1,562	1,861	33	39	[9] None.
Cheese, Swiss	[4] 7,250	5,649	(3)	38	40	[1] $155,000
Greenhouse products	76,839	(3)	(3)			Very small.
Onions	22,574	2,663	822	47	118	[11] 7,000,000
Total, Group 3	2,960,925	56,978	30,843			122,005,000

GROUP 4. FARM PRODUCTS ON WHICH TARIFF IS FULLY EFFECTIVE AND WHICH ARE EXPECTED TO RECEIVE FULL BENEFIT OF INCREASED DUTIES

Flaxseed	$37,316	$31,245	$8	23	37	[1] $5,163,000
Sugar beets	50,960	22	8,548	73	82	[1] 6,200,000
Sugarcane	24,669	159,240				
Lemons	22,720	2,190	1,430	64	80	[12] 3,620,000
Wool	109,209	39,432	180	43	47	[1] 4,000,000
Tobacco:						
Wrapper	9,262	13,050	574	97	105	750,000
Filler and binder	27,137	19,843		40	40	None.
Olive oil	250	15,348	None.	39	45	15,000
Soy-bean oil	840	777	756	41	57	136,000
Winter vegetables (estimated)	25,000	1,971	(3)			[13] 6,000,000
Cherries, sulphured and in brine	2,500	1,561	None.	21	67	1,150,000
Dates	63	2,312	(3)	20	20	None.
Dried figs	418	2,305	None.	27	66	345,000
Fresh pineapples	15	1,847	146	12	21	3,000
Mushrooms	[4] 15,000	1,970	None.	45	66	[11] 3,000,000
Almonds	4,760	6,417	(3)	39	46	330,000
Walnuts	11,160	6,321	(3)	44	55	1,225,000
Tomatoes (for table use)	27,480	3,837	(3)	16	94	[15] 10,000,000
Total, Group 4	368,759	309,688	11,642			41,937,000

[1] Findings of group of economists at University of Wisconsin, headed by Prof. John R. Commons, as reported to Rawleigh Tariff Bureau in study of agricultural tariffs.

[3] Import and export data not segregated.

[4] Estimated.

[9] Figures for value of milk, cream, and butter produced on farms are for 1924.

[10] University of Wisconsin group found that increased duty on milk and cream will affect prices only in New York and New England, but held that it was impossible to estimate amount of increased benefit to farmers. They found definitely that the present tariff on butter is only partially effective, that its benefits are decreasing because of increasing domestic production, and that a higher tariff will not help farmers.

[11] Estimate based upon study of relation of domestic prices to supply of onions, indicating that exclusion of net imports will increase price approximately 30 cents a bushel.

[12] Benefit calculated on assumption tariff on lemons is fully effective. It is almost certainly excessive.

[13] Estimate based on assumption that exclusion of winter vegetables will increase price about 25 per cent.

[14] Rough estimate based on best available data. Practically all benefit will go to small number of producers in eastern Pennsylvania.

[15] Benefits will be limited to producers of winter tomatoes, the exact value of which are not reported. The estimate shown is based on the best available information.

AGRICULTURAL TARIFFS WHICH BURDEN FARMERS

We come now to a group of tariff duties which, although imposed ostensibly as a benefit to agriculture, in reality constitute a serious burden. These are the duties upon such commodities as seeds and various types of mill feeds which the farmer must buy at the higher prices created by the tariff.

It is true that a relatively small number of producers, who might perhaps be classed as farmers, produce field and grass seeds and garden seeds. But it is even clearer that these seeds are purchased primarily by genuine farmers who are interested in securing the best seed that can be obtained from any part of the world. It would seem the height of absurdity for any country that is interested in improving its agriculture to prevent its farmers from securing the best possible seed at reasonable prices. This would seem to be especially true when the wholesale price indexes of the Departments of Labor and Agriculture reveal that the prices of most field, grass, and garden seeds are already at exorbitant levels.

It would also seem to be the height of absurdity to suggest that farmers will be relieved by imposing tariffs upon such products as bran, beet pulp, and oil cake, which are required for feeding cattle and other livestock. The mere fact that these duties were asked for by the alleged representatives of certain agricultural interests is not a sufficient reason for granting them.

The list of these commodities which thus burden the farmers, presented herewith in Table 4, is by no means complete, but it will serve to illustrate the extent to which the principle of "the greatest good to the greatest number" has been violated in this bill.

TABLE IV.—*Farm products whose duties impose a direct burden upon farmers*

Commodity	Imports	Ad valorem equivalent of 1930 duties	Burden on farmers
Field and grass seeds	$5,088,000.00	$35.00	$1,781,000.00
Garden seeds	2,361,000.00	19.41	470,000.00
Bran, shorts, etc	8,019,000.00	10.00	800,000.00
Screenings	1,135,000.00	10.00	114,000.00
Beet pulp	488,000.00	16.11	78,000.00
Malt sprouts	453,000.00	12.61	57,000.00
Mixed feeds	26,000.00	10.00	2,600.00
Oil cake and meal	12,863,000.00	12.38	1,590,000.00
Total	30,433,000.00		4,892,600.00

A GOLD BRICK FOR THE FARMER

The foregoing analysis of the effect of the nominal increases in duties on agricultural products carried by the Smoot-Hawley bill lends force to the charge that it is a "gold brick" for the farmer.

We have seen that it fails entirely to provide any benefits for the producers of farm products valued at more than $10,000,000,000 and that the few products upon which the higher duties will be fully effective are produced either in limited sections of the country or by relatively small groups of farmers.

We have seen that, with the elimination of the debenture, the great agricultural sections of the Middle West, Northwest, and Rocky Mountain regions, as well as the South, will receive substantially no added protection or assistance from this bill. They will pay more for such effectively protected commodities as fruit, nuts, and linseed oil, but they will not receive a penny more for their grain, hogs, and cotton.

And this, it should be realized, is only part of the picture, for we have ignored in this study the added burdens that will be imposed upon all farmers by the heavy increases that are granted in the Smoot-Hawley bill to almost every class of manufactured products. These industrial tariffs, experience has shown, are largely effective and will raise the price that the farmer must pay for his clothing, his shoes, his tools, his paint, his crockery and glassware, and for almost every other commodity that enters into his cost of living.

When these added burdens, which have been analyzed in separate studies of the Rawleigh Tariff Bureau, are taken into account it is impossible to escape the conclusion that the economic condition of American farmers as a whole will be so seriously damaged by the Smoot-Hawley tariff bill that downward revision of the entire inflated structure will become inevitable.

EXHIBIT B

BUSINESS MEN PROTEST ENACTMENT OF TARIFF BILL

(On Saturday, March 29, W. T. Rawleigh conferred with President Hoover at the White House in reference to tariff legislation. After going over the details of the Senate and House bills, Mr. Rawleigh left with Mr. Hoover the following memorandum, containing principal points which Mr. Rawleigh believes should be considered in connection with the pending legislation.)

W. T. Rawleigh: "The following are some of the principal points which the national welfare demands should be given special consideration in connection with the pending tariff bill:

1. COST OF LIVING INEVITABLY INCREASED

"The pending legislation will increase materially the cost of living of the American people at a time when they are suffering from business depression and unemployment and are, therefore, unable to adjust themselves easily to higher prices. Wage earners especially are in no position to bear such price increases, since their leaders have entered into a compact with the President of the United States not to seek wage increases at this time.

"The increased duties will tend especially to raise the price of food, clothing, and housing, the three items which together make up more than two-thirds of the cost of living for the average American citizen.

"Calculations placed in the CONGRESSIONAL RECORD of Monday, March 24, by the chairman of the Senate Committee on Finance show that the average ad valorem duties imposed upon food and clothing are as follows:

	House bill	Senate bill
Food:	*Per cent*	*Per cent*
Agricultural products and provisions	33	36
Sugar, molasses, and manufactures of	92	77
Clothing:		
Manufactures of cotton	43	41
Wool and manufactures of	58	57
Manufactures of silk	60	58
Manufactures of rayon	53	49

"While no similar calculations indicating the average rates imposed upon building materials has as yet been made, it is certain that the increased duties which fall upon such essential items of housing as brick, cement, lumber, window glass, and hardware will be equally burdensome.

"During a period of prosperity and active employment consumers might readily adjust themselves to the increases that such duties will inevitably produce, but during a period of unemployment and business depression such increased burdens can be borne only with the greatest difficulty.

2. DISORGANIZING EFFECT UPON INDUSTRY

"Apart from the effect upon consumers outlined above, there is a direct effect upon industry, trade, and commerce which should be taken into consideration. The pending tariff bill contains more than 1,200 changes in duties which will affect practically every class of commodities and produce a readjustment of prices throughout the entire field of American industry and commerce. Because of the unscientific character of the revision which has taken place in both Houses of Congress there are wide and irreconcilable variations in the size of the increases and decreases proposed. It is inevitable, therefore, that there must be a thorough-going readjustment of the price schedules of almost every American industry. Such readjustment is difficult even under the best of conditions, but during periods of depression it can hardly be carried through without seriously endangering the stability of American industry and commerce.

3. UNPRECEDENTED TARIFFS ON RAW MATERIALS

"The effect of the pending tariff bill upon American industry is likely to be much more serious and far-reaching than any other bill that has ever been enacted because of the fact that the bill which is now in conference provides for such large and widespread increases in the duties upon raw materials. Many of these increases will most seriously affect basic industries which are now greatly depressed.

"The price of raw materials for the automobile industry, for example, will be materially increased by reason of the higher duties imposed upon high-grade steels, lacquers, plate glass, pyroxylin sheets for 'safety glass' and other essential material and supplies. Altogether it is estimated that more than 800 commodities which enter into the manufacture of automobiles will be increased in price as a result of the higher duties.

"The cotton and woolen textile industries are seriously depressed in both the North and South. And yet the bill, which is now in conference, will materially increase the cost of virgin wool and wool rags as well as the cost of long-staple cotton.

"Preliminary analysis of the bill indicates that it will tend to increase materially the cost of raw materials for most of the basic industries of the country, including steel, textiles, furniture, paints, clothing, glass, and metal manufactures, as well as a large number of secondary industries which derive their raw materials from these basic manufactures.

4. INTERFERENCE WITH PRESIDENT'S CONSTRUCTION PROGRAM

"The pending tariff bill will seriously interfere with the construction program promoted by the President of the United States and the governors of the several States because of the increased duties which it imposes upon building materials. Higher duties on cement, brick, lumber, building stone, window glass, and substantially every other item which enters into either public or private building, are contained in both the Senate bill and the House bill.

"Because of the fact that such of these materials as are now imported are most largely consumed in the region along the Atlantic seaboard, it is inevitable that the exclusion of foreign building materials by higher duties will most seriously affect these particular localities.

"It is true that the Senate bill carries an amendment providing that the Federal Government, as well as States and municipalities, may import cement duty free for public construction, but such a provision does not extend to other building materials and will benefit only States and municipalities along the coast. Furthermore there is no assurance that it will be retained in the bill as reported from conference.

5. TRANSFER OF INDUSTRY TO FOREIGN COUNTRIES ENCOURAGED

"One of the most serious aspects of the heavy duties imposed upon raw materials is the increased incentive which they provide for American corporations to locate abroad and buy their raw materials and supplies in the world market at the lowest possible prices. Dispassionate analysis would seem to indicate that there is no other recourse for American corporations which are seeking to build up a large foreign trade in highly competitive products. It is difficult to see how American corporations can pay higher prices for raw materials and higher wages to American labor and hope to compete in the export trade. They may hope to meet the competition of cheaper foreign labor by reason of the higher efficiency of American labor and the more widespread use of automatic machinery. There is, however, no possibility of meeting foreign competition which enjoys unlimited supplies of substantially cheaper raw materials.

6. DISREGARD OF PRESIDENT'S CALL FOR LIMITED REVISION

"The pending bill is in complete disregard of the message of the President urging a 'limited revision' of the tariff and suggesting that industrial rates should be changed only in the case of those industries which are suffering depression as a result of 'insurmountable foreign competition.'

"Analysis of the duties imposed by the legislation which is now in conference shows clearly that the duties which have been provided bear little or no relation either to differences in cost of production at home and abroad or to the extent of genuine foreign competition in the home market. In much more than a majority of the cases, which have been subjected to analysis, the imports of manufactured goods constitute less than 10 per cent of the total amount of such goods consumed in the United States. In a very large number of cases such imports are less than 1 per cent and can not by any stretch of the imagination be described as 'insurmountable foreign competition.'

7. WILL BURDEN RATHER THAN BENEFIT AGRICULTURE

"The bills now in conference will increase rather than diminish the burdens upon American agriculture and will confer corresponding benefits only upon relatively small groups of specialized farmers.

"Unbiased analyses of both the House and Senate bills have been made by Professors Commons, Hibbard, and Perlman, of the University of Wisconsin, and by David J. Lewis, former member of the Tariff Commission, for the Rawleigh Tariff Bureau. These studies show conclusively that most of the agricultural tariffs are ineffective and that the burdens imposed upon all the farmers by the few effective agricultural tariffs far exceed the benefits which will be received by some of them.

"This would be true even under normal conditions, but is now accentuated by the current low prices for farm products and the difficulties of disposing of existing American surpluses.

8. EMBARGO TARIFFS PROVOKE FOREIGN RETALIATION

"Excessive increases in duties in the pending bill, constituting in many cases absolute embargoes, threaten to provoke retaliation by foreign countries which are thus excluded from our market. Even without retaliatory tariffs the arbitrary exclusion of products of countries to which we export will inevitably reduce their purchasing power and thus limit their ability to buy from us.

"Definite movements for retaliation are now under way in five countries which buy 38 per cent of our total exports with an aggregate value of approximately $2,000,000,000. The new tariff of Germany, for example, containing such embargo rates as 85 cents a bushel on wheat and 6 cents a pound on flour, will completely exclude a large part of the $292,754,000 of farm products which we now sell her and thus accentuate our domestic farm problem.

9. CONFERENCE CAN IMPROVE ON BOTH BILLS

"While both Houses have disregarded the President's message urging a 'limited revision' of the tariff, it is still possible to secure a bill which will be better and less burdensome than either the House bill or the Senate bill, if the conference committee should be influenced to accept the best features of both bills. While the Senate bill is, on the whole, more moderate than the House bill, there are in every schedule individual paragraphs where the rates proposed by the House are greatly preferable to those of the Senate. For example, the rates in the woolen schedule of the House bill are preferable to those adopted by the Senate. The Senate rates, on the other hand, are much more reasonable as affecting the chemical, sugar, metal, and rayon schedules.

10. UNLESS MATERIALLY IMPROVED, BILL SHOULD BE VETOED

"If the conference committee should not be influenced to accept the most moderate and reasonable provisions of the two bills which are now before it, it is difficult to see how the President can avoid exercising his veto power. No other President in the history of the United States has been more specific in his recommendations to Congress of the limitations which the welfare of the Nation demanded should be observed in the revision of the tariff. These recommendations have been largely disregarded by both Houses, but reasonable conformity with them may still be attained if the conference committee should choose to manifest a statesmanlike attitude.

"If, however, widespread and excessive increases in duties should be contained in the bill finally adopted by the two Houses, it is reasonable to believe that the American people generally would applaud a presidential veto based upon the disregard of his recommendations, the onerous burdens which would be imposed upon consumers, and the dangers which would attend a readjustment of American industry if the duties provided by such a bill should become effective."

Henry Ford: "I venture to predict that this bill is the last legislation of its kind anybody will ever try to get through Congress. The day when this country will stand for that sort of thing is past.

"Who wants this high tariff bill? We certainly don't. I think it would be very educational to tell the public just who it is that does want it. The President does not want it. I am told Congress does not want it. No up-to-date business man wants it. Who, then, is forcing it on the country?

"You say it is the contention of those who are backing it that it will revive industry.

"I say it will have precisely the reverse effect. It will stultify business and industry and increase unemployment. When you prevent your customers from purchasing your goods you are absolutely throwing men out of work. I know something about employment, and I say that this tariff reduces the number of American jobs.

"Business thrives on competition. Nobody does his best if he knows no one is competing with him. Comfortably tucked away behind a tariff wall which completely shuts out all competition and which gives industry an undue profit which it has not earned, the business of our country would grow soft and neglectful. Instead of enlarging and putting on an increasing number of workers, the tendency would be to be satisfied with things as they were and to stand still.

WOULD TEAR DOWN TRADE BARRIERS

"We need competition the world over to keep us on our toes and to sharpen our wits. The keener the competition the better it will be for us. We can always find better ways to do things when we have to.

"Instead of building up barriers to hinder the free flow of world trade, we should be seeking to tear existing barriers down. People can not keep on buying from us unless we buy from them, and unless international trade can go on business will stagnate here at home.

"There are certain barriers that may properly be set up. For example, the barrier against mass immigration. We ought not to drain European countries of their brains and man power. But the flow of goods should be free.

"As for a tariff wall to shut out foreign goods, I feel certain we could hold our own without any wall at all. Mass production, the elimination of waste, the creation of a better article for less money—that is the secret of business and industrial activity and of plenty of jobs in this country.

"Another uneconomic thing which supertariffs encourage in this country is the production of things in this country which we are not suited to produce and which we can not hope to produce well or in sufficiently large quantities. Why not let those countries which can produce these better than we do so, while we turn our attention to the production of things in which we excel? That would provide work for everybody to do the world over, and in the exchange of these products world trade would thrive, bringing busy times and prosperity for all.

FARMERS DO NOT NEED TARIFF

"Agriculture is no more in need of high tariff protection than is industry. There, again, we must produce the things which our country and our people are suited to produce, and do it on a big scale. Scientifically and economically, old-fashioned farming methods are doomed. In their place we will have mass production, soil improvement under the direction of high-priced chemists and other specialists, waste elimination, and an era of high farm wages.

"If Congress passes this bill it will be iniquitous. The vast majority of people are certainly opposed to it and will be hurt by it. It is just a final and belated effort on the part of a small group of men to have one last fruitful dig into the pockets of the masses. And if it goes through, the people will assuredly be heard from.

"If what I hear is true, I doubt if even Congress wants this bill to pass. Why then does it keep at it? Are some of its Members afraid to vote the way they know they ought to vote?

SAYS PRESIDENT SHOULD VETO

"Congress ought to have the courage to dispose of the bill without submitting it to the President. Congress ought not to hide behind the Chief Executive and force him to do what it ought to do itself. With Congress and the President standing together against this thing, the country would draw a big breath of relief.

"But should Congress pass the measure, I do not for a moment doubt that he will veto it the minute it lands on his desk. I do not see how he could do otherwise, and I do not believe he will do otherwise. He knows who the small bunch of men are who want it and he knows it to be economically unsound and harmful to the best interests of the Nation.

"If the President doesn't veto this iniquitous thing, he could hardly justify signing it. By vetoing it he will give proof of his soundness and courage. But I don't believe the President will make any such mistake as signing the bill as it now stands.

"I hear people saying that the country is suffering from uncertainty about the tariff. They say business will be better as soon as the tariff bill is passed. That is the favorite 'come on' cry just now. If this tariff bill is laid on the shelf for 20 years and the President left to adjust schedules himself, American business, and what is just as important, American foreign relations, will be better off."

Land O'Lakes Creameries, Central Cooperative Association, Twin City Milk Producers' Association, and the Minnesota Farm Bureau Federation: "Agriculture will be no better off under the new bill than under the old."

A. C. Loring, president Pillsbury Flour Mills Co.: "The benefits derived from any changes are much outweighed through the antagonism of other countries, reducing our exports and causing a curtailment of existing business relations."

F. G. Barton Cotton Co., Memphis: "England, one of our greatest importers, will go to Egypt and India for much cotton if the tariff is passed."

Norman Monaghan, of Nerberger Cotton Co., Memphis: "It will handicap America in disposing of its surplus cotton."

J. J. Culbertson, vice president, Southern Cotton Oil Co., Paris, Tex.: "I consider the proposed tariff the greatest blunder of our administration. * * * The unfriendly feeling being generated among the countries on which we rely for markets for our goods is being manifested in formal protests, and some of these countries are already passing retaliatory measures which will mean a menace to our industries and threatening of greater unemployment."

J. S. Cullinan, Houston, Tex., oil man and vice president of United States Chamber of Commerce: "We already have a very serious unemployment problem, and this measure, which will affect our customers so seriously, will not only do nothing to relieve the employment problem but will seriously aggravate it."

AUTOMOBILE MANUFACTURERS

James D. Mooney, president General Motors Export Co.: "Our American industries are quite able to take care of themselves under the present tariff laws. * * * General Motors shipped 300,000 cars abroad last year; indications are that this year foreign sales will shrink to 120,000 cars. This shrinkage applied to the whole industry means a $500,000,000 decline in production and curtails the employment of 250,000 men.

"You can not ship a large amount of goods out of the country without accepting some goods to pay for them."

Charles W. Nash, president Nash Motors Co., Kenosha: "The proposed tariff is a great menace to our foreign trade, and my belief is that all foreign countries where America enjoys a large export business will immediately adopt retaliatory measures against American manufactured articles, with the result that our export business will suffer materially and will add greatly to our already overburdened unemployment situation."

A. R. Erskine, president Studebaker Corporation, South Bend: "It seems incredible that the Government at Washington could be guilty of imposing upon American business and consumers, especially in these depressed times, such an egregious blunder as this tariff bill."

Alvan Macauley, president Packard Motor Car Co., Detroit: "The United States must have world trade if the country is to be prosperous. We must not have a tariff wall that will cause other countries to bar us from their markets. We can not sell if we do not buy. We can not produce if we do not sell. * * * In the motor-vehicle industry alone last year export business provided two months' employment to all the men in the United States producing automobiles, trucks, and busses; in addition, earnings of hundreds of thousands of others making commodities for the industry were directly enhanced."

E. H. Gorrell, president Stutz Motor Co.: "If the Hawley-Smoot bill goes through, it is probable that the exports of American-built automobiles in the coming year will be reduced by more than two-thirds. This means depression for the industry, which will contribute to the general business stagnation. There is no question that many men will be thrown out of work and that business recovery will be greatly handicapped."

OTHER BUSINESS MEN AND EXECUTIVES

F. B. Patterson, president National Cash Register Co.: "For the good of American industry the present tariff law should be left unchanged."

A. F. Hockenbeamer, president Pacific Gas & Electric Co., San Francisco: "Why should the foreign-trade industry go unprotected? It absorbs from $4,000,000,000 to $5,000,000,000 of goods annually, and yet about every 10 years a thoroughgoing revision of the tariff schedules fills 'industry' full of uncertainty and doubt."

Robert H. Bean, executive head, American Acceptance Corporation: "I think that the reasonable conclusion is that if we pass this tariff bill we will inevitably increase the present depression and bring about a situation which will call for considerable readjustment."

EXHIBIT C

RAWLEIGH TARIFF BUREAU STUDY—HOW THE SMOOT-HAWLEY BILL AFFECTS THE PEOPLE OF NORTH DAKOTA

It has been asserted in the tariff debates that North Dakota was one of the few agricultural States which would be genuinely aided by the passage of the pending bill and that, considering all the people of that State, the benefits arising from the increased duties would materially exceed the burdens imposed by the higher rates on manufactured commodities.

This assumption appears to have been based on general impressions rather than upon a careful consideration of the facts. Actual analysis of the most recent available official statistics, on the contrary, seems to indicate that this assumption is unfounded and that the benefits to be derived from the passage of the Smoot-Hawley bill both by the farmers of North Dakota and by the entire population of that State have been grossly overestimated.

BENEFITS OF TARIFF GREATLY EXAGGERATED

Even the benefits expected by the producers of flaxseed, wool, and sugar beets, are found to be greatly exaggerated when they are subjected to careful analysis. It is found, for example, that on the basis of production of 1929 the average flax grower will receive only $15.48 more for his product under the Smoot-Hawley bill than he would have received under the present law. The average woolgrower likewise stands to receive only $19.20 more for his wool, if the increase of 3 cents per pound provided in the Smoot-Hawley bill should become effective.

When we come to the sugar-beet growers we discover that there are only 139 of them in the entire State, and their production in 1928 and 1929 was too small to be separately reported by the Department of Agriculture in its yearbook.

The higher duties on cattle and beef will perhaps be partially effective but even here it seems reasonable to anticipate that the cattle raisers will be as greatly disappointed by the results of the higher tariffs upon their products as the wheat growers were when the present tariff of 42 cents a bushel was imposed. The higher duties on milk, butter, cream, and other dairy products, which will admittedly benefit the producers of New York and New England, will likewise be of slight benefit to the dairy farmers of North Dakota, who are too far from the great consuming market to be materially aided by the exclusion of Canadian milk, butter, and cream.

ECONOMIC INTEREST OF PEOPLE OF NORTH DAKOTA

We can perhaps best understand how the tariff is likley to affect the people of North Dakota by taking a bird's-eye view of the occupations in which they are engaged and from which they derive their livelihood.

According to the census of occupations of 1920 the total occupied population of North Dakota numbered 178,754. Of these, 116,457 were engaged in agriculture, forestry, and animal industry, leaving 51,297 engaged in other occupations.

In order to discover how the Smoot-Hawley bill will affect the economic interest of these people, let us first analyze the nonagricultural population as classified by occupations.

We have, first of all, 1,296 persons engaged in the extraction of minerals, of whom 1,143 are coal-mine operators. The tariff is obviously of no possible benefit to them but, on the contrary, will inevitably increase their cost of living.

ONLY 400 INDUSTRIAL WAGE EARNERS BENEFITED

Next are 17,849 engaged in manufacturing and mechanical industries. Of these, the following are employed in the building trades and other similar occupations and will be injured rather than helped by the high tariff duties imposed by the bill:

Blacksmiths	982
Brick and stone masons	317
Builders and building contractors	353
Carpenters	3,435
Compositors, linotypers, and typesetters	408
Electricians	434
Engineers (stationary)	774
Laborers, building and general	3,277
Painters and glaziers (building)	666
Plumbers, gas and steam fitters	388
Shoemakers and cobblers (not in factory)	243
Tailors	291
Total	11,569

Thus we have 11,569 engaged in various mechanical occupations and trades which can not possibly derive any benefit from the tariff.

Turning now to the manufacturing industries, we find that in the entire State there were in 1920 only 894 establishments with a total of 6,148 persons engaged in manufactures, including proprietors, officials, clerks, and wage earners. This is an average of less than 7 persons to the factory, which indicates clearly that the business done by them is of only local importance and can in nowise be affected by foreign competition.

Running over the list of industries represented in North Dakota, it appears that there are only five which can secure any material benefits from the Smoot-Hawley bill. These are:

	Number of establishments	Number of wage earners
Brick and terra cotta products	5	140
Butter	57	212
Condensed milk	3	3
Marble and stone work	12	33
Tobacco, cigars	14	12
Total	91	400

Thus we have only 400 industrial wage earners in the entire State of North Dakota who can be either directly or indirectly benefited by the Smoot-Hawley bill.

On the other hand, we find that the larger industries of the State will be adversely affected by the increased duties on the materials which they use and by the higher living costs which their wage earners will have to pay. Among these are:

	Number of wage earners
Cars and general shop construction and repairs by steam railroad companies	1,539
Printing and publishing newspapers	557
Printing, publishing, and job printing	477
Automobile repairing	303
Confectionery and ice cream	107

Thus the interests of the manufacturing industries of North Dakota are decidedly in opposition to the enactment of the pending tariff bill.

ONE HUNDRED INJURED FOR EACH ONE HELPED

The next large group listed in the census of occupation for North Dakota are those engaged in transportation, numbering 11,510. It is obvious that these people, employed by railroads, street railways, telegraph companies, etc., can not possibly be benefited by the tariff, but are certain to lose by its enactment.

Next are those engaged in trade, numbering 16,772, who will unquestionably be adversely affected by anything that tends artificially to increase prices or to lessen the volume of business. The same is true of the following groups engaged in occupations where salaries and wages are unaffected by foreign competition and who may be seriously injured by any increase in the cost of living:

Public service	1,408
Professional service	4,907
Domestic and personal service	4,260
Clerical occupations	4,295
Total	14,870

Thus we have found that out of the 51,297 persons in North Dakota engaged in nonagricultural occupations there are only 400 who can reasonably expect to derive any benefit from the increased tariff duties of the Smoot-Hawley bill and 50,897 who will be burdened by it. There are, therefore, more than 100 persons in this section of the population who should oppose this measure for economic reasons for every 1 who has any interest in favoring it.

HOW THE TARIFF AFFECTS THE FARMER

Let us turn now to the agricultural section of the State. As we have seen, there are 116,457 persons engaged in agriculture, forestry, and animal industry. We see at once, however, that of these 35,640 are farm laborers, whose interest in higher agricultural tariffs is at best indirect and speculative, whereas they are certain to have to pay more for their clothing, shoes, hats, and other manufactured articles if the pending bill is adopted.

According to the Census of Agriculture for 1925 (p. 1040) there are 75,970 farms in the State of North Dakota.

If we analyze the crops produced by these farmers on the basis of whether the tariff is effective and whether they will receive increased benefits under the Smoot-Hawley bill as compared with existing law we obtain the following results:

CROP

Number of farmers producing

Tariff not effective or rates not increased by Smoot-Hawley bill over existing duties:		Tariff probably effective and rates increased by Smoot-Hawley bill:	
Corn	47,629	Flaxseed	40,949
Winter wheat	1,107	Buckwheat	338
Spring wheat	66,014	Soy beans	147
Oats	63,342	Dry edible beans	247
Barley	41,749	Sugar beets	139
Rye	22,441		
Hay	62,080		
Apples	3,906		

It is clear from the above table that the farmers who will receive no increased benefits if the Smoot-Hawley bill is enacted greatly outnumber those who may hope to gain by it.

In this connection it should be noted that not only will the producers in the first class receive no benefit from the bill but they are practically certain to suffer in two ways as a result of its enactment. In the first place, they will have to pay more for all the manufactured articles which they purchase either for use on the farm or for the clothing and the housing of themselves and their families.

In the second place, they are likely to find the markets in which their surplus products must be sold injured, if not destroyed, by the retaliatory tariffs which are now being enacted by European nations. The result would be particularly disastrous if England should carry out the program that is now receiving serious consideration and establish a preferential tariff system which would give Canadian wheat and flour a preference over American wheat and flour. Germany, France, Italy, and Australia have already erected tariff barriers which will serve to exclude the wheat of North Dakota from their markets and

other countries, which in the past have been heavy buyers of American wheat, are threatening to follow suit.

WHAT FLAX AND BEET GROWERS WOULD GAIN

Much has been said about the great benefits that the North Dakota farmers may expect to secure from the increase of 9 cents per bushel on flaxseed provided in the Smoot-Hawley bill. The Department of Agriculture reports that in 1929 the flaxseed production of North Dakota amounted to 6,870,000 bushels. This was an average of 172 bushels for each of the 40,000 flaxseed growers in the State. The present tariff on flaxseed is 56 cents per bushel as fixed by presidential proclamation in 1929. The Smoot-Hawley rate is 65 cents. If this increase of 9 cents per bushel should be entirely effective it follows that the yearly benefit that will be received by the average flaxseed grower will amount to only $15.48 on the basis of current production. Even if we assume that every pound of foreign flaxseed is excluded by the duty and that North Dakota increases her crop accordingly and is able to maintain current prices in the face of increased domestic production, the increased benefit under the Smoot-Hawley bill for the average flaxseed grower will amount to only about $27 per year.

The situation with reference to the sugar-beet growers of North Dakota is peculiarly worthy of notice. When the sugar tariff was under consideration attempt was made, apparently with some success, by the representatives of the beet-sugar interests to secure the support of North Dakota Senators and Congressmen for the higher duties on the ground that North Dakota was one of the important beet-growing States. When we turn to the census of agriculture for 1925, however, we find that there are only 139 farmers in the entire State who produce sugar beets. In other words, less than 1 farmer in every 500 in North Dakota grows sugar beets and all of them are located within only six counties of the State. The quantity and value of the beets produced is so small that it was not considered by the Department of Agriculture worthy of being included in the elaborate statistics, which are annually published in its yearbook, showing the production by States of all kinds of farm commodities.

It might be expected that the 45,000 farmers who grow potatoes in North Dakota might hope to secure higher prices for their products if the increase of 25 cents per hundred pounds provided by the Smoot-Hawley bill should go into effect. Experience shows, however, that in the case of crops like potatoes, which can be grown in any section of the country and whose acreage can be increased at short notice, expectation of higher prices inevitably results in overproduction and generally decreases not only the price per bushel but the total amount received for the crop. Domestic overproduction is a far greater menace to American farmers than the relatively small foreign imports.

It may be noted also that the farmers of North Dakota can not expect to receive any additional advantage from the tariff for the fruits and vegetables which they produce. The only fruits grown in North Dakota, in commercial quantities, are apples and plums which are on an export basis and can not therefore be assisted by tariff increases. Her vegetables likewise are grown only in the summer for local consumption and can not be benefited by the higher tariff rates which are expected to materially raise the prices for the winter vegetables grown in Florida, Texas, California, and other favorably located sections.

We must now consider the probable effect on the tariff on the livestock interests of the State, including the dairy farmers and woolgrowers. It is clear in the first place that the tariff can not help the 57,282 farmers in North Dakota who raise hogs. Pork products are on an export basis and no tariff without the debenture can possibly increase domestic prices.

It is probable that the farmers in North Dakota who produce beef cattle will be benefited by the higher duties imposed on cattle and beef in the Smoot-Hawley bill. The exclusion of imports, it is estimated by authorities at the University of Wisconsin, may increase beef prices on the hoof perhaps as much as a cent a pound, although the experts of the Tariff Commission estimate that the increase will not exceed half a cent. North Dakota is not, however, a great beef-producing State and never can be because of the extreme winters and the short season in which pasturage is available.

On paper the dairy interests of North Dakota ought to be benefited by the relatively large increases in the duties on milk, butter, and cream which are carried in the Smoot-Hawley bill. Careful analysis of the comparative prices in the United States and Canada shows, however, that the present duties on these products are not wholly effective and it is therefore obvious that mere paper increases in these rates will not have any effect. The only sections of the country which stand to benefit by these rates are the farmers of New York and New England, who should be able to command high prices if Canadian milk, butter, and cream are wholly excluded.

WHAT THE WOOLGROWERS WOULD GAIN

We come finally to the question of wool. We find that there are 6,888 farmers in North Dakota who raise sheep and that they had in 1929 582,000 head of sheep and lambs. The total wool clip for the State in that year amounted to 4,403,000 pounds. This is an average of 640 pounds for each sheep raiser. Assuming that the increase of 3 cents a pound on raw wool is effective this would mean only $19.20 in increased benefit that would be received by each woolgrower in the State. Against this must be offset the higher prices for clothing, blankets, and wool hats that are certain to result from the much larger increases in compensatory and protective duties in the Smoot-Hawley bill. When this is taken into account it seems doubtful whether any except the very largest of the woolgrowers will receive any net benefit from the enactment of this bill.

When we summarize the conclusions which have been set forth above we find that not only the people of North Dakota, as a whole, but even the farmers themselves are unlikely to receive any benefits from the enactment of the Smoot-Hawley tariff bill. On the contrary, because they have to purchase almost every manufactured commodity outside of the State it appears probable that the increased prices that will be paid for manufactures will more than offset the relatively small benefits that will be received even by the favored groups of farmers, such as flax and woolgrowers, who are expecting great benefits from the pending bill.

RAWLEIGH TARIFF BUREAU STUDY—HOW THE HAWLEY-SMOOT TARIFF AFFECTS IOWA

Iowa has a large and varied line of manufactures but they are not much affected by the tariff because of Iowa's position in the center of the country. For most manufactured goods the freight rates from ports of entry to Iowa are sufficiently high to give Iowa ample protection without the tariff.

The tariff is therefore significant for Iowa mainly on agricultural products.

The following table gives the net agricultural production of Iowa in 1928, according to the Iowa Yearbook of Agriculture:

Hogs sold (net)	$261,788,000
Cattle sold (net)	103,693,000
Sheep sold (net)	651,000
Dairy products	119,572,000
Poultry	16,795,000
Eggs	30,205,000
Wool	2,324,000
Corn sold	93,488,000
Oats sold	28,943,000
Other crops	36,325,000
Total	693,784,000

Let us see how the Hawley-Smoot tariff affects these agricultural products of Iowa. Since pork products are on a heavy export basis the tariff does not increase the domestic price. However, in retaliation against our high tariffs and following our own high-tariff policy, European countries, our principal customers for pork products, have placed duties on pork products that considerably lower the prices received by our producers. European tariff on pork products per pound have recently been as follows but some are in the process of revision upward:

[Cents per pound]

	Hams and shoulders	Bacon	Lard
France	3.1	3.2	2.10
Germany	7.8	1.5	.65
Italy	[1] 2.1	1.0	.70
Spain	8.0	4.8	4.80

[1] Ham.

The above are samples of the foreign tariffs that adversely affect Iowa's markets for pork products. It is certain that if the Hawley-Smoot tariff is enacted several of our customers will increase their tariffs against our pork products.

Iowa sells corn and oats to an amount over $120,000,000. These commodities are on an export basis and the price the Iowa producer receives is determined by the market in Europe. Here again Europe, retaliating against our high tariff and following our high-tariff policy, has imposed duties that restrict the Iowa market and lower the price for some of Iowa's principal products. The following table shows recent duties levied by some European countries against corn and oats in cents per bushel:

	Corn	Oats
France	9.9	11.9
Germany	15.1	41.5
Italy	[1] 71.0 [2] 5.6	3.2
Spain	27.0	22.4

[1] White corn. [2] Yellow corn.

Judging from their present tariff activities and their statements it is probable that a number of our customers for corn and oats will raise their duties on corn and oats still higher if the Hawley-Smoot bill passes.

England still permits free entry to Iowa's food products, but at the present time the political leaders of England are making a strong campaign to place high duties on food products obtained from the United States in order to favor the dominions and colonies and gain reciprocal concessions for British manufactured products.

If the Hawley-Smoot tariff bill passes, it will probably give the necessary impetus to materialize this program. If the program is carried out, it will mean the loss to Iowa farmers of their last important free market for their pork products, corn, and oats.

While the Hawley-Smoot tariff can only injure the Iowa producers of pork, corn, and oats, it is said that it will greatly help the cattle raisers. Let us examine this proposition. Iowa is a cattle-fattening region rather than a cattle-breeding region. In 1928 Iowa farmers purchased over 700,000 cattle, mostly for fattening. Formerly, many of these stockers and feeders could be obtained cheaply from Canada, but the Hawley-Smoot tariff places a duty on these animals of over 33 per cent. In 1927 imported cattle less than 1,000 pounds in weight averaged in value about $35 per head. The Hawley-Smoot bill will add at least $10 per head to the stockers and feeders purchased by Iowa. This will amount to about $5,000,000 annually at a low estimate. What will Iowa get from the beef duty? The average beef weighs about 500 pounds dressed. Experts of the University of Wisconsin estimate that the Hawley-Smoot tariff will add about 1 cent a pound to the price of beef. The Tariff Commission estimates it will be less than half a cent. But let us take the higher figure, which will give us an increase in price from the Hawley-Smoot tariff of about $5 per beef animal. Iowa in 1928 sold net about 1,000,000 head of cattle. The Hawley-Smoot tariff, therefore, will cost Iowa about $5,000,000 annually on account of the duties on stockers and feeders, and profit Iowa about $5,000,000 on beef cattle. One cancels the other. The above figures are, of course, estimates, but the best authorities state that Iowa will not gain much, if any, from the Hawley-Smoot duties on cattle and beef.

The Hawley-Smoot bill increases the duty on butter from 12 to 14 cents. But the farmer under the present duties is only receiving a benefit of about 6 cents a pound above the world price. The present duty is only partly effective. What is the good of raising it still further?

According to University of Wisconsin agricultural experts, the increases in the new tariff will have practically no effect on the price of eggs.

Iowa may gain a little from the new duties on wool, but while the Hawley-Smoot wool tariff on wool is increased about 10 per cent the rates on wool products are increased from 20 to 40 per cent. What Iowa gets on wool will be taken away by the higher price on wool manufactures.

Thus the effect of the Hawley-Smoot tariff upon the principal Iowa products has been examined. The figures are admittedly rough, but they seem to show that Iowa will not obtain much net benefit from the Hawley-Smoot tariff.

RAWLEIGH TARIFF BUREAU STUDY—NEBRASKA AND THE TARIFF

Because of its geographical position Nebraska enjoys a freight protection that excludes it as a market for most foreign manufactures. The protective tariff is of no value on most of its manufactures, the most important of which are bakery products, canned goods, railroad stock, confectionery, flour, foundry products, lumber, printing products, rubber tires, and steel products.

The protective tariff can be of no help to these products. While the State's manufactures amount to nearly $500,000,000, and are practically all independent of the tariff, its crops and livestock production is of much greater importance.

But very few of Nebraska's crops or livestock products are helped by the tariff. The following table gives the principal farm products of the State in 1928:

	Gross sales
Corn	$60, 393, 411
Wheat	72, 551, 214
Oats	5, 411, 904
Barley	806, 790
Rye	1, 925, 453
Potatoes	3, 261, 060
Hay	2, 271, 060
Sugar beets	8, 246, 000
Other crops	1, 965, 000
All crops	156, 831, 843
Hogs	107, 507, 389
Dairy products	32, 402, 463
Eggs	14, 269, 489
Beef cattle	131, 674, 692
Sheep and lambs	15, 351, 605
Veal calves	2, 785, 175
Chickens	10, 156, 500
All livestock	314, 146, 813

Corn, wheat, oats, barley, rye, and pork products can derive no benefit from the tariff, since all these products are on an export basis. Of course, a few driblets of corn can be kept out of New York and Los Angeles, but that can not help the price of corn, which is exported in large quantities both in the grain and its products. The tariff can help a little on spring wheat, but not 5 per cent of Nebraska's spring wheat is spring wheat. In addition, the pending tariff bill does not increase tariff protection on wheat.

The tariff can not help any of the above crops, but it can do them irreparable damage.

Because of the tariff policy of the United States and for other reasons, most European nations have imposed such high duties against staple agricultural exports from the United States as to seriously impair the greater part of our natural market for these products.

It is asserted by protectionists that foreign countries will not retaliate against our embargo duties because those countries require our agricultural surplus. This was true 30 or 40 years ago, before many new agricultural regions of the world were developed, but is no longer true.

Up to 1900 Europe was absolutely required to take our wheat, corn, oats, rye, barley, beef, and pork products. There was no danger of retaliation on these products. Europe kept its duties low and we always had a good market in spite of our high tariffs.

In the last 20 years Canada, Argentine, Australia, New Zealand, South Africa, and other virgin areas have been opened up and become sources of almost unlimited staple agricultural supplies. Europe no longer is dependent upon our staple agricultural products, and in retaliation against us has in recent years been steadily increasing her customs duties on our leading farm products. The western farmer, facing dwindling markets, has called for tariff relief, unmindful of the fact that it is the tariff that is strangling his markets.

The following table shows some of the recent tariffs against American agricultural products imposed by the four leading countries of continental Europe. While some small countries like Holland and Belgium do not greatly restrict our agricultural imports, all the larger countries except England do.

Duties on United States agricultural products

	Corn	Wheat	Barley	Rye	Oats	Hams	Bacon
	Bushel	*Bushel*	*Bushel*	*Bushel*	*Bushel*	*Pound*	*Pound*
France	9.9	53.34	12.7	14.9	11.9	3.1	3.2
Germany	15.1	97.2	77.8	54.4	41.5	9.3	1.5
Italy	71.0	73.5	16.8	22.0	3.2	2.2	1.0
Spain	27.0	110.3	50.4	59.8	22.4	8.0	4.8

Some of the above duties have been raised since the introduction of the Hawley-Smoot tariff in partial retaliation to it.

England still allows free entry of our agricultural products. The consequence is that, denied access to continental markets, most of our European exports of agricultural products go to England. At this time some of the most prominent British politicians and business leaders are campaigning to persuade that country to bar out United States agricultural products. Their argument is that times have changed, and that England no longer is dependent on our agriculture, since the dominions and colonies can supply every need for food.

If this campaign succeeds the farmers of this country will lose their last important market. In that event nothing could be expected but a prolonged agricultural depression in this country.

According to Professor Commons and his associate agricultural authorities at the University of Wisconsin, butter and eggs will obtain no increased benefits from the pending tariff bill. The present tariff on butter is 12 cents per pound, but the domestic price is only about 6 cents above the world price, indicating that the tariff is only 50 per cent effective. To increase the rate is a futile gesture, so far as farmers are concerned.

Nebraska will get no benefit from the rates on fresh milk and cream because of distance from the eastern market. Condensed milk is on an export basis, and all the tariff does for it is to exclude it from European markets.

According to the Wisconsin experts, the increases in the tariff bill on eggs will have practically no effect upon their price. On wool there is a 10 per cent increase in the Hawley-Smoot bill, but on wool manufactures increases range from 20 to 40 per cent. Nebraska will not derive any net gain from the wool tariff.

On beef cattle something will be gained. It is estimated by economists that the higher duty will increase the price about 1 cent per pound. Experts of the United States Tariff Commission estimate the price will be increased less than half a cent per pound.

Cattle slaughtered in the United States averages about 500 pounds of dressed beef per head. At 1 cent a pound, the higher tariff will increase the value of the million-odd beef cattle sold by Nebraska about $5,000,000. This will be a gain. But over against it must be charged the loss of markets and the decrease in price to be expected on a much larger proportion of Nebraska agricultural products. It is asserted by the University of Wisconsin experts that the higher price for beef will be temporary, and that the inevitable effect will be a restriction of consumption, both domestic and export, and that this will

bring about an oversupply that will adversely affect prices and the industry.

Conceding for the sake of argument the maximum benefit to Nebraska farmers from a few effective rates on their products, it is unquestioned that it will be exceeded many times by higher costs farmers must be prepared to assume by reason of higher prices that will result from increased tariffs on things they buy and use.

To sum up, the pending tariff, if it becomes law, may benefit a few farmers, those in the livestock business almost exclusively, while others and the great majority of farmers will be penalized.

The tariff will be a dead loss to city consumers. It will also be injurious to manufacturing interests, as statements made by leading manufacturers abundantly prove.

RAWLEIGH TARIFF BUREAU STUDY—HOW THE HAWLEY-SMOOT TARIFF AFFECTS KANSAS

Aside from the duties on meat products, the protective tariff does not do much good for Kansas. In the first place, Kansas is so far inland that freight rates constitute an effective protection on most articles, even in the absence of any customs duties. For example, some of the principal manufactures of Kansas are car and repair-shop products, cement, heavy clay products, foundry products, printing and publishing products, beverages, clothing, confectionery, copper and tinware, furniture, oils, etc. On few of these articles could the inland freight on the foreign article be paid on a competitive basis with the domestic product. The tariff does not help the Kansas producers of articles such as the above.

The position of the principal agricultural products of Kansas is not improved but is impaired by the tariff. Wheat, corn, oats, barley, and condensed milk produced in Kansas are on an export basis. The combined value of these in 1929 was $243,000,000, about half of the total value of all Kansas farm products. Tariff rates on the above-named products are nominal, in so far as protection is concerned. But the prohibitive customs policy of the United States has engendered so much retaliation and a similar high-tariff policy on the part of Europe that the principal markets for the surplus agricultural products of Kansas have been almost completely shut off. The reason our farmers can not sell their wheat, corn, oats, etc., is not that there is no demand for these products abroad. The principal reason is that European countries have, in retaliation against our tariff policies, raised tariff walls that our agricultural exports are not able to surmount. For example, the following duties per bushel were levied in 1929 upon United States wheat:

France	$0.53
Germany	.42
Italy	.73
Spain	1.10

In retaliation against the Hawley-Smoot tariff some of these duties have been increased or increases are in the process of being imposed.

Duties upon wheat flour from the United States were as follows per barrel:

France	$2.75–$4.00
Germany	3.07
Italy	3.48
Spain	3.60

No wonder the market for Kansas flour is poor!

The duties upon United States corn per bushel were:

France	$0.10
Germany	.30
Italy	.71
Spain	.27

Similar rates of duty are imposed by Europe upon the other agricultural exports of Kansas. European countries quite generally give other countries or their own colonies better rates than they do the United States. Our tariff policy, therefore, has succeeded in raising formidable tariff barriers against our staple agricultural exports and discriminations in favor of the agricultural exports of other nations. The Hawley-Smoot tariff bill has aroused a storm of protest, and most European countries are planning, if it passes, to still further discriminate against our agricultural products.

Because of the high tariffs of continental Europe on our agricultural exports we have been compelled to market most of them in England, where they enter free. But now England and the British Empire are incensed at our pending tariff bill, and the principal English leaders are campaigning the country persuading the people to impose high tariff rates upon agricultural products from the United States, leaving imports from the dominions free. If the Hawley-Smoot bill passes, there is strong probability that this will be accomplished. If it does, it will be an almost fatal blow not only to the Kansas farmer but to the other American producers of agricultural staples.

With 200,000,000 bushels of wheat (including flour) to export, what can our farmers do with their last markets cut off by the tariff?

With respect to meat products, it is generally conceded that Kansas does not get anything from the pork rates, since pork products are on a heavy export basis.

According to economists of the University of Wisconsin, the duties on beef will be partly effective in the immediate future. "Whether or not, however, they will continue to be beneficial for any length of time is problematical."

Kansas will get something from the Hawley-Smoot tariff, but it is a serious question whether it will not lose much more than it gets.

RAWLEIGH TARIFF BUREAU STUDY—HOW THE HAWLEY-SMOOT TARIFF AFFECTS NEW MEXICO

The principal crops of New Mexico can derive no benefits from the protective tariff. On the other hand, the tariff restricts their markets and lowers their prices. The important crops of New Mexico were valued as follows in 1926:

Wheat	$6,242,000
Hay	7,500,000
Cotton	5,004,000
Corn	3,845,000
Sorghum	1,047,000
Beans	2,179,000
Barley	135,000
Apples and peaches	400,000
Total	26,352,000

With the exception of beans, the tariff can not help the above crops. Wheat, cotton, corn, barley, and apples are on an export basis. All that the tariff has done for them is to cause such high foreign duties that these crops are almost excluded from the markets of continental Europe. This is the principal reason for their present depression in price. It is true that the Hawley-Smoot bill has placed a duty on long-staple cotton, but only a small amount is raised in New Mexico. The tariff on beans will probably increase the price of the product somewhat. Hay, of course, is a local crop, unaffected by the tariff.

A more liberal tariff policy by the United States would secure a better market and price for New Mexico's principal farm crops. The passage of the Hawley-Smoot tariff will certainly further restrict these markets.

The annual wool output of New Mexico is valued at about $3,500,000. The Hawley-Smoot tariff increases the duty upon raw wool by about 5 per cent of its value. This would mean an increase to New Mexico of about $175,000. Against this advantage to New Mexico on the wool duty the Hawley-Smoot tariff has increased the duty on wool products over twice as much as upon wool. Any gain New Mexico has from the wool tariff will be more than counterbalanced by the increased cost of wool clothing, blankets, etc.

New Mexico ships about 500,000 cattle annually. The tariff may possibly increase the price of these a little. However, the present tariff rates have raised the price of beef to about the limit that people are willing to pay for it, and there is a serious question as to how much more the price can be advanced.

The principal minerals produced by New Mexico are on an export basis and can not be helped by the tariff. The principal minerals produced by New Mexico are copper, valued over $10,000,000; zinc, $1,400,000; lead, $650,000; silver and gold, over $1,000,000; coal, $8,611,000.

Copper, silver, and gold are on the free list; exports of zinc are several hundred times as great as imports; exports of lead amount to over $11,000,000 annually. The tariff does not affect coal. New Mexico derives no real advantage on her principal minerals from the tariff. On the other hand, the Hawley-Smoot tariff will greatly decrease the capacity and willingness of foreign countries to buy New Mexico's surplus minerals.

EXHIBIT D

How the Hawley-Smoot bill taxes the family budget for clothing, house furnishings, and sundries

	Hawley-Smoot bill of 1930	Fordney-McCumber Act of 1922	Underwood Act of 1913
Shoes (hides, 10 per cent; leather, 15 per cent).	20 per cent	Free	Free.
Wool (raw)	34 cents per pound	31 cents per pound	Do.
Wool rags	18 cents per pound	7½ cents per pound	Do.
Wool shoddy	24 cents per pound	16 cents per pound	Do.
Wool yarn	40 cents per pound	36 cents per pound	18 cents per pound.
Worsted and woolen cloth	50 cents per pound, plus 50 per cent.	24 cents per pound, plus 40 per cent.	35 per cent.
Wool hosiery	do	45 cents per pound. plus 50 per cent.	Do.
Wool gloves and mittens	40 cents per pound, plus 35 per cent.	36 cents per pound, plus 50 per cent.	Do.
Wool underwear	50 cents per pound, plus 50 per cent.	45 cents per pound, plus 50 per cent.	Do.
Wool hats (including felts)	33 cents per pound, plus 50 per cent.	24 cents per pound, plus 40 per cent.	Do.
Wool clothing and wearing apparel.	66.29 per cent	56.40 per cent	Do.
Cotton cloth, bleached	39.73 per cent	31.12 per cent	25.59 per cent.
Cotton cloth, unbleached	35.58 per cent	27.90 per cent	22.27 per cent.
Cotton cloth, printed, dyed.	29.82 per cent	26.99 per cent	17.97 per cent.
Silk wearing apparel	65 per cent	60 per cent	45 per cent.
Hose, embroidered	90 per cent	75 per cent	60 per cent.
Silk velvet	65 per cent	60 per cent	50 per cent.

How the Hawley-Smoot bill taxes the family budget for clothing, house furnishings, and sundries—Continued

	Hawley-smoot bill of 1930	Fordney-McCumber Act of 1922	Underwood Act of 1913
Handkerchiefs and other embroideries of wool, cotton, silk, and flax.	90 per cent	75 per cent	60 per cent.
Silk ribbon, figured	65 per cent	55 per cent	45 per cent.
Linen handkerchiefs	52.91 per cent	45 per cent	40 per cent.
Novelty jewelry, not gold or platinum.	110 per cent	80 per cent	60 per cent.
Leather handbags and other leather cases.	35 per cent	30 per cent	30 per cent.
Hats, straw	$3.56 per dozen, plus 50 per cent.	50 per cent, plus 25 per cent.	Do.
Shoe laces	15 per cent	Free	Free.
Agate buttons	358.11 per cent (o. k.).	15 per cent	15 per cent.
Wool blankets (not over 50 cents per pound).	67.27 per cent	61.65 per cent	25 per cent.
Wool tapestries and upholstering cloths.	80.90 per cent	68.81 per cent	35.28 per cent.
Wilton rugs	45 per cent	40 per cent	35 per cent.
Rayon fabrics	45 cents per pound plus 60 per cent.	Noncomparable	
Rayon wearing apparel	40 cents per pound, plus 65 per cent.	do	
Linen table damask	45 per cent	40 per cent	Do.
Cotton handkerchiefs	50.69 per cent	42.35 per cent	Do.
Cotton tapestries and upholsteries.	55 per cent	45 per cent	35 per cent.
Cotton blankets, plain	53.09 per cent	25 per cent	25 per cent.
Velveteen	62 per cent	50 per cent	40 per cent.
Oilcloth	30 per cent	27.87 per cent	25 per cent.
Inlaid linoleum	42 per cent	35 per cent	35 per cent.
Silver-plated hollow ware	50 per cent	40 per cent	40 per cent.
Sterling silver tableware	65 per cent	60 per cent	50 per cent.
Gold-plated articles	do	do	Do.
Plain china and porcelain	76.76 per cent	do	Do.
Decorated china and porcelain.	81.05 per cent	70 per cent	55 per cent.
Glass tableware, blown	60 per cent	55 per cent	45 per cent.
Plain household crockery	62.25 per cent	45 per cent	35 per cent.
House or cabinet furniture.	47.50 per cent	33⅓ per cent	15 per cent.
Mats of rattan or cocoa fiber.	8 cents per square foot.	6 cents per square foot.	3 cents per square foot.
Bamboo and straw baskets.	50 per cent	35 per cent	25 per cent.
Papier-mâché and palm leaf.	do	do	Do.
Christmas-tree ornaments	60 per cent	55 per cent	45 per cent.
Manufacturers of india rubber known as hard rubber.	2 cents each, plus 35 per cent.	35 per cent	25 per cent.
Brooms	25 per cent	15 per cent	15 per cent.
Toothbrushes	72.54 per cent	45 per cent	35 per cent.
Sponges (general tariff)	25 per cent	15 per cent	10 per cent.
Clothespins (spring)	20 cents per gross	15 cents per gross	15 per cent.
Starches	60.45 per cent	43.99 per cent	24.96 per cent.
Matches, in boxes of 100	12 cents per gross of boxes.	8 cents per gross of boxes.	3 cents per gross of boxes.

DEPLETION OF ORE RESERVES

Mr. ODDIE. Mr. President, the metal industry, and particularly that portion of it producing nonferrous metals, is in a serious period of depression. Copper, zinc, and lead prices are at abnormally low levels. The silver price is the lowest in the history of the metal. Production has been greatly curtailed in one of our basic and most important industries. At such a time the burden of taxation becomes increasingly important.

It is a well-known fact that State and local taxes have increased materially of recent years, and that the mining industry as a class has borne a substantial, if not unjust, share of the burden. The Federal income tax constitutes one of the largest of overhead expenses, one that becomes of increasing moment at a period when production and earnings are declining materially. The situation appears to be further aggravated by conditions which have arisen in connection with the depletion deduction.

I quote from the Preliminary Report on Depletion recently prepared by the staff of the Joint Committee on Internal Revenue Taxation:

DEFECTS IN THE PRESENT SYSTEM

(a) Administrative: The administrative defects under the present system are: (1) Lack of uniformity in computing depletion, due to the exercise of individual judgment; (2) lapse of time between the basic date and the examination of the return; (3) inability to secure sufficient evidence to establish a correct valuation; and (4) excessive expense to both Government and taxpayer.

(b) Instability of revenue: Under the present system the depletion deduction is allowed before arriving at net income. In lean years the present depletion allowances practically wipe out the tax of this industry, in spite of the fact that substantial dividends are paid. On the other hand, in prosperous years high taxes are collected. As a result, the revenue received from the industry as a whole is more unstable than in the case of other industries. This appears undesirable from a practical revenue viewpoint.

(c) Inequitable results: There are many inequitable results in the present system. The different laws relating to depletion as applied to the different industries are not uniform. The oil and gas industry is allowed percentage depletion based upon gross income before the depletion deduction is computed. The effect of this allowance is to vary the deduction in proportion to the gross receipts from the sale of these products. Contrasted with this are the allowances based on a March 1, 1913, or discovery value, in which cases the depletion varies with the quantity produced. Finally, in certain limiting cases, depletion is allowed on the basis of a percentage of net income from the property. The valuation methods applied by both the Bureau of Internal Revenue and the taxpayer are not uniform and produce many inequalities between different industries. Valuations by the widely used analytic appraisal method depend largely on the peculiar conditions existing as of the basic date. These peculiar conditions appear to have little to do with an equitable tax on annual income. For example, taxpayers who make discoveries in periods of prosperity are allowed large deductions for depletion, whereas those who are so unfortunate as to make discoveries in years of depression are required throughout the life of the property to take a lower rate.

I am told that through the manner in which this depletion item is calculated gross inequalities and discriminations are unavoidable. Many smaller taxpayers are placed at a disadvantage, in that they do not have the means and facilities necessary successfully to prosecute their cases before the Treasury Department. Delay and uncertainty in the final determination of tax liability is common. It is stated that through the effect of the depletion deduction taxpayers in all other respects similarly circumstanced, taxpayers enjoying the same earnings, are not paying anything like the same taxes. There are instances in which neighboring properties are taxed at materially different rates, the rate in one case being sometimes 100 per cent in excess of that assessed in the other, despite the fact that both properties are operating under identical conditions, producing the same metal, selling their product in the same market, and enjoying, as nearly as may be, the same profit per unit of metal produced.

This inequitable and indefensible situation results from what is known as the depletion deduction. It is readily apparent on the face of it that something is wrong. The system under which such results are possible calls for prompt investigation.

REVISION OF THE TARIFF—CONFERENCE REPORTS

The Senate resumed the consideration of the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. HARRISON obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield to me to suggest the absence of a quorum?

Mr. HARRISON. I hope the Senator will withhold that suggestion for a moment. The Senator from Kentucky [Mr. BARKLEY] is about to address the Senate, and he is on his way here now. I desire to call the attention of the country to one matter that seems to have been the subject not only of articles by the newspaper correspondents but editorials as well.

Everyone knows that the vote on the adoption of this conference report is going to be exceedingly close. Those who are in touch with the situation are bound to realize that the shifting of one vote when the roll is called perhaps means the adoption or the defeat of the report. As one who has had something to do with this controversy and who is fairly familiar with the feelings of those on this side of the Chamber, I can say that when the vote is taken every possible Democratic vote that can be polled against the bill will be polled against it, and that we shall be exceedingly surprised if we do not cast, either by pairs or on the roll call, every vote on this side of the Chamber except five against the adoption of the report. I only regret that we can not register a unanimous vote against it.

It is because of the closeness of the vote that the impression is attempted to be created in the public mind that the two Senators or one of the Senators from the Keystone State may vote against this report. To one who has observed the workings of the mind and the actions of the distinguished senior Senator from Pennsylvania [Mr. REED], not only in this tariff controversy but in other tariff controversies, since he entered this Chamber, and who is familiar with the fact that he was one of the subcommittee that wrote certain schedules in this bill and perhaps got more out of it than any other, it is idle talk and but a smoke screen to try to create the impression that either of the distinguished Senators from Pennsylvania would vote against the conference report. I wish they would; but we hold out no great hope that this report is going to be defeated

by the vote of either the senior Senator from Pennsylvania or the junior Senator, who has recently come back without the laurels that he fought for in the recent election in Pennsylvania. Some people might think that he has a sore toe because he was defeated, and certain interests up there did not take care of him as well as he hoped and expected they would, and that because of that fact he would vote against the bill; but just see what a situation the junior Senator from Pennsylvania would be in if he were to do that! He has had not only the password but the sign and the token and the grip to enter at all times and talk under all circumstances to my pleasant friend from Utah, the chairman of the Finance Committee [Mr. SMOOT].

Mr. SMOOT. Like every other Senator.

Mr. HARRISON. And every other Senator—why, of course. Some have even dubbed him the arch-lobbyist of this and past generations. Under his solicitation and his persistent efforts he obtained many increases in this bill, and destroyed much of our work when we were moving along so smoothly and trying to give to the American people a real tariff bill. He did more than any other to destroy our work and reorganize the forces over there and start the bill on the downward path again. What position will he occupy as a lobbyist after the 4th of March if he votes against this measure?

What influence, such as he in the past has been able to wield so powerfully, not only upon the Senator from Utah and the other majority members of his committee but on other distinguished Senators over there, will he have, if, when he goes back to private life and renews his occupation as a lobbyist, he takes with him the record of having voted against this, his masterpiece? So, my friends in the press gallery may write their speculative stories suggesting that the junior Senator from Pennsylvania [Mr. GRUNDY] might cast his vote against this report. Those of us who know the facts do not entertain that fond hope.

Of course, we are all familiar with the fact that the junior Senator from Pennsylvania is close to certain powerful political factors in this country, that he stands very close to men occupying high places in the affairs of the Government, that the distinguished Secretary of the Treasury, who is supposed to help fashion and frame fiscal legislation in the Congress, to recommend to the Congress measures for raising the revenues for the Government, and so forth, rendered substantial aid in the recent campaign to cause the defeat of the junior Senator from Pennsylvania [Mr. GRUNDY] in Pennsylvania.

We hear that Mr. Mellon is fairly close to the senior Senator from Pennsylvania [Mr. REED]. I think it is admitted upon the part of the senior Senator from Pennsylvania himself that he is somewhat close to the Secretary of the Treasury. They think a good deal alike along certain lines, and generally find themselves in accord, and the papers carry the glad tidings of good news that Mr. Mellon is very much opposed to the tariff bill. We all know, of course, that Mr. Mellon was disappointed, if not angry, because the aluminum rates in the pending bill were fixed lower than in the present law.

We do not know whether Mr. Mellon has carried his thoughts into the executive chambers of his superior, the President of the United States, or not, or whether he has tried to exercise any influence upon the President with reference to this matter. He has had influence with the President before, but no one has been able to find out just what is in President Hoover's mind with reference to the adoption or the defeat of this conference report.

If the President wants the tariff conference report defeated, that may be one of the means whereby he might try to accomplish its defeat—through the Secretary of the Treasury and down through the Pennsylvania Senators. But those of us who know the record of these two distinguished stalwarts of protection, who know what they tried to do in the framing of this legislation, how strongly they stood against the reductions in certain rates in the bill, entertain no hopes that they are going to relieve the President from the very embarrassing situation with which he might be confronted. We know there is not the slightest probability of them voting against the conference report unless it should develop that their votes were not needed to pass it.

I have made these remarks in the hope that the country will not be confused and in doubt about the position of either of the distinguished Senators from Pennsylvania. My friend the Senator from Utah, who has his reputation at stake in the passing of this "Grundyized" bill, does not look to anyone as if he is fearful of losing those two votes. He sits there in his place now as complacent, as serene, as I have ever seen him look in my life. I know when he gets frightened. He does not look as he is now looking as I address him.

In a few hours, following all this advertisement of a speech which the distinguished senior Senator from Pennsylvania is going to make, whatever doubt is in the minds of the public will be removed, and to those who want to wager I say that they can bet about 100 to 1 that he will remain true to those with whom he worked so faithfully in trying to jack up the rates carried in the tariff bill. That is all I have to say.

Mr. SMOOT. Mr. President, I want to allay any fear the Senator from Mississippi may have that the tariff bill is going to be defeated. I believe with all my soul that the Senator from Mississippi would be the most disappointed man in this Chamber if it should be defeated. So I want him to have a little more faith in the passage of the bill. I do not want him to pass any sleepless hours between now and Friday thinking that it will be defeated.

Mr. MCKELLAR. Mr. President, I would like to ask the Senator whether he can not assure the Senate and the country with equal confidence that not only will the bill be passed, but that President Hoover will promptly sign it.

Mr. SMOOT. I can not say that. I wish I could, and if I could, I would say so frankly to the Senate now.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. HARRISON. Does the Senator know how the Secretary of the Treasury stands on the bill?

Mr. SMOOT. He denies the statement which appeared yesterday in the press.

Mr. HARRISON. Then he is for it?

Mr. SMOOT. He is for it, I should judge from the statement which has been issued to-day.

Mr. HARRISON. The Senator has not talked with him?

Mr. SMOOT. I have not.

Mr. HARRISON. Then, on the assumption that the Secretary of the Treasury is for the bill, the Senator assumes that the two Senators from Pennsylvania are for it?

Mr. SMOOT. No; I do not make any assumption whatever. I do not say that; I do not know. As to Mr. Mellon, I have not asked the Secretary of the Treasury how he stands on the bill.

It is for the Senate to decide, and I am just as sure as that I live that a majority of the Senate wants to have the bill passed. Some might, if they had their way, make changes; but rather than have no bill at all a great majority of the Senators would favor the passage of the bill.

I do not know how Senators will vote, but I do hope and trust and believe that there will be enough votes to pass the bill.

Mr. BARKLEY obtained the floor.

Mr. HARRISON. 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:

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

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

Mr. WALSH of Massachusetts. Mr. President, in connection with the measure under consideration, I should like to have read at the desk a brief telegram which I received this morning.

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

The Chief Clerk read as follows:

BOSTON, MASS., *June 11, 1930.*

Hon. DAVID I. WALSH,

The Senate:

Just returned from two months' trip to Europe, visiting seven principal countries. Am thoroughly convinced proposed prohibitive tariff bill, if passed, will cause one of severest industrial setbacks this country has had for 30 years. Having no interests in importation of foreign merchandise covered by new bill, my views are absolutely without prejudice.

ARTHUR HALL.

Mr. BORAH. Mr. President, I received a similar telegram from Mr. Hall. I would like to ask the Senator from Massachusetts who Mr. Hall is?

Mr. WALSH of Massachusetts. Mr. Hall is a member of the firm of Abbott, Hall & Co., of Boston.

Mr. BORAH. In what kind of business?

Mr. WALSH of Massachusetts. He is in the merchandise brokerage business at 150 Causeway Street, Boston.

Mr. BARKLEY. Mr. President, I dare say that at no time during the Presidential campaign of 1928 was there any considerable number of American people who believed or imagined that within less than two years from that period the Congress of the United States would arrive at the legislative juncture which faces us at this time. I dare say there was a very small number of people, if any, who at any time during that campaign believed that the legislative course which has been pursued since the 4th of March, 1929, would have been possible under any construction of any party platform or any speech made by any candidate for President of the United States or for membership in either branch of the Congress.

While it is true that during that campaign more or less academic references were made to the tariff from an industrial standpoint and more or less pointed and acute references made to the tariff by the various candidates, I do not believe that any responsible person in any political organization anticipated the possibility of the Congress of the United States being called upon to vote upon, much less to pass, the kind of tariff bill which is now before us.

Everybody recognized in 1928 that the chief political concern of the candidates for office was the agricultural situation. The farmers of the United States were suffering from a depression worse than any which the agricultural interests of the country had encountered in a quarter of a century and from which they have not even yet begun to recover. Men of all political faiths desired, in so far as legislation could bring it about, to relieve that agricultural condition.

The Republican candidate for President undertook to allay the fears which existed late in the campaign of 1928 among the agricultural sections of our country by promising that if he were elected to the Presidency he proposed to call an extra session of Congress to deal with one subject, and that was the subject of agriculture. He proposed to deal with it in two ways, first, by passing some sort of farm relief legislation and, in the second place, by revising the tariff in so far as it affected agriculture.

Congress was called into extra session in compliance with that promise. A so-called farm relief bill was enacted into law, the details or the possibilities of which I do not wish now to discuss. I see my genial friend the Senator from Oregon [Mr. MCNARY] with a smile on his face. I rather believe that the farmers of the United States have no smiles upon their faces thus far as a result of any effective remedy brought about by the enactment of that legislation.

When that law was enacted, whether it be good or bad, the next task which was undertaken ostensibly in behalf of the farmer was to revise the tariff. Everybody recognized then, as they recognize now, that the farmer has been the victim of the tariff law then and now in force. Everybody recognized that while in the act of 1922 there was a pretense to recognize the needs of agriculture in the matter of tariff legislation, yet everybody with equal force recognized that taking that tariff law as a whole it had operated as a burden upon agriculture and not as a remedy or relief. It had still more widely separated agricultural legislative remedies from those proposed in behalf of industry. It intensified the difference between the income and the outgo of agriculture, and while it held out to the farmer a pretense of profits upon paper, as a matter of fact it added to the cost of everything he had to buy without increasing the price of what he had to sell. The result is that within eight years from the passage of the tariff act of 1922 the farmers of the United States are more than $30,000,000,000 worse off than they were on the day that act was passed. They have not only seen their farm products decline on the whole in price to the extent of $17,000,000,000 but they have seen the value of their property decrease more than $13,000,000,000, which is one-half the value of all the railroad property in the United States.

With that sort of picture before us we were called into extra session in April, 1929, to remedy the situation which everybody acknowledged existed with reference to agriculture. In the campaign of 1928 nobody complained that industry was depressed. Nobody complained that labor was unemployed—that is, no one in the Republican Party. No one in the majority party laid any claim before the American people for higher industrial rates, but on the contrary they praised the Fordney-McCumber tariff law and claimed responsibility for all the prosperity that we had enjoyed since the readjustment which came about after the war.

On every stump and in every platform speech and in every newspaper editorial in behalf of Mr. Hoover as a candidate for President the claim was made that our country had enjoyed unprecedented prosperity, all due to the Fordney-McCumber tariff law which it is now being sought to repeal and under which those who are advocating the passage of the present bill now claim that industry and labor and agriculture are all three more depressed than they have ever been before in the history of the country. What a marvelous change has come over their dreams in 18 months of the new administration.

The question which Senators must answer for themselves and to their constituencies is, Does the bill now before us improve the situation over the law that now exists and has existed for the past eight years? The Senator from Utah [Mr. SMOOT] is wrong when he says the question is whether we shall have a law or no law. The only question now before us is whether we shall have enacted into law the bill which is now under consideration, or whether we shall retain the tariff law that is now on the statute books, and has been there for the last eight years.

Mr. NORRIS. Mr. President——

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

Mr. BARKLEY. I yield to the Senator from Nebraska.

Mr. NORRIS. Does the Senator claim that those who are advocating the passage of the bill now before us are not trying to improve the condition of the farmer? Does the Senator forget that in the debates on the bill the Senator from Vermont [Mr. DALE] advocated a tariff on clothespins because the farmer raises the trees out of which the clothespins are made? Does the Senator forget that the Senator from Ohio [Mr. FESS] advocated a tariff on rubber nipples because rubber is an agricultural product? How can he be so cruel as to say that the bill will not help the farmer? [Laughter.]

Mr. BARKLEY. Mr. President, I appreciate the force of the Senator's suggestion. I recall very vividly the efforts of the Senator from Vermont to put a tariff on clothespins and of the Senator from Ohio to put a tariff on rubber nipples and on instruments designed to aid the deaf in hearing the conversation of their fellow men, and other equally ridiculous efforts made on the part of the reactionary Old Guard friends of the farmer to help agriculture. I do not deny that some of those who will vote for the bill have rendered lip service to the farmer; but their support of the measure is not because of any agricultural provision it carries, but because it still more greatly widens the difference between agriculture and industry and still more greatly depresses agriculture, in whose behalf we have been for 18 months undertaking to legislate.

I thank the Senator from Nebraska, who is a real, genuine, 100 per cent, blown-in-the-bottle friend of agriculture, for the suggestion which he has made; and I always welcome his suggestions, because they are not only constructive but reveal a keen insight into the hypocrisy and pretense with which this bill is loaded.

Mr. President, in the title of this bill specific reference is made, for the first time in any tariff bill that I recollect, to the remarkable, marvelous benefit that is to accrue to the laboring man because of the passage of this measure. The laboring man can not be benefited by writing his name in the title of a bill. The feelings of the American workingmen can not be soothed in that way. More than 4,000,000 of them are out of work today, more will be out of work in a month from now, and many of those who are yet retained in their employment will have their wages reduced; and they can not be soothed by being mentioned along with others in the title of a bill of this sort, especially when a Republican Congress proceeds to enact provisions that will throw additional hundreds of thousands, if not millions of them, out of employment.

Let us analyze this bill so far as it may affect labor; and when we are undertaking to deal with men who labor we can not overlook the men who work on the farms, because they are laboring men. There are in the United States, Mr. President, more than 8,000,000 farmers the price of whose products is affected by exports and not by imports. There are more than 8,000,000 farmers in the United States who are engaged in the production of commodities that are on an export basis; and there is no form of tariff legislation that can benefit any product, whether it be agricultural or industrial, that is on an export basis.

In the United States I maintain—and I think I can demonstrate by figures obtained from the Tariff Commission, from the Department of Commerce, and from other reliable sources—that there are more laboring men employed in the production of commodities which are exported than are affected by imports

into the United States. I am coming to that a little later when I discuss the relationship between imports and exports and their effect on the industrial life of the United States.

There are more than 9,000,000 American workingmen who are interested in the production of commodities that are exported to all the markets of the world. There are fewer than 8,000,000 men who are employed in industries that even by the wildest stretch of the imagination are affected by imports. In addition to those 9,000,000 American workingmen—and, of course, the term should include women—there are more than 21,000,000 wage earners in the United States who are in no way employed in any protected industry. All these and their families must bear the burden of any loss of employment or increase in the cost of living.

There are 73,953 men employed in the building trades. No kind of tariff can aid a single one of them to obtain a single day's work. There are nearly 100,000 bakers in the United States. No tariff can aid them. There are more than 131,000 stone and brick masons in the United States. There is no form of tariff that can aid a stone or a brick mason in securing work or in retaining it. There are 90,000 builders and building contractors, who are not in any way benefited by a tariff. There are 887,000 carpenters in the United States. No carpenter will receive any benefit from this tariff bill; no carpenter will obtain a day's work or an increase of wages by any provision of the tariff bill which is now under consideration; yet those are all laboring men.

There are 140,000 compositors, linotype operators, and typesetters in the United States, all of whom are laboring men. They will not be benefited by this tariff bill. There are 235,000 dressmakers and seamstresses not in factories who will not be benefited by the passage of this bill. There are more than 212,000 electricians, none of whom will be benefited by its passage. There are 623,000 building laborers, not one of whom will be benefited by this proposed tariff act.

There are 248,000 painters, glaziers, and varnishers who will not be benefited by the passage of this bill. There are 206,000 plumbers and gas and steam fitters who will not be benefited. There are 11,378 roofers and slaters who will not be benefited. There are more than 3,000,000 men and women engaged in the transportation of property and persons in this country, not one of whom will be benefited to the extent of a single dollar by the enactment of the pending legislation. There are more than 4,000,000 people engaged in trade as employed workers who will not be benefited. There are 770,000 engaged in the public service who will not be benefited. There are 2,143,000 men who are engaged in professional occupations and yet who work who will not be benefited by this bill. There are 3,400,000 men and women engaged in domestic service who will not be benefited by this bill. There are 3,126,000 clerks in the United States, none of whom will receive any benefit from the enactment of this proposed legislation. There are employed in unprotected manufacturing industries, to which this bill grants not a dime of protection, 1,989,000 laboring men and women who will receive no advantage whatever from the passage of this bill. In other words, Mr. President, there are to-day 21,801,139 laboring men and laboring women in the United States who will not only receive no benefit from the passage of this measure, but who will have to undergo whatever additional burdens its enactment will place upon them.

If any Senators are going to vote for this bill because of the notion that it will aid the laboring men, I ask them to compare the more than 21,000,000 laboring men and women who will not be benefited with the less than six or seven millions who even indirectly may be benefited by the increased rates proposed, and even those six or seven millions must undergo the burden heaped upon themselves and the other 21,000,000 by the enactment of the pending bill.

In a statement recently issued by Mr. Henry Ford, who happens to be a very close friend of the President of the United States, Mr. Ford denounced this bill not only because of its vicious tendency in the way of building up artificial restrictions and barriers to trade beyond the possibility of reason but he lifted his voice also in behalf of the American laboring man. There have been certain members of this body who have referred to Mr. Ford in language of derision and ridicule; but, Mr. President, I make bold to assert that no man in America, no man in the world, has set a more exalted example of the relationship that ought to exist between labor and employers of labor than has Henry Ford, and no man has contributed more to make it possible for the average man, woman, and child to find recreation, pleasure, and comfort than has Henry Ford. My good friend the Senator from Michigan [Mr. COUZENS] in his earlier days was associated with Mr. Ford in bringing about these results. Senators on the floor of the United States Senate may refer to a great constructive business man, a friend of all the people, in words of derision, but I think the great masses of the American people, the great masses of the people of the world, have a feeling of admiration and respect for Mr. Ford.

Mr. Ford denounced this tariff bill and went even so far as to predict that it would be vetoed by the President. I wish I might believe that Mr. Ford were correct in that prediction, for I could not wish anything more fervently than that the President will veto this bill if it shall ever reach him.

The assertion has been made on the floor of the Senate and in newspaper articles that the Democrats desire to see this bill passed, though themselves voting against it, in order that they may have an issue in the next campaign.

I do not believe that any such sentiment prevails on this side of the Chamber, but, if there be any such sentiment, I do not share it, for I am not willing to see my countrymen suffer in order that the Democratic Party may have an issue on which it may go before the country. I have no hesitation in saying, Mr. President, that for every Democrat who votes against this bill, wishing secretly that it may pass, at least five Republican Senators will vote for it wishing secretly that it might be defeated or that it had never been placed before them for consideration.

I am not going to take the time to quote the language of Mr. Ford; every Senator here has no doubt read it; but I ask unanimous consent that not only his statement but that the statement and table from which I read a moment ago giving the number of laboring men for whom this bill offers no relief may be printed at this point in my remarks.

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

The statements and table referred to are as follows:

[From the Washington Daily News, Tuesday, May 20]

BILL WOULD HARM WORKERS, HE SAYS—AUTO MANUFACTURER CALLS HAWLEY-SMOOT MEASURE NEEDLESS AND INIQUITOUS—PREDICTS COUNTRY WILL NOT STAND FOR FURTHER LEGISLATION OF THIS TYPE—AIMED AT PRIVATE EXPLOITATION

By William Philip Simms

DEARBORN, MICH.—Characterizing the present Hawley-Smoot tariff measure as needless and iniquitous, Henry Ford to-day predicted that President Hoover would certainly veto it if it is ever laid before him.

During an exclusive interview given to Scripps-Howard newspapers the automobile king did not mince words. Sitting in his handsome yet simple office here, he denounced the supertariff which Congress is now framing as certain to injure the Nation instead of benefiting it.

PREDICTS HOOVER VETO

In Henry Ford's opinion, high tariffs will not stimulate industry but will slow it down by a process of stultification. It will not do away with unemployment but will eventually increase it by limiting or killing world trade, without which business can not properly expand.

In fact, Ford declared, the tariff bill belongs to another political era and never should have been introduced, because, in effect, it turns the people of this country over to a handful of men to exploit as their own private preserve.

"I venture to predict," he said, "that this bill is the last legislation of this kind anybody will ever try to get through Congress. The day when this country will stand for that sort of thing is past."

"Who wants this high tariff bill?" Ford continued. "We certainly don't. I think it would be very educational to tell the public just who it is that does want it. The President does not want it. I am told that Congress does not want it. No up-to-date business man wants it. Who, then, is forcing it on the country?

"You say it is the contention of those who are backing it that it will revive industry and cure unemployment.

"I say it will have precisely the reverse effect. It will stultify business and industry and increase unemployment. When you prevent your customers from purchasing your goods, you are absolutely throwing men out of work. I know something about employment and I say that this tariff reduces the number of American jobs.

"Business thrives on competition. Nobody does his best if he knows no one is competing with him. Comfortably tucked away behind a tariff wall which completely shuts out all competition and which gives industry an undue profit which it has not earned, the business of our country would grow soft and neglectful. Instead of enlarging and putting on an increasing number of workers, the tendency would be to be satisfied with things as they were and to stand still.

COMPETITION NEEDED

"We need competition the world over to keep us on our toes and to sharpen our wits. The keener the competition the better it will be for us. We can always find better ways to do things when we have to.

"Instead of building up barriers to hinder the free flow of world trade, we should be seeking to tear existing barriers down. People

can not keep on buying from us unless we buy from them, and unless international trade can go on, our business will stagnate here at home.

FLOW SHOULD BE FREE

"There are certain barriers that may properly be set up. For example, the barrier against mass immigration. We ought not to drain European countries of their brains and manpower. But the flow of goods should be free.

"As for a tariff wall to shut out foreign goods, I feel certain we could hold our own without any wall at all. Mass production, the elimination of waste, the creation of a better article for less money—that is the secret of business and industrial activity and of plenty of jobs in this country.

WOULD PROVIDE WORK

"Another uneconomic thing which supertariffs encourage in this country is the production of commodities which we are not suited to produce and which we can not hope to produce well or in sufficiently large quantities. Why not let those countries which can produce these things better than we, do so, while we turn our attention to the production of things in which we excel? That would provide work for everybody to do the world over, and in the exchange of these products world trade would thrive, bringing busy times and prosperity for us all.

"Agriculture is no more in need of high-tariff protection than is industry. There again we must produce the things which our country and our people are suited to produce, and do it on a big scale. Scientifically and economically old-fashioned farming methods are doomed. In their place we will have mass production, soil improvement under the direction of high-priced chemists and other specialists, waste elimination, and an era of high farm wages.

CALLS BILL INIQUITOUS

"If Congress passes this bill, it will be iniquitous. The vast majority of people are certainly opposed to it and will be hurt by it. It is just a final and belated effort on the part of a small group of men to have one last fruitful dig into the pockets of the masses. And if it goes through the people will assuredy be heard from.

"If what I hear is true, I doubt if even Congress wants this bill to pass. Why, then, does it keep at it? Are some of its Members afraid to vote the way they know they ought to vote?

SCORES CONGRESS

"Congress ought to have the courage to dispose of the bill without submitting it to the President. Congress ought not to hide behind the Chief Executive and force him to do what it ought to do itself. With Congress and the President standing together against this thing the country would draw a big breath of relief.

"But, should Congress pass the measure I do not for a moment doubt that he will veto it the minute it lands on his desk. I do not see how he could do otherwise, and I do not believe he will do otherwise. He knows who the small bunch of men are who want it, and he knows it to be economically unsound and harmful to the best interests of the Nation.

ADOPTION UNJUSTIFIED

"If the President doesn't veto this iniquitous thing, he could hardly justify his signing it. By vetoing it he will give proof of his soundness and courage. But," Mr. Ford concluded, "I don't believe the President will make any such mistake as signing the bill as it now stands."

Ford plants and related industries, it is estimated, give employment to approximately a million people. Ford wages have startled the world, so high has he pitched the scale.

Theoretically, Ford should be among those seeking supertariff protection. He is at the head of a score of big businesses, any one of which would give him a nation-wide reputation as a captain of industry. His businesses reach into every hamlet, every nook and corner of the United States, and into every foreign land, civilized and uncivilized.

ECONOMICALLY UNSOUND

Yet, to-day he denounces tariff protection as economically unsound and ultimately injurious to both business and workers. He insists he stands ready to compete with any foreign industrialists, anywhere, no matter how low the wages his competitors may offer.

Henry Ford has proved he can pay record wages and still sell his cars at a profit in countries where low wages abound.

"Quality and quantity," he says, is what does it. And he commends his recipe to the producers of the Nation as a revivifying remedy instead of an ever higher tariff, which, in the end, must kill foreign trade and cause business at home to stagnate.

"I hear people saying," he said, "that the country is suffering from uncertainty about the tariff. They say business will be better as soon as the tariff bill is passed. That is the favorite 'come on' cry just now. If this tariff bill is laid on the shelf for 20 years and the President left to adjust schedules himself, American business and, what is just as important, American foreign relations, will be better off."

NUMBER OF WORKERS DIRECTLY BENEFITED BY THE TARIFF

The Department of Commerce calculates that 8 per cent of United States manufactures are exported. We may say that 8 per cent of those engaged in manufactures are more interested in export markets than in high import tariffs. Eight per cent of those engaged in manufactures in the United States amounts to about 800,000.

The following table shows the number of United States farms in 1925 producing crops whose value depended on the export market. A conservative estimate would count 8,000,000 farmers whose principal crop prices are determined by exports.

Number of farms producing products on an export basis, 1924–25:

Winter wheat	1,032,057
Rice	11,476
Cotton	1,931,307
Tobacco	396,352
Swine	3,618,624
Total	6,989,816

Against 9,000,000 workers in the United States whose primary interest is in exports, there are about 8,000,000 people engaged in manufactures on the dutiable list. The tariff is ineffective for about half of these or more.

In the United States those engaged in export industries outnumber those engaged in protected manufactures.

We have omitted agricultural industries receiving actual protection because, although there are many agricultural duties, many of them are nonoperative. We have also omitted some agricultural items on an export basis, such as raisins, oranges, oats, rye, corn, condensed milk, etc.

In addition to the 9,000,000 American workers primarily interested in exports, rather than in import tariffs, the following table shows about 22,000,000 workers in the United States who can not be directly benefited by the tariff.

About 30,000,000 workers in the United States are taxed to pay a subsidy to probably less than 4,000,000 workers whom the tariff directly benefits.

Persons engaged in nonprotected occupations in the United States, 1920

Building trades	73,953
Bakers	97,940
Brick and stone masons	131,264
Builders and building contractors	90,109
Carpenters	887,208
Compositors, linotypers, and typesetters	140,165
Dressmakers and seamstresses (not in factory)	235,855
Electricians	212,964
Building laborers	623,203
Building painters, glaziers, and varnishers	248,497
Plumbers and gas and steam fitters	206,715
Roofers and slaters	11,378
Transportation	3,063,582
Trade	4,242,979
Public service	770,460
Professional service	2,143,889
Domestic and personal service	3,404,892
Clerical occupations	3,126,541
	19,811,594
Nonprotected manufactures	1,989,545
Total	21,801,139

(Sources: Census of Manufactures, 1927; Census of Agriculture, 1925; Statistical Abstract, 1929; Department of Commerce report on foreign trade in the United States, 1929.)

Mr. BARKLEY. I also ask unanimous consent to have inserted in the RECORD an editorial from the Washington News commenting upon the statement of Mr. Ford.

The PRESIDING OFFICER (Mr. COUZENS in the chair). Without objection, it is so ordered.

The editorial referred to is as follows:

[From the Washington Daily News, Wednesday, May 21, 1930]

FORD'S MESSAGE TO CONGRESS

"It will stultify business and industry and increase unemployment."

"When you prevent your customers from purchasing your goods, you are absolutely throwing men out of work."

"I say that this tariff reduces the number of American jobs."

"People can not keep on buying from us unless we buy from them, and unless international trade can go on, our business will stagnate here at home."

"It is just a final effort on the part of a small group to have one last dig into the pockets of the masses."

"Congress ought to have the courage to dispose of the bill without submitting it to the President."

"Should Congress pass the measure, I do not for one moment doubt that the President will veto it the minute it lands on his desk."

That is Henry Ford speaking.

One may quarrel with Henry Ford's views about peace. One may disagree with his views on prohibition. But one can scarcely dispute Henry Ford's opinions on the subject of business. Or industry. Or employment. He is one of the world's greatest business men. One of

the world's greatest industrialists. One of the world's greatest employers. If there is one man in America entitled to be heard on questions affecting business, industry, and employment it is Henry Ford.

And he says to Congress: Kill this tariff bill. Kill it for the sake of American business. Kill it for the sake of American industry. Kill it, above all, for the sake of American workers.

Henry Ford's knowledge of politics may not equal his knowledge of business. He believes President Hoover will veto the tariff bill if Congress passes it. Perhaps he is right, but the President has failed thus far to give any indication that he will do this wise and necessary thing.

In any case the responsibility rests primarily with Congress.

If the President should sign this bill, he will sign a bill that Congress has written. If he should make this mistake, he will not lessen in any degree the responsibility of Congress. Tariff making is a function of Congress, not of the President.

As the situation stands at this moment, however, there is little to be gained by discussing who shall take the blame. There will be plenty of blame for all when business is compelled to retrench further, when part-time operation falls to the lot of more and more factories, when the line of the unemployed outside the gates grows longer and longer.

Congress may be able to throw some of the blame on President Hoover. But Congress can, if it will, take all the glory to itself. The glory will go to Congress if Congress has the courage to destroy this Frankenstein of its own making. Since good business and good politics dictate the bill's death, it shouldn't require much courage to kill it.

Mr. BARKLEY. I also ask unanimous consent to have printed in the RECORD a brief dispatch with reference to the statement of James D. Mooney, president of the General Motors Export Co., as to the probable effect of the passage of the pending tariff bill.

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

The matter referred to is as follows:

[From the Washington News of May 20, 1930]

TARIFF BILL MENACES OUR FOREIGN MARKETS, DECLARES GENERAL MOTORS EXPORTER

NEW YORK.—The pending tariff bill threatens foreign markets which are essential to the country's prosperity, in the opinion of James D. Mooney, president of the General Motors Export Co.

Mooney assailed the tariff at a luncheon of the Western Universities Club to-day.

"The truth is that the time has come when our country can no longer depend for its economic welfare on home demand alone," he said. "We need and must have foreign markets, and any domestic policy which prevents or retards our access to these markets is a direct menace to our national prosperity."

Mooney said 1,214,459 workers are directly dependent on the automobile industry, exclusive of dealers, garage men, salesmen, and others who owe their jobs to the industry. Their wages amount to more than two billions yearly, he estimated, and support 4,857,836 persons.

Citing automobile export figures, Mooney estimated that the loss of foreign markets would cost 184,000 workers their jobs and 600,000 persons their means of support.

The problem is not peculiar to the automobile industry, Mooney added.

"All American manufacturers of machinery or machine-made products, and, in fact, every American exporter of any kind of merchandise is facing the same problem," he said. "In the case of manufacturers, however, the question is particularly vital, because the commercial future of America in overseas trade rests, beyond all question, in manufactured articles. The time when our exports consisted mainly of raw materials and farm products belongs to our preindustrial era."

Mr. BARKLEY. I also ask unanimous consent that an editorial from the Washington Daily News of Thursday, May 22, entitled "Hard Times Ahead," may be printed in the RECORD.

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

The matter referred to is as follows:

[From the Washington Daily News, Thursday, May 22]

HARD TIMES AHEAD?

National protest against the billion-dollar tariff bill continues to rise. From all parts of the country come demands that Congress reject the measure, and that the President veto it if it goes up to him.

On top of the protest of 1,028 leading economists and the Scripps-Howard poll showing overwhelming national opposition of the press, Henry Ford, and prominent industrialists and bankers have joined in the fight to save prosperity.

While the high protectionist State of Pennsylvania in a primary yesterday was voting down Senator GRUNDY, the evil genius of this bill, more manufacturers in other States were warning Congress and the President against this bread-line legislation.

James D. Mooney, president of the General Motors Export Co., speaking in New York, demonstrated with figures from his own industry that national prosperity is dependent upon foreign trade, which is being wiped out by tariff reprisals. He said:

"The higher tariff will be harmful to the great majority of the people; it will increase the cost of living, retard our commercial recovery, and tend permanently to reduce the volume of American business; it will impose additional burdens on everybody, burdens which must be borne by the industralist, the worker, and the farmer alike, with no conceivable benefit to anyone but a few selected and favored beneficiaries; by provoking other countries to erect similar tariff barriers against us, it threatens the one development to which American industry must look for its principal future expansion; in short, the proposed measure commits itself to the absurdity of striving to increase employment by restricting trade."

Taking the automobile industry alone, workers and their families numbering upward of 5,000,000 people and an annual pay roll of more than two thousand million dollars are directly and immediately hit by this suicidal bill, Mooney showed. Loss of automobile export trade, already rapidly falling under the Grundy threat, "would cost 184,000 workers their jobs and about 600,000 people their means of support."

With Ford officials protesting from Detroit and General Motors from New York, E. H. Gorrell, president of the Stutz Motor Co., in Indianapolis, indicated that these demands are not limited to the largest companies or to any one section of the country.

"We ship regularly to more than 60 countries, and our business has been damaged in more than half this number," Gorrell reported. "If the Hawley-Smoot tariff bill goes through, it is probable that the export of American automobiles in the coming year will be reduced by two-thirds. It means depression for the automobile industry, which will contribute to the general business stagnation. There is no question that many men will be thrown out of work and business recovery greatly handicapped."

The President and Congress know these facts as well as the economists, editors, bankers, merchants, and manufacturers who are now citing them. President Hoover, by his specific campaign pledges and his messages to Congress, is definitely committed against the general tariff increase. Congress itself is definitely committed in both the Republican and Democratic platforms against the general increase.

Employers and employees of this country expect the President and Congress to protect their profits and their wages from this menace. Voters of the country expect the President and Congress to keep faith.

Neither Congress nor the President can escape responsibility.

Mr. BARKLEY. Mr. President, there are some of our friends who propose to vote for this measure on the ground that it aids agriculture. I admit that for paper purposes and for purposes of the multiplication table, and for those alone, there are certain rates in the agricultural schedule that give semblance to the idea that a great boon is coming to agriculture on account of the rates carried in the agricultural schedule. What sort of agriculture was depressed that brought us here into extra session? Was it the olives and filberts that are grown in California? Were we brought here in order to legislate a higher rate of tariff on winter vegetables grown in Florida? Were we brought here for the purpose of raising the tariff on peanuts? Were we brought here for the purpose of granting agricultural relief by boosting the tariff on grass seed?

What kind of a farmer is it who has been depressed? What sort of agriculture was it that needed relief when we were called here in 1929? Why, it was the great wheat grower, the great corn grower, the great cotton grower, the great tobacco grower, the great cattle raiser of this country, and the producers of rice and barley and the other staple crops that are grown largely over the entire extent of the United States. These were the farmers and these were the regions whose depression brought us here in an effort to relieve them.

If the President of the United States had called Congress into extra session on the ground that olives and filberts and peanuts and winter tomatoes were in the doldrums, he would have been ridiculed, as he ought to have been ridiculed, from one end of the United States to the other. Of course, the President of the United States had no such situation in mind when he called Congress into extra session.

A few days ago the Tariff Commission issued a statement, the first sentence of which was:

Agriculture will benefit greatly by the new tariff bill.

I notice in the CONGRESSIONAL RECORD and in the press this morning that on yesterday Mr. Brossard, the chairman of the Tariff Commission, wrote a letter to Mr. KNUTSON, of Minnesota, a Member of the House, stating that the statement issued on May 24 by the Tariff Commission had no political significance. Then why did Mr. Brossard insert that first sentence that "agriculture will benefit greatly by the new tariff bill"

and why was it sent out on the 24th of May, when it was then believed that the vote would come on this tariff bill the first part of the following week?

What about agriculture?

The Tariff Commission in that statement claimed that the duties collected under the Hawley-Smoot bill will amount to $106,000,000 more than under the present law. Their statement contained the astounding figures that of this $106,000,000 additional revenue $72,000,000 represents increases on agricultural products, and then drew the conclusion that agriculture will benefit greatly by the new tariff bill.

Conceding for the sake of argument that their figures are correct—which I do not do for any other purpose, but in order to use them as a basis—a very small part of that $72,000,000 will be comprised by the duties on the great staple agricultural products of the United States. The value of these agricultural products is something over $8,500,000,000, compared with a total gross farm production of about $15,800,000,000. On these staple farm crops, comprising over half of the total farm production, the actual increases in duties granted by the Hawley-Smoot tariff bill amount to $1,900,000. In other words, out of $72,000,000 estimated by the Tariff Commission as the beneficial rates to agriculture, only $1,900,000 is an increase on the great staple crops of the United States. The great bulk of that increase is on specialized products raised in restricted areas of the United States which in no way touches the real farm problem.

In 1928 the value of the corn crop in the United States was $2,341,000,000. The corn growers of this country receive $58,000 additional benefit out of the Grundy tariff bill.

The value of the cotton crop was $1,181,000,000, upon which no benefit whatever is received under this bill except upon a small quantity of long-staple cotton; and I seriously doubt whether the imposition of that tax will benefit the producer of long-staple cotton by any amount. The truth is this tariff on long-staple cotton is more calculated to damage even the grower of it than to help him.

The value of the hogs in the United States was $1,387,000,000, and the producers of pork in this country get $251,000 out of the Grundy tariff.

The wheat crop amounted to more than $900,000,000, out of which no benefit whatever is obtained in this bill.

The oats crop was $594,000,000; and the great farm sections of this country that produce oats receive out of the Grundy tariff the munificent benefit of $4,894! That ought to create great enthusiasm among the producers of oats.

In 1928 the barley produced in the United States was worth $204,750,000. The Grundy tariff offers no benefit whatever to the producers of barley.

The value of the creamery and butter production in the United States was $695,000,000, and this bill gives to the producers of dairy and butter products the munificent benefit of $86,000.

The value of the poultry crop in the United States was $518,000,000. There have been some slight increases in poultry and eggs that amount to $413,000 a year.

The value of the cottonseed crop of the United States was $227,000,000. The producers of that product receive no benefit from this bill.

In 1928, the value of the apple crop in the United States was $202,000,000, and they receive no benefit from this bill.

The value of the rye crop was $36,000,000, and it receives no benefit in this bill.

There was $38,000,000 worth of rice produced in the United States, and the benefits under this bill over the present law amount to $116,000.

In other words, Mr. President, there are agricultural products in the United States valued at $8,675,000,000, which represent the great bulk of staple agricultural products of the United States, upon which this tariff bill produces a benefit of $1,900,000; and yet it is claimed that this bill is to be the boon of agriculture; that every farm will blossom like the rose, and the soil become more fertile, because immediately upon the signature of this bill by the President—if he ever signs it—the farmers are to receive an aggregate of over $72,000,000 in benefits, according to the figures juggled by the Tariff Commission, representing rates upon specialized agricultural products like nuts and fruits and a few other limited products, compared to a little less than $2,000,000 upon all the great agricultural products which were responsible for our being called here in extra session nearly a year and a half ago!

Mr. President, I ask unanimous consent at this point to insert in the RECORD the table from which I have just read.

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

The table is as follows:

Increased duties on staple farm products calculated on basis of 1928 imports

Commodity	Production		Increases in duties under H.R. 2667
	Year	Value	
Corn	1928	$2,341,462,000	$58,354
Cotton lint [1]	1928	1,181,000,000	
Hogs	1928	1,387,000,000	[2] 251,924
Wheat	1928	900,755,000	
Oats	1928	594,480,000	4,894
Barley	1928	204,750,000	
Creamery butter	1927	695,106,000	86,694
Poultry eggs in the shell	1927	518,880,000	[3] 413,948
Cottonseed	1928	227,895,000	
Tobacco	1928	276,448,000	1,056,406
Apples	1928	202,092,000	
Rye	1928	36,002,000	
Rice	1928	38,523,000	116,688
Plums and prunes	1928	11,540,000	9,236
Grapes and raisins	1929	60,000,000	
		8,675,933,000	1,098,144

[1] Other than long staple.
[2] Hogs and pork products.
[3] Cottonseed oil.

Mr. BARKLEY. The great staple farm products of the United States get practically no more from the Hawley-Smoot bill than they do from the present tariff act.

Who, then, gets the added duties? The following is a list of some of the products that get a real bonus from the tariff which the staple farmers help pay:

Increased duties under H. R. 2667

Sugar	$6,367,000
Cheese	2,973,000
Cherries	765,000
Figs	921,000
Lemons	432,000
Bulbs	978,000
Almonds	524,000
Brazil nuts, filberts, etc	877,000
Walnuts and pecans	653,000
Flaxseed	4,395,000
Field and grass seed	802,000
Dried beans	1,543,000
Mushrooms	422,000
Peas	1,386,000
Fresh winter tomatoes	4,817,000
Fresh winter vegetables	1,200,000
Sweet onions	1,851,000
Wool	1,566,000

The farmers who get any actual tariff benefits are mainly those who raise specialties. California obtains much larger agricultural protection under the Hawley-Smoot tariff; but California is getting very good protection now. The Hawley-Smoot tariff, at a tremendous cost to the American family, tries to force the production of winter tomatoes and other winter vegetables in Florida where frosts and storms make the production most expensive.

Mr. GRUNDY's State, Pennsylvania, gets more of an increase in actual duties on mushrooms than are given to corn, common cotton, hogs, pork products, wheat, oats, butter, cottonseed, rice, and apples combined.

The agricultural products that collect real increases in duties under the Hawley-Smoot tariff are mostly the ones that do not especially need help, or that can only be produced in this country uneconomically. The big agricultural staples, according to the figures of the Tariff Commission, get practically nothing.

It has been stated that the increases, even on this basis of agricultural products, are more numerous than on industrial products. There are 890 increases in the tariff under this bill. In the agricultural schedule there are 250 increases, and there are increases in other schedules not in the agricultural schedule, but which may indirectly affect agriculture, amounting to 105, making a total of 355 increases in agriculture and 535 increases in industrial rates.

In this connection I wish to state that the total increases in the wool schedule amount to 47 per cent. In other words, you raise the tariff on raw wool from 31 to 34 cents, which is about 10 per cent increase in raw wool; and with raw wool now selling at 17 and 18 cents a pound, although the tariff on it now is 31 cents a pound, it is impossible to imagine how the additional 3 cents will bring any greater benefit to the farmer. Upon the basis of a 10 per cent increase in the tariff on raw wool, however, you have made a 47 per cent increase in the woolen schedule, which, of course, applies to every piece of wearing apparel, every blanket, every hat, every sock, everything made of wool in the United States. In other words, while you hold out to the farmer who produces wool the margin of a

10 per cent increase on the wool which he sells, you penalize him for that increase by adding 47 per cent to all wool products which he buys. Yet this bill is promulgated and advertised and propagandized as a great agricultural bill.

You have increased the tariff on artificial silks 53 per cent, on cotton manufactures 46 per cent, on linen manufactures 36 per cent. On woolen and worsted piece goods the tariff has been increased 86 per cent. You add 3 cents a pound to raw wool, but you add 84 per cent to the cost of the finished product.

If this tariff bill is such a great boon to the farmers of the country, why is it that they are not in favor of it? Why is it that practically every farmers' organization in the United States has declared against the enactment of this legislation?

I have here a clipping sent out by the United Press from St. Paul, Minn. The headline is "Tariff Bill Defeat Asked by Powerful Farm Organization. Cooperative Groups Representing 250,000 Farmers [out in Minnesota] Urge Rejection of Measure."

Four of the largest and most powerful cooperative organizations, representing at least 250,000 northwest farmers, are calling upon Congress and President Hoover to turn down the tariff bill drafted ostensibly to help them.

They have sent to Washington a statement, signed by A. J. Olson, president Minnesota Farm Bureau Association; W. S. Moscrip, president Twin City Milk Producers Association; John Brandt, president Land O'Lakes Creameries (Inc.); and J. S. Montgomery, general manager Central Cooperative Association.

All of them ask Congress to defeat this tariff bill which is being promulgated as the friend of agriculture.

The distinguished Senator from Kansas [Mr. CAPPER] recently took a poll, through his own very excellent farm newspaper, which he issues out in Kansas. Another story from Des Moines by the United Press states that—

Farmers in six out of seven States polled by the Standard Farm Papers, including the Capper Farm Press, favored veto of the Smoot-Hawley tariff bill, the publications announced to-day.

Of 1,947 votes cast in seven mid-western States, 1,397 favored presidential veto and 550 asked for signature.

In the same article it is revealed that Indiana farmers, farmers represented by the Republican leader in this Chamber, the genial Senator from Indiana [Mr. WATSON], who, I believe, on yesterday read a prepared speech undertaking to prove that this is a great bill for the farmer, voted 98 per cent against the approval of the bill.

In Nebraska, the farmers voted 93 per cent against it; in Missouri, 87 per cent.

Michigan farmers voted 85 per cent for signature of the measure, the papers announced, pointing out that Michigan raises more sugar beets than any of the other States, and that the farmers of that State "apparently came through with an indorsement of the whole bill in order to save sugar schedule."

That is not my statement; that is the statement of the agricultural journals which took the poll.

On the 27th day of May Mr. Harvey S. Firestone, who uses large quantities of cotton in the production of tires for automobiles, gave out a statement in which he said that the imposition of this tariff, which he denounced as ridiculous, would bring a great burden and depression upon the growers of cotton, because it would lessen the market for their cotton products in the production of rubber tires which are used not only in the United States but which are exported to the markets in other nations of the world.

Therefore, Mr. President, if this bill will not benefit wheat, if it will not benefit corn, if it will not benefit rye, or barley, or oats, if it will not benefit cotton, if it will not benefit the great hog industry, and will benefit only to a slight extent the cattle industry, if at all, how can it be described as a farm measure, how can it even by the wildest stretch of the imagination be claimed by any man that the farmers of the United States will receive any benefit from the enactment of this measure?

Mr. GEORGE. Mr. President, will the Senator yield for a suggestion with reference to long-staple cotton?

Mr. BARKLEY. I yield to the Senator.

Mr. GEORGE. From a very careful study, I am satisfied that the duty of 7 cents on long-staple cotton can not be of any benefit to the growers of the longer American staple. The fact is that the price of long-staple cotton is made, not in the United States, but in Liverpool. The imposition of a tariff of 7 cents a pound on long-staple cotton will, of course, throw all of the long-staple cotton produced abroad, all of the Egyptian cotton, on the outside world market, which must inevitably drive that market down. It is practically impossible for the manufacturers of automobile tires in the United States to import Egyptian cotton, pay a duty of 7 cents a pound upon Egyptian cotton, and use it in the casing of the tire, and hope to compete with the casing made outside of the United States, because the outside manufacturer will now be able to buy his long-staple cotton much cheaper, in view of the fact that the entire outside production will be dumped upon the Liverpool market and the price driven down, and the compensatory duty can not be made available to the American tire manufacturer, he can not reap a benefit from it where he makes his own fabric, that is, where he spins his own cotton, because the compensatory duty of 10 cents is given on all cotton yarns finer than 40's, which means on all yarns in which long-staple cotton is used, but, at the same time, the tire manufacturer himself—for instance, the Goodyear people, or the Goodrich people, who manufacture their own fabrics—will not be able to get the benefit of the compensatory duty. So that the American manufacturer of tires virtually now will find his business confined to the United States, with a very greatly diminished demand, of course, for long-staple cotton in the United States. The user of the long-staple cotton outside of the United States will be able to buy long-staple cotton at a greatly reduced price, because all cotton made in Egypt will be thrown on the world market, but will not be able to come into our market except over this bar of 7 cents a pound.

The net result of the tariff on long-staple cotton will not be, to state it as conservatively as possible, of any benefit to the American cotton grower, but it probably will actually result in a loss to the producer of long-staple cotton in the United States.

Mr. BARKLEY. So that the net result of this tariff to the cotton grower not only will be the absence of all benefit, but will be an actual detriment.

Mr. GEORGE. To state it conservatively, it will not be of any benefit whatsoever as a tariff, but of course will add to the general burdens of the cotton producer as a consumer, and it is highly probable that it will be an actual detriment to the producers of long-staple cotton themselves.

Mr. BARKLEY. Outside of the increase in the purchase price to the cotton producers of those articles manufactured out of cotton, the tariff itself on the raw product will prove to be of no benefit, and may be a decided detriment.

Mr. GEORGE. I think that is a fair statement of the matter.

Mr. BARKLEY. In connection with the effect of the duty on cotton, I ask to have printed in the RECORD an article appearing in the Washington News on May 27, 1930.

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

[From the Washington News, May 27, 1930]

HARM TO COTTON INDUSTRY IN PENDING TARIFF BILL CITED BY BUSINESS CHIEFS—HARVEY FIRESTONE ASSAILS PROPOSED 7-CENT RATE AGAINST EGYPTIAN PRODUCT

AKRON, OHIO.—Harvey S. Firestone, Akron rubber magnate, to-day condemned the pending Hawley-Smoot tariff measure as "ridiculous," and said he does not know a single manufacturer who favors it.

Firestone said its enactment will result in drastic reprisals on the part of other nations, and will seriously cripple America's export trade.

"Take Switzerland, for instance," he said. "Our representatives there are alarmed at the situation which has developed.

"Because of the high rate imposed against Swiss watches a general boycott against all American goods is being talked. It is the sort of thing we may expect from nations that are our best customers."

HITS COTTON RATE

Firestone assailed the proposed 7-cent rate against Egyptian long-staple cotton.

"Where we buy 300,000 bales of cotton, which can not be grown in the United States, this nation exports 8,000,000 bales of American-grown cotton," he said. "England has spent untold thousands of dollars developing cotton, and could ask no better excuse to impose a rate in reprisal against us.

"Think of the effect of even 1 or 2 cents a pound. It can't help the cotton grower, and can only harm him."

NO SUBSTITUTE OBTAINABLE

Firestone said that regardless of price there is no substitute for Egyptian cotton in the thread industry; that it must be used for heavy-duty truck and passenger-car tires and in de luxe grade.

"The tariff will fail wholly in its purpose," he said, "for it can not increase consumption of American-grown cotton.

"The tire industry can absorb the blow, of course, but it will only pass the increased cost along to the customer. Millions of customers will pay for the tariff folly."

HOPES FOR VETO

Firestone said he still clings to the hope that President Hoover will veto the measure, despite indications from Washington that he will sign it.

"Congress has thrown this bill in Hoover's lap," he said.

"The fight which has been made against the bill is a constructive, far-visioned, educational work. I can not believe Hoover will take a step which will react against the welfare of the great mass of people in this country."

MEMPHIS COTTON FACTORY OFFICIALS AND BUYERS SEE MANY EVILS IN HAWLEY-SMOOT MEASURE

MEMPHIS, TENN.—Passage of the Grundy tariff bill will result in foreign countries retaliating by increasing their tariffs.

It will stimulate foreign production of cotton and lessen the consumption of American cotton by European spinners.

It will cripple trade relations with Europe, reduce exports, and increase the price of all goods and articles manufactured from cotton.

STRONGLY OPPOSE PASSAGE

These are a few of the evils that Memphis cotton factory officials and buyers see in the new tariff bill. They are vigorously opposed to its passage. They feel that it will ultimately have a disastrous effect on the cotton industry. Exports of American cotton have been on the wane, and the tariff, they feel, will force a reduction in the production of American cotton.

F. G. Barton, of F. G. Barton Cotton Co., said, "It will cause foreign countries to take retributive measures. England, one of our greatest importers, will go to Egypt and India for much cotton if the tariff is passed."

SHOULD BE REDUCED

Norman Monaghan, of Nerberger Cotton Co., said, "The tariffs should be reduced instead of being raised. Foreign countries are not going to stand by and let America raise such a tariff without retaliating by raising their tariffs. It will handicap America in disposing of its surplus cotton. We now depend on Europe as a good market, but with the tariff our sales will be reduced."

Leon Sternberger, of Sternberger, McKee & Co., said, "Such a tariff would be detrimental to business in many ways, as it will result in other countries discriminating against this country. To prove our exports will be cut this year, it has been predicted we will send away about 7,000,000 bales, compared with 8,000,000 usually. The new tariff had something to do with this."

HARMFUL TO BUSINESS

C. W. Hussey, sr., cotton man, said, "I am in favor of a downward revision of the tariff all the way. It is hurting business every day. A little sound reasoning will show anyone this. High tariff is hurting our exports."

Similar opinions are expressed by other cotton men.

Mr. BARKLEY. Mr. President, it has already been demonstrated in such fashion that nobody has been able to disprove it that this bill would add enormously to the total cost of living of the people of the United States. Various estimates of this increase have been made, and the bill has become familiarly known as the billion-dollar increase. Of course, no man can be absolutely sure-footed with reference to the actual increase in dollars and cents, but I believe that it is a fair assumption that if the rates which are imposed by this legislation are to be effective, if they are not a mere false pretense, if it is not mere language to fool the people, as so many laws have heretofore been enacted to fool them, if the rates in this bill are to take effect, in my judgment a billion dollars is a conservative estimate of the increased outlay not only in actual expenses but when we consider the indirect effect of this bill it will amount to even more than that.

I ask unanimous consent at this point to have inserted in my remarks an editorial from the Washington Daily News of May 8, 1930, entitled "Wear Old Rags."

The PRESIDING OFFICER. Is there objection?

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

[From the Washington Daily News, Thursday, May 8, 1930]

WEAR OLD RAGS

Prepare to pass up that next new suit. You probably won't be able to afford it, if the Grundy tariff bill goes through. Not, at any rate, if you are a workingman. And you can't get that new overcoat either; so have the old one patched to-day and put away now before it is too late.

Of course, the merchant needs your trade and you need the clothes, but GRUNDY and the Republican Old Guard have you up against the wall and by the time they pass that billion-dollar tariff bill you will be lucky to get out with a shirt to your back.

They are pinning a tidy $112,000,000 a year on the national woolen bill. By the time that sum is pyramided through the processes from wool to clothing, the total will be more than $300,000,000. Counting 30,000,000 families in the United States, that will be an increase of $10 each.

But the workingman's family is larger than the average, so this woolen increase alone will cost him much more than $10.

The Grundy tariff promises an increase in the price of every suit ranging from $2 to $8, according to the class. A $30 suit or overcoat will be boosted to about $35 each.

The workingman who has to buy three suits and three coats for his family in a year must, therefore pay $30 more for them and have nothing left for himself—for that $30 would buy him a suit if there were no tariff increase.

To be sure, many workingmen will not need clothing if the tariff bill is enacted. By causing foreign reprisals against our export trade, the tariff will shut down many factories and add millions of men to the army of unemployed. (President Hoover has estimated that fully one-tenth of our industrial production depends on our export trade, which is threatened by the Grundy bill.) The unemployed can stay in bed and go without clothes.

Mr. BARKLEY. I also ask unanimous consent to insert in the RECORD at this point another editorial of May 7 entitled "Going Barefoot Next Winter?" based upon the tariff on shoes.

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

The editorial is as follows:

[From the Washington Daily News, Wednesday, May 7, 1930]

GOING BAREFOOT NEXT WINTER?

Of course, we could all go without shoes, if we had to. And that is about the only way the consumers can beat the game if the GRUNDY tariff steal becomes law. Otherwise by the time we pay for shoes for the baby and the rest of the family, there won't be much money left to buy other clothing.

Perhaps we should not grumble. Didn't Washington's soldiers march with bare and bleeding feet over the ice at Valley Forge? Should we be less patriotic? Obviously the Republican Party can not give the tariff profiteers a billion dollars a year—unless we are willing to make sacrifices for the "cause."

To be sure these additional sacrifices will be rather hard on the millions of unemployed and part-time employed and on those other millions who barely make both ends meet even when there is no tariff on shoes.

One of the best known national shoe manufacturers estimates that the proposed 20 per cent ad valorem tariff will boost the consumers' shoe bill $150,000,000 a year—and that is a very conservative estimate. Not, of course, that the manufacturers need the increase; their profits already are large. The International Shoe Co., largest in the country, in addition to paying heavy regular dividends and in one year a 300 per cent stock dividend, increased its surplus from $34,700,000 in 1921 to $88,325,000 in 1929—and all with no tariff on shoes.

That $150,000,000 increase in the national shoe bill means that the average family will pay $5.50 more. The poor, with larger numbers of children, will pay from $8 to $10 more for each family. And that additional amount is just about what the father and mother together had left for their own shoes last year; there will be no shoe money for the fathers and mothers of poor families if this bill becomes law.

Even if one or two of the children of the family die and the workingman takes the money for their shoes to get a pair for himself, he will find that $5 shoes will cost him $6 under the tariff.

What difference does that make to the well-shod and well-fed Congressmen and Senators who vote to take shoes off the free list and on the 20 per cent tariff list? It doesn't make any difference to them. Not now, that is.

But their time is coming. Wait till the consumers of the country go to the polls and get a whack at them.

For the benefit of the politicians who think they can get away with this tariff steal, and for the comfort of the working people who are their victims, we want to quote the rule of the Republican high priest of protection, James G. Blaine. When the hogs had their feet in the McKinley bill trough the shrewd Blaine made them leave shoes on the free list. Here was his warning:

"The only effect of a shoe tariff would be to project the Republican Party into speedy retirement."

Mr. BARKLEY. If the increases in the rates on food products should be effective, it would add about $650,000,000 annually to the cost of living in the United States.

Mr. THOMAS of Oklahoma. Mr. President——

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

Mr. BARKLEY. I yield.

Mr. THOMAS of Oklahoma. It is a fact, is it not, that the bill affords protection on rags?

Mr. BARKLEY. Yes.

Mr. THOMAS of Oklahoma. And under the terms of the bill about the only thing the people will produce will be rags?

Mr. BARKLEY. That is true.

Mr. THOMAS of Oklahoma. Will not that be of some benefit to the people of the United States?

Mr. BARKLEY. Yes. The editorial which I have just had inserted in the RECORD is based upon the fact that about all they will be able to wear after the bill goes into effect will be rags. That applies to the 4,000,000 men now out of work in the United States, and the number in all likelihood will be increased in the near future. I do not say that as a calamity howler, but I think economists generally over the country and those in a position to know have predicted that there will be an addition to the ranks of the unemployed and in all probability the wages of those who are retained will be reduced.

Why? Because already for a year and a half those who buy the products of American labor, seeing what the Congress of the United States is undertaking to do to them, began as long as 12 months ago to reduce their purchases of the products of American labor. A large part of the unemployment of the United States now is due to the fact that the markets for our products have been reduced in all the nations of the world. From the 1st day of January to the 1st day of May, 1930, our exports dropped more than 21 per cent, as compared to January, February, and March of 1929.

Under the terms of the bill the increase in the clothing tax upon the people of the United States, stated conservatively, will amount to $150,000,000. I do not wish to go into detail in giving the various items but it is a conservative estimate that $1,000,000,000 will be the sum total and net cost to the American people if Congress passes the bill and the President shall sign it.

Mr. President, what about our foreign trade? Every time anyone here mentions foreign trade somebody refers to it in terms of ridicule, as if it were a crime to hope that the American people may expand their markets. During the lengthy consideration of the measure every time the word "importer" has been mentioned on the floor of the Senate it has been derided and jeered, as if the man who imports goods from some other country to satisfy the wants and needs of the American consumer was a criminal. If it is a crime to import foreign goods into the United States, then in those countries from which we import it ought likewise to be a crime to import anything from the United States.

I have here a pamphlet issued by the United States Chamber of Commerce entitled "Our World Trade in 1929." It shows that in 1929 we exported $5,241,000,000 worth of American-made goods and that we imported $4,400,000,000 worth of foreign-made goods. In other words, in 1929 we sent to the nations of the world almost $1,000,000,000 worth of goods more than we bought from them. If it were possible by a tariff bill to create an embargo, this bill comes as near to it as any bill ever before the Senate. Some of those who came before the committees advocating the increases frankly stated they desired embargoes, while others advocated them without being so frank as to admit that is what they wanted.

But suppose we could erect a tariff wall that would absolutely interfere with international trade; suppose we could shut out the $4,400,000,000 that we bought last year and likewise shut in the $5,250,000,000 that we sold to the other nations of the world; then we would be the losers, because there are more men and women employed in the production of $5,250,000,000 worth of American-made goods sent to the other nations than would be displaced in employment by shipping into our country the $4,400,000,000 worth which we imported from other countries.

If we should erect an embargo against all international trade our Nation would be the loser, our farmers would be the losers, our laboring men would be the losers. And yet there are men who flippantly say that "what we want to do is to monopolize the whole market and let those who want to send their exports to other nations take care of themselves."

Mr. President, we have been more than a century trying to build up an American merchant marine. We have tried various experiments. We have talked about ship subsidies. There was a well-known and well-remembered fight here on the floor of the Senate a few years ago over a ship subsidy proposed by President Harding. Why? Because it was desired to build up a great merchant marine, built in American shipyards, manned by American seamen, flying the American flag, carrying American products to all the nations of the world.

We have established here a Department of Commerce which was presided over for eight years by Mr. Hoover. A part of his activities, yea, the major part of his activities, was in the establishment of markets in the other nations of the world for the products of American labor. He came before the Committee on Interstate and Foreign Commerce of the House of Representatives, of which I happened to be a member, advocating an improvement in our Foreign Service; urging that we establish commercial attachés at every diplomatic post in the world. It was a good thing. I favored it. Congress enacted a law authorizing the Secretary of Commerce in conjunction with the Secretary of State to place in all the great marts of the world in every nation a commerce agent representing the great Nation of the United States in order to find more markets for American products, in order that more American laboring men might be employed in producing those products.

We have boasted in recent years that we have become a nation of exporters. The balance of trade has been in our favor for the last 10 years. While our foreign trade has amounted to $9,000,000,000 or $10,000,000,000 a year since the war, our own balance of trade has amounted to an average of about $1,000,000,000 a year more than the imports brought in. If the theory of this tariff bill and its advocates is to be carried into effect let us abolish the merchant marine, let us abolish the American commerce department and bring home all the thousands of trained commercial men who now occupy stations throughout the world seeking markets for the American producer. I have no patience with that provincial narrow-minded bigotry which says to the people of our country and to the world "We will sell you what we have to sell, but we will not buy what you have to exchange for the things which we want to sell."

Mr. President, there was a time when it might have been said that the American farmer could depend upon the demand in other nations for a market for his surplus, without regard to tariff walls here, but that time no longer exists. Canada, Argentina, Australia, and Russia are now competing with the American farmer in the production of wheat and corn and other grain products. If we raise our tariff wall so high that those nations can not do business with us, then they will buy their wheat and corn from Argentina, from Australia, and from Canada. Already that sort of movement is under development in the British Empire, as a result of which they propose to confine their purchases to members of the British Empire so far as it may be practicable for them to do so.

We can not afford to forget that to our north Canada is our best customer. Canada buys more American-made products than any other nation in the world. We can not blame her much if she endeavors to retaliate for our laws seeking to erect a barrier between our country and Canada along a 3,000-mile stretch of border line upon which there has not been a hostile gun erected for more than 100 years.

The governments of Europe owe the United States to-day over $12,000,000,000. Private bankers and private individuals and corporations in the United States have loaned to private enterprises in Europe more than $14,000,000,000. The annual interest on this amount is over $700,000,000 a year. When the American banker collects interest on an advance which he has made to a European corporation, he wants that interest paid in dollars and not in francs or lira or in marks. When an American manufacturer ships goods to Germany he demands pay not in marks but in dollars. When an American producer ships goods to France he demands pay not in francs but in dollars. When an American producer sends a consignment of goods to Italy he does not ask to be paid in lira but in American dollars.

If the Germans and the French and the Italians who buy our American products must pay us in dollars, how can they get those American dollars with which to pay for our products unless they exchange their own goods for American dollars? How can our debtors in Europe pay the $700,000,000 a year in interest—and I am not now speaking of governments but of private enterprises—and how can they ever discharge any part of the principal of their indebtedness to us unless they have some way by which to obtain American dollars with which to do it?

Mr. President, nearly 30 years ago a great Republican, a great American, made a speech in the city of Buffalo. It was during the Buffalo Exposition. That great American was President of the United States. It was the last speech he ever made, Mr. President; it was made only a few hours before the bullet of an assassin ended his life and his usefulness; but in that speech made by William McKinley, of Ohio, from the very town from which hails the junior Senator from Ohio [Mr. McCULLOCH], who spoke on yesterday, President McKinley nearly 30 years ago made a statement which I wish to quote. No man could doubt the Republican orthodoxy of William McKinley; no man could doubt his fairness; no man could doubt his integrity or his sincerity. He was speaking just after we had fought the Spanish-American War; he was speaking when the United States had become a world power; he was speaking not as a politician, not as a provincial seeker after office or after cheap notoriety, but he was speaking as a broad-minded American statesman. He was advocating a system which would provide "a good-will exchange of commodities," and he said that such a system is—

manifestly essential to the continued and healthful growth of our export trade. We must not repose in the fancied security that we can forever sell everything and buy little or nothing.

It might be well for some of the Members of the party of which Mr. McKinley was a leading light, a great martyr and patriot and statesman, to ponder those words when they vote on this measure next Friday. Said Mr. McKinley:

We must not repose in the fancied security that we can forever sell everything and buy little or nothing.

Mr. President, I have here numerous statements issued by American business men, without regard to party, protesting against the enactment of the pending tariff bill. They are not speaking as Democrats or as Republicans, but as American business men. I have here an extended statement issued by Mr. Alfred P. Sloan, jr., head of General Motors. My understanding is that Mr. Sloan is a Republican, I do not know; I hesitate to charge him with being one without knowing; but my impression is that he is a Republican. Certainly, when he opposes the enactment of this tariff measure he is doing it in the interest of American business. Let us admit that he is interested in the automobile business. What is there about the automobile business that carries with it any odium which deprives it of the right to be considered? The American railroad business, the American automobile business, and the American steel business are the three great barometers of prosperity in the United States. The automobile business, and those who speak for it, have the right to be heard and to be considered. Not only will the enactment of this tariff measure make it impossible for the American automobile manufacturer to ship his commodity abroad in the same volume as heretofore but these men state unequivocally that it will have the same effect on other kinds of business similarly situated. I ask unanimous consent at this point to insert in the RECORD the statement of Mr. Sloan with reference to the tariff bill.

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

The statement is as follows:

[From the Washington Daily News, Washington, D. C., Monday, May 26, 1930]

TARIFF MEANS LESS BUSINESS, FEWER JOBS, SAYS SLOAN—CORPORATION HEAD URGES BILL'S DEFEAT—INDUSTRIALIST SEES PROSPERITY RETARDED AND UNEMPLOYMENT INCREASED IF HAWLEY-SMOOT MEASURE BECOMES LAW; ANALYZES WORLD ECONOMIC SITUATION IN INTERVIEW WITH SIMMS

By William Philip Simms

NEW YORK.—Alfred P. Sloan, jr., president of General Motors, assailed the Hawley-Smoot tariff bill in unqualified terms to-day in an interview with the Scripps-Howard newspapers.

The head of one of the greatest business organizations in the world emphatically declared that the pending measure, if it becomes law, will hurt, not help, industry; impede, not restore, prosperity; and increase, instead of decrease, unemployment.

"I feel very strongly about this matter," said Sloan. "I am absolutely opposed to the provisions of the bill, for I am convinced that it is a revision in the wrong direction.

"In my opinion," he went on, "such a tariff will retard the return of prosperity and handicap the United States in its commercial development.

"In saying this, I am not thinking of any particular industry or any particular section of the country. I am viewing it from the broad standpoint of the welfare of the country at large. After all, General Motors products are sold right here in America, so far as the vast bulk of them are concerned, and the prosperity of the Nation as a whole is naturally of vital importance to us.

OVERSEAS MARKETS ESSENTIAL

"We must recognize and accept the fact, however, that the position of the United States, from an economic standpoint, has changed tremendously during the past 25 years, and policies, no matter how successful they may be, must be modified from time to time to conform with changed conditions.

"What I mean is this:

"The increase in our productive capacity in this country, both from the standpoint of total output as well as from the standpoint of production per man-hour, has increased our ability to produce over our ability to sell. And there will be still further increase. Thus the necessity for developing overseas markets for our products becomes absolutely vital not only to our further progress but even to maintain our present economic position.

CITES RESENTMENT ABROAD

"It is impossible to sell unless, directly or indirectly, we buy.

"On top of all this we have become a creditor nation. Foreigners owe us tens of billions of dollars, which eventually must be paid back. This makes our position, from the standpoint of exchange, still more difficult, because it increases our credit balances abroad which, in turn, can only be paid for, either directly or indirectly, in merchandise, commodities, or services of some kind or other.

"There is no denying the fact that the discussion surrounding the development of the proposed tariff measure has caused deep resentment. Definite retaliatory measures in certain countries have already been noted. More of this is bound to come.

"We must not forget that these foreign countries are our customers and on their good will we must depend for the absorption of our constantly increasing production.

"General Motors' business overseas, for instance, is bound to be adversely affected. In fact, it already has been.

"The President's investigation into recent economic changes revealed that for some years past the trend in this country has been for the number of workers to increase faster than the number of jobs. That trend, I am convinced, will continue for some time to come. The best possible remedy that I can suggest is to do everything we can to develop foreign markets, instead of reduce them, and so make possible additional employment for American labor.

"I believe that the enactment of the present bill will not only decrease, but will increase unemployment, and that it will retard the development of our overseas markets which have become vital to us.

"Furthermore, it will have a tendency to force our large corporations to employ more and more capital abroad in order to maintain their growth and development which is absolutely essential to the maintenance of their competitive positions not only at home but particularly in overseas trade.

"The tendency will be to make us more and more the world's banker while the rest of the nations become its workshop, to the great disadvantage of our American workers.

"If foreign nations retaliate and raise tariff walls against our products, American industry must either reconcile itself to the total loss of its foreign trade or establish branch factories abroad.

"On the other hand," the chief of General Motors concluded, "if the bill is not approved, it would surely result in favorable reaction throughout the world.

"It would broaden our opportunities. It would stimulate our exports and encourage those who are carrying our commercial flag overseas. And their success means a very great deal to the rest of us here at home."

General Motors is one of the biggest employers of labor in the world. The name covers the producers of more than half a dozen makes of the best-known automobiles in the country. But in addition to that it manufactures refrigeration machines, radios, air-cooling devices, paints, and many other products.

Mr. BARKLEY. In the New York Times of May 21 there appeared an article by Mr. Isaac F. Marcosson, a well-known political and economic writer, in which he said that the tariff program now under consideration was "an economic suicide pact," and urged that it be rejected. No man can claim that Mr. Marcosson is a partisan on this subject; he is a calm dispassionate temperate American writer, a world-wide traveler, an observer of long experience and intimate knowledge of the economic and political welfare of all nations. In an impartial and dispassionate résumé of the effect of the pending tariff bill he denounced it as stupid. I ask unanimous consent to insert in the RECORD at this stage in my remarks the article expressing Mr. Marcosson's views.

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

The article referred to is as follows:

[From the New York Times of May 21, 1930]

MARCOSSON CALLS OUR TARIFF STUPID—PROGRAM IS "ECONOMIC SUICIDE PACT," WRITER ASSERTS AT CUBAN LUNCHEON HERE—EXPRESSES HOPE FOR VETO—SAYS PRESTIGE IN SOUTH AMERICA DEPENDS ON CUBA'S ATTITUDE—ENVOY MAKES APPEAL

This country's tariff policy was characterized as "utterly stupid and economically shortsighted" by Isaac F. Marcosson, writer on economic subjects, who addressed a luncheon of the Cuban Chamber of Commerce of the United States yesterday at the Bankers Club. The luncheon commemorated the twenty-eighth anniversary of Cuban independence.

"If the tariff program as projected is carried through," Mr. Marcosson asserted, "it means that we will be entering into a pact of economic suicide. The thing lying at the base of Briand's Pan-European scheme, which is even now crystallizing, is a great economic federation of the world aimed at us."

He said he had faith in President Hoover and that every friend of the President was "hoping that he will have the courage to veto the tariff bill." He called attention to the fact that tariffs can be made by both sides and cited as an instance the French motor tariff which, if not adjusted, will make the sale of American cars in France impossible, he declared.

Referring to Cuba's anniversary, he said that "if the same type of corn-fed statesmanship, shot through with a dash of beet sugar, that we find in Congress now, had been in power in 1902, I doubt if Cuban

independence could have gotten through the customs gates, but, luckily, there was no tariff on independence then."

He asserted that American prestige in South and Central America depends on our attitude toward Cuba and her attitude toward us. He concluded with a eulogy of the patriotic vision and character of President Machado and said he had faith that these, with the integrity and patriotism of the people, would see Cuba through this crisis.

Angusto Merchan, consul general of Cuba, traced his country's progress in 28 years. He pictured Cuba's economic difficulties, because the United States, which 10 years ago bought Cuban sugar, is endeavoring to become a great sugar producer herself. He told of her efforts at transition from being a producer of only two crops, sugar and tobacco, to being an economically self-supporting country. Cuban imports from the United States last year were $128,000,000, he said, as compared with $200,000,000 in 1924, an average year, and $515,000,000 in 1920, a record year.

He urged the chamber to continue its work for better economic understanding. Mr. Merchan said that the bonds between the two countries were becoming looser every day and urged that "it is not enough to be good friends politically, we must pave the way to becoming friends again economically and not rivals."

The complete elimination of tariff barriers is one of the objects for which the chamber is working, said Carlos Garcia, president of the organization and chairman of the luncheon.

Mr. BARKLEY. Mr. President, I have here some letters which I have recently received, one with reference to the situation in Switzerland. Switzerland is a small republic, and yet we sell to Switzerland every year, on the average, about $37,000,000 worth of American products, while we buy altogether from Switzerland, including watches, laces, handkerchiefs, and other articles, about $24,000,000, making a balance of trade in our favor of $13,000,000 a year. The conference report in the tariff rates provided on watches and laces and handkerchiefs will almost put an embargo on Swiss imports of the character mentioned. The provisions of the conference report with respect to watches are somewhat better than those of the House bill, and are considerably better than those originally brought to the Senate in the first report, but the duties ought to have been further reduced.

I have various newspaper articles from Switzerland, which I can not read but I take it for granted they are properly translated, in which it is stated that the people of Switzerland are setting in motion an organized effort to boycott American products; they are preparing to boycott $37,000,000 worth of American products which we are going to deny ourselves the right to sell to Switzerland in order that we may keep out $24,000,000 worth of products which Switzerland sends to us.

The same thing is occurring in France, Belgium, Spain, Italy, Australia, Canada, and other nations which have been our profitable customers in the past.

Therefore, Mr. President, I am unable to support this bill, because, in the first place, it will give no additional American laboring man employment for a single hour; but, in my honest belief, it will result in throwing other thousands of them out of work.

I am against this bill because it will afford no substantial benefit to the American farmer; but, on the contrary, it will add millions of dollars to the burdens which he already bears. The only possibility of aiding the American farmer who produces the great staple crops to which I have referred would be by the inclusion of the debenture in this tariff bill. That has been eliminated, and when it was eliminated there was removed all possibility of any real relief to the American farmer.

I am against this bill, Mr. President, because the flexible provisions, while, in my judgment, somewhat improved over that contained in the report brought in at first, is wrong in principle, because it takes away from the representatives of the American people the power to legislate taxes upon their backs. It proposes to give to the Tariff Commission not simply the right to investigate and report to the President, as the law now provides, and to authorize him, within his own discretion, to fix an increase or a decrease up to 50 per cent; but the provision now in the bill authorizes the Tariff Commission to say what rates shall be invoked, either by way of decrease or increase, and when the report of the Tariff Commission has been received by the President he can not dot an "i" nor cross a "t"; he must either say "yes" or "no" to it. If the Tariff Commission recommends a 50 per cent increase, the President can not make it 40 per cent or 30 per cent or 25 per cent, as Mr. Coolidge did on one or two occasions, when, instead of putting into effect the entire 50 per cent increase, he put into effect a lower increase.

I am against this bill because, Mr. President, it will cripple the American merchant marine, the American Department of Commerce, and the American foreign trade which we have been 50 years in building up, and, in addition to that, it will create against us prejudice and feeling and hatred which ought not to be engendered among the nations of the world.

I hope on next Friday when the roll shall be called that this bill will be defeated. Whether it will be defeated or not I can not say, but I fervently hope that it will be, for I would rather see it overwhelmingly defeated than to be able to obtain any political advantage or capital by reason of its enactment.

If it should be passed by both Houses of Congress I trust that the President of the United States will veto it. He could not do an act that would stamp him with greater courage; he could do nothing that would be more calculated to restore whatever prestige he may have lost during the last 18 months by the charge, whether just or unjust, that he has failed to display that leadership and force which the American people expect of their Chief Executive.

If I had it within my power I would want no greater honor than to be able to defeat this bill by whatever legitimate and honorable method I could employ.

I sincerely believe that the enactment of this measure will be the greatest blow that has ever been struck at labor and agriculture and commerce and industry and the prosperity of the American people as a whole. I sincerely believe that, regardless of political alignments, an overwhelming majority of the people, as well as the press and periodicals which speak for them, are opposed to its enactment. If the Congress of the United States were determined faithfully to represent them, this indefensible betrayal of their interests would never be enacted into law.

Mr. DENEEN. Mr. President, I ask unanimous consent to have printed in the RECORD two telegrams regarding the tariff bill which I have received.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

CHICAGO, ILL., *June 6, 1930.*

Hon. CHARLES S. DENEEN,

United States Senate:

The protest of George L. Berry, president Printing Pressmen's International Union, against the tariff bill does not represent the views of the United Wall Paper Crafts of North America. We are unanimous in supporting the views expressed by Matthew Woll. I would appreciate having this telegram made a part of the RECORD.

RUDOLPH HEINL,

Treasurer United Wall Paper Crafts of North America.

CHICAGO, ILL., *June 6, 1930.*

Hon. CHARLES DENEEN,

Senator State of Illinois, Senate Office Building:

Have just been informed that President Berry, of the Pressmen's Union, has stated in a letter to Congress that labor was not interested in the tariff. I want to protest most emphatically against that letter, speaking for the clay workers. We are very much interested in the tariff and are backing Matthew Woll and American Wage Earners Protective Conference to the limit.

FRANK KASTEN,

President United Brick and Clay Workers of America.

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

The PRESIDING OFFICER (Mr. COUZENS in the chair). The absence of a quorum being suggested, the clerk will call the roll.

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

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

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

Mr. REED. Mr. President, to-morrow, as soon after 12 o'clock as I may be recognized, I shall speak briefly on the tariff bill.

Mr. HEFLIN. Mr. President, I wish to announce that immediately following the Senator from Pennsylvania to-morrow I shall submit a few remarks.

Mr. BARKLEY. Mr. President, I should like to have read from the desk an article appearing in the Washington Daily News of to-day, entitled "For Anyone—Including Mr. Hoover—Who Is Still Open-Minded About the Tariff."

The PRESIDING OFFICER. Without objection, that will be done.

The legislative clerk read as folows:

FOR ANYONE—INCLUDING MR. HOOVER—WHO IS STILL OPEN-MINDED ABOUT THE TARIFF

Yesterday the Wall Street brokers' wires carried the rumor that the Hawley-Smoot tariff bill would be defeated. On the strength of this mere rumor prices on the markets' leading stocks shot upward.

United States Steel advanced 4⅞; Vanadium, 10¼; General Electric, 3¾; American Tobacco, 5⅞; Electric Power & Light, 7½; International Harvester, 4⅞; American Telephone & Telegraph, 3; American & Foreign Power, 5; Allied Chemical, 8; Western Union, 4; American Can, 6; National Biscuit, 5; Eastman Kodak, 5.

To Mr. Hoover, or any other person whose mind is still open, this reaction to a mere rumor must indicate how American business and the investors in American business feel, in a dollar-and-cents way, the defeat or a veto of the pending tariff bill will affect American prosperity.

ORDER FOR RECESS

Mr. FESS. Mr. President, I ask unanimous consent that when the Senate completes its business to-day it take a recess until 12 o'clock to-morrow.

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

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following joint resolution and acts:

On June 9, 1930:

S. J. Res. 167. Joint resolution to clarify and amend an act entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes," approved March 2, 1927.

On June 10, 1930:

S. 108. An act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce;

S. 1906. An act for the appointment of an additional circuit judge for the fifth judicial circuit; and

S. 3493. An act to provide for the appointment of an additional circuit judge for the third judicial circuit.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 980) to permit the United States to be made a party defendant in certain cases, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAHAM, Mr. HICKEY, and Mr. SUMNERS of Texas were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to 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, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GRAHAM, Mr. DYER, and Mr. MONTAGUE were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla., and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 3298. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Evansville, Ind.;

S. 3386. An act giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on February 12, 1929;

S. 3466. An act to legalize the water pipe line constructed by the Searcy Water Co. under the Little Red River near the town of Searcy, Ark.;

S. 3868. An act granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River at or near Talisheek, La.;

S. 3898. An act granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith;

S. 3950. An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans;

S. 4175. An act to legalize a bridge across Duck River, on the Nashville-Centerville Road, near Centerville, in Hickman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road; and

S. J. Res. 155. Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States making nominations, which were referred to the appropriate committees.

CLAIMS AGAINST MISSISSIPPI CHOCTAWS

Mr. FESS. If no other Senator wishes to enter upon a further discussion of the conference report, I ask unanimous consent that we take up the calendar for the consideration of unobjected bills, beginning with Order of Business 833, Senate bill 2134.

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

The Senate proceeded to consider the bill (S. 2134) for the determination and payment of certain claims against the Choctaw Indians enrolled as Mississippi Choctaws, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Interior is authorized and directed—

(a) To investigate the claims of the intervening petitioners (or the personal representatives or assignees of any such intervening petitioners) in the case of Winton against Amos, brought in the Court of Claims (51 Ct. Cls. 284; 52 Ct. Cls. 90) under the acts of Congress of April 26, 1906 (34 Stat. 140), and of May 29, 1908 (35 Stat. 457), and determined on appeal by the United States Supreme Court (1921, 255 U. S. 373), in connection with any of the following matters: (1) The presentation of the claim to enrollment and citizenship in the Choctaw Nation of any Choctaw Indian enrolled as a Mississippi Choctaw under the act entitled "An act for the protection of the people of the Indian Territory, and for other purposes," approved June 28, 1898, as amended and supplemented; (2) the submission of evidence for the purpose of the identification or enrollment of any such Indian as a member of the Choctaw Nation; (3) the removal of any such Indian to the Choctaw-Chickasaw country in the Indian Territory (now the State of Oklahoma) and his maintenance therein to enable him to comply with the provisions of the act of Congress entitled "An act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other purposes," approved July 1, 1902; and (4) matters incidental to the foregoing.

(b) To make a report to Congress showing whether any of such intervenors have actually rendered service of value or incurred expenses in connection with any of the matters specified in paragraph (a), and if the Secretary finds that any of such intervenors have actually rendered services or incurred expenses he shall ascertain the amount equitably due, irrespective of whether the claimant was employed directly by any such Indian or by the authorized agent or representative of such Indian, and include in such report the amount which should be paid to such intervenors (or their personal representatives or assigns) in order to make adequate compensation for such service or expenditures.

SEC. 2. In making such investigation the Secretary of the Interior is authorized to consider (a) the evidence taken on behalf of the plaintiffs and intervening petitioners and the defendants in the case of Winton against Amos, above referred to, subject to all objections and exceptions therein noted; (b) the records of the Interior Department and of the Commission to the Five Civilized Tribes; and (c) such other evidence as the interested parties may adduce.

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 to provide for the investigation of certain claims against the Choctaw Indians enrolled as Mississippi Choctaws."

COLONIAL NATIONAL MONUMENT, VA.

The bill (S. 4617) to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes, was announced as next in order.

Mr. SWANSON. Mr. President, there is a House bill on the calendar dealing with the same subject matter, H. R. 12235. The difference between the House bill and the Senate bill lies in some amendments that were reported to the Senate bill by the Committee on Public Lands. I desire to substitute the House bill for the Senate bill, except that I desire to leave in the following provision, which was proposed to be stricken out by the Senate committee—and I am glad the Senator from Montana [Mr. WALSH] is present:

SEC. 7. In the event that lands and/or buildings, structures, etc., within the city of Williamsburg are donated to the United States and are thereafter revenue producing, the United States shall pay into the treasury of the city of Williamsburg 25 per cent of any rentals included in said revenues, and 25 per cent of the net proceeds of any commercial enterprise there conducted by the United States, such payment into the treasury of the city of Williamsburg not to exceed $20,000 in any year.

The VICE PRESIDENT. Without objection, the House bill will be substituted for the Senate bill.

The Senate proceeded to consider the bill (H. R. 12235) to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes.

Mr. SWANSON. Mr. President, what I wish to do is to substitute the text of the Senate bill for the House text, with this exception:

The Senate committee struck out section 7, which I think, as an act of justice, should be retained in the bill. There is a great deal of property down there that Mr. Rockefeller has bought and expects to donate to the Government. Some of it will be rented. In the case of Muscle Shoals we established the precedent that where the Government leased its power the State of Alabama and the State of Tennessee should get a certain percentage of the revenue derived from the sale of the power.

This is limited entirely to where the Government receives rental. The city of Williamsburg has issued $250,000 worth of bonds. All this property is now subject to taxation, and if any of it is used for the purposes of business it would simply be taxed a certain percentage. We established a precedent the other day, and I hope the Senator will consent to have that provision remain in the bill and then take the bill as reported by his committee.

Mr. WALSH of Montana. Mr. President, I am not disposed to insist upon this amendment proposed by the Senate Committee on Public Lands and Surveys. I feel, however, that perhaps it would be quite proper to advert to the reasons which actuated the committee in proposing the elimination of this section of the bill.

It is contemplated that the Government of the United States shall, by gift or otherwise, acquire certain property in the city of Williamsburg, Va. It is likewise contemplated that it may derive some revenue from that property.

The property, becoming the property of the United States, will not be subject to taxation, as it now is, and thus the city of Williamsburg will lose some revenue if the property should become the property of the United States. But it is contemplated that the Government of the United States shall spend a large amount of money there. The bill before us carries a large appropriation for works of public improvement in that locality, making this particular place a Mecca for tourists and a monument to the patriotism of the great men who figured in that historic section of the State of Virginia and the country. So that the city of Williamsburg undoubtedly will derive no little financial advantage from the project which the bill contemplates shall be carried out. It would suffer no loss whatever, in my judgment, if the entire avails of this property were passed to the Government of the United States without any deduction whatever on account of the loss of taxes ensuing by reason of the transfer of the property to the Government.

The bill went to the Committee on Public Lands and Surveys, which is composed very largely of Senators from Western States, where it is not an uncommon thing at all for the Government to own great areas, indeed, vast areas, which contribute nothing whatever to the support of the local governments. It is true that in some instances some revenue is derived from those lands. Take the forestry lands, for instance, where a portion of the revenue is set aside for the development of roads in the forests themselves intended for the protection of the forests. The Senators from the West, for the reasons I have already stated, were not deeply impressed with the idea that the city of Williamsburg ought to get a revenue from this property, or a portion of the revenue issuing from it.

However, in view of the patriotic purpose of the whole project, I think I speak the views of the committee that they probably will not care to insist upon this particular amendment; at least, I shall make no fight upon it. But I felt that the circumstances which actuated the committee ought to be set out.

Let me suggest to the Senator from Virginia that the House bill be considered, and that the amendments proposed by the Senate committee to the Senate bill be proposed now to the House bill. Thus the matter will go to conference, not in the shape of a bill with everything except the enacting clause stricken out and a new bill inserted, but it will be simply the House bill with the proposed amendments.

Mr. SWANSON. I think that is a good suggestion. The bills are similar. Companion bills were introduced in the Senate and the House.

The VICE PRESIDENT. The first amendment will be reported.

The first amendment was, on page 2, line 3, before the word "areas," to strike out the word "suitable"; after the word "areas" to insert the words "for highways"; on line 6, after the word "Monument" and the comma, to insert the words "not to exceed 2,000 acres of the said battle field or 500 feet in width as to such connecting areas"; on page 3, line 10, to strike out the words "except such lands as may be required for a right of way not exceeding 200 feet in width through the city of Williamsburg to connect with highways or parkways leading from Williamsburg to Jamestown and to Yorktown"; on line 17, after the word "sums," to insert the words "not exceeding $500,000," so as to make the bill read:

Be it enacted, etc., That upon proclamation of the President, as herein provided, sufficient of the areas hereinafter specified for the purposes of this act shall be established and set apart as the Colonial National Monument for the preservation of the historical structures and remains thereon and for the benefit and enjoyment of the people.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to make an examination of Jamestown Island, parts of the city of Williamsburg, and the Yorktown Battle Field, all in the State of Virginia, and areas for highways to connect said island, city, and battle field with a view to determining the area or areas thereof desirable for inclusion in the said Colonial National Monument, not to exceed 2,000 acres of the said battle field or 500 feet in width as to such connecting areas, and upon completion thereof he shall make appropriate recommendations to the President, who shall establish the boundaries of said national monument by proclamation: *Provided*, That the boundaries so established may be enlarged or diminished by subsequent proclamation or proclamations of the President upon the recommendations of the Secretary of the Interior, any such enlargement only to include lands donated to the United States or purchased by the United States without resort to condemnation.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interest in land, buildings, structures, and other property within the boundaries of said monument as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the evidence of title to such lands to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1888 (U. S. C., title 40, secs. 257, 258; 25 Stat. 357), such tracts of land within the said monument as may be necessary for the completion thereof: *Provided further*, That condemnation proceedings herein provided for shall not be had, exercised, or resorted to as to lands belonging to the Association for the Preservation of Virginia Antiquities, a corporation chartered under the laws of Virginia, or to the city of Williamsburg, Va., or to any other lands in said city.

SEC. 4. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums not exceeding $500,000 as as may be necessary to carry out the provisions of this act, to be available for all expenses incident to the examination and establishment of the said Colonial National Monument and the protection and maintenance of lands and of buildings as acquired and/or constructed, as well as for the acquisition of lands needed for the completion of the monument, including the securing of options and other incidental expenses.

SEC. 5. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service (U. S. C., title 16, secs. 1–4; 39 Stat. 535), and for other purposes," as amended.

SEC. 6. That nothing in this act shall be held to deprive the State of Virginia, or any political subdivision thereof, of its civil and criminal jurisdiction in and over the areas included in said national monument, nor shall this act in any way impair or affect the rights of citizenship of any resident therein; and save and except as the consent of the State of Virginia may be hereafter given, the legislative authority of said State in and over all areas included within said national monument shall not be diminished or affected by the creation of said national

monument, nor by the terms and provisions of this act: *Provided*, That any rules and regulations authorized in section 5, and in the act therein referred to, shall not apply to any property of a public nature in the city of Williamsburg, other than property of the United States.

SEC. 7. In the event that lands and/or buildings, structures, etc., within the city of Williamsburg, are donated to the United States and are thereafter revenue-producing the United States shall pay into the treasury of the city of Williamsburg 25 per cent of any rentals included in said revenues, and 25 per cent of the net proceeds of any commercial enterprise there conducted by the United States, such payment into the treasury of the city of Williamsburg not to exceed $20,000 in any year.

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.

The VICE PRESIDENT. Senate bill 4617 will be indefinitely postponed.

KATE CANNIFF

The Senate proceeded to consider the bill (S. 39) for the relief of Kate Canniff.

The bill had been reported from the Committee on Claims with an amendment, on line 5, to strike out "$1,345" and to insert in lieu thereof "$1,075," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Kate Canniff the sum of $1,075, out of any money in the Treasury not otherwise appropriated, in full compensation for the death of her husband, James Canniff, who received injuries April 15, 1901, while in the service of the United States on the lighthouse tender *Haze*, and as a result of which he died on October 20, 1909.

Mr. WALSH of Montana. Mr. President, I trust the amendment proposed by the committee will not be agreed to. This bill has been passed in the form in which it is presented to the Senate on various occasions, and an identical bill has just passed the House. I am hoping that when that bill comes over to the Senate we shall be able to get consideration of it upon the basis of the fact that a similar bill has passed the Senate.

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

The amendment was rejected.

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

LIEUT. COL. TIMOTHY J. POWERS

The Senate proceeded to consider the bill (S. 325) for the relief of former Lieut. Col. Timothy J. Powers, which had been reported from the Committee on Claims with an amendment, on page 1, line 9, to strike out "31" and to insert "18," so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of former Lieut. Col. Timothy J. Powers, Inspector General's Department, National Guard, with the sum of $208.33, the sum paid him for services as United States property and disbursing officer in Texas from December 19, 1924, to January 18, 1925.

The amendment was agreed to.

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

RUBAN W. RILEY

The Senate proceeded to consider the bill (H. R. 3764) for the relief of Ruban W. Riley, which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and to insert the following:

That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Ruban W. Riley, who lost the sight of his right eye as a result of a fall from a cliff while in the performance of his duties as United States surveyor.

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.

GRADING AND CLASSIFICATION OF CLERKS IN THE FOREIGN SERVICE

Mr. BORAH. Mr. President, I report favorably from the Committee on Foreign Relations, House bill 9110, for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, with an amendment. I call the attention of the senior Senator from New Hampshire [Mr. MOSES] to the bill.

Mr. MOSES. Mr. President, under ordinary circumstances this bill should go to the calendar. The amendment which the committee has adopted unanimously, however is the bill for the reform of the Foreign Service which was passed by the Senate unanimously in the last Congress, but which failed of passage in the House of Representatives. The House has now passed a bill reclassifying the clerks in the Foreign Service, and upon consultation with those who are interested in the measure I am informed that if we can have the speedy adoption of the amendment which the committee has proposed we can send the bill at once to conference and probably get action upon it even though so few days remain during the rest of this session. I therefore ask unanimous consent that the bill may be considered at the present time.

Mr. McKELLAR. Mr. President, I have no objection; but I want to ask the Senator whether it raises the salaries of the clerks?

Mr. MOSES. The clerks' salaries are raised, but the amendment which is carried does not increase any salaries.

The Senate proceeded to consider the bill.

The VICE PRESIDENT. The amendment will be stated.

The amendment was, on page 3, at the end of the bill, to add a new section, to be known as section 7, so as to make the bill read:

Be it enacted, etc., That the clerks in the Foreign Service of the United States of America shall be graded and classified as follows, and shall receive, within the limitation of such appropriations as the Congress may make, the basic compensations specified:

Senior clerks. Class 1, $4,000; class 2, $3,750; class 3, $3,500; class 4, $3,250; class 5, $3,000.

Junior clerks. Class 1, $2,750; class 2, $2,500; class 3, all clerks whose compensation as fixed by the Secretary of State is less than $2,500 per annum.

SEC. 2. Appointments to the grade of senior clerk and advancement from class to class in that grade shall hereafter be by promotion for efficient service, and no one shall be promoted to the grade of senior clerk who is not an American citizen and has not served as a clerk in a diplomatic mission or a consulate, or both, or as a clerk in the Department of State for at least five years.

SEC. 3. That the Secretary of State is hereby authorized, at posts where in his judgment it is required by the public interests for the purpose of meeting the unusual or excessive costs of living ascertained by him to exist, to grant compensation to clerks assigned there in addition to the basic rates herein specified, within such appropriations as Congress may make for such purpose: *Provided, however*, That all such additional compensation with the reasons therefor shall be reported to Congress with the annual Budget.

SEC. 4. No clerk who is not an American citizen shall hereafter be appointed to serve in a diplomatic mission.

SEC. 5. The President is hereby authorized to prescribe regulations for the administration of the foregoing provisions.

SEC. 6. Section 5 of the act of April 5, 1906, entitled "An act to provide for the reorganization of the Consular Service" (U. S. C., p. 646, sec. 57), is hereby repealed.

SEC. 7. That the act (Public, No. 135, 68th Cong.) approved May 24, 1924, entitled "An act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes," be, and the same is hereby, amended to read as follows:

"SEC. 8. That hereafter the Diplomatic and Consular Service of the United States shall be known as the Foreign Service of the United States.

"SEC. 9. That the official designation 'Foreign Service officer,' as employed throughout this act, shall be deemed to denote permanent officers in the Foreign Service below the grade of minister, all of whom are subject to promotion on merit and who may be appointed to either diplomatic or consular positions or assigned to serve in the Department of State subject to section 14 of this act, at the discretion of the President.

"SEC. 10. That the officers in the Foreign Service shall hereafter be graded and classified as follows with the salaries of each class herein affixed thereto, but not exceeding in number for each class a proportion of the total number of officers in the service represented in the following percentage limitations:

"Ambassadors and ministers as now or hereafter provided; Foreign Service officers as follows: Class I (13 per cent), $8,000 to $9,000; Class II (17 per cent), $6,000 to $8,000; Class III (24 per cent), $4,500 to $6,000; Class IV, $3,500 to $4,500; unclassified, $2,500 to $3,500: *Provided, however*, That as many Foreign Service officers above Class III as may be required for the purpose of inspection may be detailed by the Secretary of State for that purpose.

"On the date this act takes effect officers shall be reclassified as follows:

"Officers in Classes I and II, as officers in Class I; officers in Classes III and IV, as officers in Class II; officers in Classes V and VI, as officers in Class III; officers in Classes VII and VIII, as officers in Class IV; and officers in Class IX, as unclassified officers; but no officer shall receive less salary through such classification than he is now receiving nor shall he receive any increase of salary through such

classification except such periodic increase as may accrue to him under section 25 of this act.

"SEC. 11. That Foreign Service officers may be commissioned as diplomatic or consular officers or both: *Provided,* That any officer who entered the Foreign Service subsequent to July 1, 1924, shall serve five years as a consular officer before promotion to Class I except that he may be excused from not more than two years of such service if, in the opinion of the Secretary of State on the recommendation of the Assistant Secretary in charge of the Foreign Service, the completion of such term of five years as consul will not be in the interest of the Government: *Provided further,* That all such appointments shall be made by and with the advice and consent of the Senate: *And provided further,* That all official acts of such officers while serving under diplomatic or consular commissions in the Foreign Service shall be performed under their respective commissions as secretaries or as consular officers.

"SEC. 12. That hereafter appointments to the position of Foreign Service officer shall be made after examination and a suitable period of probation or after 5 years of continuous service in an executive or quasi executive position in the Department of State, by transfer therefrom under such rules and regulations as the President may prescribe, or after 10 years of satisfactory service as clerk in a mission or consulate: *Provided,* That no candidate shall be eligible for examination for Foreign Service officer who is not an American citizen and who shall not have been such at least 15 years: *Provided further,* That reinstatement of Foreign Service officers separated from the classified service by reason of appointment to some other position in the Government service may be made by Executive order of the President under such rules and regulations as he may prescribe. Except that the number of such officers reinstated shall not affect the number of the percentage of the class provided in section 10.

"All appointments of Foreign Service officers shall be by commission to a class and not by commission to a particular post, and such officers shall be assigned to posts and may be transferred from one post to another by order of the President as the interests of the service may require: *Provided,* That the classification of secretaries in the Diplomatic Service and of consular officers is hereby abolished without, however, in any wise impairing the validity of the present commissions of secretaries and consular officers.

"SEC. 13. That section 5 of the act of February 5, 1915 (Public, No. 242), is hereby repealed.

"SEC. 14. That the Secretary of State is directed to report from time to time to the President, along with his recommendations, the names of those Foreign Service officers who by reason of efficient service have demonstrated special capacity for promotion to the grade of minister and the names of those Foreign Service officers and employees and officers and employees in the Department of State and clerks at missions and consulates who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon taking the prescribed examination to have fitness for appointment to the service.

"That the grade of consular assistant is hereby abolished.

"SEC. 15. That sections 1697 and 1698 of the Revised Statutes are hereby repealed.

"SEC. 16. Every secretary, consul general, consul, vice consul of career, or Foreign Service officer, before he receives his commission or enters upon the duties of his office, shall give to the United States a bond, in such form as the President shall prescribe, with such sureties, who shall be permanent residents of the United States, as the Secretary of State shall approve, in a penal sum not less than the annual compensation allowed to such officer, conditioned for the true and faithful accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property which shall come to his hands or to the hands of any other person to his use as such officer under any law now or hereafter enacted, and for the true and faithful performance of all other duties now or hereafter lawfully imposed upon him as such officer: *Provided,* That the operation of no existing bond shall in any wise be impaired by the provisions of this act: *Provided further,* That such bond shall cover by its stipulations all official acts of such officer, whether commissioned as diplomatic or consular officer. The bonds herein mentioned shall be deposited with the Secretary of the Treasury.

"SEC. 17. That the provisions of section 4 of the act of April 5, 1906, relative to the powers, duties, and prerogatives of consuls general at large are hereby made applicable to the Foreign Service officers detailed for the purpose of inspection, who shall, under the direction of the Secretary of State, inspect in a substantially uniform manner the work of diplomatic and consular offices.

"SEC. 18. That the provisions of sections 8 and 10 of the act of April 5, 1906, relative to official fees and the method of accounting therefor shall apply to diplomatic officers below the grade of minister and consular officers.

"SEC. 19. That the President is hereby authorized to grant to diplomatic and consular officers representation allowances and rent or post allowances wherever the cost of living may be proportionately so high that, in the opinion of the Secretary of State, such allowances are necessary to enable such diplomatic or consular officers to carry on their work efficiently, out of any money which may be appropriated for such purpose from time to time by Congress, the expenditure of such representation allowances or rent allowances to be accounted for in detail to the Department of State quarterly under such rules and regulations as the President may prescribe, and by the Secretary to be reported annually to Congress.

"SEC. 20. Appropriations are authorized for the salary of a private secretary to each ambassador who shall be appointed by the ambassador and hold office at his pleasure.

"SEC. 21. That any Foreign Service officer may be assigned for duty in the Department of State without loss of class or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year. Any Foreign Service officer of whatever class detailed for special duty not at his post or in the Department of State shall be paid his actual and necessary expenses for travel and not exceeding an average of $8 per day for subsistence during such special detail: *Provided,* That such special duty shall not continue for more than 60 days, unless in the case of trade conferences or international gatherings, congresses, or conferences, when such subsistence expenses shall run only during the period thereof and the necessary period of transit to and from the place of gathering: *Provided further,* That the Secretary of State is authorized to prescribe a per diem allowance not exceeding $6, in lieu of subsistence, for Foreign Service officers on special duty or Foreign Service inspectors.

"SEC. 22. That the Secretary of State is authorized, whenever he deems it to be in the public interest, to order to the United States on his statutory leave of absence any Foreign Service officer or vice consul of career who has performed three years or more of continuous service abroad: *Provided,* That the expenses of transportation and subsistence of such officers and their immediate families, in traveling from their posts to their homes in the United States and return, shall be paid under the same rules and regulations applicable in the case of officers going to and returning from their posts under orders of the Secretary of State when not on leave: *And provided further,* That while in the United States the services of such officers shall be available for trade-conference work or for such duties in the Department of State as the Secretary of State may prescribe, but the time of such work or duties shall not be counted as leave.

"Leave with pay shall be of two kinds. (1) Leave as granted together with an additional allowance of a reasonable transit time between the officer's post and his residence in the United States, and (2) simple leave without such allowance.

"Simple leave with pay may be taken annually, if no other leave is taken in that year, for not more than 30 days in any one year, except, in the discretion of the President, in the case of illness of an officer or other exceptional circumstances.

"Simple leave not taken when due may be accumulated and taken not to exceed 60 days in any one year, but leave with transit time allowance may not be accumulated with simple leave and the whole taken as simple leave.

"Leave with pay with a transit time allowance may be taken biennially, if no other leave is taken in that year, for not more than 60 days in any one year, except, in the discretion of the Secretary of State, in the case of (1) officers at remote posts, and (2) illness of an officer or other exceptional circumstances.

"Leave with transit time allowance not taken when due may be accumulated separately, when it may be taken not to exceed 120 days in the fourth calendar year, or it may be accumulated, together with simple leave, and the two taken together as leave with transit time allowance not to exceed 120 days in the third calendar year, after two years without any leave of either sort, or not to exceed 180 days in the fourth calendar year, after three years without any leave of either sort.

"No Foreign Service officer shall be absent from his post with pay for more than 48 hours without permission, except as provided herein.

"All rules and regulations governing the leaves of Foreign Service officers shall be uniform.

"Section 1742 of the Revised Statutes is hereby repealed.

"SEC. 23. That the part of the act of July 1, 1916 (Public, No. 131), which authorizes the President to designate and assign any secretary of Class I as counselor of embassy or legation, is hereby amended to read as follows:

"'*Provided,* That the President may, whenever he considers it advisable so to do, designate and assign any Foreign Service officer as counselor of embassy or legation.'

"SEC. 24. That within the discretion of the President, any Foreign Service officer may be assigned to act as commissioner, chargé d'affaires, minister resident, or diplomatic agent for such period as the public interests may require without loss of grade, class, or salary: *Provided, however,* That no such officer shall receive more than one salary.

"SEC. 25. That for such times as any Foreign Service officer shall be lawfully authorized to act as chargé d'affaires ad interim or to assume charge of a consulate general or consulate during the absence of the

principal officer at the post to which he shall have been assigned, he shall, if his salary is less than one-half that of such principal officer, receive in addition to his salary as Foreign Service officer compensation equal to the difference between such salary and one-half of the salary provided by law for the ambassador, minister, or principal consular officer, as the case may be.

"SEC. 26. The President is authorized to prescribe rules and regulations for the establishment of a Foreign Service retirement and disability system to be administered under the direction of the Secretary of State and in accordance with the following principles, to wit:

"(a) The Secretary of State shall submit annually a comparative report showing all receipts and disbursements on account of refunds, allowances, and annuities, together with the total number of persons receiving annuities and the amounts paid them, and shall submit annually estimates of appropriations necessary to continue this section in full force and such appropriations are hereby authorized: *Provided,* That in no event shall the aggregate total appropriations exceed the aggregate total of the contributions of the Foreign Service officers theretofore made, and accumulated interest thereon.

"(b) There is hereby created a special fund to be known as the Foreign Service retirement and disability fund.

"(c) Five per cent of the basic salary of all Foreign Service officers eligible to retirement shall be contributed to the Foreign Service retirement and disability fund, and the Secretary of the Treasury is directed on the date on which this act takes effect to cause such deductions to be made and the sums transferred on the books of the Treasury Department to the credit of the Foreign Service retirement and disability fund for the payment of annuities, refunds, and allowances: *Provided,* That all basic salaries in excess of $9,000 per annum shall be treated as $9,000.

"(d) When any Foreign Service officer has reached the age of 65 years and rendered at least 15 years of service he shall be retired: *Provided,* That the President may in his discretion retain any such officer on active duty for such period not exceeding five years as he may deem for the interests of the United States: *Provided further,* That if any such officer before reaching the age of 65 years shall have served 30 years he may be retired at his own request.

"(e) Annuities shall be paid to retired Foreign Service officers under the following classification, based upon length of service and at the following percentages of the average annual basic salary for the 10 years next preceding the date of retirement: Class A, 30 years or more, 60 per cent; Class B, from 27 to 30 years, 54 per cent; Class C, from 24 to 27 years, 48 per cent; Class D, from 21 to 24 years, 42 per cent; Class E, from 18 to 21 years, 36 per cent; Class F, from 15 to 18 years, 30 per cent.

"(f) Those officers who retire before having contributed for each year of service shall have withheld from their annuities to the credit of the Foreign Service retirement and disability fund such proportion of 5 per cent as the number of years in which they did not contribute bears to the total length of service.

"(g) The Secretary of the Treasury is directed to invest from time to time in interest-bearing securities of the United States such portions of the Foreign Service retirement and disability fund as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances, and the income derived from such investments shall constitute a part of said fund.

"(h) None of the moneys mentioned in this section shall be assignable either in law or equity, or be subject to execution, levy or attachment, garnishment, or other legal process.

"(i) In case an annuitant dies without having received in annuities an amount equal to the total amount of his contributions from salary with interest thereon at 4 per cent per annum compounded annually up to the time of his death, the excess of said accumulated contributions over the said annuity payments shall be paid to his or her legal representatives; and in case a Foreign Service officer shall die without having reached the retirement age the total amount of his contribution with accrued interest shall be paid to his legal representatives.

"(j) That any Foreign Service officer who, before reaching the age of retirement becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the President, be retired on an annuity under paragraph (e) of this section: *Provided, however,* That in each case such disability shall be determined by the report of a duly qualified physician or surgeon designated by the Secretary of State to conduct the examination: *Provided further,* That unless the disability be permanent, a like examination shall be made annually in order to determine the degree of disability, and the payment of annuity shall cease from the date of the medical examination showing recovery.

"Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Foreign Service retirement and disability fund.

"When the annuity is discontinued under this provision before the annuitant has received a sum equal to the total amount of his contributions, with accrued interest, the difference shall be paid to him or to his legal representatives.

"(k) The President is authorized from time to time to establish, by Executive order, a list of places which by reason of climatic or other extreme conditions are to be classed as unhealthful posts, and each year of duty subsequent to January 1, 1900, at such posts, while so classed, inclusive of regular leaves of absence, shall be counted as one year and a half, and so on in like proportion in reckoning the length of service for the purpose of retirement.

"(l) Whenever a Foreign Service officer becomes separated from the service except for disability before reaching the age of retirement the total amount of contribution from his salary with interest shall be returned to him.

"(m) The Secretary of State is authorized to expend from surplus money to the credit of the Foreign Service retirement and disability fund an amount not exceeding $5,000 for the expenses necessary in carrying out the provisions of this section, including actuarial advice.

"(n) Any diplomatic secretary or consular officer who has been or any Foreign Service officer who may hereafter be promoted from the classified service to the grade of ambassador or minister, or appointed to a position in the Department of State, shall be entitled to all the benefits of this section in the same manner and under the same conditions as Foreign Service officers: *Provided,* That any officer now included under the act of May 24, 1924, and the amendment thereto of July 3, 1926, shall be entitled to the benefits of this section.

"(o) For the purposes of this act the period of service shall be computed from the date of original oath of office as diplomatic secretary, consul general, consul, vice consul, deputy consul, consular assistant, consular agent, commercial agent, interpreter, or student interpreter, and shall include periods of service at different times as either a diplomatic or consular officer, or while on assignment to the Department of State, or on special duty or service in another department or establishment of the Government, but all periods of separation from the service and so much of any period of leave of absence without pay as may exceed six months shall be excluded: *Provided,* That service in the Department of State or as clerk in a mission or consulate prior to appointment as a Foreign Service officer may be included in the period of service, in which case the officer shall pay into the Foreign Service retirement and disability fund a special contribution equal to 5 per cent of his annual salary for each year of such employment, with interest thereon to date of payment compounded annually at 4 per cent.

"SEC. 27. In the event of public emergency any retired Foreign Service officer may be recalled temporarily to active service by the President, and while so serving he shall be entitled in lieu of his retirement allowance to the full pay of the class in which he is temporarily serving.

"SEC. 28. That all provisions of law heretofore enacted relating to diplomatic secretaries and to consular officers which are not inconsistent with the provisions of this act, are hereby made applicable to Foreign Service officers when they are designated for service as diplomatic or consular officers, and that all acts or parts of acts inconsistent with this act are hereby repealed.

"SEC. 29. That the appropriation contained in Title I of the act entitled 'An act making appropriations for the Departments of State and Justice and for the judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1930, and for other purposes,' for such compensation and expenses as are affected by the provisions of this act are made available and may be applied toward the payment of the compensation and expenses herein provided for, except that no part of such appropriations shall be available for the payment of annuities to retired Foreign Service officers: *Provided,* That thereafter all estimates and requests for apropriations for the Foreign Service and appropriations therefor shall be made for Foreign Service establishments in countries or geographical or political areas, but upon necessity therefor arising sums appropriated may be transferred from establishment to establishment within the country or geographical or political area for which appropriated.

"SEC. 30. That there is hereby established in the Department of State a bureau of personnel to be under the supervision of an additional Assistant Secretary of State, to be appointed by the President by and with the advice and consent of the Senate, who shall not be when appointed or for two years prior thereto a Foreign Service officer. The salary of such Assistant Secretary of State, as well as that of the Undersecretary of State, the four Assistant Secretaries of State, and the legal adviser of the Department of State, who shall rank with but after the Assistant Secretaries of State, shall be at the rate of $10,000 per annum.

"SEC. 31. (a) That the Secretary of State is authorized (1) in accordance with the civil service laws to appoint, and, in accordance with the classification act of 1923, and later amendments thereto, to fix the compensation of, such officers and employees in the bureau of personnel as may be necessary for the administration of this act, or (2) to assign to the bureau of personnel from other bureaus or divisions in the Department of State such officers and employees as he deems advisable: *Provided,* That no person in an executive position in the bureau shall be of lower classification than grade 5—senior profes-

sion of grade 12—chief administrative, or in corresponding grades of later acts or amendments. No officer in the Foreign Service of the United States shall be appointed or assigned to the bureau of personnel nor shall any person be appointed or assigned thereto within two years following service as a Foreign Service officer, nor shall service in the bureau of personnel be accounted service in the Department of State for the purposes of appointment to the position of Foreign Service officer, or as service in some other position in the Government for reinstatement in the Foreign Service, as provided in section 5 of this act.

"(b) The Secretary of State is authorized to make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, and for law books, books of reference, and periodicals) as may be necessary for the administration of this act.

"(c) There shall be a board of selection for Foreign Service officers composed of the Assistant Secretary, who shall be chairman; one member of the personnel office, who shall be secretary; the legal adviser; and two other competent persons to be appointed annually by the Secretary of State, not more than one of whom may be a Foreign Service officer. It shall be the duty of the board of selection to recommend promotions in the Foreign Service and to furnish to the Secretary of State a list of Foreign Service officers of Class I who have demonstrated special capacity for promotion to the grade of minister. To perform the duties hereinbefore set forth, the board of selection shall be convened not later than December 1 of each year.

"SEC. 32. The bureau of personnel shall assemble and be the custodian of all information in regard to the character, ability, efficiency, experience, and general availability of Foreign Service officers. The Assistant Secretary of State supervising the personnel bureau shall be solely responsible for the accuracy and impartiality of the efficiency records of Foreign Service officers. Such records shall be kept so that no alterations, erasures, withdrawals, or additions can be made without being apparent. No unfavorable entry shall be made on an officer's record except together with the officer's reply thereto and the conclusion thereon of the Assistant Secretary supervising the personnel bureau. Not later than November 1 of each year the personnel office shall, under the supervision of the Assistant Secretary of State, prepare a list in which all Foreign Service officers shall be graded in accordance with their relative efficiency and value to the service and in which list shall be shown the names of those officers who are recommended for promotion. In this list officers shall be graded as excellent, high average, average, or poor, with such further subclassification as the Assistant Secretary shall find necessary: *Provided*, That this list shall not become effective in so far as it effects promotion until it has been considered by and has the approval of the board of selection hereinbefore provided for: *Provided further*, That this list shall not be changed within a year after it has been prepared in so far as it effects promotion except for unusual cause. From this list of all Foreign Service officers, in the order of their ascertained merit within classes, recommendations for promotion shall be made. Recommendations shall also be made, in order of merit, for the unclassified grade as vice consuls, of candidates who have successfully passed the examinations. All such recommendations shall be submitted to the Secretary of State, who shall transmit them to the President for submission to the Senate, if he see fit.

"The correspondence and records of the bureau of personnel shall be confidential except to the President, the Secretary of State, the Assistant Secretary of State supervising the bureau, such of its employees as may be assigned to work on such correspondence and records, and the individual Foreign Service officers concerned, and except to proper administrative officers of the Department of State, concerning the abilities and capacities of officers for special work or specific posts.

"SEC. 33. That notwithstanding the provisions of section 10 of this act all Foreign Service officers who shall have been in a particular class for a continuous period of nine months or more, shall, on the first day of each fiscal year receive an increase of salary of $100, except that no officer shall receive a salary above the maximum of his class. Foreign Service officers on the date this act takes effect shall receive an increase in salary of $100 for each full year served continuously in any class, effective on the date this act takes effect, except that no officer shall receive a salary greater than the maximum salary for his class. Except under extraordinary circumstances which shall be reported to the President by the Secretary of State, no Foreign Service officer shall be promoted from one class to another until he shall have served four years in the class to which he was admitted: *Provided*, That for the purpose of determining the length of service, in any class except Class I, the class in which an officer is, on the date on which this act takes effect, and the class in which he is placed by section 3 of this act, shall be considered one and the same: *And provided further*, That promotions from class to class shall be to the minimum salary of the class.

"If after 10 years of continuous service in the unclassified grade or eight years' continuous service in any other class below Class I any officer is not recommended for promotion to the next higher class, such officer, without regard to age or length of service shall be retired from the service, after a hearing by the Secretary of State, not less than six months prior to the expiration of the 8 or 10 year period above specified, upon an annuity equal to 25 per cent of his salary at the time of retirement, in the case of officers over 45 years of age or in the case of officers under 45 years of age with a bonus of one year's salary at the time of his retirement, either annuity or one year's salary to be payable out of the Foreign Service officers' retirement and disability fund and except as herein provided, subject to the same provisions and limitations as other annuities payable out of such funds; but no return of contributions shall be made under paragraphs (i) or (I) of section 19 of this act in the case of any Foreign Service officer retired under the provisions of this act. Whenever it is determined by the Assistant Secretary supervising the bureau of personnel that the efficiency rating of an officer is poor, thereby meaning below the standard required for the service, and such determination has been confirmed by the Secretary of State, the officer shall be notified thereof, and if, after a reasonable period of not less than one year, the rating of such officer continues to be found poor by the Assistant Secretary and such finding is confirmed by the Secretary of State after a hearing accorded the officer, such officer shall be separated from the service with the annuity or bonus provided in this section, but no officer so separated from the service shall receive the said annuity or bonus unless at the time of separation he shall have served at least 15 years. He shall, however, have returned to him the full sum of his contribution to the annuity fund, with interest thereon at 4 per cent.

"SEC. 34. That nothing in this act shall be construed to reduce the salary of any Foreign Service officer upon promotion to a higher class.

"SEC. 35. That this act shall take effect upon its passage."

Mr. MOSES. Mr. President, I assure the Senate, speaking for myself and on behalf of the subcommittee which drew the original bill, and also for the full committee, which considered the matter at its meeting this morning, that the amendment is in exactly the same form of words, with one minor exception, as the bill which unanimously passed the Senate at the last session.

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

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.

ELLA E. HORNER

The Senate proceeded to consider the bill (H. R. 692) for the relief of Ella E. Horner, which was read the third time and passed.

C. O. CROSBY

The Senate proceeded to consider the bill (H. R. 1499) for the relief of C. O. Crosby, which was read the third time and passed.

SECOND LIEUT. BURGO D. GILL

The Senate proceeded to consider the bill (H. R. 4469) for the relief of Second Lieut. Burgo D. Gill, which was read the third time and passed.

CORPORATION C. P. JENSEN

The Senate proceeded to consider the bill (S. 4612) for the relief of the Corporation C. P. Jensen, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of the Corporation C. P. Jensen for services rendered to the United States on October 12, 1926, by the steamship *Anneberg*, its officers and crew, in connection with the rescue from a sea peril of two United States prohibition agents and their disabled motor boat off the coast of Florida, and to allow in full and final settlement of said claim not to exceed the sum of $500. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $500, or so much thereof as may be necessary, to pay said claim.

JOHN GOLOMBIEWSKI

The Senate proceeded to consider the bill (H. R. 6651) for the relief of John Golombiewski, which was read the third time and passed.

ROBERT R. STREHLOW

The Senate proceeded to consider the bill (H. R. 7464) for the relief of Robert R. Strehlow, which was read the third time and passed.

LAW CLERKS TO UNITED STATES CIRCUIT JUDGES

The Senate proceeded to consider the bill (H. R. 969) to amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States circuit judges, which was read the third time and passed.

AMENDMENT OF ESPIONAGE LAWS

The Senate proceeded to consider the bill (S. 3416) repealing various provisions of the act of June 15, 1917, entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (40 Stat. L. 217), which was read, as follows:

Be it enacted, etc., That section 3 of Title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (U. S. C., title 50, sec. 33; 40 Stat. L. 219), be repealed.

That sections 1, 2, and 3 of Title XII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (U. S. C., title 18, secs. 343, 344, and 345; 40 Stats. L. 230), be repealed.

That section 4 of Title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes" (U. S. C., title 50, sec. 34; 40 Stats. L. 219), be amended by striking therefrom the words "or three" (as the section appears in the U. S. C., title 50, sec. 34, the words to be stricken therefrom are "or 33"), and by striking therefrom the words "sections" in such places as it occurs and inserting in lieu thereof the word "section."

Mr. GEORGE. Mr. President, I would like to have an explanation of this bill. I am not familiar with it. It seems to be an important measure.

Mr. WALSH of Montana. Mr. President, this bill would repeal certain provisions of the so-called espionage act. It will be recalled that after the close of the war a large number of the measures generally referred to as "war measures" were repealed. Section 3 of title 1 of the so-called espionage act, under which a large number of prosecutions were had, was retained, and another provision, section 4, relating to conspiracy to violate section 3, was likewise retained. Another provision was to the effect that all matter in violation of the act should be unmailable, and that post-office authorities could throw it out. So the Postmaster General was clothed with the power to determine whether particular newspapers or journals or books or anything of that kind was in contravention of the act, and to refuse to pass such matter through the mails. The committee thought that was a most unwise power to repose in the hands of the Postmaster General.

Mr. GEORGE. This is merely a repealing measure?

Mr. WALSH of Montana. It is a repealing bill.

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

SALE OF TIMBERLANDS TO OREGON

The Senate proceeded to consider the bill (S. 3557) to provide for the acquisition of certain timberlands and the sale thereof to the State of Oregon for recreational and scenic purposes, which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, line 6, after the word "on," to insert the words "and not more than one-half mile distant from," so as to read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to exchange revested Oregon & California Railroad grant lands for timberlands of approximate equal aggregate value held in private ownership and bordering on and not more than one-half mile distant from the public highways of the State of Oregon, and which, in the opinion of the Secretary, are valuable for scenic and recreational purposes.

SEC. 2. The Secretary of the Interior is further authorized and directed to sell and convey to the State of Oregon all right, title, and interest of the United States in and to the timberlands acquired by virtue of such exchange and also to all revested Oregon & California Railroad grant lands bordering on Oregon public highways and desired by the State of Oregon for scenic and recreational purposes, upon the payment by the State of Oregon to the United States of the sum of $2.50 for each acre conveyed. All moneys received from or on account of any lands sold hereunder shall be applied in the manner prescribed by the act of June 9, 1916, as amended (39 Stat. L. 218), and the act of February 26, 1919 (40 Stat. L. 1179).

SEC. 3. The Secretary of the Interior is authorized to make such rules and regulations as may be necessary to carry out the purposes 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.

BOISE NATIONAL FOREST

The Senate proceeded to consider the bill (H. R. 4189) to add certain lands to the Boise National Forest, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 3, line 3, after the word "Section," to strike out "1; sections 11" and to insert in lieu thereof "11; sections 14"; on page 3, line 5, after the word "Sections," to strike out "4, 5, 6, 7, 8, 9; sections 16" and to insert in lieu thereof "19"; on page 4, line 13, beginning with the word "Sections," to strike out all down to and including the word "meridian" before the period in line 17, and to insert in lieu thereof the following: "Sections 4 and 5, township 2 north, range 10 east, Boise meridian," so as to make the bill read:

Be it enacted, etc., That the following-described lands are hereby added to the Boise National Forest, Idaho, and made subject to all laws applicable to national forests:

Sections 2 to 11, inclusive; sections 14, 15, 16, 21, 22, 23, and 26, township 2 south, range 9 east, Boise meridian.

Sections 2, 3, 10, 11, and 12, township 1 south, range 7 east, Boise meridian.

Sections 1 to 5, inclusive; north half northeast quarter southeast quarter northeast quarter and lots 1, 4, and 5, section 6; sections 7 to 26, inclusive; and sections 35 and 36, township 1 south, range 8 east, Boise meridian.

All of township 1 south, range 9 east, Boise meridian.

Sections 1 to 32, inclusive, township 1 south, range 10 east, Boise meridian.

Sections 3, 4, 5, and 6, township 1 south, range 11 east, Boise meridian.

Sections 1, 2, 3, 4, 5, east half sections 6 and 7; sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, east half section 18; sections 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, and 36, township 1 north, range 6 east, Boise meridian.

Sections 1, 2, 3, 7; east half east half northwest quarter and lots 1, 2, 5, and 6, section 10; sections 11, 12, 13, 14, northeast quarter northeast quarter and lots 1, 4, 5, and 6, section 15; sections 18, 19, 20, northeast quarter northeast quarter northwest quarter, northeast quarter southeast quarter and lots 1, 4, 5, and 9, section 23; north half and lots 1, 2, 3, and 4, section 24; and sections 29 to 33, inclusvie, township 1 north, range 7 east, Boise meridian.

North half section 5; sections 6 and 7; sections 13 to 18, inclusive; all of section 19 excepting lot 4; sections 20 to 29, inclusive; north half northeast quarter southeast quarter northeast quarter and lots 1, 5, 6, and 11, section 30; east half southeast quarter southwest quarter southeast quarter southeast quarter northeast quarter and lots 1, 6, 7, and 10, section 31; and sections 32 to 36, inclusive, township 1 north, range 8 east, Boise meridian.

Section 11; sections 14 to 36, inclusive, township 1 north, range 9 east, Boise meridian.

Sections 19 to 36, inclusive, township 1 north, range 10 east, Boise meridian.

South half township 1 north, range 11 east, Boise meridian.

Sections 1 to 11, inclusive, and sections 17, 18, 19, 20, 29, and 30, township 1 north, range 12 east, Boise meridian.

Section 1; east half sections 2 and 11; sections 12 and 13; and east half section 14, township 2 north, range 4 east, Boise meridian.

Sections 1 to 28, inclusive; east half section 29; and section 36, township 2 north, range 5 east, Boise meridian.

Section 1; northeast quarter northeast quarter southeast quarter and lots 3, 4, 6, 7, and 10, section 2; sections 5 to 9, inclusive; lot 1, section 11; east half, northeast quarter northwest quarter and lots 2, 4, 7, and 10, section 12; east half and lots 2, 5, 8, and 11, section 13; sections 16 to 21, inclusive; northwest quarter northeast quarter and lots 1, 2, 5, 6, 7, 8, and 11, section 24; lots 1 and 4, section 25; and sections 27 to 35, inclusive, township 2 north, range 6 east, Boise meridian.

Sections 3 to 28, inclusive; north half, north half southeast quarter, southeast quarter southeast quarter and lots 1, 2, 3, section 29; north half and lots 3, 4, 5, and 6, section 30; lots 1 and 2, section 32; north half north half and lots 1, 2, 3, 4, and 5, section 33; and sections 34, 35, and 36, township 2 north, range 7 east, Boise meridian.

Sections 7, 16, 18, 19, 21; southwest quarter section 22; west half section 27; sections 28, 29, 30, 31, 32; north half section 33; and northwest quarter section 34, township 2 north, range 8 east, Boise meridian.

South half section 25; and section 36, township 2 north, range 9 east, Boise meridian.

Sections 4 and 5, township 2 north, range 10 east, Boise meridian.

East half and southwest quarter section 14; east half section 23; sections 24 and 25; east half sections 26 and 35; and section 36, township 3 north, range 4 east, Boise meridian.

All of township 3 north, range 5 east, Boise meridian.

Section 6 and south half of township 3 north, range 6 east, Boise meridian.

North half section 30 and south half section 32, township 3 north, range 7 east, Boise meridian.

South half section 1; sections 2, 3, 10; north half sections 11 and 12; sections 15, 16, 21, 22, 27, 28, 33, and 34, township 3 north, range 10 east, Boise meridian.

Sections 4 and 5; south half section 6; and north half section 7, township 3 north, range 11 east, Boise meridian.

Southwest quarter section 19; west half sections 30 and 31; northeast quarter south half section 32; and sections 33 and 36, township 4 north, range 5 east, Boise meridian.

Sections 13, 23, 24, 26, 27, 28, 29, 30, and 31, township 4 north, range 6 east, Boise meridian.

Sections 7, 8, and 18, township 4 north, range 7 east, Boise meridian.

Sections 4, 8, 9, 15, 16, 21, 27, 28, and 34, township 4 north, range 10 east, Boise meridian; not heretofore included within the Boise National Forest, Idaho, all ranges east Boise meridian: *Provided*, That the inclusion of these lands in the Boise National Forest shall not affect adversely any valid entry or settlement claim existing prior to the passage of this act.

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.

UPPER MISSISSIPPI NATIONAL PARK

The bill (H. R. 4020) to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park, to be known as the Upper Mississippi National Park, in the States of Iowa, Illinois, Wisconsin, and Minnesota, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to investigate and report to Congress as to the desirability and practicability of establishing a national park, to be known as the Upper Mississippi National Park, along the Mississippi River in the counties of Jackson, Dubuque, Clayton, and Allamakee of the State of Iowa; the county of Jo Daviess of the State of Illinois; the counties of Grant, Crawford, Vernon, La Crosse, Trempealeau, Buffalo, Pepin, and Pierce of the State of Wisconsin; and the counties of Houston, Winona, Wabasha, Goodhue, Dakota, and Washington of the State of Minnesota and vicinity for the benefit and enjoyment of the people of the United States and to preserve said area in its natural state, including in his report full information as to the ownership, value, estimated cost to acquire, and character of the lands involved and his opinion as to whether such areas measure up to national-park standards.

REPAYMENT OF EXCESS RENTS AND ROYALTIES

The bill (S. 4164) authorizing the repayment of rents and royalties in excess of requirements made under leases executed in accordance with the general leasing act of February 25, 1920, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provisions of the act of Congress approved December 11, 1919 (41 Stat. L. 366), entitled "An act to amend an act approved March 26, 1908, entitled 'An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public land laws,'" is hereby made applicable to all payments in excess of lawful requirements made under the act of Congress approved February 25, 1920 (41 Stat. L. 437), and under any statute relating to the sale, entry, lease, or other disposition of the public lands

TITLE TO CERTAIN LANDS IN MINNESOTA

The bill (S. 4283) ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the title of the State of Minnesota and its grantees and assigns be, and the same hereby is, ratified and confirmed in respect of all lands included within the following-described patents issued by the United States of America to the State of Minnesota, to wit: Patent No. 1, dated May 14, 1877; patent No. 3, dated August 5, 1880; patent No. 4, dated November 20, 1880; patent No. 5, dated April 13, 1881; patent No. 6, dated March 27, 1885; patent No. 7, dated March 10, 1888; patent No. 28, dated September 20, 1893; patent No. 41, dated March 15, 1895; patent No. 59, dated April 30, 1896; patent No. 65, dated September 15, 1896; patent No. 72, dated January 18, 1897; patent No. 73, dated February 11, 1897; patent No. 77, dated May 6, 1897; patent No. 82, dated October 20, 1897; patent No. 84, dated January 15, 1898; patent No. 92, dated February 21, 1899; patent No. 95, dated March 15, 1899; patent No. 106, dated October 23, 1899; patent No. 110, dated April 20, 1900; patent No. 126, dated August 26, 1901; patent No. 127, dated August 28, 1901; patent No. 139, dated August 17, 1903; patent No. 163, dated October 14, 1904; patent No. 167, dated January 12, 1905; patent No. 169, dated March 27, 1905; patent No. 170, dated April 8, 1905; patent No. 174, dated October 17, 1905; patent No. 176, dated November 23, 1905.

SEC. 2. This act shall take effect and be of force only when and after the State of Minnesota shall by legislative act have waived and relinquished any and all right and claim that it may by virtue of the provisions of the act of Congress of March 12, 1860 (12 Stat. L. 3), have in or to swamp and overflowed lands lying within the White Earth Indian Reservation in Minnesota which have heretofore been conveyed by the United States by patent in trust or in fee to any Indian whether of full blood or of mixed blood.

LUTHER BURBANK

The bill (H. R. 9169) for the relief of the successors of Luther Burbank was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the time within which Luther Burbank, his heirs or successors in interest, must make payment and comply with the other provisions of the act of Congress approved August 24, 1912, entitled "An act to patent certain semiarid lands to Luther Burbank under certain conditions," be, and the same is hereby, extended until five years from the passage of this act.

TITLE OF LANDS AT FORT LYTTLETON, S. C.

The bill (H. R. 9198) to remove cloud as to title of lands at Fort Lyttleton, S. C., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to convey whatever right, title, or interest the United States may have in and to 5 acres of land which includes the original site of old Fort Lyttleton in Beaufort County, S. C., to the Federal Intermediate Credit Bank of Columbia, S. C., or assigns, Columbia, S. C., this being the same parcel of land ceded to the United States by the State of South Carolina in the year 1808 and sold for nonpayment of taxes by authorized agent of the United States in 1866.

OUACHITA NATIONAL FOREST, ARK.

The bill (H. R. 10780) to transfer certain lands to the Ouachita National Forest, Ark., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the southwest quarter southeast quarter of section 24, township 4 north, range 28 west, fifth principal meridian, be, and the same is hereby, transferred to and made a part of the Ouachita National Forest, in the State of Arkansas, and shall hereafter be administered subject to the laws and regulations relating to the national forest.

CITIZENSHIP OF CHEROKEE INDIANS, NORTH CAROLINA

The bill (S. 4050) to confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all noncitizen Cherokee Indians born within the territorial limits of the United States and resident in the State of North Carolina are hereby declared to be citizens of the United States and entitled to all the rights, privileges, and immunities belonging to such citizens, including the right of franchise, provided they can meet and conform to the educational and other tests imposed upon voters of the State of North Carolina, as a condition precedent to the exercise of such right of franchise. All acts or parts of acts of Congress inconsistent herewith are hereby repealed. Nothing contained in this act shall in any manner impair or otherwise affect the right of any Indian to tribal or other property.

MISSOURI RIVER BRIDGE, NEBRASKA CITY, NEBR.

The bill (S. 4583) to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That effective upon the construction and opening for highway use of a bridge across the Missouri River at or near Nebraska City, Nebr., under the provisions of an act approved April 23, 1928, entitled "An act authorizing the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Nebraska City, Nebr.," or any amendments thereto, section 1 of an act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872, be amended to read as follows:

"That it shall be lawful for the Nebraska City Bridge Co., a corporation having authority from the State of Nebraska and from the State of Iowa to build a railroad bridge across the Missouri River opposite to or in the immediate vicinity of Nebraska City, in the county of Otoe, and State of Nebraska, and that when constructed, all trains of all railroads terminating at the Missouri River at or near the location of

said bridge shall be allowed to cross said bridge, for a reasonable compensation, to be paid to the owners thereof; and that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the district or circuit court of the United States of any State in or opposite to which any portion of said obstruction or bridge may be."

SEC. 2. Upon and after the events stated in section 1 hereof, the present owner of the bridge aforesaid, its successors or assigns, be, and they are hereby, relieved of further obligation to maintain said bridge except for railroad use.

WATER SUPPLY FOR SALINA AND REDMOND, UTAH

The bill (H. R. 3203) to authorize the city of Salina and the town of Redmond, State of Utah, to secure adequate supplies of water for municipal and domestic purposes through the development of subterranean water on certain public lands within said State, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That to enable the city of Salina and the town of Redmond, State of Utah, to secure adequate supplies of water for municipal and domestic purposes through the development of subterranean sources by wells or other facilities, the southwest quarter and south half southeast quarter section 1; east half southeast quarter section 2; northeast quarter northeast quarter section 11; and all of section 12, township 21 south, range 2 east, Salt Lake meridian; and the northwest quarter and north half southeast quarter section 7, township 21 south, range 3 east, Salt Lake meridian, are, subject to any valid existing rights initiated under the public land laws, hereby withdrawn from all forms of entry and appropriation under the land laws of the United States, and authority is hereby granted said city and town to conduct drilling operations within the area described and to occupy so much of it as may be necessary for the storage or transportation of water derived from such drilling operations: *Provided,* That the operations hereby authorized shall be commenced within five years from the date of this act: *Provided further,* That the lands hereby withdrawn shall be used for the purposes herein indicated and if the said lands shall cease to be so used, said lands shall revert to the status occupied prior to the date of this act.

HANNAH ODEKIRK

The bill (H. R. 7299) for the relief of Hannah Odekirk was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent under the homestead entry of Heber Odekirk to his widow, Hannah Odekirk, for the southeast quarter section 26, township 2 south, range 2 west, Uintah special meridian, Utah: *Provided, however,* That in addition to the usual fees and commissions payable under existing laws said Hannah Odekirk shall pay the sum of $1.25 per acre for the land so entered, which latter sum shall be deposited in the Treasury of the United States and disposed of in the same manner as other proceeds derived from the sale of lands within the former Uintah Indian Reservation, Utah.

ADDITIONAL JUSTICES, COURT OF APPEALS, DISTRICT OF COLUMBIA

The bill (S. 3939) to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia was considered and was read, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate, two additional justices of the Court of Appeals of the District of Columbia, who shall have the same tenure of office, pay and emoluments, powers, and duties as provided by law for the justices of said court.

Mr. McNARY. Mr. President, I think some statement should be made with respect to the bill.

Mr. STEPHENS. Mr. President, the Senator from Colorado [Mr. WATERMAN] reported the bill, but I believe he is attending a committee meeting just now. I was a member of the subcommittee which considered the matter. We had full hearings and had the Attorney General of the United States, Mr. Mitchell, before us. The committee felt, in view of developments, that there is a very pressing need for the two additional judges on the court. That view was reported to the full committee, and by unanimous vote the bill was ordered to be reported favorably.

If the Senator cares to go into a full discussion of the facts, I shall be glad to do so.

Mr. NcNARY. I observe that Calendar 861 provides for two additional justices for the Supreme Court of the District of Columbia. Were both bills considered at the same time?

Mr. STEPHENS. Yes; they were considered at the same time by the subcommittee comprised of the Senator from Oregon [Mr. STEIWER] as chairman, the Senator from Colorado [Mr. WATERMAN], and myself. We had before us the senior judges, attorneys representing the bar association, the Attorney General of the United States, and the clerk of the court. We had a full showing as to the volume of work which is being done. We decided that it is unquestionably true that there is a very pressing need for the additional judges in the court.

With reference to the District Court of Appeals, involved in the bill which is now before us, the act creating this court was approved February 9, 1893. Under the law, as I understand it, unless three judges are present there can be no session of the court. At one time the court was permitted to call in other judges to sit in the stead of a judge who might be ill or for some other reason incapacitated to appear and sit. But the Board of Tax Appeals, the Radio Commission, and other organizations of that sort have been created and appeal to this court has been provided, so that it is absolutely impossible for the three judges to attend, in a proper manner, to the enormously increased amount of business of the court. They are overworked. They are not able now to call to their aid a judge from some other court as they were able to do at one time.

In 1923 the judges of the Court of Customs Appeals delivered 73 opinions for the circuit courts of appeals out of a total of 210 opinions delivered. Since that time Congress has given jurisdiction to the court in the matter of appeals in patent cases and the judges of that court have been unable to take part in the business of the court of appeals in the District. Owing to this situation and the increased volume of litigation, the increased number of cases that come before this court, it is absolutely impossible for the court as now organized to conduct the business in a proper manner. The Committee on the Judiciary reported unanimously and favorably on the bill. I think there is no doubt that it should be passed.

Mr. McNARY. I have no objection.

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

LESTER L. WILSON

The bill (S. 2068) for the relief of Lester L. Wilson was considered. The bill had been reported from the Committee on Claims with an amendment, in line 6, to strike out "$250" and insert "$144," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lester L. Wilson, of Tigard, Oreg., the sum of $144 for loss of personal effects in the sinking of the United States concrete ship *Captain French,* the said Lester L. Wilson having been a seaman on the *Captain French,* and reimbursement for his loss of personal effects as aforesaid having been refused by the War Department because of his alleged failure to sign shipping articles prior to the voyage.

The amendment was agreed to.

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

FRED N. DUNHAM

The bill (S. 3839) for the relief of Fred N. Dunham was 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 pay, out of any money in the Treasury not otherwise appropriated, the sum of $260, in full compensation for all claims, to Fred N. Dunham, of Wessington Springs, S. Dak., being the sum due for rent of additional quarters used by the post office at Wessington Springs, S. Dak., and not paid for by the Post Office Department.

ADDITIONAL JUSTICES FOR SUPREME COURT OF DISTRICT OF COLUMBIA

The bill (S. 2371) to provide for the appointment of two additional justices of the Supreme Court of the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate, two additional justices of the Supreme Court of the District of Columbia, who shall have the same tenure of office, pay, and emoluments, powers, and duties as the present justices of that court.

PURCHASE OF LAND ADJOINING FORT BLISS, TEX.

The bill (S. 4593) to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex., was announced as next in order.

Mr. SHEPPARD. Mr. President, I ask unanimous consent that the bill (H. R. 2030) to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex., be laid before the Senate, it being an identical bill.

The VICE PRESIDENT. The Chair lays before the Senate the House bill, which will be read.

The bill (H. R. 2030) to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex., was read twice by its title.

Mr. SHEPPARD. I ask that the House bill be substituted for the Senate bill.

Mr. REED. Mr. President, will the Senator permit a question?

Mr. SHEPPARD. I will.

Mr. REED. Is the House bill in exactly the same form as the Senate bill?

Mr. SHEPPARD. It is in the same form.

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

There being no objection, the bill (H. R. 2030) was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to acquire, by purchase or condemnation, additional land in the vicinity of and for use in connection with the present military reservation at Fort Bliss, Tex. The unexpended balance, namely, $275,000, of the amount appropriated for this purpose by the act of March 4, 1925 (43 Stat. 1313, 1344), is hereby authorized to be made available, and an additional appropriation of $6,305.70 is hereby authorized, making a total of $281,305.70 herein authorized to carry out the provisions of this act, or so much of said sum as may be necessary.

SEC. 2. The Secretary of War shall, by due advertisement in such manner as he deems best calculated to give the widest necessary publicity, call for offers of land for use in connection with said Fort Bliss, Tex., and if after negotiation he is able to buy said land, or any part or parcel or tract thereof, at such price or prices as he shall deem to be the fair and reasonable market value of the land, then he is authorized to purchase said land for said purpose at such prices; and if any of said offers of land are at prices deemed by the Secretary of War to be above the reasonable market value of such parcel or tract of land, and if after the negotiation the Secretary of War is unable to purchase the same at fair and reasonable prices as herein defined, then in such case the Secretary of War is authorized to request the Attorney General of the United States to institute condemnation proceedings for the acquiring of such tracts or parcels of land as may be necessary for such purpose.

The VICE PRESIDENT. The Senate bill will be indefinitely postponed.

JAMES H. ROACHE

The bill (S. 181) for the relief of James H. Roache was 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 pay James H. Roache, out of any moneys in the Treasury not otherwise appropriated, the sum of $944.50 as reimbursement in full for expenses and losses incurred in connection with improvements made by him on the land embraced in his homestead entry 021325 for the southeast quarter northeast quarter section 4, township 35 south, range 26 east, Tallahassee meridian, Florida, after said entry had been allowed on May 10, 1927, and prior to receipt of notice on or about June 27, 1927, that said allowed entry had been held for cancellation owing to fact the identical land was patented to the State of Florida August 31, 1903.

ADDITIONAL JUDGES FOR NORTHERN DISTRICT OF ILLINOIS

The bill (S. 3614) for the appointment of two additional district judges for the northern district of Illinois, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate, two additional district judges for the United States District Court for the Northern District of Illinois. The judges so appointed shall reside in said district and their compensation and powers shall be the same as now provided by law for the judges of said district. A vacancy occurring at any time in the offices herein provided for is authorized to be filled.

PATENTS FOR LANDS HELD UNDER COLOR OF TITLE

The bill (S. 4308) to authorize the Secretary of the Interior to issue patents for lands held under color of title was considered. The bill had been reported from the Committee on Public Lands and Surveys, with amendments, on page 1, line 5, to strike out the words "not known to be mineral," and on page 2 to insert the words "*Provided further*, That coal and all other minerals contained therein are hereby reserved to the United States; that said coal and other minerals shall be subject to sale or disposal by the United States under applicable leasing and mineral land laws, and permittees, lessees, or grantees of the United States shall have the right to enter upon said lands for the purpose of prospecting for and mining such deposits," so as to make the bill read:

Be it enacted, etc., That whenever it shall be shown to the satisfaction of the Secretary of the Interior that a tract or tracts of public land in the State of New Mexico, not exceeding in the aggregate 160 acres, has or have been held in good faith and in peaceful, adverse possession by a citizen of the United States, his ancestors or grantors, for more than 20 years under claim or color of title, and that valuable improvements have been placed on such land, or some part thereof has been reduced to cultivation, the Secretary may, in his discretion, upon the payment of $1.25 per acre, cause a patent or patents to issue for such land to any such citizen: *Provided*, That where the area or areas so held by any such citizen is in excess of 160 acres the Secretary may determine what particular subdivisions, not exceeding 160 acres in the aggregate, to any such citizen may be patented hereunder: *Provided further*, That coal and all other minerals contained therein are hereby reserved to the United States; that said coal and other minerals shall be subject to sale or disposal by the United States under applicable leasing and mineral land laws, and permittees, lessees, or grantees of the United States shall have the right to enter upon said lands for the purpose of prospecting for and mining such deposits: *Provided further*, That the term "citizen," as used herein, shall be held to include a corporation organized under the laws of the United States or any State or Territory thereof.

The amendments were agreed to.

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

AMENDMENT OF ACT PROVIDING GOVERNMENT FOR TERRITORY OF HAWAII

The bill (H. R. 11134) to amend section 91 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, was considered.

Mr. FESS. Mr. President, I should like to have a brief explanation of the bill.

Mr. VANDENBERG. Mr. President, this is a bill to provide that when public lands in Hawaii are taken for the purposes of the United States and thereafter are leased or rented or granted upon revocable permits to private corporations or individuals, the rentals shall be covered into the treasury of Hawaii to be used for the purposes enumerated in the organic act. It involves only $7,000.

Mr. FESS. I have no objection.

The bill was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 91 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended (U. S. C., title 48, sec. 511), is amended by adding at the end thereof the following: "*Provided*, That when any such public property so taken for the uses and purposes of the United States, if, instead of being used for public purposes, is thereafter by the United States leased, rented, or granted upon revocable permits to private parties, the rentals or consideration shall be covered into the treasury of the Territory of Hawaii for the use and benefit of the purposes named in this section."

EDWARD R. EGAN

The bill (H. R. 7484) for the relief of Edward R. Egan was 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 Edward R. Egan, who served in Troop L, Fourteenth 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 organization on October 5, 1915: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

FRANK STORMS

The bill (H. R. 6186) for the relief of Frank Storms was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Frank Storms, formerly of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on the 20th day of March, 1909: *Provided*, That no bounty, back pay, pension, or allowance be held to have accrued by the passage of this act.

HOMER C. RAYHILL

The bill (H. R. 827) for the relief of Homer C. Rayhill was 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 Homer C. Rayhill, late of the Twenty-second Battery, United States Field Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said battery of the United States Field Artillery on the 26th day of April, 1902: *Provided*, That no bounty, pension, pay, or allowances shall be held as accrued prior to the passage of this act.

ARMY AND NAVY HOSPITAL, HOT SPRINGS, ARK.

The bill (H. R. 6124) to provide for the reconstruction of the Army and Navy hospital at Hot Springs, Ark., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to raze such part of the existing hospital buildings in the reservation of the Army and Navy General Hospital, at Hot Springs, Ark., as may be desirable and proper to make room for the construction of another hospital, and thereafter to construct upon said ground such additional unit of said Army and Navy General Hospital, at Hot Springs, Ark., and for said purpose there is hereby authorized to be appropriated the sum of $450,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated.

SEC. 2. All funds expended for the construction or reconstruction of hospital buildings and facilities on said Army and Navy General Hospital Reservation, at Hot Springs, Ark., authorized by this or any other act, shall be so expended under supervision of the Secretary of War, and the said hospital shall remain under the jurisdiction and control of the War Department: *Provided*, That the exterior design of said hospital shall be approved by the National Park Service.

DONATION OF BRONZE CANNON TO MARTINS FERRY, OHIO

The bill (H. R. 9425) to authorize the Secretary of War to donate a bronze cannon to the city of Martins Ferry, Ohio, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to donate, without expense to the United States, to the city of Martins Ferry, Ohio, a bronze fieldpiece, 12 pounder, cast muzzle loading, diameter of bore 4⅝ inches, now located at Watervliet Arsenal, Watervliet, N. Y.

JAMES EVANS

The bill (S. 676) for the relief of James Evans 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 any laws conferring rights, privileges, and benefits upon honorably discharged soldiers James Evans, formerly a private in Company F, Fourteenth Indiana Infantry, shall be held and considered to have been honorably discharged in December, 1862, from the military service of the United States in his final service as a private in Company F, Fourteenth Regiment Indiana Volunteer Infantry: *Provided*, That no pension, bounty, pay, or other emolument shall accrue prior to the passage of this bill.

JESSE J. BRITTON

The bill (S. 155) for the relief of Jesse J. Britton 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 and laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives Jesse J. Britton, who served in Troop H, Second Regiment United States Cavalry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on September 22, 1900: *Provided*, That no back pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

LEMUEL SIMPSON

The bill (S. 594) for the relief of Lemuel Simpson 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 and laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives, Lemuel Simpson, late private of Company B, Seventh Missouri Volunteer Cavalry, and late corporal and second sergeant of Company K, Fifty-fifth Regiment Indiana Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said Company B, Seventh Missouri Volunteer Cavalry: *Provided*, That no back pay, pension, bounty, or other emoluments shall accrue prior to the passage of this act.

MONONGAHELA RIVER BRIDGE AT STAR CITY, W. VA.

The bill (S. 4453) authorizing the Monongahela Bridge Co. to construct, maintain, and operate a bridge across the Monongahela River at or near the town of Star City, W. Va., was announced as next in order.

The VICE PRESIDENT. Without objection, an identical House bill will be substituted for the Senate bill.

The bill (H. R. 11934) authorizing the Monongahela Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near the town of Star City, W. Va., was read twice by its title.

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

The VICE PRESIDENT. Senate bill 4453 will be indefinitely postponed.

DES MOINES RIVER BRIDGE, CROTON, IOWA

The bill (H. R. 11273) 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, ordered to a third reading, read the third time, and passed, as follows:

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 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.

W. W. PAYNE

The bill (S. 43) for the relief of W. W. Payne was considered. The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert a substitute.

Mr. WALSH of Montana. Mr. President, I offer the following amendment to the committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 2, line 5, after the word "assigns," insert "upon his executing and filing a satisfaction of the judgment hereinafter referred to," so as to make the amendment read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George Snyder or his assigns, upon his executing and filing a satisfaction of the judgment hereinafter referred to, out of any moneys in the Treasury not otherwise appropriated, the amount of the judgment recovered by him in the United States District Court for the District of Montana against W. W. Payne for acts committed by the said Payne as and while acting as superintendent of the Glacier National Park and by direction of the Director of National Parks, not to exceed the sum of $1,800; and should the amount necessary to satisfy such judgment be less than $1,800, then to pay the difference to the said W. W. Payne.

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.

RETIREMENT OF DISABLED NURSES OF ARMY AND NAVY

The bill (H. R. 10375) to provide for the retirement of disabled nurses of the Army and Navy was considered. The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 11, to strike out "with retired pay amounting to 75 per cent of the active base" and insert in lieu thereof "in the grade to which she belonged at the time of her retirement and with retired pay at the rate of 75 per cent of the active service," so as to make the bill read:

Be it enacted, etc., That pursuant to regulations to be prescribed by the Secretary of War or the Secretary of the Navy, as the case may be, when a member of the Army Nurse Corps or of the Navy Nurse Corps shall be found by a board of medical officers to have become disabled in line of duty from performing the duties of a nurse, and such findings are approved by the head of the department concerned, she shall be retired from active service and placed upon the Nurse Corps retired list of the appropriate department in the grade to which she belonged at the time of her retirement and with retired pay at the rate of 75 per cent of the active service pay received by her at the time of her transfer to the retired list.

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.

JOHN W. BATES

The bill (H. R. 8855) for the relief of John W. Bates was 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 John W. Bates, who was a private in Company A, First Battalion Sixteenth Kentucky Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said company and battalion on the 8th day of June, 1864: *Provided*, That no bounty, back pay, pension, or allowances shall be held as accrued prior to the passage of this act.

BILLS PASSED OVER

The bill (H. R. 4015) to provide for the revocation and suspension of operators' and chauffeurs' licenses and registration certificates; to require proof of ability to respond in damages for injuries caused by the operation of motor vehicles; to prescribe the form of and conditions in insurance policies covering the liability of motor-vehicle operators; to subject such policies to the approval of the commissioner of insurance; to constitute the director of traffic the agent of nonresident owners and operators of motor vehicles operated in the District of Columbia for the purpose of service of process; to provide for the report of accidents; to authorize the director of traffic to make rules for the administration of this statute; and to prescribe penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

Mr. FESS. Mr. President, that is a very extensive bill of several pages. I think it had better go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4254) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended, was announced as next in order.

Mr. HOWELL. Over.

The VICE PRESIDENT. The bill will be passed over.

SALE OF LAND AT CAMP TAYLOR, KY.

The bill (S. 4636) to authorize the Secretary of War to resell the undisposed-of portion of Camp Taylor, Ky., approximately 328 acres, and to also authorize the appraisal of property disposed of under authority contained in the acts of Congress approved July 9, 1918, and July 11, 1919, and for other purposes, was 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 War is hereby authorized to resell, under such terms as he deems to be to the best advantage of the Government, that portion of Camp Taylor, Ky., approximately 328 acres, which was sold under authority of the act of Congress approved February 28, 1920 (41 Stat. 453, 454), but which sales were not consummated by the respective purchasers. The Secretary of War is also authorized to have said land appraised, the cost of such appraisal to be paid from the proceeds derived from the resale; and the net proceeds of such resale shall be deposited in the Treasury to the credit of the fund known as the military-post construction fund.

SEC. 2. That the Secretary of War is hereby authorized to appoint and choose appraisers of the surplus real estate of the War Department which may be disposed of under the provisions of the acts of Congress approved July 9, 1918 (40 Stat. 850), and July 11, 1919 (41 Stat. 129), and that payment for the services of such appraisers shall be paid out of the proceeds of the sale of real estate before the net proceeds of such sales are deposited in the Treasury to the credit of the fund known as the military-post construction fund, and, furthermore, that the cost of the appraisal of the Peter Lyall plant, at Montreal, Canada, and the cost of appraisal of other surplus real estate of the War Department heretofore sold under the provisions of the acts of Congress approved July 9, 1918, and July 11, 1919, shall be paid from the proceeds of sale of surplus real estate of the War Department not as yet deposited in the Treasury.

CHOCTAWHATCHEE RIVER BRIDGE, FREEPORT, FLA.

The bill (S. 4585) authorizing the State of Florida, through its highway department, to construct, maintain, and operate a free highway bridge across the Choctawhatchee River, near Freeport, Fla., was 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, the State of Florida, through and by its highway department, be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Choctawhatchee River, at a point suitable to the interests of navigation, east of Freeport, Fla., connecting the counties of Washington and Walton, Fla., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. There is hereby conferred upon the State of Florida, through its highway department, all such rights and powers to enter upon land 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 the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

BILL PASSED OVER

The bill (S. 2497) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, was announced as next in order.

Mr. FESS. Over.

The VICE PRESIDENT. The bill will be passed over.

JOHN E. ROSS

The bill (S. 1640) for the relief of John E. Ross, was considered. The bill had been reported from the Committee on Naval Affairs with an amendment in line 5 to strike out "$20,000" and insert "$15,350," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John E. Ross, of Williamsburg, Va., the sum of $15,350 as compensation for his oyster grounds, for oysters on said grounds, and for his dwelling house, and damage to his oyster business as a result of the Federal Government taking over said property and area for a Navy mine depot.

The amendment was agreed to.

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

GEORGE F. NEWHART ET AL.

The bill (H. R. 885) for the relief of George F. Newhart, Clyde Hahn, and David McCormick, was considered, ordered to 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 pay, out of any funds not otherwise appropriated, and in full settlement against the Government, to George F. Newhart, Clyde Hahn, and David McCormick, the sum of $398.76, being the amount paid out by them by reason of expenses incurred by them and judgment rendered against them through the wrongful arrest of William Edward Benner, under a warrant issued by the United States Navy Department based upon an erroneous charge that the said William Edward Benner was a deserter from the United States Navy.

HENRY SPIGHT

The bill (H. R. 8591) for the relief of Henry Spight, was considered, ordered to 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 Henry Spight United States temporary coupon bond No. 3184283 for $100, of the third Liberty loan 4¼ per cent per annum bonds of 1928, with interest from May 9, 1918, to September 15, 1928, without presentation of the lower portion of the bond, or the coupons representing interest on the bond from May 9, 1918, to March 15, 1920, the upper portion of said bond having been presented to the Treasury Department without coupons and the lower portion being alleged destroyed: *Provided*, That the lower portion of the said bond and coupons numbered 1 to 4, inclusive, shall not have been previously presented or ascertained to be in existence: *And provided further*, That the said Henry Spight shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of the said bond and the interest thereon from May 9, 1918, to September 15, 1928, 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 mutilated bond hereinbefore described.

ADDITIONAL GRAND JURY IN SOUTHERN DISTRICT OF NEW YORK

The bill (S. 4425) to amend section 284 of the Judicial Code of the United States was announced as next in order.

Mr. BRATTON. Mr. President, I should like to inquire what changes this bill proposes to make in existing law. [A pause.] I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. HEBERT subsequently said: I ask unanimous consent to recur to Calendar No. 889, being the bill (S. 4425) to amend section 284 of the Judicial Code of the United States.

Mr. McKELLAR. Mr. President, will the Senator explain the bill?

Mr. HEBERT. I will be glad to explain it, Mr. President.

The VICE PRESIDENT. The Chair will inquire if the objection to the bill has been withdrawn. It went over on objection, and the Senate has been considering only unobjected bills.

Mr. REED. The objection was made by the Senator from New Mexico [Mr. BRATTON], and ought he not in fairness to be here when the bill is considered?

Mr. McKELLAR. I hope the Senator from Rhode Island will not ask for the consideration of the bill until the Senator from New Mexico shall return to the Chamber.

Mr. HEBERT. I could not hear who made the objection, and I thought that the Senator who made it was probably still on the floor.

The VICE PRESIDENT. The Senator from New Mexico made the objection, and under the rule the bill will have to go over.

Mr. COPELAND. Mr. President, may I ask the Senator is that the diverse citizenship bill?

Mr. HEBERT. No; it is merely a bill to permit the district court for the southern district of New York to call an additional grand jury.

The VICE PRESIDENT. The bill has gone over.

REPRINTING OF SCOTT & BEAMAN INDEX

The bill (H. R. 972) to amend an act entitled "An act providing for the revision and printing of the index to the Federal Statutes," approved March 3, 1927, was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of March 3, 1927, entitled "An act providing for the revision and printing of the index to the Federal Statutes" (ch. 375, 44 Stat. L. 1401), be, and the same is hereby, amended to read as follows:

"That the Librarian of Congress is hereby authorized and directed to have the index to the Federal Statutes, published in 1908 and known as the Scott & Beaman Index, revised and extended to include the acts of Congress down to and including the acts of the Seventieth Congress, and to have the revised index printed at the Government Printing Office.

"SEC. 2. There is hereby authorized to be appropriated for carrying out the provisions of this act the sum of $50,000, to remain available until expended."

LAND PATENT TO MINERVA E. TROY

The bill (S. 2471) authorizing the Secretary of the Interior to grant a patent to certain lands to Minerva E. Troy 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 Interior is authorized and directed to approve, as of March 1, 1915, the application of Freebod S. Lewis (No. 03071, Seattle series) in respect of lot 8 and the easterly 16 feet of lot 9, in block 32, town site of Port Angeles, State of Washington, and to grant to Minerva E. Troy, heir of Freeborn S. Lewis, upon payment of the appraised value at such date, a patent in fee to such lands, notwithstanding any withdrawal or reservation thereof for public purposes.

ESTABLISHMENT OF TEMPORARY OR EMERGENCY STAR-ROUTE SERVICE

The bill (H. R. 5190) to enable the Postmaster General to authorize the establishment of temporary or emergency star-route service from a date earlier than the date of the order requiring such service was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes," approved May 18, 1916 (39 Stat. L. 161, U. S. C., title 39, sec. 434), is hereby amended by adding thereto the following proviso:

"*Provided further*, That the provisions of section 3960, Revised Statutes, that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered, the sum to be allowed therefor to be expressed in the order and entered upon the books of the department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this act."

HIRE OF VEHICLES FROM VILLAGE DELIVERY CARRIERS

The bill (H. R. 9300) to authorize the Postmaster General to hire vehicles from village delivery carriers was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of February 20, 1929, entitled "An act to authorize the Postmaster General to hire vehicles from letter carriers for use in service" (45 Stat. 1252; U. S. C., Sup. III, title 39, sec. 52), is hereby amended to read as follows:

"*Provided*, That beginning with the fiscal year 1928, and thereafter, the Postmaster General may hire vehicles from letter carriers for use in the city delivery and collection service, and in the village delivery and collection service, either under an allowance or on a contract basis."

RESIDENCE OF RAILWAY POSTAL CLERKS

The bill (H. R. 11007) to amend the act of August 24, 1912 (ch. 389, par. 7, 37 Stat. 556; U. S. C., title 39, sec. 631), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913, was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of August 24, 1912 (ch. 389, par. 7, 37 Stat. 556; U. S. C., title 39, sec. 631), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913, be amended to read as follows:

"All clerks appointed to the Railway Mail Service and to perform duty on railway post offices shall reside at some point on the route, or at some point convenient thereto in the discretion of the General Superintendent of the Railway Mail Service, to which they are assigned: *Provided*, That railway postal clerks appointed prior to February 28, 1895, and now performing such duty shall not be required to change their residence except when transferred to another line."

GRANT OF FRANKING PRIVILEGE TO HELEN H. TAFT

The bill (H. R. 11082) granting a franking privilege to Helen H. Taft was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all mail matter sent by post by Helen H. Taft, widow of the late William Howard Taft, under her written autograph signature, be conveyed free of postage during her natural life.

LITTLE RIVER BRIDGE, MORRIS FERRY, ARK.

The bill (S. 4518) granting the consent of Congress to the Texarkana & Fort Smith Railway Co. to reconstruct, maintain, and operate a railroad bridge across Little River in the State of Arkansas at or near Morris Ferry 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 consent of Congress is hereby granted to the Texarkana & Fort Smith Railway Co., a corporation organized under and pursuant to the laws of the State of Texas, its successors and assigns, to reconstruct, maintain, and operate a railroad bridge and approaches thereto across the Little River near Morris Ferry in the State of Arkansas upon the location of the present bridge and in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to said Texarkana & Fort Smith Railway Co., its successors and assigns; and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

OCONEE RIVER BRIDGE, BALLS FERRY, GA.

The bill (S. 4606) granting the consent of Congress to the State of Georgia and the counties of Wilkinson, Washington, and Johnson to construct, maintain, and operate a free highway bridge across the Oconee River at or near Balls Ferry, Ga., 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 consent of Congress is hereby granted to the State of Georgia and the counties of Wilkinson, Washington, and Johnson to construct, maintain, and operate a free highway bridge and approaches thereto across the Oconee River, at a point suitable to the interests of navigation, at or near Balls Ferry, Ga., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

NIAGARA RIVER BRIDGE NEAR NIAGARA FALLS, N. Y.

The bill (S. 4654) granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Niagara Falls, N. Y., was announced as next in order.

Mr. COPELAND. Mr. President, I ask unanimous consent that House bill 11903 may be substituted for the Senate bill, the title of which has just been stated, and that the Senate proceed to consider the House bill.

There being no objection, the bill (H. R. 11903) granting the consent of Congress to the Niagara Frontier Bridge Commission,

its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Niagara Falls, N. Y., was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, the Senate bill 4654 will be indefinitely postponed.

NIAGARA RIVER BRIDGE NEAR TONAWANDA, N. Y.

The bill (S. 4655) granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Tonawanda, N. Y., was announced as next in order.

Mr. COPELAND. I ask unanimous consent that House bill 11933 may be substituted for Senate bill 4655, and that the House bill may be now considered.

There being no objection, the bill (H. R. 11933) granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Tonawanda, N. Y., was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 4655 will be indefinitely postponed.

CELEBRATION OF ANNIVERSARY OF BATTLE OF YORKTOWN

The joint resolution (H. J. Res. 289) providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes, was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the commission heretofore created pursuant to H. Con. Res. 43, Seventieth Congress, first session, and known as the United States Yorktown Sesquicentennial Commission be, and the same is hereby, continued by the same name and hereinafter referred to as the commission. Any vacancies arising in the personnel of the said commission shall be filled as follows: Any vacancies occurring among the Senators shall be filled by appointment by the President of the Senate, and any vacancies occurring among the Members of the House of Representatives shall be filled by appointment by the Speaker of the House of Representatives.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not exceeding $200,000 to be expended in the discretion of the commission in carrying out the purposes of this resolution, in doing such work, securing such grounds, providing such buildings and facilities, and meeting such expenses as the commission may deem necessary for the appropriate participation of the United States in the celebration and observance of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Cornwallis on October 19, 1781.

SEC. 3. That the said commission is authorized to formulate and secure the proper execution of appropriate plans for said celebration; to employ or assist in employing all necessary employees and assistants for the proper execution of its duties under this resolution; to cooperate with any and all other organizations, associations, and agencies, Federal, State, or municipal, civic and patriotic, that may be interested in said celebration to enter into such contracts, perform such work, and do all such other things as may be necessary or proper to carry into full effect the intents and purposes of this resolution.

SEC. 4. That the commission may in its discretion accept for the purposes of said celebration gifts of money or property, leases of land, and loans of property.

SEC. 5. That the said commission be, and the same is hereby, authorized to call upon the War Department, the Navy Department, the Interior Department, and the Commission of Fine Arts, in Washington, D. C., for their assistance and advice in connection with the performance of the duties of said United States Yorktown Sesquicentennial Commission, and the said War Department, Navy Department, the Interior Department, and Commission of Fine Arts are directed to render such assistance and advice as their other duties may permit and as may be within their power.

SEC. 6. All expenditures of the commission shall be paid by the Treasurer of the United States upon the approval of the chairman and the secretary of the commission.

SEC. 7. That the members of the commission shall receive no compensation for their services, but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their official duties outside of the District of Columbia to be paid out of the moneys authorized in section 2 of this resolution: *Provided, however*, That the expenditures under this section of this resolution shall not exceed in the aggregate the sum of $5,000.

SEC. 8. That the commission hereby created shall expire one year after the expiration of the celebration.

ADJUSTMENT OF CLAIMS AGAINST GERMANY

Mr. SMOOT. Mr. President, from the Committee on Finance I reported this morning two House bills and a House joint resolution which I should like to have the Senate act upon at this time, if there be no objection. First, I ask unanimous consent for the present consideration of the bill (H. R. 8881) to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928.

The VICE PRESIDENT. Is there objection?

Mr. McKELLAR. Mr. President, I think there ought to be an explanation of the bill.

Mr. SMOOT. It will take just a few moments, Mr. President, to explain the bill, although I have filed reports upon all three measures, and all three were reported unanimously by the committee.

The President entered into an agreement with Germany for the adjudication of these late claims, and this bill will permit the deduction of one-half of 1 per cent of any award made of these late claims, to be available to the German Government for defraying expenses that may be incurred in connection with the adjudication of such claims.

This bill has passed the House; it is recommended by the President, by the State Department, and by the Treasury Department, and, as I have said, unanimously reported favorably by the Committee on Finance.

I may add that throughout the consideration of these claims Germany had a staff of experts here. The late claims have been authorized to be taken care of and Germany must have those experts back here. The passage of the bill will not cost the Government of the United States anything. It merely authorizes payment of the experts out of the fund we are holding. That is all there is to the bill.

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

Mr. HOWELL. Mr. President, I should like to have the bill again reported.

The Chief Clerk read the bill.

Mr. HOWELL. Mr. President, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

EXEMPTION FROM TAXATION FOR TREASURY BILLS

Mr. SMOOT. I ask unanimous consent for the present consideration of the bill (H. R. 12440) providing certain exemptions from taxation for Treasury bills.

The VICE PRESIDENT. Is there objection?

Mr. McKELLAR. Mr. President, I think there should be an explanation of that bill.

Mr. SMOOT. Mr. President, I will make a brief statement, although the report which I submitted to accompany the bill goes into detail regarding it.

The bill provides certain exemptions from taxation for Treasury bills. Gains from the sale or other disposition of Treasury bills are subject to income tax at the present time, and losses therefrom are deductible. But, in order to ascertain capital gains or losses, as differentiated from the discount received on such Treasury bills, it is necessary that those dealing in the securities keep a complicated system of bookkeeping records, resulting in such an enormous amount of detail that a very real sales resistance has developed. By this bill that difficulty will be overcome.

The bill has passed the House; it has been recommended strongly by the Treasury Department, and has been reported favorably and unanimously by the Finance Committee.

The report submitted to accompany the bill explains in detail the necessity for its passage.

Senators will remember that Treasury short-time bills are sold by the Secretary of the Treasury whenever there is any real necessity for providing funds for the Treasury between the dates of the quarterly collection of income taxes.

At present in connection with the payment of taxes upon these bills complicated accounts have to be kept, small as the amounts involved may be, which make the bills in many cases very objectionable to the purchasers, resulting in a loss to the Government. The Treasury reports that nothing to speak of is collected from this source, and the passage of the bill would do away with all the difficulties which have arisen in connection with the disposal of such Treasury bills.

Mr. SWANSON. Mr. President, is the measure limited to Treasury bills which are sold?

Mr. SMOOT. Yes.

Mr. SWANSON. It covers nothing else?

Mr. SMOOT. That is all there is to it.

Mr. SWANSON. Very well.

Mr. McKELLAR. Mr. President, the Senator said he had submitted a report on the bill.

Mr. SMOOT. Yes; a written report, going into detail.

Mr. McKELLAR. Would it not be wise, as it is a matter of general importance, to have the report printed in the RECORD? I hope the Senator will ask unanimous consent to have that done.

Mr. SMOOT. I ask unanimous consent that the report may be printed in the RECORD following action on the bill.

The VICE PRESIDENT. Without objection, it is so ordered. Is there objection to the present consideration of the bill?

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

Be it enacted, etc., That section 5 of the second Liberty bond act, as amended (Public, No. 11, 71st Cong., June 17, 1929), is amended by adding at the end thereof a new subdivision to read as follows:

"(d) Any gain from the sale or other disposition of Treasury bills issued hereunder (after the date upon which this subdivision becomes law) shall be exempt from all taxation (except estate or inheritance taxes) now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority; and no loss from the sale or other disposition of such Treasury bills shall be allowed as a deduction, or otherwise recognized, for the purposes of any tax now or hereafter imposed by the United States or any of its possessions."

The report of the committee is as follows:

[S. Rept. No. 887, 71st Cong., 2d sess.]

EXEMPTING GAIN FROM THE SALE OR OTHER DISPOSITION OF TREASURY BILLS FROM TAXATION

Mr. SMOOT, from the Committee on Finance, submitted the following report (to accompany H. R. 12440):

The Committee on Finance, to whom was referred the bill (H. R. 12440) providing certain exemptions from taxation for Treasury bills, having had the same under consideration, report it back to the Senate without amendment and recommend that the bill do pass.

Following is a copy of the House report on the bill:

"The Committee on Ways and Means, to whom was referred the bill (H. R. 12440) providing certain exemptions from taxation for Treasury bills, having considered the same, report it back to the House without amendment and recommend that the bill do pass.

"The immediate enactment of this bill is urged by the Treasury Department.

"About a year ago Congress authorized the Treasury to issue a new form of short-term Government security, to be known as a Treasury bill and to be sold at a discount. Under that authorization there have been four issues of Treasury bills. These issues have come up to expectations and have been successful in the sense that the Treasury obtained money at reasonably low rates and that the Treasury bill enabled the Treasury as a practical matter to borrow money when actually needed, instead of, as the Treasury had been accustomed to do before it had this new instrument, on the quarterly tax payment dates.

"Gains from the sale or other disposition of Treasury bills are subject to income tax at the present time, and losses therefrom are deductible. But, in order to ascertain capital gains or losses, as differentiated from the discount received on these Treasury bills, it is necessary that those dealing in the securities keep a complicated system of bookkeeping records, resulting in such an enormous amount of detail that a very real sales resistance has developed.

"Although gains from the sale or other disposition of Treasury bills are subject to income tax, little or no revenue is to be anticipated therefrom because, unless the Treasury bill during its brief existence should happen to pass through the hands of men whose income is taxed at different rates, the gains and losses during the course of the 90 days will offset each other, with the result that so far as the Government is concerned there is no capital gain or loss. Treasury bills are bought mostly by corporations—which are, of course, taxed at the same rate. They are largely bought by banks, large insurance companies, and other corporations with funds to invest temporarily. Moreover, the maturity is so short and fluctuations are likely to move within such a narrow range that the amount involved on account of capital gains and losses is inconsequential.

"On the last issue of Treasury bills there were no less than 17 different rates of discount, representing the different competitive bids that were accepted. In other words, on one issue of Treasury bills there were 17 different rates of discount. The dealer who acquires those bills can not treat them as one issue. In order to arrive at the capital gain or loss, he must take each lot of Treasury bills sold at a particular discount rate and open an account for that particular lot, showing the price at which originally sold by the United States, the price paid by him for the bill, what he sold it for, and what the accrued discount is for the period during which he held the security.

"J. H. Case, Esq., chairman of the board of directors of the New York Federal Reserve Bank, who in the course of the last 13 or 14 years has had as much experience with the Government security market as any man in the United States, became seriously concerned over this situation, and on April 21, 1930, he addressed a letter to Undersecretary of the Treasury Ogden L. Mills, which letter reads in part as follows:

"'But more convincing evidence of the difficulties which this type of financing is likely to encounter is found in the acute situation which has arisen in the experience of purchasers of the bills in subsequently disposing of their bills in the market. It is in this connection that this form of financing has recently encountered such serious difficulties as to justify the most careful consideration of some modification of the provisions governing their issuance.

"'The sale of Treasury short-term obligations on favorable terms is dependent upon a group of traders or dealers in short-term investments who always stand ready to buy or sell obligations of this sort. The desirability of the Treasury bill depends on the holders being able to liquidate it at any time at a fair price, and these dealers constitute the market where this is always possible. In this market, as in all money markets with which I am familiar, the buyers of Government and other short-term securities such as bankers' bills and city of New York warrants usually acquire such securities as needed through this group of dealers, and if they want to realize on the securities, sell them to or through these dealers. The popularity of the security depends on its being traded in freely in this way.

"'We have been hoping that the United States Treasury bill would take its proper place in this market and become a desired instrument for short-term investments by banks, corporations, and individuals. But the fact is that the dealers now find the market almost closed to these new Treasury bills, solely on the ground of the bookkeeping complications which necessitate such an enormous amount of detail that prospective buyers refuse to take them.

"'A letter I have just received from Mr. E. C. Wagner, president of the Discount Corporation of New York, which is one of the largest dealers in Government securities, indicates the difficulties they are encountering.

"'The difficulty lies in the fact that the tax exemption of the income from Treasury bills has to be computed by the buyer not on the basis of price at which he purchases the bill but on the basis of the original sale price, which is not the same for all bills issued at a given date, for parts of each issue are sold at different prices, and, moreover, the holder of a bill must compute a capital gain or loss from the time of his acquisition of the bill to disposal or maturity. In this way an issue of Treasury bills can not be quoted at any given price, but the seller and buyer have to make a series of computations for each transaction and the dealers find that for each bill they handle they have to keep an account on a daily accrual basis. The discount houses print and circulate daily offering sheets, and in the case of Government securities their lists show the price of each issue, the true interest yield, and in a separate column the yield to corporations after an allowance has been made for tax exemptions, but in the case of Treasury bills it is impossible to show the yields on a taxable basis because of the various prices at which the bills were bought or sold and result, perhaps, in a dozen different calculations in the tax-exempt feature. All of this bookkeeping brings the Government no net return, for one holder's loss exactly offsets another's gain.

"'These difficulties are so great that a number of important buyers of Treasury obligations are withdrawing altogether from the purchase of the bills, and I am convinced that unless the present law can be modified the Treasury may presently have difficulty in continuing this method of financing on a satisfactory basis.'

"There is also quoted the letter from E. C. Wagner, Esq., president Discount Co. of New York, one of the largest dealers in Government securities, which is referred to in the letter from Mr. Case and which indicates the difficulties that that company is experiencing because of the necessity for computing capital gains or losses resulting from the sale or other disposition of Treasury bills:

"DISCOUNT CORPORATION OF NEW YORK,
"*New York City, April 17, 1930.*

"Mr. J. HERBERT CASE,
"*Chairman of the board, Federal Reserve Bank of New York,*
"*New York, N. Y.*

"DEAR MR. CASE: You are, I know, well informed in regard to the disappointment on the part of the money market when the announcement was made that the exemption of income derived from an investment of United States Treasury bills would be measured by the discount actually received for each individual bill at the time of issue.

"This corporation performs an important function in endeavoring to even up the temporary surplus funds of banks and bankers through our holdings of bank acceptances and short-time Government securities. In order to obtain more favorable rates for money, it has been our custom to farm out our holdings of short-term Government securities by means of repurchase agreements, so that the investor of money gains

the benefit of the exemption of taxation from the income derived. In this manner we frequently place out blocks of $5,000,000 or more of one issue of certificates, the coupon being the same for the entire block.

"We have been unable, however, to arrange repurchase agreements in the case of United States Treasury bills, because a block of Treasury bills may have been bought at a dozen different rates of discount and the calculation of the benefit of the tax exemption is too complicated for the moneyed party borrowed from. We are therefore obliged in the case of Treasury bills to rely on straight loans and pay the full rate of interest. Moreover, the interest which we pay is not deductible as an expense on our income-tax return. All of this makes the financing of the purchase of Treasury bills very difficult for dealers.

"I have taken up the matter of financing the carrying of Treasury bills because, after all, that is the first thing a dealer has to do when handling them. The next step is to arrange a sale. There, again, we meet with considerable sales resistance on the part of banks and bankers, who appear to so strongly object to the work necessitated in calculating the exemption from taxation of the resulting revenue.

"When visiting banks with the object of making trades or borrowing money, one normally would only have to bear in mind that one had $5,000,000 or $10,000,000 United States Government certificates to sell. In the case of Treasury bills, it is not only necessary to know the dollar volume but a dealer must carry with him the particulars of the original discount at which they were bought, so as to be able to inform the buyer of the conditions of the suggested purchase.

"The net result is that whereas the market anticipated that the United States Treasury bill would become the premier security of the world and the most easily traded in, it is in fact to-day the least popular of all United States issues.

"We have no hesitation in saying that in our opinion Congress should change the law so that the current market discount is exempt from taxation. If this is done, holders of Treasury bills need make only one entry of the income, instead of which we are obliged to carry a complicated set of books, copies of which are handed you with this letter. If you can prevail upon the Secretary of the Treasury to appeal to Congress to make the necessary change in the act, it will do much to broaden the market for Treasury bills and insure the capacity of the Government to continue to borrow in this form on advantageous terms.

"Thanking you for your customary courtesy, we are,

"Yours very truly,

"E. C. WAGNER, *President*."

INCOME TAXATION ON COMMUNITY PROPERTY

Mr. SMOOT. I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 340) extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income.

The VICE PRESIDENT. Is there objection?

Mr. McKELLAR. Mr. President, I should like to have the Senator explain the joint resolution.

Mr. SMOOT. Mr. President, the joint resolution extends for one year the periods of limitation in respect of the assessment, refund, and credit of income taxes in the case of any married individual where such individual or his or her spouse filed a separate income-tax return and included in such return the income which, under the laws of the State, upon receipt became community property. The joint resolution affects eight States, California being one and Florida being another.

The joint resolution has passed the House. There is no objection to it, and the Treasury Department reports the necessity of the enactment of this proposed legislation at the present session for a solution of the problem which has arisen in connection with the community property test case (Poe *v.* Seaborn), now pending before the United States Supreme Court.

The necessity for this legislation is fully set out in the report which I have submitted to accompany the bill.

Mr. McKELLAR. I inquire of the Senator if the joint resolution was reported unanimously by the committee?

Mr. SMOOT. The committee reported the joint resolution unanimously.

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

There being no objection, the joint resolution was read, considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the 3-year period of limitation provided in section 277 of the revenue act of 1926 upon the assessment of income taxes imposed by that act for the taxable year 1927, and the 3-year period of limitation provided in section 284 of the revenue act of 1926 in respect of refunds and credits of income taxes imposed by that act for the taxable year 1927 shall be extended for a period of one year in the case of any married individual where such individual or his or her spouse filed a separate income-tax return for such taxable year and included therein income which under the laws of the State upon receipt became community property.

SEC. 2. The 2-year period of limitation provided in section 275 of the revenue act of 1928 upon the assessment of income taxes imposed by Title I of that act for the taxable year 1928, and the 2-year period of limitation provided in section 322 of the revenue act of 1928 in respect of refunds and credits of income taxes imposed by that act for the taxable year 1928 shall be extended for a period of one year in the case of any married individual where such individual or his or her spouse filed a separate income-tax return for such taxable year and included therein income which under the laws of the State upon receipt became community property.

SEC. 3. The periods of limitations extended by this joint resolution shall, as so extended, be considered to be provided in sections 277 and 284 of the revenue act of 1926 and sections 275 and 322 of the revenue act of 1928, respectively.

SEC. 4. Nothing herein shall be construed as extending any period of limitation which has expired before the enactment of this joint resolution.

Mr. McKELLAR. I hope the Senator will have the report accompanying the joint resolution printed in the RECORD.

Mr. SMOOT. Mr. President, I ask that the report accompanying the joint resolution may be printed in the RECORD.

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

The report is as follows:

[S. Rept. No. 888, 70th Cong., 2d sess.]

EXTENSION OF PERIOD OF LIMITATION IN CASE OF COMMUNITY INCOME

Mr. SMOOT, from the Committee on Finance, submitted the following report (to accompany H. J. Res. 340):

The Committee on Finance, to whom was referred the joint resolution (H. J. Res. 340) extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income, having had the same under consideration, report it back to the Senate without amendment, and recommend that the resolution do pass.

Following is the House report on the joint resolution:

"The Committee on Ways and Means, to whom was referred the joint resolution (H. J. Res. 340) extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928 in the case of married individuals having community income, having had the same under consideration, report it back to the House without amendment, and recommend that the resolution do pass.

"The legislation herein proposed extends for one year the periods of limitation in respect of the assessment, refund, and credit of income taxes in the case of any married individual where such individual or his or her spouse filed a separate income-tax return and included in such return the income which, under the laws of the State, upon receipt became community property. The period for the taxable year 1927 under the revenue act of 1926 was three years. The period for the year 1928 under the revenue act of 1928 was two years. Sections 1 and 2 of this resolution extend such periods to four and three years, respectively.

"The effect of section 3 is to make the extended periods of limitation provided in the joint resolution as if they were the periods provided in sections 277 and 284 of the revenue act of 1926, and sections 275 and 322 of the revenue act of 1928, respectively, so that wherever in those acts the period of limitation or the statute of limitations provided in section 277 or 284 of the 1926 act or in section 275 or 322 of the 1928 act is referred to, such period or statute as extended by this joint resolution will be included. For example: Section 275 of the revenue act of 1928 provides a 2-year period of limitation on the assessment of income taxes imposed by that act, and section 277 provides that the 'running of the statute of limitations provided in section 275 * * * on the making of assessments * * * in respect to any deficiency, shall (after the mailing of a notice under section 272 (a)) be suspended for the period during which the commissioner is prohibited from making the assessment * * * and for 60 days thereafter.' By virtue of the provisions of section 3 of the joint resolution the statute of limitations 'provided in section 275' comprehends not only the 2-year period but the 2-year period as extended for an additional year by section 2 of the joint resolution. As a result the extended period of limitation is made effective to the same degree as if the limitation sections of the revenue acts of 1926 and 1928 were themselves amended to provide for the extended periods of limitation provided in the joint resolution.

"The necessity for the enactment of this resolution is fully set forth by the Acting Secretary of the Treasury in his letter to the chairman of the committee under date of May 10, 1930, as follows:

"MAY 10, 1930.

"Hon. WILLIS C. HAWLEY,

"*Chairman Committee on Ways and Means,*

"*House of Representatives.*

"DEAR MR. CHAIRMAN: Transmitted herewith is a draft of a proposed joint resolution extending the periods of limitation in respect of assessments, refunds, and credits of income taxes for the taxable year 1927 and the taxable year 1928, in the case of a married individual where such individual or his or her spouse filed a separate income-tax return and included therein community income.

"The enactment of this proposed legislation at the present session of the Congress is essential to the solution of the problem which has arisen in connection with the community property test case (Poe *v.* Seaborn), now pending before the United States Supreme Court. The Solicitor General of the United States has advised the department that this case will go over to the fall term of the court, and that it is highly improbable that a decision will be handed down prior to the first decision day in January, 1931. There is no assurance that a decision will be handed down even then.

"The following is a brief history of the community property income issue:

"The Attorney General of the United States in an opinion dated September 10, 1920 (32 Op. Atty Gen. 298, T. D. 3071, C. B. 3221, the date being stated as August 24 in the Treasury Decision), with respect to Texas, and in an opinion dated February 26, 1921 (32 Op. Atty. Gen. 435, T. D. 3138, C. B. 4, 238), with respect to Washington, Arizona, Idaho, New Mexico, Louisiana, and Nevada, held that in rendering income-tax returns a husband and wife might each report one-half of the income which under the laws of the respective States became, simultaneously with its receipt, community property. On January 4, 1926, the United States Supreme Court in the case of United States *v.* Robbins (46 S. Ct. 148, 269 U. S. 315, T. D. 3817, C. B. V-1, 188) sustained the position of the department in taxing all community income to the husband under the laws of the State of California in effect at that time. The Supreme Court of the United States in the course of its opinion stated as follows:

"'* * * Even if we are wrong as to the law of California and assume that the wife had an interest in the community income that Congress could tax if so minded, it does not follow that Congress could not tax the husband for the whole. Although restricted in the matter of gifts, etc., he alone has the disposition of the fund. He may spend substantially as he chooses, and if he wastes it in debauchery the wife has no redress. * * * That he may be taxed for such a fund seems to us to need no argument. The same and further considerations lead to the conclusion that it was intended to tax him for the whole. * * * he who has all the power [should] bear the burden * * * the husband [is] the most obvious target for the shaft * * *.'

"Under date of July 16, 1927, in a letter addressed to this department (35 Op. Atty. Gen. 265), the Attorney General withdrew his two former opinions relating to community-property income for the reason that the decision in the case of United States *v.* Robbins had raised a very substantial doubt as to the soundness of the two former opinions, leaving the Treasury Department to take any position it might consider proper under the laws of the several States with respect to the reporting of community income.

"This situation resulted in the preparation of a proposed Treasury decision, applicable to all the community-property States, amending the income-tax regulations of the department and denying to husband and wife the right to divide community income in making income-tax returns. While this Treasury decision was in the course of preparation Representatives in Congress from community-property States urged upon the department that the regulations should not be so amended until required by a decision of the Supreme Court of the United States. They insisted that the language in the Robbins opinion which supported the proposed amendment was dicta, and that it was unjust to reverse the prior practice and procedure of the department in effect over a long period of years on account of mere dicta, particularly when such reversal would affect over a hundred thousand taxpayers in the community-property States.

"Attention was called to the fact that if the department made the amendment and eventually was found to be wrong, it would have to make refunds to this vast number of taxpayers, resulting in a large amount of unnecessary administrative work. In accordance with the views thus urged upon the department, it was finally decided that the proposed Treasury decision should not be issued until test cases with respect to the community-property issue should have been litigated through the Supreme Court and final decisions obtained. It was the concensus of opinion at that time that any change in the prior practice and procedure of the department should not be made retroactive beyond the taxable year 1927. Expectations were that a decision of the Supreme Court would be handed down during the 1930 spring term of the court, leaving ample time for the department satisfactorily to close all community-income cases for the taxable years 1927 and 1928 before the running of the statute of limitations. Upon such understanding the department published I. T. Mimeograph Coll. No. 3723, dated April 6, 1929 (C. B. VIII-1, 89), a copy of which is attached hereto. The following rules, among others, were laid down in the mimeograph governing the procedure to be followed in the audit of such returns for 1927 and subsequent taxable years:

"'(2) The audit of returns filed upon the so-called community-property basis for 1927 and subsequent taxable years will be governed by the following rules:

* * * * * * *

"'(c) If the adjustment of all of the other issues results in no change in tax liability, the returns will be filed in the collector's office or the Income Tax Unit in Washington, as the case may be, after the usual review, and the returns will be appropriately flagged in the files so that they may be readily withdrawn and assembled for a supplemental audit in the event the final decision of the court sustains the bureau's position. (But see par. (i) below.)

"'(d) If the taxpayer acquiesces in the proposed adjustment of the other issues and such adjustment results in a change in tax liability, the administrative file in the case, after the usual review, will be appropriately labeled and, pending the final court decision, will be held in the office of the internal-revenue agent in charge. This type of cases will be treated by collectors in the same manner as protest cases and will be transmitted to the appropriate internal-revenue agent in charge. The taxpayer will be advised to protect his interests with respect to any overpayments by filing a claim for refund within the statutory period of limitation properly applicable thereto.

* * * * * * *

"'(h) Those returns which are closed and filed, or which may hereafter be accepted and sent to the files as properly prepared (except for the community-property issue), will be flagged in the files as in paragraph (c) above. This paragraph does not apply to those cases which may have been finally closed under section 1106 (b) of the revenue act of 1926 or section 606 of the revenue act of 1928.

"'(i) If the final decision of the court is in favor of the bureau's position, the return sent to the files will be subject to a supplemental audit only in those cases where the additional tax will be sufficient in amount to justify the time and expense in taking such action.'

"Under the above-quoted provisions of the mimeograph there are now approximately 100,000 returns for the calendar years 1927 and 1928 being held in the Income Tax Unit in Washington awaiting the decision of the Supreme Court. There are also approximately 200 returns for the fiscal years 1927 and 1928 which are being so held. In addition, there are at least 10,000 returns for the taxable years 1927 and 1928 being held in the offices of the several internal-revenue agents in charge. The amount of additional taxes to be collected on account of the taxable years 1927 and 1928, if the community-property income issue is decided in favor of the Government, is estimated to be approximately $50,000,000.

"The following alternatives have been considered by the department in an attempt to solve the problem, all of which are unsatisfactory, since they would result in confusion, inconvenience, and embarrassment both to the Government and the taxpayers:

"'1. The department might await a possible decision of the Supreme Court as of January, 1931, before finally determining deficiencies for the taxable years 1927 and 1928 resulting from the refusal to permit the division between husband and wife of community income.'

"It is readily apparent that if the department should thus await the decision of the Supreme Court, even though the decision is handed down early in January, 1931, the department, in order to protect the interests of the Government against the running of the statute of limitations, would have to proceed now to reaudit over a hundred thousand returns on the basis of refusing to permit the division of community income and, when the Supreme Court renders its decision, would have to prepare and issue immediately and without sufficient time for adequate preparation 60-day deficiency letters in all these cases. It is obvious that a most unsatisfactory and embarrassing situation would result from the haste which would be necessary in completing the task in the insufficient time which would be available to the Government. In general, the period of limitation on assessment with respect to the calendar years 1927 and 1928 will expire from January 1 to March 15, 1931, dependent upon the dates the returns were filed, with the peak around March 15, 1931, while the period of limitation on assessment with respect to the fiscal years 1927 and 1928 will expire before those dates.

"'2. The department might proceed at once finally to determine deficiencies for the taxable years 1927 and 1928 resulting from the refusal to permit the division between husband and wife of community income.'

"This would require the preparation and issuance of 60-day deficiency letter to the husband and letters suggesting the filing of refund claims by the wife in order to protect her interests. The result would be the filing of thousands of petitions with the United States Board of Tax Appeals, which would cause a serious congestion of cases before the board. The forcing of taxpayers in these thousands of cases to file petitions with the United States Board of Tax Appeals or to pay the tax and file claims for refund would entail an expense and inconvenience to the taxpayers which should be avoided, if possible.

"'3. The department might endeavor to hold these cases for the taxable years 1927 and 1928 open by soliciting consents extending the period of limitation.'

"This would entail a tremendous administrative expense, and, in the great number of cases where such consents could not be obtained, it would be necessary to follow the unsatisfactory procedure outlined in the preceding paragraph. Furthermore, a wholesale soliciting of waivers would probably cause a reaction against the Government on the part of the taxpayers.

"In view of the foregoing it is believed that the legislation suggested by the proposed joint resolution is the best possible solution to the problem which confronts the department. The proposed legislation does not extend the periods of limitation in respect of assessments, refunds,

and credits generally, but only in those cases in which the community-property income issue is involved for the taxable years 1927 and 1928, and is designed to avoid the expense and inconvenience which would result to taxpayers if the Government, prior to the decision of the Supreme Court in the community-property test cases, should be forced to issue 60-day deficiency letters in order to suspend the running of the statute of limitations as to those years. If such legislation is not enacted during the present session of Congress, the only way the department can fully protect the interests of the Government is to proceed with the determination of deficiencies and the issuance of 60-day deficiency letters in these cases without awaiting a decision of the Supreme Court, which procedure, as has been shown, would result in the filing of thousands of petitions with the United States Board of Tax Appeals, a congestion of cases before the board, and undue expense and inconvenience to taxpayers. The department therefore recommends that every effort be made to enact the proposed legislation at the present session of the Congress.

"Very truly yours,

"OGDEN L. MILLS,
"*Acting Secretary of the Treasury.*"

AMENDMENT TO WORLD WAR VETERANS' ACT

Mr. GEORGE. Mr. President, there was reported to-day by the Senator from California [Mr. SHORTRIDGE] the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended. I do not ask that the bill be considered this afternoon, because there are not many Senators present, and perhaps it ought to go to the calendar; but I want to give notice that I will undertake to call it up at the very earliest opportunity, by motion, if necessary.

Mr. McKELLAR. Mr. President, does the Senator from Georgia think there will be any objection to the passage of the bill? I understand that it has been unanimously reported by the committee. Am I correct in that?

Mr. REED. Mr. President, to what bill is the Senator referring?

Mr. McKELLAR. To the so-called war veterans' bill.

Mr. GEORGE. To the bill amending the World War veterans' act.

Mr. REED. It will require some discussion.

Mr. GEORGE. I think it will require some discussion.

Mr. McKELLAR. I hope the bill will be brought before the Senate at a very early date.

Mr. GEORGE. I am not asking that it be considered now; I am calling attention to the fact that it has been reported, and that we desire to call it up as soon as practicable.

Mr. REED. I for one shall expect to offer as an amendment the bill sponsored by the American Legion.

Mr. GEORGE. I apprehended that there would be at least some discussion of the amendments offered.

Mr. SMOOT. I was going to say that if the Senator from Pennsylvania should not offer the amendment to which he has referred, I would do so.

ADULTERATED, MISBRANDED, OR POISONOUS FOODS, ETC.

Mr. McNARY. Mr. President, some time ago the House passed House bill 730, known as the canning bill, which was referred to the Committee on Agriculture and Forestry. Subsequently the Senate passed a bill, Senate bill 1133, on the same subject. I move that the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (H. R. 730) 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.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to.

Mr. McNARY. I now ask unanimous consent that the Senate proceed to the consideration of the House bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. McNARY. I now offer as an amendment the Senate bill 1133 as heretofore passed by the Senate and embodying the amendment proposed by the Senator from New York [Mr. COPELAND].

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause of the House bill and in lieu thereof to insert the following:

That section 8 of the act of June 30, 1906, 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," as amended, is amended by adding at the end thereof the following:

Fifth. (a) If it be canned food and falls below the standard of quality, condition, and/or fill of container, promulgated by the Secretary of Agriculture for such canned food, and its package or label does not bear a plain and conspicuous statement prescribed by the Secretary of Agriculture indicating that such canned food falls below such standard. For the purposes of this paragraph, the words "canned food" mean all food which is in hermetically sealed container and is sterilized by heat, except meat and meat food products which are subject to the provisions of the meat inspection act of March 4, 1907 (34 Stat. 1260), as amended, and except canned milk; the word "class" means and is limited to a generic product for which a standard is to be established and does not mean a grade, variety, or species of a generic product. The Secretary of Agriculture is authorized to determine, establish, and promulgate, from time to time, a reasonable standard of quality, condition, and/or fill of container for each class of canned food as will, in his judgment, promote honesty and fair dealing in the interest of the consumer, and he is authorized to alter or modify such standard from time to time as, in his judgment, honesty and fair dealing in the interest of the consumer may require.

(b) When it is proposed to change or fix a standard, the Secretary of Agriculture shall direct the food standards committee, or such other standards agency as he may establish in the food and drug administration of the department, to determine upon and publish from time to time tentative definitions and standards for food. No such tentative definition or standard for any food shall be determined upon or published except after reasonable public notice and full opportunity for public hearing of all interested parties upon a proposed tentative definition or standard for the food, to be announced by the standards agency as a part of such public notice. Within 30 days after the publication of any such tentative definition or standard determined upon by the standards agency, exceptions thereto may be filed with the Secretary by any party of record to the proceedings before the standards agency with respect to the tentative definition or standard. The Secretary shall, if exceptions are so filed, and may upon his own motion within such period, whether or not exceptions are so filed, review such tentative definition or standard. If such review is had, the Secretary may, after reasonable notice to all parties of record to the proceedings before the standards agency with respect to the tentative definition or standard and after full opportunity to all such parties for public hearing before him, determine upon and establish a definition and/or standard for the food. If no such review is had, the Secretary shall establish the tentative definition and/or standard as the definition and/or standard for the food. A definition or standard established by the Secretary under this section shall take effect at such time as the Secretary shall prescribe, but in no case earlier than 90 days from the date of the promulgation thereof. The testimony and argument at any hearing under this section shall be stenographically reported and a transcript thereof promptly filed in the department as a public record. Modifications of any definition or standard established under this section shall likewise be subject to the foregoing procedure.

(c) The Secretary of Agriculture is further authorized to prescribe and promulgate from time to time the form of statement which must appear in a plain and conspicuous manner on each package or label of canned food which falls below the standard promulgated by him, and which will indicate that such canned food falls below such standard, and he is authorized to alter or modify such form of statement, from time to time, as in his judgment may be necessary. In promulgating such standards and forms of statements and any alteration or modification thereof, the Secretary of Agriculture shall specify the date or dates when such standards shall become effective, or after which such statements shall be used, and shall give public notice not less than 90 days in advance of the date or dates on which such standards shall become effective or such statements shall be used. Nothing in this paragraph shall be construed to authorize the manufacture, sale, shipment, or transportation of adulterated or misbranded foods.

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.

The VICE PRESIDENT. Without objection, the votes whereby Senate bill 1133 was read the third time and passed will be reconsidered, and, without objection, the Senate bill will be indefinitely postponed.

MOUNT HOOD AREA, OREGON

Mr. McNARY. Mr. President, about a year ago the Secretary of Agriculture, in cooperation with the Forest Service, made a very elaborate survey of the Mount Hood district, in the State of Oregon, for recreation purposes. At the request of the Secretary of Agriculture, I ask that it be printed as a Senate document.

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

RECESS

Mr. REED. I move that the unanimous-consent agreement be carried out, and that the Senate take a recess.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Thursday, June 12, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 11 (legislative day of June 9), 1930

UNITED STATES MARSHAL

Louis H. Crawford, of Georgia, to be United States marshal, northern district of Georgia. (He is now serving in this office under an appointment which expired February 23, 1930.)

COAST GUARD

The following-named officers in the Coast Guard of the United States:

To be lieutenant commanders, to rank as such from June 5, 1930

Lieut. Albert M. Martinson.
Lieut. Edward H. Fritzsche.
Lieut. Carleton T. Smith.
Lieut. Raymond J. Mauerman.
Lieut. Robert C. Jewell.
Lieut. George E. McCabe.
Lieut. Lee H. Baker.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *June 11, 1930*

The House met at 12 o'clock noon.

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

O Lord God of Hosts, we thank Thee for this day with its promise and opportunity. We praise Thee for the bud and bloom, for the caroling birds, for nature wrought in the garment of its own loveliness, and even for the stars, those eloquent ministers of the night. O God, we rejoice because of these evidences of Thy might and glory. We bow our souls in humility and ask the forgiveness of our sins. Teach us the importance of the smallest effort, and may we dread no duty. Bless unto us the memory of experience, every sweet association, and every tie of love. Impart to every care-beclouded life some ray of cheer and touch their souls with comfort every day. Through Christ our Saviour. Amen.

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

LEAVE TO ADDRESS THE HOUSE

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that to-morrow, after the reading of the Journal and the disposal of business on the Speaker's table, I may address the House for 15 minutes on the District of Columbia appropriation bill.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that after the disposition of business on the Speaker's table and at the conclusion of the address of the gentleman from Missouri [Mr. HOPKINS] he be permitted to address the House for 15 minutes. Is there objection?

There was no objection.

RESTRICTION OF MEXICAN IMMIGRATION

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an address I delivered last evening over the radio.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by me last evening over the radio:

Few, if any, of our public questions are more important or more interesting than the immigration of new people. In our early history we invited and encouraged immigrants. Never in the history of the world has there been such a movement of people as that which occurred in the 10 decades preceding the passage of our first quota law in 1921. In a period of a few years an army of pioneers, native-born and immigrant, crossed the Alleghenies, scattered themselves over the wide prairies and fertile valleys of the Middle West, scaled the mighty mountains, penetrated the vast forests of the western slopes, and pushing one frontier after another before them were stopped only by the mighty Pacific.

Just before the World War the line of immigrants coming into our country averaged a million a year. Congress had sensed the danger in this flood of new people and gave a warning by passing the 1917 restriction bill, which President Wilson vetoed but which was promptly passed over his veto. In 1921 Congress passed the first quota law, which was followed by the act of 1924, which is the basis of all restrictive legislation now on our statute books. There was very vigorous opposition to each of these measures. This opposition came principally from three classes.

First, the alien-minded resident whose loyalty to the mother country surpassed his fealty to the United States.

Second, the cheap-labor advocate.

Third, certain branches of the Department of State. They feared a straining of diplomatic relations.

The alien minded, the cheap-labor advocate, and the departmental pessimist are still abroad in the land, and though they are few in number they are always vigilant and frequently militant.

The alien minded is ever zealous in his opposition to all measures proposing further restriction and is in favor of all laws tending to break down the quota regulations. He is usually loud in his approval of the quota system, but his sincerity is doubted when his actions are scrutinized closely.

The cunning cheap-labor advocate advances many subtle reasons for his position and ofttimes succeeds in confusing the most ardent restrictionist.

The diplomat and department chief who is so bound by custom and precedent that he views all new truth as an innovation at least, if not a positive radical departure, is fearful of causing international hard feelings and is ready to question everything new that tends to restrict immigration.

Each of these groups is now playing an important part in opposition to the only real immigration question now confronting the present Congress. I refer to the restricting of immigration from the countries of North and South America—the Western Hemisphere.

There is no denying the fact that the country approves the action of former Congresses in providing exclusion laws against the yellow and brown races of Asia. Likewise does it approve legislation holding European immigration within the bounds of certain fixed quotas. Does it not therefore stand to reason that the country would approve a measure that would put the remaining countries of the world—those of the Western Hemisphere—under some plan of restriction? An affirmative answer is irresistible. This is the answer that the American out of employment makes when he sees foreigners holding jobs that he would like to have. This is the answer of Hon. James J. Davis, the Secretary of Labor, when he says in his annual report: "The unlimited flow of immigrants from the countries of the Western Hemisphere can not be reconciled with the sharp curtailment of immigration from Europe."

Again, he says: "The absence of any restriction or limitation on natives of New World countries coming here for permanent residence is the only obstacle in the way of complete numerical control of immigration and, in my judgment, the matter has been too long neglected by Congress."

On March 13 last the Immigration Committee of the House of Representatives recommended the passage of the Johnson-Box bill, which provides that each of the countries of North and South America be placed upon a quota. It is true that there is no pressing need of restrictive laws against some of these countries, for they are new and are receiving immigration themselves, and they contribute but few immigrants to our country. The strength of any law is its freedom from unfair discrimination.

While it is true that restriction may not be necessary against some of these countries, yet when it is so well recognized that restriction is necessary as to others of them, it would not be unfair to give each country a quota, providing they were dealt with as liberally as we have dealt with European countries. The Johnson-Box bill provides more liberal quotas than given to European countries. It fixes quotas for Canada, Mexico, and Cuba on a different basis than other restrictive measures, and is more liberal. It provides that each of these last-named countries shall have a quota equal to four times the number of citizens of the United States who entered that country for permanent residence during the fiscal year ending June 30, 1929—Mexico to have a bonus of approximately 8,000 in 1930 and 4,000 in 1931. To illustrate: If 725 American citizens emigrated to Mexico for permanent residence in 1929, a quota of four times 725, or 2,900, would be allowed Mexico. In addition to this, the bill gives Mexico for 1930 and 1931 a bonus quota above referred to to satisfy the agriculturists of the Southwest, who claim that they need Mexicans to do their work. Canada and Newfoundland together are given a quota of 67,556, which is in excess of the average number of Canadians now coming. Under this bill each of the other countries is given a quota equal to the number of immigrants that came from that country last year, with a minimum quota of 100 to each country.

This bill would give us "complete numerical control" of immigration, as advocated by Secretary Davis. It would restrict Mexican immigration without being unfair to her, and would fix a quota on the other countries without restricting them below what they are now sending us.

While this bill was waiting action by the House of Representatives, the Senate took up the consideration of the Harris bill, which involved the same question. After two weeks' debate and deliberation it came to no conclusion on the matter. You probably have observed that the Senate is a deliberative body. Later the Senate reconsidered the

Harris bill and finally passed it. This bill deals only with Mexico, and gives her a quota of 1,882. It puts Mexico upon the same quota basis as Europe. It reduces in proportion the quotas of the European countries to cover the quota granted to Mexico. Great Britain's quota is reduced by 825, Germany's by 326, and the other countries in proportion, the total of all quotas—153,717—remaining the same.

These are some of the arguments advanced in favor of these bills:

First. To restrict immigration from Europe and to permit an unrestricted flow of immigration from Mexico is inconsistent.

Second. Restriction is intended to protect the American working man.

Third. Restriction is intended to prevent the lowering of our standard of living and the standard of our physical, mental, and moral manhood.

The arguments against these bills are also plausible.

First. It is claimed that the Harris bill works a discrimination since it singles out Mexico.

Second. It is claimed by the farmers and railroads of the Southwest that Mexican labor is indispensable to them.

Third. The State Department claims that to place a restriction on the immigration coming to us from the countries of the Western Hemisphere will offend these countries and may cause them to retaliate.

Fourth. The State Department also claims that in the past year it has increased its vigilance with reference to the admission of immigrants from Mexico and that it has reduced the number to 12,000 for the present fiscal year, and can continue this reduction.

Let us consider, briefly, each of these arguments for and against.

The Harris bill does not single out Mexico from the other countries of the Western Hemisphere. This is the best argument against it. But restriction is a policy adopted for our benefit and not for the benefit of the other country. It is a well-recognized principle of international law that every country has a right to control the flow of immigration coming into its territory. All the countries of the world have restrictive immigration laws—Mexico has them. So long as Mexico is placed on the same basis as England, Ireland, Germany, and the Scandinavian countries she is not seriously discriminated against.

And further, even if the Harris bill does discriminate against Mexico, the Johnson-Box bill does not discriminate against Mexico for it includes all the countries of the Western Hemisphere.

That serious diplomatic complications will follow the enactment of restrictive legislation is not a serious argument. The same claim was made by the State Department when the first restrictive laws were passed by Congress, but no diplomatic disaster followed.

The claim that the number of Mexicans coming to the United States has been greatly reduced can not be authentically proved or disproved. An affirmation is on the same footing as a denial for because of the long boundary line between us and Mexico, and because of the character of the territory it is impossible to make a fair guess as to how many Mexicans cross the border clandestinely. Every fair-minded student of this question knows that the increase of Mexican population in this country during the past 10 years has greatly exceeded the figures given out by the Government, even though these figures are surprisingly large. The State Department may have turned back a large number attempting to come through the regular channels, but its figures do not include the thousands who have crossed the border surreptitiously. If the number of Mexicans moving into our country has been reduced this year, there are other good reasons for this reduction in addition to the increased efficiency of the State Department. The immigration Department figures for the past five years show a remarkable fluctuation in the immigration coming from Mexico. This may be true this year. In 1920, 51,000 Mexicans entered; in 1922, 18,246; in 1923, 62,709; in 1924, 87,648; in 1925, 32,378; in 1927, 66,766; and in 1929, 38,980.

The industrial depression prevailing in this country is also a strong factor contributing to this reduction.

It is quite likely that the large plantation farmers of the Southwest who raise vegetables and fruits under high-pressure methods do find Mexican labor desirable for it is cheaper than American labor, and will submit to working conditions which American labor has outstripped long ago. Why should the Government spend millions to bring under cultivation lands workable only by Mexicans at cheap prices when we have millions of farmers in all the States of the Union who must raise vegetables in competition with them, and who get no Government assistance, and who employ the good dependable white man or the faithful negro? The farmers of the Southwest must learn what all other employers of labor have learned and that is that cheap labor is not always the best labor. Many employers who opposed restriction in 1921 now favor it. About a year ago I made an extensive personal study and survey of this question in the Southwest and in Mexico and my judgment is that the supply of Mexican labor already here if handled properly greatly exceeds the demand. This opinion is confirmed by eminent students of the subject. The pauperism among Mexicans all through that section of the country confirms this opinion.

To restrict immigration from Europe by the way of the front door and to permit an unlimited procession to enter by the back door is inconsistent and unwise. It can not be defended.

To say to the American laboring man that he is protected from foreign cheap labor by restriction of Europeans when he sees his job taken by a Mexican is to him a very poor argument. The American Federation of Labor is vigorously demanding the enactment of restrictive legislation against Mexican immigration. Last week a prominent labor leader from the State of Washington urged the passage of this legislation and made a significant statement which I have not verified but which I quote in part: "One thousand Mexicans have just passed through the State of Washington to work in the beet fields of Montana while thousands of white people are out of work in the Northwest." Canada is alert to the facts. A short time ago the Canadian authorities sent to their immigration inspectors a circular of instructions, a part of which I read: "The attention of the department has been directed to the fact that there is a large amount of unemployment existing at the present time in the United States, and to the possibility of a number of these unemployed endeavoring to enter Canada for the purpose of seeking work * * *. Care must be taken to see that the regulations are most strictly applied should it develop that this class of labor is endeavoring to move across the international boundary, as it will be appreciated that at the present season of the year there is no demand in Canada for additional labor from the United States."

Testimony before the Immigration Committee of the House was to the effect that the Mexican had found his way into the mills of Pennsylvania and into the fields of Wisconsin and that 51 per cent of the railroad track workers in the immediate vicinity of Chicago are Mexicans. One-sixth of the births in the State of California during the past year were Mexicans. There are nearly twice as many Mexicans as white children enrolled in the schools of El Paso.

The situation is critical. The Mexican has driven out the negro laborer from the Southwest and is fast supplanting the American laborer. To maintain our high standard of living we must guard our portals. Practically all of the civic, patriotic, and labor organizations in the United States approve this program of restriction. The Senate has acted favorably upon it. It is my judgment that the House of Representatives is overwhelmingly in favor of it. The people are looking to Congress for action. Will they look in vain?

In the closing days of a session of Congress the Rules Committee practically determines what legislation will be considered. Will this committee follow the advice of those who fear to move forward, or will it heed the voice of those organizations and people who stand for America first and who have been and are continuing to urge favorable action? This legislation is economically necessary. It will bring no serious complications. It will tend to relieve unemployment. It is consistent with our national policy and should be enacted into law.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an article written by W. G. Joerns on the subject The Lesson of Experience—A Study in Economic Acrobatics, dealing with the question of panics and the Federal reserve system.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD by inserting therein an address delivered by W. G. Joerns on the economic situation. Is there objection?

Mr. PERKINS. Mr. Speaker, I do not believe this matter ought to go into the RECORD, and I object.

MAKING UNITED STATES PARTY DEFENDANT IN CERTAIN CASES

Mr. DYER. Mr. Speaker, by authority of the Committee on the Judiciary, I ask unanimous consent to take from the Speaker's table the bill (H. R. 980) to permit the United States to be made a party defendant in certain cases, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take from the Speaker's table the bill H. R. 980, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference. Is there objection?

There was no objection?

The Chair appointed the following conferees: Mr. GRAHAM, Mr. HICKEY, and Mr. SUMNERS of Texas.

APPOINTMENT OF COMMISSIONERS BY COURT OF CLAIMS

Mr. DYER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 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, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take from the Speaker's table the bill H. R. 7822, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. GRAHAM, Mr. DYER, and Mr. MONTAGUE.

CONSOLIDATION OF ACT RESPECTING COPYRIGHT

Mr. PURNELL, from the Committee on Rules, presented the following resolution providing for the consideration of the bill (H. R. 12549) to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union, which was referred to the House Calendar and ordered to be printed:

House Resolution 243 (Rept. No. 1860)

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. 12549, a bill to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union. 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 Patents, 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. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. PURNELL. Yes.

Mr. SIROVICH. Would the gentleman be kind enough to let me know whether those in opposition to the bill will have an opportunity to have charge of the time?

Mr. PURNELL. The resolution which I am presenting for printing in the RECORD provides that the time shall be controlled by the ranking minority and majority members of the committee, both of whom are in favor of the bill; but I think I can assure the gentleman that, notwithstanding that fact, ample time will be given to those who are opposed to the bill under the two hours provided by the resolution.

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

Mr. PURNELL. Yes.

Mr. VESTAL. I say to the gentleman that I have already talked with the gentleman from Texas [Mr. LANHAM], the ranking member on the Democratic side, who is in favor of the bill, and we have agreed that out of the two hours one hour shall be given to those opposed to the bill.

Mr. GARNER. When does the gentleman expect to call these rules up, so that the House may be notified?

Mr. PURNELL. The one which I have just submitted, it is my understanding, will be called up to-morrow. That is the copyright bill.

Mr. GARNER. And the other bills will be called up when?

Mr. PURNELL. The Rules Committee will have all day to-morrow, I understand, in which to present this or other rules which may be in order. I can not say to the gentleman when the consideration of the copyright bill will be concluded. I assume that if it is concluded in time to-morrow another one of the rules which I shall now present may be called up.

Mr. GARNER. Does the gentleman propose to follow up each one of these bills with another until the three are completed?

Mr. PURNELL. As far as our committee is concerned, if we get time we will call them all up to-morrow, but that depends on the time consumed in the consideration of the copyright bill.

Mr. STAFFORD. Mr. Speaker, may I inquire of the majority leader whether it is the intention to displace private bills in order on Friday?

Mr. TILSON. No. We hope to go on with the Private Calendar on Friday.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman from Indiana yield?

Mr. PURNELL. Yes.

Mr. O'CONNOR of New York. In reference to this division of time, which is important to the gentleman from New York [Mr. SIROVICH], the only member of the committee opposed to the bill, he should have more assurance from the gentleman from Indiana as to how much time he will control or how much time he is going to have.

Mr. LANHAM. If the gentleman will yield, the rule, as I understand, provides for two hours. Would not this be agreeable, to have one-half of the time controlled by the gentleman from Indiana [Mr. PURNELL], and one-half by myself, as ranking member of the committee, and that each of us yield one-half of our time to those who are opposed to the bill? So far as I know, from requests made thus far, the only ones who desire time in opposition are the gentleman from New York [Mr. SIROVICH] and the gentleman from Mississippi [Mr. BUSBY]. It is perfectly agreeable to me that they may each have half an hour, unless there should be other requests for time that would operate against that. Any way that can be arranged by the gentleman from New York or the gentleman from Mississippi will be satisfactory to me.

Mr. O'CONNOR of New York. Why can you not arrange it now so that one-half hour at least be allotted to the gentleman from New York, a member of the committee?

Mr. LANHAM. I will say to the gentleman from New York that it is my present purpose, if the time is yielded, half to the gentleman from Indiana and half to myself, to yield half an hour to the gentleman from New York.

Mr. PURNELL. The gentleman knows also that the bill will be read under the 5-minute rule and opportunity given to debate it?

Mr. LANHAM. Yes.

Mr. RAMSEYER. Mr. Speaker, I make the point of order the proper time to divide the time for general debate under the rule will be after the rule is adopted, and not now.

AMENDMENT OF THE TRANSPORTATION ACT

Mr. PURNELL, from the Committee on Rules, submitted the following resolution, which was referred to the House Calendar and ordered printed:

House Resolution 244 (Rept. No. 1861)

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 S. 962, a bill to amend and reenact subdivision (a) of section 209 of the transportation act, 1920. 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 Interstate and Foreign Commerce, 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. CHINDBLOM. May I propound this inquiry: What does that subdivision of the transportation act relate to?

Mr. PURNELL. That is to take care of the Merchants & Miners claim, one of the transportation companies which, by oversight, was left out.

Mr. HOCH. Will the bill be called up to-morrow?

Mr. PURNELL. I can not say as to that. The gentleman can tell that as well as I can.

Mr. HOCH. Can the gentleman give us any assurance that it will not be called up to-morrow?

Mr. PURNELL. I can not. The bill I first referred to, which is the copyright bill, will be considered first to-morrow.

TRADE-MARK BILL

Mr. PURNELL, from the Committee on Rules, also submitted the following resolution, which was referred to the House Calendar and ordered printed:

House Resolution 245 (Rept. No. 1862)

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. 11, a bill to protect trade-mark owners, distributors, and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguishing trade-mark, brand, or name. 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 Interstate and Foreign Commerce, 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. RANKIN. Mr. Speaker, will the gentleman yield a moment to permit an inquiry of the gentleman from Connecticut?

Mr. PURNELL. Certainly.

Mr. RANKIN. Is it the intention to be in session on Saturday?

Mr. TILSON. Yes. We will not adjourn over Saturday. It was announced by the gentleman from Oregon [Mr. HAWLEY] that the tariff bill would probably be here on Saturday.

Mr. SABATH. The gentleman has stated that in addition to these rules he will have some other rules. These three rules are the only ones he will try to call up to-morrow?

Mr. PURNELL. Yes.

Mr. O'CONNOR of New York. Will the gentleman state to the House the popular name of the bill named in the last rule?

Mr. PURNELL. I will yield to the gentleman to do that.

Mr. O'CONNOR of New York. The last rule pertains to the Capper-Kelly bill.

UNEMPLOYMENT

The SPEAKER. By special order of the House the Chair recognizes the gentleman from New York [Mr. SIROVICH] for 30 minutes.

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen, when the historian of the future shall look through the archives of our day and peruse the cherished contributions of our profound scholars in every line of modern scientific, social, political, and economic endeavor he will unquestionably accord to the twentieth century a lofty and unique place in the onward march and progress of our civilization.

He will point with great pride to the advancement of art and science, to the liberalization of government of the people, to the democratization of education, and to the noble efforts that all enlightened individuals are making to establish international peace. He will review the unparalleled cultural advances of the modern era in literature, philosophy, sculpture, painting, engineering, music, and in those material aspects of human conduct which so undeniably stamp our era as superb and unparalleled.

When he views the industries housed in edifices loftier and more palatial than the world has ever known—buttressed in steel, girded in bronze, harnessed with all the forces of man and nature—he will witness the concrete contribution of the twentieth century to the steel period of our age.

However, when he shall have completed this picture of our contemporary civilization he will turn to the status of man. There he will find the terrors of unemployment, poverty, penury, hunger, want, disease, and misery are still the great worry of the average man and woman from the cradle to the grave. [Applause.]

If you gaze with me through the telescope of time to the day of the Pharaohs you will find Joseph counseling his ruler to store up sufficient food supplies in the seven fat years of prosperity so that the population may be enabled to sustain itself in the seven lean years of unemployment which were to ensue. The biblical Joseph was the first expert in solving the problem of unemployment by preparing in time of plenty for the time of adversity.

The Phœnicians represented the commercial or maritime group of the Semitic peoples. They were contemporaries of the agricultural Hebrews who dwelt in Judea. Their commercial and exploring tendencies caused them to cover a wider area of colonization. These "Yankees of the East" veritably carried their outposts into Lebanon, Greece, and the northern part of Italy—which they called Venetia, or Venice. They settled the northern coast of Africa and founded that ancient civilization known as Carthage. Later they explored the mining districts of the British Isles, where they produced iron, tin, and copper, to be sent back to Phœnicia and converted into bronze. These early colonizers early learned in the inception of their careers one of the fundamental cures for unemployment—migration from the homeland, which was overcrowded with population and undersupplied with food, into portions of the world more sparsely settled, with finer natural resources to develop, where living would be easier and opportunities better.

The Hellenic civilization, which has bequeathed to modern culture so many great figures in intellectual history, also adopted colonization as a cure for unemployment. We find the ancient Greeks settling in what we now know as Sicily, there establishing the great ancient center of commerce, Syracuse. They also sent their legions off to Asia Minor, there to establish colonies because the homeland could no longer support them.

It is in Sparta that we find for the first time in recorded history the intervention of the state in attempts to solve problems of unemployment. Communistic Sparta believed that it was the duty of the state to furnish employment, or to check population, in order to prevent overpopulation which would ultimately cause unemployment. Sparta rigorously attempted to supervise the life of all members of the community, even that of little children, but ultimately Sparta perished when she went to the extreme of killing the weak in order that only the strong might survive.

Rome, the first truly great empire, was confronted with the problem of unemployment very early in its historic career. The economic rivalry between Rome and Carthage brought about a great conflict. Rome triumphed and reduced Carthage to ashes. With Carthage thus removed, there was an immediate improvement in the problem of employment. The natural growth of population caused Rome to follow in the very footsteps of ancient Phœnicia. She began a determined policy of colonization. Roman soldiers planted their flag in Spain, in Belgium, in Britain, in the Balkan States—which are now known as Rumania, Bulgaria, and Serbia—in Hungary, in Asia Minor, and on the northern coast of Africa. Always following the flag was the civil population, anxious to leave overcrowded Rome and Italy. They would rather be first in any place where they could find employment, economic security, and profitable labor than second where they would constantly be on the brink of starvation. The influx of barbarians and slaves deprived the native Romans of labor and employment. This finally caused the great Empire to collapse, in the year 476.

The Dark Ages fell upon the world after the disintegration of the great Roman Empire. Human beings settled down to a humbler, yet more secure, existence. The feudal system, while it curbed the individual liberty of men and women, and narrowed them to a confining sphere, gave a fair guaranty of employment to the workers for over a thousand years. The duke was unquestionably master of the soul and body of the toiler. The laborer was bound to the soil by a process akin to involuntary slavery. While he served his master, he had bread to eat, a roof to shelter him, and clothing to wear. Did they prefer liberty to economic security? The doglike fidelity of the medieval serf to his lord, and the loyalty of generations of apparently willing serfs to generations of overlords of the same family, showed that the feudal serf of medieval times preferred economic security to liberty itself.

In the Middle Ages there were revolting spirits who were obsessed by a desire for liberty, for individual freedom, and for high adventure. They, coupled with the unemployed of their time, constituted the personnel of the great religious armies known as the Crusaders.

Self-sufficient as the economic society of the Middle Ages have been, they were nevertheless dependent upon the outer world for some essentials of good living. The serf could grow his own food supply, spin his own wool, make his own agricultural implements, design all of his own clothes; but for the spices of life he had to look to the Orient, to the far romantic East. The medieval person knew of no ice as a means of preservation of food. He was far from the day of electrical or gas refrigeration. The spices of the East were absolutely essential for him in preserving his food over a length of time and to keep it from decaying in the heat of the Tropics.

The spread of Mohammedanism and the victorious armies of the Turks cut off western Europe from direct communication with the Far East, particularly after the capture of Constantinople by the Saracens in 1453. To prevent their overland caravans and maritime cargo ships loaded with rich merchandise from falling into the hands of the Mohammedans the peoples who inhabited the continent of Europe were of necessity compelled to look for other routes to India and the Far East, and thus came about the eventful explorations which have meant so much for the civilized world. While the Americas were being colonized they remained for many centuries too far distant for the bulk of European population to migrate. In the sixteenth and seventeenth centuries we find widespread unemployment, so widespread indeed that the man power of the world was only too happy to be employed as professional soldiers in the frequent wars that characterized this period. Slowly, but surely, the colonies of the New World began to absorb the unemployed of the Old. At the inception of the industrial revolution and the war for American independence colonization had progressed so rapidly as to relieve the economic pressure in European countries.

The latter part of the eighteenth century witnessed the development of the industrial revolution in England. The invention of machinery transferred the farmer to the factory. Thousands of farms were deserted for the factory. Oliver Goldsmith interpreted this thought beautifully in his Deserted Village. The factory established a new environment for millions of workingmen. From an economic standpoint it created more problems than political democracy had solved. New captains of wealth were created. Manufacturers, merchants, capitalists, and shipbuilders accumulated tremendous fortunes.

The worker shared very slightly in this era of industrial prosperity. Instead they suffered from the evils of this new system which brought about low wages, child labor, long hours, industrial accidents and industrial diseases. Summarizing the results of this industrial revolution in England we find 12 per cent of its population rich and comfortable, while 88 per cent of its inhabitants were in abject poverty and destitute circumstances. However, the great redeeming feature of the industrial revolution was that it brought about the destruction of

the feudal system of agriculture by the vast movements of men and women from small isolated farms to the factories of urban communities.

Despite the interruption of the Napoleonic wars, the factory system grew by leaps and bounds. It brought about the modern economic phenomenon known as "the panic." This economic depression came at regular cycles and followed in the wake of overproduction, which would throw vast masses of the population out of employment. Prior to the industrial revolution panics were unknown. The panic is the offspring of the industrial revolution.

After the Franco-Prussian War, from 1870 to the inception of the World War in 1914, an economic era was ushered in which reached the highest peak of prosperity the world has ever known. The full fruits of the factory system were being gathered by all civilized nations of the world. European powers extended themselves into the distant continents of Africa, Asia, and Australia. There they founded colonies not only for political purposes to satisfy national pride, but primarily to furnish raw material for the use of the factories in England, which materials were there converted into finished products to be shipped back to the colonies for home consumption.

That is why England did not permit America to manufacture in the early history of our career, but compelled the colonies to send the raw material to England, where they converted it into manufactured goods and sent back to be sold to the colonists.

That is the reason America, at the inception of our Government, was 98 per cent agriculture and 2 per cent industrial.

There was less unemployment from 1870 until the outbreak of the Great War than in any other period of the world's history. During that 50-year period there was a vast and unprecedented increase in population in all western countries of the world, in a proportion unknown heretofore in all human history. The unsettled conditions throughout the world since the termination of this great conflagration of the World War have caused widespread unemployment.

Why should there be unemployment? The primary cause in modern economic life is overproduction. Overproduction brings about a decline in prices. This decline compels the producer to lessen, or entirely discontinue, production, with the consequent unemployment of labor.

Many other causes contribute to this condition. One of the primary ones is the lack of economic markets. It is quite natural that, under our modern industrial system, commodities are produced in greater quantities than the country consumes, with the result that it must depend upon its export trade to absorb its surplus production. The markets of the world have become restricted, and for a very peculiar reason. At the inception of the industrial revolution only certain nationalities were producing countries. Now, that the industrial revolution has reached forth into every portion of the civilized globe, these producing countries have competitors wherever a factory is built and wherever human power can man it.

Labor-saving machinery has been the outstanding cause of unemployment, because every new device displaces thousands of men and women, which adds to the army of unemployed.

Seasonal trades and occupations, particularly characteristic of highly civilized communities, where wealthy conditions compel styles to change frequently and producers are afraid to anticipate the requirements of any particular season, are other contributing causes of unemployment.

To these various causes must be added the vexing problem of agriculture. Agriculture is the foundation upon which the superstructure of the life of our Nation is dependent. [Applause.] Mankind can not live without food. This is the reason why I have always favored every measure introduced in the Congress of the United States which brings relief to the farmers of our country, and places agriculture upon a parity with industry. [Applause.] In alleviating the financial condition of our 40,000,000 farmers, making them prosperous and enabling them to buy necessities and luxuries, we are insuring and perpetuating a home market that is far superior to all the foreign markets of the world for American industrial products. [Applause.] A debenture placed upon all exportable agricultural products would help to place agriculture upon a parity with industry, and bring justice to the farmers and directly help the prosperity of our Nation. [Applause.]

Trust mergers and combinations of big business create widespread unemployment. They throw the middle classes out of business and force them down to the level of employees. Thus they create a larger class of those seeking employment without increasing the opportunities to find employment. We must not forget the white-collar brigade of our Nation, the great middle classes of our people. They are the backbone of our economic happiness. Destroy our middle classes and you destroy our Republic. [Applause.]

Wars and revolutions in different parts of the world, which affect the source and supply of raw materials needed in manufacturing countries, are also vital contributory factors to unemployment conditions.

To-day 26 nations of the world are each contending with the problem of unemployment. Have we any program or treatment for its relief? Yes; we have.

Let me show you how to treat this problem from this picture I want to paint for you.

Capital is driving a wagon carrying the load of prosperity. There are six horses that are hauling this wagon driven by capital. In the front is labor, represented by two horses, agriculture and industry. Behind these two horses are four horses assisting them, known as production, distribution, exchange, and consumption.

While capital is frantically urging these six horses to carry the load of prosperity to its destination, the horse called "agriculture" collapses, and with him has fallen distribution, exchange, and consumption, leaving standing only production and industry, which look as if they, too, are about to collapse.

Therefore, to bring the load of prosperity to its destination capital must help to raise agriculture, distribution, exchange, and consumption back to their feet, so they shall not lie prostrate and unemployed on the floor of our country but cooperate altogether to bring prosperity to its destination, the homes of American people. [Applause.]

There are three other methods that can be utilized to treat the problem of unemployment—first, political; second, economic; third, social.

Politically we can aid in alleviating the conditions of unemployment by promoting international peace, so as to render wars improbable if not impossible. Postbellum reconstruction always brings unemployment in its wake through the return of the soldier to industry. Let us, therefore, war on war. Peace should be our ideal, our hope, our aspiration. [Applause.]

Unemployment is an economic and not a political problem. Panics have afflicted our country during the administration of a Republican President like Theodore Roosevelt as well as during a Democratic administration like that of Grover Cleveland. Panics have nothing to do with politics. Their causes are grounded deeply in the economic structure of our civilization. [Applause.]

Economic solutions may be of two characters. Firstly, it can be brought about by the lessening of overproduction through agreements in various industries. The growth of trade associations is a healthy sign in this direction.

Secondly, we could aid in the increase of consumption of commodities through the encouragement of liberal terms to debtors particularly in periods of economic stress.

The last solution of unemployment ills is social in nature. It relates directly to the attitude of the State toward the individual.

In the liberal economic philosophy of the earlier years of the nineteenth century, formulated by John Stuart Mill and Jeremy Bentham, it was thought that the Government should let industry alone. The term used was "laissez faire." Government, these philosophers declared, was designed primarily to prevent crime and protect property. Economic questions were left entirely to the people themselves for solution. Our modern economic philosophy declares that as noble as these thoughts might have been in that day and generation, their usefulness has been clearly outlived. [Applause.]

It is the manifest function of the State to guide the individual in every one of his manifold activities. Modern society, through the Nation, owes a debt of security to all of its toilers and laborers who are at the mercy of modern industrialism through lack of employment. Every workingman is a part of an industrial machine and the responsibility for his well-being should be shared by his employer and the Nation. [Applause.]

Labor alone should not be called upon to bear the burden of unemployment. Industry that created such a condition owes labor a full measure of security. To work. To live. To have economic security. That is the debt of industry and the Nation to its toiler. [Applause.]

Society, through scientific adjustment, must readjust these unfortunate conditions. The healthy state is like a chain which is only as strong as its weakest link. The link here is the individual.

It is high time that our Government is called upon to intervene directly to prevent the sheer and abject destitution, poverty, and crime which widespread unemployment promotes. [Applause.]

The social functions of the state should be utilized to bring about—

First. The national abolition of child labor.

Second. The limitation of the labor of women in hazardous industries.

Third. The establishment of a national system of old-age pensions.

Fourth. The perfection of unemployment insurance in times of stress.

Fifth. The institution of a vigorous program of farm relief to rehabilitate agriculture, the basis of all industry.

Sixth. The prosecution of all trusts and mergers that are in their nature monopolies and threaten the well-being of a nation.

Seventh. The liberal extension of credits by banks through the Federal reserve system to the humble business man.

Eighth. Government control of the prices of basic commodities to prevent price wars among big store operators, which serve only to destroy the small business man and thus create unemployment.

Ninth. The rapid construction of highways and Government buildings to aid in absorbing the number of unemployed.

This is the social program our Government must adopt in combating the ravages and tragedies of unemployment. Unemployment is the cancer of our body politic, eating at the vitals of our Nation and crumbling the economic structure upon which our entire western civilization rests.

The ability of society to check unemployment is the barometer of the civilization of our time. Our Government must ultimately stand or fall by its ability to solve this problem.

It is upon the economic security of its man power that society must rest. To combine individual liberty with security of labor is the great problem of our age. [Applause.]

A few weeks ago William Green, president of the American Federation of Labor, declared that 9 per cent of our working people are steadily unemployed in our country in normal times.

The Bureau of Labor Statistics reports that since October 1, 1929, to January 30, 1930, 9 per cent of the men and women on the pay rolls of industry have been discharged. Since January 30, 1930, up to the present time 3 per cent more of our toilers have been dismissed. In other words, since the period of economic depression began, plus the normal unemployed, 22 per cent of our laboring element have joined the great caravan of unemployed. Besides, 2,000,000 young men and women are yearly added to this roll as they reach the working age. The number of working people in the United States amounts to 30,000,000. Twenty-two per cent of this amount represents 6,600,000 people, who, in a land of plenty, are idly walking the streets, starving, in spite of presidential proclamation of returned prosperity. One out of every four workers in the United States to-day is out of employment. In the building trades one out of every two is seeking work.

Over $2,000,000,000 has been lost in wages by these unemployed. This money spent in commerce and industry would have been sufficient to turn the tide of business from recession and depression to advance and prosperity.

The unemployed worker has always paid the costs of social progress. Steady work is necessary to steady payments. Labor is fully persuaded unemployment can be eliminated as a social and economic problem.

Owen D. Young at Harvard University several years ago said that unemployment was one of the major unsolved problems of American industry, and like many problems of American life it can be solved. I concur in that conclusion. And to bring this theory into realization it is absolutely essential that we pass the three bills of my colleague, Senator ROBERT WAGNER.

The first bill provides for the gathering of comprehensive statistics every month that will give adequate information upon the number of unemployed people in our country in every industry, thus giving the Government an opportunity to foretell in advance the economic condition of the Nation, and apply remedial measures before a panic of unemployment occurs.

The second bill of Senator WAGNER provides for the advance planning and regulation construction of certain public works as Federal highways, rivers and harbors, flood-control projects, erection of all public buildings; to bring about stabilization of industry, and for the prevention of unemployment during periods of depression.

The third bill of the junior Senator of New York calls for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

Mr. Speaker, ladies and gentlemen of the House, the Weather Bureau warns dirigibles, airplanes, and hydroplanes of the approach of impending storms, cyclones, and tornadoes. This advanced information warns the pilot to pursue a different course to escape inevitable destruction.

If the Wagner bills are passed they will be instrumental in giving the Government advanced information of impending economic depression. This knowledge will enable the United States to be prepared to treat any depression by throwing the resources of our Nation, State, cities, and municipalities, amounting to $3,000,000,000, in future building operations to prevent and minimize any panic of the future.

The Wagner bills will bear the same relationship to our economic difficulties in periods of impending hard times, that the Federal reserve department bears to banking.

The Wagner bills have passed the Senate. We must do the same for them in the House of Representatives. These bills are demanded by public opinion. Capital and labor both need them for their protection. To the working people of our Nation they will be a veritable godsend. [Applause.]

The workingman is the mainstay of the Nation. He is the soldier of industry or agriculture. He battles in the quarry of life, to make our Nation great, prosperous, and glorious in times of peace. He bares his breast to shot and shell to preserve our Republic in times of war. To me there is no difference between the soldiers of agriculture and industry and the soldiers of war. [Applause.] Both should be trained, honored, respected, and pensioned whenever in need. Our Republic, through its Congress, should be the apostle of prosperity. We should legislate for our "economic brotherhood" to bring about the greatest happiness to the largest number of our fellow citizens. That condition can only be solved when security of employment permanently replaces the world's greatest evil, unemployment. [Applause.]

Lest we forget—let us always remember that for 14 decades, for 30 shekels of silver, "the kiss of private charity" upon the brow of the unemployed, has betrayed the cause of labor. The unemployed seek justice—not charity. For 140 years, since the inception of the industrial revolution, over the Calvary roads of the world, labor wearied, worn, and fatigued has carried the cross of unemployment, the victim of economic, social, and industrial injustice. To-day, on the holy Capitol Hill of the Congress of the United States, "America's Golgotha," labor, through its chosen representatives, says to Republicans and Democrats alike: "The time has come when you no longer can crucify labor upon the cross of unemployment." [Applause.]

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SIROVICH. I yield.

Mr. JOHNSON of Washington. I am greatly interested in the remarks of the gentleman. It is a powerful speech he has made. The gentleman said he could name 15 or 20 causes of unemployment. He named 10, I think. Does he not think unnecessary, new immigration——

Mr. SIROVICH. Yes; I forgot to mention the contributing factor of great tidal waves of immigration. At the end of the eighteenth and beginning of the nineteenth century the Irish, on account of English religious persecution, emigrated to our shores in great numbers. The alien and sedition laws that arose under President John Adams was the result. In 1848 the political revolution of Germany caused a great influx of the Teutonic element, bringing with them such great German leaders as Carl Schurz, later Secretary of the Interior under Hayes, Gen. Franz Segal, and Prof. Abraham Jacobi. In 1880 Russian persecution drove the Slavonic element in great droves to the shelter of our Republic. In 1900 the great industries of our Nation encouraged immigration to work in the mills, at the looms, and the factories of our country.

This tidal wave brought Italians, Hungarians, Poles, Austrians, Spanish, French, Armenians, Greeks to our shores. After the World War most of Europe desired to migrate to our country. Unemployment was already knocking upon our doors. Returning soldiers were looking for work. To continue the principle of unrestricted immigration would have dislocated completely the labor market of our Nation. You, sir, were then chairman of the Committee on Immigration. Let me tell you, Congressman ALBERT JOHNSON, you have played the most important part in calling the attention of the American public to the fact that restricted immigration must come at once to protect the standard and the interests of American labor.

I want to say to you that if I were President of the United States, and if Mr. James Davis were elected Senator, I know of no better man who could qualify for the position of Secretary of the Department of Labor than the gentleman from Washington, who has studied the problem of immigration and labor so thoroughly and scientifically. [Applause.]

Mr. Speaker, ladies and gentlemen, sitting at yonder table is one of the most distinguished Representatives in this House. For 30 years this modest, lovable personality has represented the county of Westchester in the Senate of New York and in the Congress of the United States. In 1909 he was chairman of the senate committee of the State of New York which investigated the subject of unemployment.

That investigation under his supervision contains recommendations and information which are as valuable to-day as when he enunciated them 20 years ago. It is a great pity that this great Republic of ours is to miss his wise counsel in the deliberations of this historic forum as he has determined not to return to Congress next year. I sincerely trust that the Hon. J. MAYHEW WAINWRIGHT, a true servant of the people, may realize every ambition in the future that faithful public service entitles him to receive. [Applause.]

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. SIROVICH. By the way, Mr. Speaker, I forgot to mention that unemployment agencies are found in all the civilized countries of Europe. Germany started them in 1883, under the supervision of the great Iron Chancellor, Bismarck. England perfected them under the supervision of Lord Asquith, the great Liberal, in 1909. France found them in full operation under the Premiership of Briand and Clemenceau in the beginning of the twentieth century. Employment agencies are found to-day in Belgium, Holland, Switzerland, Italy, Austria, Poland, and Hungary. In the United States the State of Ohio was the first State whose legislature passed a law in 1890 founding employment agencies under the supervision of the State for the benefit of its unemployed. One of the first cities that opened such a bureau was the city of Cincinnati, which is so graciously represented in the Congress of the United States by the Speaker of the House, NICHOLAS LONGWORTH.

Mr. BLANTON. Will the gentleman yield?

Mr. SIROVICH. I could never finish a speech in this House unless I yielded to my good friend BLANTON.

Mr. BLANTON. Would the gentleman go so far as to suspend immigration for five years and let us catch up?

Mr. SIROVICH. No; that would be cruel and unjust to those who are desirous of uniting their families. Our first obligation should be the union of family ties. Fathers, mothers, children, immediate relatives. When these obligations are exhausted, realizing we allow only 150,000 immigrants a year to enter this country, then I would change the policy of our Government regarding immigration. For the protection of American labor, I would recommend selective immigration. We should take an inventory of the needs of every economic industry in our Nation and find out in what industries men are needed, and only allow those to come in who could fill those positions. Indiscriminate immigration, allowing every Tom, Dick, and Harry to come in, skilled or unskilled, is unfair to those who have given of their to-day that you and I may enjoy our to-morrow. [Applause.]

Mr. BLANTON. I agree with the gentleman, but I would suspend immigration for five years.

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

ACQUISITION OF LAND FOR MILITARY PURPOSES IN MONTGOMERY COUNTY, ALA.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the Committee on Military Affairs.

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (H. R. 7638) 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.

The Clerk read the title of the bill.

Mr. WURZBACH. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. WURZBACH].

Mr. TABER. Mr. Speaker, I object.

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. 7638, with Mr. SLOAN 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. 7638) 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, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. WURZBACH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. LAGUARDIA. I object.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to acquire, by purchase, donation, condemnation, or otherwise, approximately 1,075 acres of land in the county of Montgomery, State of Alabama, as an addition to the flying field designated as Maxwell Field: *Provided*, That in the event the donors are unable to perfect title to any land tendered as donation the Secretary of War is authorized to request condemnation proceedings to acquire such land in the name of the United States, and any and all awards in payment for title to such land as is condemned shall be made by the donors: *Provided further*, That the Secretary of War may accept donations in whole or in part of site selected as and when required: *And provided further*, That there is hereby authorized to be appropriated not to exceed $320,000 for the acquisition of land not to be donated under the provisions of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That a sum not to exceed $200,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of land in the vicinity of and for use in connection with the present military reservation at Maxwell Field, Ala., and the Secretary of War is hereby authorized to make said purchase.

"SEC. 2. In the event the Secretary of War can not purchase such land or any tract or parcel thereof at a fair and reasonable price the Secretary of War is authorized to request condemnation proceedings to acquire such land or any tract or parcel thereof and upon such request the Attorney General shall institute such proceedings."

Mr. WURZBACH. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HILL].

Mr. HILL of Alabama. Mr. Chairman, this is a bill authorizing the Secretary of War to purchase additional land at Maxwell Field, Ala., for the home of the Tactical School of the Air Corps of the Army. Gentlemen will notice that under the committee amendment the amount carried in the bill has been cut from the figure of $320,000 to $200,000. This figure of $200,000 has the approval both of the War Department and of the Bureau of the Budget.

The purchase of this land is absolutely necessary in order to give sufficient land for the home of the Tactical School of the Air Corps of the Army. Under the 5-year Air Corps program, by which we are building up and developing the Air Corps of the Army, the Air Corps is developing the tactical school for the training of the officers of the Air Corps and the officers of the other branches of the Army in Air Corps tactics. This land was selected by a board of officers appointed and sent out by the War Department. The board was composed of Colonel Noble, of the Quartermaster Corps; Major Pratt, Major Brooks, and Lieutenant McHenry, of the Air Corps. After that board had carefully gone over the land and selected it, then the Assistant Secretary of War, Hon. F. Trubee Davison, and the Chief of the Air Corps, General Fechet, came down and visited the land and concurred in the selection and the recommendation of the board of officers.

Mr. BLAND. Will the gentleman yield?

Mr. HILL of Alabama. Yes.

Mr. BLAND. Is this the tactical school that was formerly at Langley Field?

Mr. HILL of Alabama. Yes. It has been temporarily housed there, but, due to the fact that Langley Field is to be the home of a pursuit group and a bombardment group, the tactical school will have to be moved from there. This is simply providing a home for the tactical school, which has been developed and which will be built up as an essential part of our Air Corps program.

Mr. BLAND. I could not understand the necessity of moving it away from Langley Field.

Mr. HILL of Alabama. Because the War Department wants to move a pursuit group and a bombardment group to Langley Field.

Mr. BARBOUR. I would like to ask the gentleman some questions. I notice that the authorization is for $200,000 for the purchase of land, but the amount of land it is contemplated to buy is not stated. Can the gentleman give the House any information as to the amount of land it is proposed to purchase?

Mr. HILL of Alabama. If the gentleman will read the letter of the Secretary of War he will see he touches on that. It will be 700 or 800 acres of land.

Mr. BARBOUR. I find that the letter of the Secretary of War contains this language:

The approved layout contemplates an additional piece of property consisting of approximately 300 acres, outside the present reservation, to provide space for buildings for officers, the noncommissioned officers, and warrant officers; barracks, technical, and other buildings will be on the present owned or donated property. In addition to the 300 acres just referred to, approximately 300 acres is needed to increase the size of the flying field, which at present is entirely inadequate. Also a portion of the 700 acres above mentioned is below the bluff along the Alabama River and will be used for a bombing and machine-gun range.

As I understand it, that contemplates 1,000 acres altogether?

Mr. HILL of Alabama. But on reconsideration the War Department has decided that it can get along with a little less than that amount, which will make it 700 or 800 acres.

Mr. BARBOUR. What part are they going to eliminate—the bombing range?

Mr. HILL of Alabama. No. The part they will eliminate will be the part where they will construct the officers' quarters.

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

Mr. WURZBACH. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. HILL of Alabama. The part where they will cut down will be the part where they are going to put the officers' quarters and the noncommissioned officers' quarters.

Mr. BARBOUR. The price, then, will be considerably more than $200 an acre?

Mr. HILL of Alabama. It will not be more than that for some of the land. If the gentleman has ever visited Maxwell Field he knows that it is right at the city limits of the city of Montgomery and is located on land that is really very valuable.

Mr. BARBOUR. Then is it not inadvisable to purchase that kind of land for a bombing range?

Mr. HILL of Alabama. No; and for this reason: The land which they are purchasing for the bombing range is not expensive land at all; it is land below the bluff along the Alabama River, which may be purchased cheaply, perhaps for $15 or $20, and maybe $100, an acre.

Mr. BARBOUR. Then the average price for the other land will be higher?

Mr. HILL of Alabama. That is correct.

Mr. BARBOUR. The Acting Secretary of War proposed certain amendments to the bill, the first one being that the amount authorized to be appropriated shall not exceed $200,000, and that language is practically incorporated in the bill.

Mr. HILL of Alabama. Yes.

Mr. BARBOUR. Then there is another amendment.

Mr. HILL of Alabama. I will say as to the other amendment that I have an amendment which I propose to offer to the bill that covers the second recommendation of the War Department.

Mr. BARBOUR. Is it in the exact language of the amendment suggested by the War Department?

Mr. HILL of Alabama. Yes. I propose to add a proviso on page 2, in line 15, the proviso setting out the exact language contained in the letter of the Secretary of War.

Mr. TABER. How much land is proposed to be bought for the bombing field?

Mr. HILL of Alabama. I could not give the gentleman that offhand, but I will say the bombing part is below a bluff on the Alabama River, a stretch of land there that is very cheap, and it can be bought for very little.

Mr. TABER. Practically $10 or $15 an acre?

Mr. HILL of Alabama. Yes; or maybe $20.

Mr. TABER. About how much of that land is there?

Mr. HILL of Alabama. I could not give the gentleman that offhand. We had all that information before our committee, with blue prints, drawings, photographic maps taken from the air, showing the whole thing.

Mr. TABER. How much land is it proposed to buy for the purpose of extending the field?

Mr. HILL of Alabama. The flying field itself?

Mr. TABER. Yes.

Mr. HILL of Alabama. I would say three or four hundred acres.

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

Mr. WURZBACH. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. TABER. How much did the gentleman say there was in that proposed tract?

Mr. HILL of Alabama. To extend the flying field, I do not recall the exact figures, but I would say perhaps as much as three or four hundred acres.

Mr. TABER. About how much an acre is it proposed to pay for that land?

Mr. HILL of Alabama. Oh, some of it would run anywhere from $100 an acre to perhaps as high as $250 an acre. Some of it is on the main highway between the city of Montgomery, Ala., and the city of Birmingham, Ala., and just a few hundred feet from the limits of the city of Montgomery, Ala., and this would run higher.

Mr. TABER. Would the gentleman say $175 an acre would be a fair average price?

Mr. HILL of Alabama. It might be.

Mr. TABER. Then $55,000 or $60,000 ought to be enough to buy all the land needed for the flying field?

Mr. HILL of Alabama. I would not say that. The part of the land that is costing the most money is the part where the officers' quarters and noncommissioned officers' quarters are going to be put.

Mr. TABER. The thing that appeals to me is this: I do not want to stand in the way of the War Department buying what it needs for additions to this flying field. I do not want to stand in the way of buying a bombing field, but, of course, they can just as well go 50 miles away in order to get cheap land.

Mr. HILL of Alabama. But they could not get any cheaper land than they are going to get right there.

Mr. TABER. But I do not see any sense in authorizing an appropriation of $200,000 to cover what ought to be bought for $60,000 or $75,000.

Mr. HILL of Alabama. The gentleman is entirely wrong. The gentleman has not figured the whole amount. The gentleman has got to figure the flying field, the bombing range, the land for officers' quarters and noncommissioned officers' quarters and other buildings.

Mr. TABER. How much should that cost?

Mr. HILL of Alabama. We had two hearings before the Budget on this matter and shaved down and shaved down at both of those hearings, and after the Budget had been through it carefully and after two boards of the War Department had visited the land, the very minimum which they figured they could get the land for was $200,000.

Mr. TABER. If we should go ahead and authorize an appropriation of $200,000 to buy what we ought to buy for considerably less than $100,000, it just puts the price up on this land, and I do not like to get started in that direction.

Mr. HILL of Alabama. Let me say to the gentleman he need have no fear about that. This matter has been considered twice by the Budget, with drawings, blue prints, photographic maps, and detailed valuation figures, all of which was also before our committee; and after two hearings with the Budget and after two boards had visited Maxwell Field, they concluded that the very minimum would be $200,000.

Mr. TABER. Another thing I notice in looking over the letter of the Secretary and the report is that there is nothing in the report or in the letter indicating that this authorization meets with the approval of the Budget.

Mr. HILL of Alabama. Yes; it absolutely meets with the approval of the Budget. What the gentleman says about the letter is correct, in that they have departed from the old form of stating that it does not conflict with the President's program. They have put it in the form in which we have it here to-day, but the bill absolutely meets with the approval of the Budget.

Mr. TABER. Does it say that in the letter?

Mr. HILL of Alabama. The letter does not make the specific statement, but the War Department here speaks for the Bureau of the Budget after having submitted it to the Bureau of the Budget.

Mr. TABER. I may have made a mistake, but I did not see anything here——

Mr. HILL of Alabama. The gentleman is correct that the letter of the War Department does not mention the Bureau of the Budget, but this is the new form which they use now in which the particular department does not specifically mention the Bureau of the Budget but does not make a favorable report that does not conform to the wishes of the Bureau of the Budget; and I can assure the gentleman this bill has been carefully threshed out by the Bureau of the Budget. We had two hearings there, and it has the approval as well as the recommendation of the Bureau of the Budget.

Mr. TABER. The report says they are going to need approximately 300 acres for buildings for officers and noncommissioned officers. Is the gentleman in position to tell us how many acres will really be required?

Mr. HILL of Alabama. Yes; after a most thorough study and investigation and curtailment they have decided to make it 200 acres instead of 300 acres.

Mr. TABER. And how much do they figure they will have to pay for that?

Mr. HILL of Alabama. The price of that land will vary. Some of that land to-day happens to be small negro residential property. It is in the form of a triangle right in the present field and has to be cleared out of there to make a well-rounded field. The price of the land will vary. Some of it will have to be bought as residential property or small lots.

Mr. LAGUARDIA. Mr. Chairman, I ask for recognition in opposition to the bill.

The CHAIRMAN. Is any member of the committee opposed to the bill?

Mr. QUIN. I would like 15 minutes to speak out of order.

Mr. LAGUARDIA. I will give the gentleman 25 minutes.

The CHAIRMAN. There being no member of the committee opposed to the bill, the Chair will recognize the gentleman from New York [Mr. LAGUARDIA] for one hour.

Mr. LAGUARDIA. Mr. Chairman, I yield 25 minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to speak out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. QUIN. Mr. Chairman, I thank the Chair and the committee for this privilege. I assure you it would not be incumbent upon me to make these remarks except for the exigency of the case in order that the Muscle Shoals proposition be known and made clear to the House.

The conferees of the House are composed of the gentleman from Pennsylvania [Mr. RANSLEY], the gentleman from Texas [Mr. WURZBACH], the gentleman from Tennessee [Mr. REECE], the gentleman from Tennessee [Mr. FISHER], and the gentleman from Mississippi [Mr. QUIN].

Last Saturday four of us met with the conferees of the Senate at the agreed place and time. Of the conferees of the Senate two were present—Chairman McNARY and Senator NORRIS.

They made a proposition to the conferees of the House. Senator NORRIS said that the House conferees could place all the fertilizer they pleased in the bill, but the Norris resolution must stand and the Government corporation control.

The Senate conferees said they could not agree to the House bill, and that to proceed further along that line was a useless waste of time.

The gentleman from Tennessee [Mr. REECE] was not present, but Mr. FISHER and I agreed to accept that proposition, which would enable the Tennessee Valley to develop the country.

The gentleman from Pennsylvania [Mr. RANSLEY] and the gentleman from Texas [Mr. WURZBACH] declined to accept the proposition. Now, it is up to the gentleman from Tennessee [Mr. REECE]. His vote will determine whether this legislation is to be consummated or the water continue to go to waste over that dam—whether Cove Creek is to be completed by the Government and Muscle Shoals started and the Government keep its hands on the power of the Tennessee Valley. That is the proposition.

So far as I am concerned I accept the proposition of the Senate conferees.

Mr. McSWAIN. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. McSWAIN. As stated by me when the bill was under consideration in the House, the Norris bill did not contemplate anything more than an experiment in dealing with the fertilizer problem. Has the gentleman any assurance that the conferees will agree to the project for fertilizer?

Mr. QUIN. I want to say to my colleague that Senator McNARY and Senator NORRIS both stated that all the fertilizer we pleased could be put into it. They said, "We give you every ounce of power at that great dam, and at Cove Creek Dam when completed, for the manufacture and production of fertilizer." That is their proposition.

The gentleman from Tennessee [Mr. FISHER] and I readily accepted it. We could not frame a better bill ourselves for the farmers of this country and the people of the Tennessee Valley than the one under their proposition.

With that in view the gentleman from Tennessee [Mr. REECE] has been made acquainted with the facts. To-morrow, Thursday, we are going to have a final conference on this proposition. If the gentleman from Tennessee [Mr. REECE] votes with the other two Republicans of this House, that will kill the bill. There will be no legislation, because it is manifest that if a man wants fertilizer produced and wants the Government to control the power he will accept this proposition.

No man can be mistaken. Never in the tide of time was Shylock with his greedy hands pointed out more clearly than is the power monopoly operating in the South to-day. It is a plain question. Do I believe that the people of the great State of Tennessee want to see the Tennessee Valley closed? Is it possible that the people of Johnson City and Chattanooga want that territory so bowed down to the golden calf, worshiping at the shrine of greed? I can not believe that. Yet the gentleman, my personal friend, Mr. REECE, represents that district. Is he for the Power Trust or is he for the American people? His vote to-morrow at that conference will determine that fact. Gentlemen, it is a challenge to the integrity and independence of the American House of Representatives. I accept the challenge of this greedy trust, and I am going to stand by the people. What does Brother REECE say?

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

Mr. QUIN. I yield to my friend, because I want to see him come up into the Lord's house and get converted.

Mr. REECE. The gentleman will remember that on a former occasion, in desperation, the House agreed to the Norris bill. Did that result in a final disposition of Muscle Shoals?

Mr. QUIN. My friend and I both voted for that bill, I am happy to say, and that is the very same thing, only much stronger for fertilizer. I am asking him to vote for it again. No; it did not finally dispose of it. I want to say that the House of Representatives and the Senate put themselves on record as being for the folks, and that the reason it did not become a law was because President Coolidge stuck it in his hip pocket and said nothing. Not until this hour has he ever given a reason for it. I have great respect for former President Coolidge, but I did think he ought to tell the American people why he stuck that bill in his pocket.

Mr. McSWAIN. But as I understand it the situation as it is now in conference is not exactly like the bill that was passed by the House two years ago and laid on the doorstep of President Coolidge. The present proposition is one for the Government to control the switchboard of the power house, but that there shall be authority in the board to lease the fertilizer plant—that is, the nitrate plants 1 and 2—and there shall be Government operation only in the event of failure to be able to lease, and that if the Government does operate it the maximum production capacity of these plants shall be used for the fixation of nitrogen for agricultural purposes. As I see it, that is a very different bill from the bill passed two years ago. Is not that the situation?

Mr. QUIN. Oh, yes. This is a much better proposition. Why any man who stands for the farmers of this country, the poor and the humble in all walks of life, or why in the world any man who stands for Alabama and Tennessee and the other States of the Union can vote against this in conference and come out before his constituents I can not see. Tell me that the great Power Trust, with its shining golden body, is not controlling this Congress. They do not want you gentlemen to vote on this measure. They want to continue the crookedness in the places of darkness. Then let my friend, Mr. REECE, come out in conference and vote with me and the other Democrat, the gentleman from Tennessee [Mr. FISHER]. Then we will put it up to this House and let the constituents of every man and woman in this body see where they stand.

Is he going to stand upon the side of this great giant that puts one foot on the Pacific coast and one on the Atlantic and vomits all over the people of the United States, or is he going to stand by the people of this Republic and say that we are not going to let the great resources of our Nation be stolen by the great operative Power Trust in the hands of the Electric Bond & Share Co. of the city of New York?

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

Mr. QUIN. Yes.

Mr. WAINWRIGHT. I was very much interested in the statement made by the gentleman from South Carolina [Mr. McSWAIN], and I wish to ask the gentleman from Mississippi if it is so that the Senate conferees are willing to accept the proposition described by the gentleman from South Carolina.

Mr. QUIN. When the gentleman from Texas mentioned that it did not have any fertilizer in it, Senator NORRIS threw up his hands, knowing that it was nothing but a Greek with gifts coming up to him, and said, "Write all of the fertilizer in it that you please," and we have written it there, and I ask that this become a part of my speech.

By unanimous consent, I append the proposed new section here as a part of my speech.

On page 10, after line 24, insert the following new section:

SEC. 7. (a) Notwithstanding the foregoing provisions of this joint resolution the board shall not operate nitrate plant No. 1 and/or nitrate plant No. 2 at Muscle Shoals for the fixation of nitrogen or for the manufacture of fertilizer or its ingredients until an effort has been made to lease such properties as hereinafter provided. Subject to the approval of the President, the board is authorized to lease nitrate plant No. 1 and/or nitrate plant No. 2, including the Waco limestone quarry, together with all tools and machinery, equipment, accessories, materials,

buildings, and houses belonging thereto except power plants necessary for the fixation of nitrogen or the manufacture of fertilizer and its ingredients at a rental of $1 per year and upon such terms and conditions as are set out hereinbelow and as may be prescribed by the board. As soon as practicable after the first meeting of the board the board shall proceed to give three months' notice in the manner best calculated to inform the public that it will receive offers to lease such properties in accordance with the provisions of this section. The board shall lease such properties to the person who in its judgment is best qualified to carry out the purposes of this joint resolution and to manufacture and sell fertilizer at reasonable rates.

(b) Any such lease shall provide that the lessee shall manufacture and sell concentrated commercial fertilizers at nitrate plant No. 1 and/or nitrate plant No. 2 and at such other plant or plants near thereto as it may construct, and in order that the farmers and other users may be supplied with fertilizers at fair prices and without excess profits the lessee shall be limited to a maximum net profit which may be made not to exceed 8 per cent of the fair cost of the production of such fertilizers. Any such lease shall provide that the lessee shall manufacture during the first two years of the lease a minimum amount of fixed nitrogen to be converted into such concentrated commercial fertilizers and shall further provide that such amount of fixed nitrogen to be converted into such concentrated commercial fertilizers shall be periodically increased until such amount shall finally reach an annual production of the full capacity of the plant or plants leased. The lessee shall agree that preference shall be given in sales, distribution, and shipments of such products to the purchases by farmers, groups of farmers, and farm organizations for the use of members. The lessee shall agree to an annual audit by the board or its agents of the books and accounts of the lessee to insure the limitation of 8 per cent of profit and the performance of the other terms of the lease. The lessee shall maintain in United States nitrate plants Nos. 1 and/or 2, located at Sheffield, Ala., and Muscle Shoals, Ala., respectively, the buildings and equipment therein installed for the production of nitric acid by the oxidation of ammonia and for the production of ammonium nitrate from ammonia and nitric acid, said buildings and equipment to be maintained in an up-to-date condition so that they will be at all times ready for immediate operation in the event of a national emergency, and further such lease or leases shall provide that the board, or its representative or representatives, shall at all times have access to the operations of the plants, laboratories, and the records thereof, in order that they may be kept fully informed as to the status of the fixation of nitrogen and the manufacture of nitrogenous products in their bearing on national defense and agriculture, but such information shall be confidential to the board.

(c) Any such lease shall provide that the lessee may without additional rental have the use of such additional land at or near Muscle Shoals as may be necessary for the fixation of nitrogen or the manufacture of fertilizer and its ingredients. Subject to the approval of the President the board is authorized by separate instrument to lease to any such original lessee any buildings or equipment other than those included under subdivision A at such rental and upon such terms and conditions as the board deems advisable: *Provided, however,* That no power facilities of any sort or kind shall be leased.

(d) Any lessee under this section may with the approval of the board make alterations, modifications, or improvements in existing plants and facilities and construct and operate any plants and facilities in order to properly carry out the purposes of this section.

(e) The board shall sell to the lessee at the cost of the power such power as may be needed for the operation of nitrate plant No. 1 and/or nitrate plant No. 2 and such additional plants as may be constructed under the provisions of this section for the fixation of nitrogen and the manufacture of fertilizer and fertilizer ingredients and as may be necessary for processing the products and by-products thereof. In the event of any disagreement between a lessee and the board as to the cost of the power, the Federal Power Commission is hereby authorized and directed to determine and to declare the cost.

(f) In any lease under this section proper provision shall be made for cancellation thereof and taking over by the United States of the property covered by the lease in case of war or national emergency as provided in section 18 and subject to the limitations therein contained as to payment of damages.

(g) Time shall be made of the essence of the lease herein provided for and failure on the part of the lessee to comply with the terms of said lease shall render the same terminable at the option of the United States provided that written notice of the exercise of such option shall be served upon the lessee at any time within one year following any breach of said lease. Whereupon all property covered by said lease shall be turned over without expense to the board upon demand, and said lessee shall be liable for any damage sustained by the board or by the United States as a consequence of said lease and the acts of said lessee.

(h) If after three months from the three months' notice provided in subdivision A, no offer suitable to the board, and subject to the terms laid down in this section has been received from a responsible applicant to lease such properties the board shall proceed to operate the same in accordance with the provisions of this joint resolution without regard to the provisions of this section: *Provided, however,* that the board is authorized and directed to negotiate for a lease subject to the terms and conditions of this section at any time after the board shall have commenced the operation of the property pursuant to the powers herein contained and in the event the board shall negotiate, conclude, and execute such a lease, then the board shall as a part of such lease, include an agreement on the part of the lessee to pay for the appraised value of any additions or alterations that shall have been made to and upon the property by the board, and to pay for the appraised value of all raw material on hand, of all stock in process, and of all manufactured products, and the lessee shall thereupon be put in possession of the property without any interruption whatever to the operations of same as a going concern.

I want the people of Tennessee and of my district and the district of everyone else to know that is exactly what is in this bill that is to be killed or voted out to-morrow. To-morrow is Daniel coming to judgment.

Mr. OLIVER of Alabama. Certainly no sound reason can be offered why the conferees should not agree on the proposals and bring it out so that the vote of the House can be had thereon.

Mr. QUIN. All that we ask is to have them put their stomachs up against the desk just like this and say yes or no.

Mr. WAINWRIGHT. Are we to understand that the Senate conferees are willing to accept this bill provided the Government controls the power at the switchboard and constructs the Cove Creek Dam and are willing to accept the House provisions so far as the fertilizer plants are concerned?

Mr. ALMON. Through a board appointed by the President.

Mr. QUIN. All of the fertilizer that can be produced there, they accept.

Mr. WAINWRIGHT. There is no question about that? Then I think we ought to take it. [Applause.]

Mr. QUIN. I thank the gentleman. They propose in this bill that we are to vote on to-morrow to build a great dam at Cove Creek, to cost $32,000,000, and the Government to build it and control it just like it controls the Wilson Dam now, and all the power that comes from those dams is to be controlled by the United States Government through this board that is to be confirmed by the United States Senate, and the power at the lowest price be left to the lessee of the nitrate plants for the purpose of the production of fertilizer, and if there is any excess, then it is to be distributed to the public.

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

Mr. QUIN. Yes; I yield to the gentleman.

Mr. REECE. If I understood correctly, it was suggested in conference that the nitrate plants be leased and then the power be sold to the lessee at commercial rates, at the lowest rate that it is sold to anyone else, which means commercial rates. Does the gentleman think that the nitrate plants can be leased under those conditions?

Mr. QUIN. Do you mean to tell me that if there is a fertilizer company that wants to make fertilizer it will not take that plant? We propose in this bill for the lessee to get all the nitrate plants.

Mr. REECE. Mr. Chairman, will the gentleman yield again? The gentleman has made such an important factor of me in regard to this bill that I think he should yield.

Mr. QUIN. I yield.

Mr. REECE. There would be inundated, in case the Cove Creek Dam is constructed, about 125 square miles of lowlands in Tennessee. Under this bill what provision is made to safeguard the interests and rights of the State of Tennessee?

Mr. QUIN. The United States Government is to construct the dam and pay for every foot of land and every stick of timber that will be submerged after that dam is constructed. A jury for condemnation will make the Government pay more than the land and timber may be worth. That is manifest. You tell your friends that I guarantee it, and I am honest, that they are going to retain control of all the power in the Government of the United States. You tell them that the great nitrate plants No. 1 and No. 2 will be leased for $1 per year to a great fertilizer company, with the guaranty that it gets all the power needed at the lowest price and the residue, if any, shall be distributed at the lowest price. That is why the power monopoly does not want us to do this. They do not want it to be demonstrated to the American people that they can get power at two-thirds less than is paid at the present time. Are you going to stand up with these Philistines—are you, Brother REECE, going to stand up with those who are wielding the Republican whip handle and say that the people of Tennessee are going to be robbed and that we are going to let the power monopoly dictate and dominate this bill?

That is what your people back in your district will ask you. There is no escape from the problem that is in your hands to put this bill out. It is in your power to kill it. What are you going to do?

Mr. REECE. Mr. Chairman, will the gentleman yield for another question?

Mr. QUIN. Yes.

Mr. REECE. The Senate has not yet had an opportunity to vote on the proposition that the House voted by a large majority. Should not the Senate be given opportunity to express itself on that important matter?

Mr. QUIN. The two bodies, the House and the Senate, are now engaged in a deadlock. It is up to B. CARROLL REECE, from the State of Tennessee, to vote with PERCY QUIN and HUBERT F. FISHER; and by your vote you place that bill right here for the House to vote on, and then it will be sent to the President of the United States.

Or if you vote with RANSLEY and WURZBACH, your Republican colleagues in conference, you will kill this bill. Are you going to put the people of your district in the hands of the power monopoly and put hundreds of millions of dollars in the pockets of the power monopoly in a few years' time?

Mr. REECE. Does the gentleman think I should have followed Senator NORRIS in November, 1928?

Mr. QUIN. Instead of following the trusts and great combines and tariff robbers as you did, I guarantee you would have done well to have voted with Senator NORRIS and PERCY QUIN. A man sometimes has a conscience. Do you mean to say that with all this radio in the United States and all over the world that you would vote for a Radio Trust? Will you vote for the combination of trusts that go to make up the Power Trust? They have reached out, and they are here to-day. They are present in the conference committee. The two Senators, NORRIS and MCNARY, in that conference represent the people. They are Republicans, by the way. They made a clean and fair proposition, and as honest men they are trying to carry out the wishes of the American people.

Who else? HUBERT F. FISHER, of Tennessee, and myself, both Democrats, voting for the people. Who else? The gentleman from Texas [Mr. WURZBACH] and the gentleman from Pennsylvania [Mr. RANSLEY], both Republicans. Those men are voting with the Power Trust instead of with the American people.

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

Mr. QUIN. Yes.

Mr. SPEAKS. The gentleman does not want the House to understand that I am allied with the Power Trust?

Mr. QUIN. No. If you had been on that conference committee we would be already agreed. You would vote for the interest of the people. If your own people want that country developed do you suppose they would oppose the Norris bill?

Here is the Government of the United States, with billions of money, ready to build a great dam at Cove Creek. It already has one down there, known as Wilson Dam, which was built in the stress of war. As honest men, you know that dam was built for the purpose of having the Government continue it forever. You know it was put there for the purpose of making nitrate for the farmers in time of peace, and explosives in time of war, to carry on and conduct war.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. OLIVER of Alabama. It is apparent that neither the Senate nor the House can have its own way. You gentlemen representing the two bodies are trying to reach a compromise agreement, and all you ask of the House conferees is to reach a tentative agreement as to the proposals now pending, so that the House may have the chance to approve or disapprove?

Mr. QUIN. That is all we are asking, and I want to say to the gentleman that I have been on the Committee on Military Affairs for 17 years. I am one of the members who helped to build that dam. I am one who helped to complete it. I have voted for every kind of a scheme to put it in operation. If I had the writing of a bill to-day, in my judgment, I could not write a better bill than the combined propositions, this compromise that is offered by the Senate of the United States.

Mr. HILL of Alabama. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. HILL of Alabama. And unless the conferees do give the House and Senate an opportunity to vote on a conference report, there will be absolutely nothing done for at least two years more?

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. QUIN] has expired.

Mr. LAGUARDIA. Mr. Chairman, I yield 10 additional minutes to the gentleman from Mississippi.

Mr. QUIN. You understand it is plain now that a good bill for the people, not only the people of that territory but of all of the United States, is to be voted on to-morrow by PERCY QUIN, HUBERT FISHER, and CARROLL REECE. PERCY QUIN and HUBERT FISHER will vote for it. If Mr. REECE votes like we do, you will have a bill before the House to put up to the Members to say whether they will follow the Power Trust and bow down before the golden calf of greed, or whether they will stand by the plain, honest people of the United States.

I do not know what the others will do, but if my friend REECE follows that benighted course and bows down to this great monopoly, with all of its wealth and all of its political power, with all of its chicanery, endeavoring to control boards of supervisors, aldermen, mayors, legislatures, attorneys general, and governors, having the gall to come up to the United States Congress and try to control Congress, that is his responsibility. I would see them in hell before I would let them control my vote.

Brother SPEAKS, the time has come when the honest womanhood and manhood of the United States must stand for their rights. They must put men in the United States Congress who are going to vote for the honest rights of the people, and see that justice is done.

Do you mean to tell me that a conferee has the right to vote to give to a great trust the birthright of the State of Tennessee? Do you mean to tell me that a son of the great State of Tennessee in a conference with his vote should destroy the birthright of his State? I wish the newspaper men would listen to me. Here is a Congressman who has a vote. That vote is either for the great power monopoly, combined wealth, or it is for the honest manhood and womanhood of Tennessee and the United States. I ask you to let it go through your papers back to his district and to all America whether or not my good friend is going to stand with the combinations of power and plutocracy or whether he will stand for the good of his district and for the people of the United States. [Applause.] That will be the question to-morrow morning in the conference.

My good friend, yes; I welcome you here. It is time to come to the mourners' bench. It is time for you to bow down and ask forgiveness. In your heart I know you know this is a good plan. You know it is right. You know it is just. You know it will develop that country. You know that to vote for this compromise means for the people you have the honor to represent a great blessing and a great boon. It pours into that territory untold wealth. It starts the wheels of industry moving. It puts into your district in less than 15 years no less than $300,000,000. It helps the great States of Tennessee, Alabama, Georgia, and Mississippi directly, and indirectly, all of the other States of this Union. It shows to the American people the standard by which current can be furnished to the consumer, both commercially and domestically.

Now, my friend from Tennessee, are you going into the byways and hedges and follow this great beneficent Power Trust, or are you going to stand up like a man for the honest yeomanry of Tennessee? The time is at hand. The hour is approaching. Daniel has come to judgment.

Mr. REECE. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. REECE. If the gentleman thinks he is going to scare me into doing something I do not think I ought to do, the gentleman is altogether wrong.

Mr. QUIN. I do not want to scare the gentleman. I am trying to do like the preacher of the gospel, I am trying to show him his duty. [Applause.] If I were a minister of the gospel, I do not know that I would preach hell fire and brimstone and the body eaten by worms, so much as I would preach good will and brotherly love. It is because of the brotherly love I have for you that I am making this speech. I want to see you come and stand by the people. "Ye shall know the truth and the truth shall make you free."

Here is the gentleman from Ohio, member of that committee [Mr. SPEAKS], who has been trying to make the truth known all of these years. Now, we have come to the crucial test. Where is my friend CARROLL REECE, representing the great State of Tennessee? My mother's father came from that country. I have an interest in Tennessee. I do not want to see it betrayed. I do not want to see the State of Tennessee turned over to the power monopoly.

Do you Members know that that great valley has 1,300,000 kilowatt-hours' potential power lying there now? This great Power Trust is endeavoring to put its hands upon it. It is endeavoring to keep the Government from developing it. It is endeavoring to exact through the next thousand years, with the greed of Shylock, tribute from all the people of the United States, manyfold, instead of an honest percentage. It is time now for my friend from Tennessee to realize that when he votes to-morrow, if he votes with Brother WURZBACH and Brother

RANSLEY to smother and kill this legislation, two years will pass before a single thing can be done.

There will be an election this fall, and after the Members are elected they will not be anxious to bring this up again. Now is the vital time for all men to go on record. I have never been afraid to put my vote up here for the American people to see it. If I have voted against them, I do not know it. If I did do so, it was because of ignorance; but, when it is made plain to me, like I have tried to demonstrate to my friend Mr. REECE, I know I would not vote for a great monopoly, against the people.

Do you mean to tell me that his people will agree with him, when they find that he is, with his eyes wide open, with PERCY QUIN telling him if he votes to-morrow in that conference with WURZBACH and RANSLEY to smother this legislation, he will be blocking progress and that he is voting for a monopoly, and voting for continued robbery and favoritism for the great organization of wealth?

Are you going to let the Government of the United States develop that country through that great dam at Cove Creek, pay all the damages to every farmer and everybody else who may be affected, and start fertilizer factories at Muscle Shoals, so as to turn out more fertilizer than you can use? Are you going to do it? Are you with me or against me? Our Master, while on earth, said, "All who are not for me are against me." Then the people of Tennessee will say, "Are you for me or are you for the Power Trust?" I am never going to let them put the brand of monopoly across my brow. It may be, my friends, that if I go down in defeat it will be on some measure that I may act upon through ignorance, but the time will never come when any great company, any monopoly, or any trust, God being my helper, will be able to put its brand on my brow or on my breast.

So, my friend REECE, the time has come. This is the hour when Daniel comes to judgment, and are you going to be for or against the people? The question is whether the gentleman from Tennessee is going to be for the people of his own district and of all the United States or is he going to be for a specialized gang of exploiters from one end of this country to the other? You need not fool yourselves. This issue is plain. In that conference the people of the United States are on one side and the Power Trust on the other. I am not going to vote for any Power Trust. That is all there is to it. My friends over on the Republican side can do what they please, but the two Democrats on that committee are not going with them if they stand out for the grasping oppressors of the people.

The very first thing that Senator NORRIS said—and he has studied this question very thoroughly—was:

> You can have all of the fertilizer that that great dam will produce and you can have every kilowatt of the power for the purpose of putting all those plants into operation.

I hope my friend will vote for the people in that conference to-morrow.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. LAGUARDIA. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALMON].

Mr. STAFFORD. Mr. Chairman, do I understand that the gentleman is to speak on the bill under consideration or out of order?

Mr. LAGUARDIA. I must assume he is going to speak on the bill.

Mr. STAFFORD. We have many bills reported by the committee. Of course, we had to recognize the fact that the gentleman from Mississippi wished to speak out of order, but we can not go ahead all day with general debate.

Mr. LAGUARDIA. The gentleman who has the floor is subject to the rules of the House.

Mr. STAFFORD. However, if the gentleman from Alabama wishes to speak out of order I shall not object.

The CHAIRMAN. The gentleman from Alabama will proceed in order.

Mr. ALMON. Mr. Chairman, I ask unanimous consent to proceed for five minutes on the same subject that was discussed by the gentleman from Mississippi.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for five minutes out of order. Is there objection?

Mr. WURZBACH. Reserving the right to object, it will be with the understanding that the five minutes come from your side?

Mr. LAGUARDIA. Absolutely.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ALMON. Gentlemen, we hear a great deal in this day and time about Government operation. They say they do not want to settle the Muscle Shoals question in a way that will put the Government into business. However, the Government is doing business there now. The only difference between the conferees, as I understand, is that the conferees of the Senate are unanimous in giving the House conferees all they want so far as the fertilizer plants are concerned. They are willing to lease the plants, but they want the board, appointed by the President, to continue in the operation of the power plant. The power plant is being operated by the Government through the Secretary of War, under the Chief of Engineers. They are operating it and selling less than 10 per cent of the available power to the Alabama Power Co. at about 2 mills a kilowatt-hour—this is more than the cost of operation. They could operate it to full capacity with a little more expense. Now, let the Government hold the power plant for the present, and if the Congress decides at a later session to lease this power plant, then provision can be made for leasing it also. However, let the Government continue to operate the plant not through the Chief of Engineers but through the board appointed by the President and under the direction of the President and sell that power to the lessee of the fertilizer plant at a very low rate and give them the fertilizer plants free of rent. If we arrange to have power sold to the lessee of the fertilizer plant, then the farmers of the country will get the benefit of it.

Mr. WURZBACH. Will the gentleman yield?

Mr. ALMON. Yes.

Mr. WURZBACH. Certain gentlemen now seem to be favorable to the Norris plan, although the House only a short while ago voted against it. I want to know whether the gentlemen who favor the Norris plan, with amendments, have decided just exactly what the amendments to the Norris plan are and whether they are ready now or whether they will be ready to-morrow to submit a completed amended Norris plan to the conferees——

Mr. ALMON. I do not know, as I am not a member of the committee, but I am sure that a completed plan will be written if it has not been done.

Mr. WURZBACH (continuing). Or do they intend to indulge in general statements that the advocates of the Norris plan are willing to agree to any kind of fertilizer amendment that we might ask for?

Mr. ALMON. I have no doubt that a completed plan will be prepared and submitted after to-morrow if not by that time. I say that the conferees of the Senate are yielding more than they are asking the House conferees to concede. They are willing for the House to have its way about leasing the nitrate plants and having all the power at a very low rate, everything that the House has asked for except the leasing of the power plant this time. I say you can get it settled by postponing that and leasing it at a subsequent session of the Congress if you want to; but let us get it settled. It has been standing idle for 10 years. It is a reflection on the Congress of the United States to adjourn without making some disposition of it.

I say with all earnestness that the matter ought to be settled now. Some one has said that the President would not approve it. I am not authorized to speak for the President, and neither is Mr. REECE or anybody else, so far as I know, but I believe the President of the United States is interested in farm relief and in agriculture and would approve this bill, which provides for private operation and does not change the matter of the operation of the power plant. The Government is operating the power plant now. There is no reason why the President should not approve it, but that is his responsibility and this is our responsibility. The time has come when we must decide whether this plant is going to stand there and remain idle or not.

All agree that the development at Muscle Shoals must be kept for national defense, to make explosives in the event of war. The nitrate plants will have no value for national defense in 25 or 40 years if we let them stand idle, because they would rust and become obsolescent. If you want these plants for national defense, put them in operation now for the manufacture of fertilizer for the benefit of the farmers of the United States. [Applause.]

The farmers have been promised better and cheaper fertilizer by reason of the operation of these plants. Everybody wants action and a settlement and the plants puts in operation and a large number of men be given employment. Under these circumstances I think the Members of the House and the Senate who are members of this conference committee, and who have different opinions on the subject, after all these years of agitation should be willing to make concessions and compromises with the view of securing a settlement. No one is expected to have all of his views and opinions included in any controversial

legislation, but should be satisfied with getting the best that can be secured, and for that reason I sincerely hope that the conferees will agree upon and report and the whole matter be settled at this session of Congress. The Government has been operating the power plant since it was completed. Only about 10 per cent of the capacity of the plant has been operated, and the power generated sold to the Alabama Power Co. at about 2 mills per kilowatt-hour. Still this amounted to more than the cost of the operation. Hence if the Government had operated the plant the full capacity and had only received this low price for the power it would have made considerable profit.

There are no difficulties in connection with the operation of the power plant, and the Government could continue its operation as well and as cheaply, no doubt, as it could be done by a lessee. So why not let the Government continue to operate the power plant and furnish power at a low rate to a lessee to make fertilizer and give States, counties, municipalities, and industries preferential rights to buy the surplus power not needed for the manufacture of fertilizer for the farmers? [Applause.]

Mr. WURZBACH. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, ladies and gentlemen of the committee, being permitted to speak on the bill before the House, which is to authorize the acquisition of certain lands to extend Maxwell Field, at Montgomery, Ala., I have some familiarity with conditions at Montgomery in connection with this field and desire to add my support to the bill.

This field was acquired in wartime. Later, the people of Montgomery contributed $80,000 for the purchase of land for its extension. A little time ago a general survey of the country was conducted by Army officers delegated for that purpose, and a number of sites were examined with a view to the establishment of a tactical school in connection with the Air Service that would compare with Fort Benning in another branch of the military service. As a result of this very comprehensive study, Maxwell Field was recommended; and, following that, the Assistant Secretary of War and other officials of the War Department made a further study and this field was designated.

It is now proposed by the department, and recommended by the committee, that lands be acquired for its extension. This extension is needed in connection with aviation use. The location is a highly desirable one. The time to buy the needed lands would seem to be now. There is every indication that now is a better time to buy lands than will be the case in a few years from now; and, in an aviation field especially, nothing is gained by providing all your equipment, including your buildings, and being handicapped by lack of ground.

I hope the bill may have the approval of the House.

Mr. LAGUARDIA. Mr. Chairman, I hope the committee will not feel that I am opposed to all of the measures that they bring out. I know that it is a hard-working committee, a sincere committee, taking its work seriously. I know the methods of operation of that committee, for I had the pleasure of serving on it during a prior Congress. I know the persuasive way of the various branches of the Army in presenting their needs. They are entirely within their rights of presenting to the committee a proposition for legislation to carry out what they believe is necessary for the efficient management of their particular branch of service.

We on the other hand have a greater responsibility, and that is to look at this legislation as a part of other legislation, and as a part of the entire function of the Government. I have always objected to snap judgment on requests for the acquisition of land by the War Department. I am not saying that the committee took snap judgment in these instances. I can not understand the policy of the War Department in coming to Congress and getting blanket authority to sell real estate all over this country designated by the War Department as surplus and then coming in with bills one right after another authorizing the purchase of additional real estate. Members who are busy or interested and specializing in other branches of legislation can quickly lose sight of the entire program and forget that only a few years ago the War Department came in and said "Please let us sell all our surplus real estate, let us put the proceeds of these sales into a separate fund so that we may finance our building program. We do not need all of this property; we have enough and will not need any more land for many years to come." That is exactly what the Army told Congress when the sale of surplus real property bill was passed.

I pointed out to the House at the time that if we did that we ought to then make certain that we would not be asked by the War Department for appropriations to buy any more real estate, at least for the next 25 years. That assurance was in substance given and so understood by a large number of the Members who voted for the bill.

The tendency of the day is to reduce armaments, reduce the size of the Army. The military policy of the United States, as I understand it, and as often reiterated in the messages from the President, is to keep a skeleton army to assist in the voluntary training of a voluntary National Guard and reserve. That is the present military policy of the country.

I can not justify the repeated demands or necessity of an extensive building program, buying more land, establishing new and more military posts and stations. Congress understood, of course, the housing program—that is, the necessary replacement of old and obsolete buildings. That is different. Here in this bill and in many others it is a matter of enlarging, increasing the number and cost of military posts, stations, and establishments. This bill brings up two propositions—one the policy of accepting gifts of land. I object to that policy. Only yesterday I objected on the Consent Calendar to a bill which would give the Secretary of the Treasury blanket authority to receive gifts of land for the purpose of erecting Federal public buildings thereon. Here you have a specific instance where the city of Montgomery generously and patriotically, and may I say, most respectfully, with an eye to good business, offered the Government $80,000 worth of land. It was accepted. Now, here is the inevitable sequence of every such gift—a bill authorizing the purchase of $200,000 additional land to be followed, of course, with an appropriation of more than a million dollars for buildings. I want to congratulate the initiative, definite knowledge of congressional weakness by the citizens of Montgomery who first proposed the gift of $80,000 worth of land.

Mr. WURZBACH. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WURZBACH. The gentleman one day objects to the Government paying too much, and the next day objects when the Government receives a donation of land.

Mr. LAGUARDIA. I am objecting to the price of the land. Anyone will give the Government $80,000 worth of land if right after he can sell $200,000 worth of additional land at his own price, and later obtain millions of appropriations to build a post or garrison on the land. Truly that is good business.

Let me read from the report:

> The World War came on in 1917. The Government established at Montgomery, Camp Sheridan, a great divisional camp for the housing of some 26,000 men. It also established at Montgomery a great remount depot for Army horses and mules. In spite of the fact that these two camps were established at Montgomery, the Government seeking to find a good place for the establishment of a flying field, came to Montgomery and after looking over the situation and finding conditions as the Wright brothers had found them previously in 1910, established a great air depot at Maxwell Field.

What has happened to the land we had there for the remount depot?

Mr. HILL of Alabama. That was leased.

Mr. LAGUARDIA. All of it?

Mr. HILL of Alabama. The other land has long since been sold—that which was not leased. The tactical school is now temporarily located at Langley Field.

Mr. LAGUARDIA. Yes; they intend to move it from Langley Field down to Montgomery. That would be all right ordinarily, but it is not in keeping with our policy of military retrenchment. I know that I shock my colleague from New York [Mr. WAINWRIGHT] when I talk in that way. However, there is a point where we must stop, I say to the gentleman from New York, and I submit this, and I am sure the former Assistant Secretary of War will bear me out, that we can not obtain efficiency and prudent economic management of the War Department by a policy of selling property to-day at low prices only to buy other real property the next day at exorbitant prices. There is nothing gained by constantly moving from one place to another as in this instance. I wonder if the gentleman from Alabama can give me the assessed valuation of the land under consideration.

Mr. HILL of Alabama. The land has not been assessed by any representative of the Federal Government.

Mr. LAGUARDIA. For taxing purposes?

Mr. HILL of Alabama. I can not say; but the War Department has it.

Mr. LAGUARDIA. Mr. Chairman, the gentleman from Alabama is one of the keenest lawyers in the House. He is able and alert. If a client of his came to him and said that he was about to buy some land and wanted the gentleman from Alabama to search the title and draw up the deeds and the contract, after getting all of the facts necessary to attend to the legal side of it I know the gentleman from Alabama would ask his client what he is going to pay for the land. The client would tell him, and then the gentleman would ask for the assessed

valuation of the land. He would not think of permitting a client to buy land unless he first ascertained the assessed valuation.

Mr. HILL of Alabama. I have not those figures here, but I say to the gentleman that the War Department has them, and they were also submitted to the Bureau of the Budget before the bill received the approval of the War Department and of the Bureau of the Budget.

Mr. LAGUARDIA. I am glad that somebody has some figures. The other day when we boosted the value of real estate in Texas in bills for the War Department, we could not get any figures of the assessed valuation. We can not get any figures to-day.

Mr. Chairman, I fear that unless we are very careful on these Calendar Wednesdays a situation may arise and antagonism be created which may take us back to the old days when we had no Calendar Wednesday. It is a day given to committees for the consideration of their bills, a system which took many years of struggle to obtain. We all recall that there was a period in our legislative history when committees were stifled and had no call, being left entirely at the mercy of the Speaker. We want to maintain the call of committees on Wednesdays. Committees should be very careful in selecting the bills passed under such conditions.

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

Mr. LAGUARDIA. Yes.

Mr. WURZBACH. What is the objection of the gentleman to taking up bills reported by the Committee on Military Affairs on Calendar Wednesday? The gentleman has been given ample time for discussion, and he has given away 25 minutes of his time to discuss a matter that has no bearing on this bill whatever. I do not think that objection can be made.

Mr. LAGUARDIA. I yielded 25 minutes of my time, perfectly within my rights, and the House, by unanimous consent, permitted the gentleman to proceed out of order. I hope the committee will not resent observations made in criticism of its bills, and I hope the custom will not grow where any bill which is brought up by a committee on Calendar Wednesday will go through, regardless of its merits. This is not the fault of the committees. That is a question that concerns the membership of the House. I am speaking generally when I say committees do not want to lose the confidence of the House in making use of Calendar Wednesdays.

Mr. WAINWRIGHT. And that will never happen while the gentleman is here, I am quite sure.

Mr. LAGUARDIA. Mr. Chairman, I pointed out the mistaken policy of the War Department in disposing of its real estate as surplus and coming in at the same time and asking for the purchase of additional land. I believe there is not sufficient information or figures before the House at this time to justify the purchase of this land, and surely not sufficient information as to the value of the land and the price per acre to be paid. The gentleman from Alabama [Mr. HILL] points out that the $200,000 does not include the cost of the construction of necessary buildings on the field. Am I right in that?

Mr. HILL of Alabama. It is land.

Mr. LAGUARDIA. Then, if I understand correctly, the gentleman from New York [Mr. TABER] asked the gentleman from Alabama what he believed might be a reasonable price for the land. He said from $150 to $200, and the gentleman from New York suggested an average of $175 an acre. Can not some good mathematician tell us how much five hundred times 175 is?

Mr. TABER. There are 500 acres altogether, the gentleman from Alabama said, and that would be $87,500.

Mr. HILL of Alabama. That is just part of the land.

Mr. LAGUARDIA. How much land are you going to buy?

Mr. HILL of Alabama. A little over 700 acres.

Mr. LAGUARDIA. The rest I am informed over here, 400 acres, is at $10 an acre.

Mr. HILL of Alabama. Oh, no; the gentleman is wrong about that.

Mr. LAGUARDIA. Does not the gentleman believe that $100,000 will be enough?

Mr. HILL of Alabama. No. The bill originally provided for $320,000. That is what the War Department asked for. We went to the Budget, and after two hearings and after the most penurious scaling down they reduced it $200,000?

Mr. LAGUARDIA. The members of the Committee on Appropriations, who are very careful legislators, who have the confidence of the House, think that $100,000 would generously take care of this proposition.

Mr. HILL of Alabama. One hundred thousand dollars would not touch it.

Mr. LAGUARDIA. We are taking the gentleman's own figures as to valuation. The total, according to the gentleman's figures, can not be more, he said 400 acres, at about $10 an acre and 500 acres, at an average of $175 an acre. It is less than a total of $100,000.

Mr. HILL of Alabama. And I say the very minimum amount, after scaling down and scaling down from $320,000, is $200,000, and that was reached only after the Budget Committee had two hearings on it. They had a plat with the value of each piece of land and they studied it and worked over it and they finally reached the minimum of $200,000.

Mr. LAGUARDIA. We are not discussing a question of aeronautical tactics, we are not differing on a question of legislative necessity, but we are down now to a simple matter of arithmetic, a matter of multiplication.

If there is 400 acres of land which can be obtained at $10 an acre, it does not require the Budget Bureau to tell us that it amounts to $4,000. If we have 500 acres at the price of $125, it does not require the Comptroller General or a multiplication machine to tell us that it amounts to $87,500. That being so, it seems to me that the amendment to reduce this amount to $100,000 would be a most useful piece of legislation this afternoon.

Let me point out that in the experience of the Government as well as in the experience of every corporation and individual if it is known how much money is available, the price will come up to the appropriation. In this instance your land is located. It is not like the purchase of a site for a building, where, if you do not get one corner, you can get another. This land is located and identified. The people down there will know how much is appropriated and will adjust their increased price accordingly. We can get that land for $100,000. I think it is good business and good legislative sense that we reduce the authorized appropriation in this bill to $100,000.

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

Mr. LAGUARDIA. I ask unanimous consent to abbreviate my remarks.

The CHAIRMAN. There is no objection to the abbreviation of remarks. [Laughter.]

If there is no further debate, the Clerk will read the bill for amendment.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the substitute amendment be read in lieu of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert "That a sum not to exceed $200,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of land in the vicinity of and for use in connection with the present military reservation at Maxwell Field, Ala., and the Secretary of War is hereby authorized to make said purchase.

"SEC. 2. In the event the Secretary of War can not purchase such land or any tract or parcel thereof at a fair and reasonable price the Secretary of War is authorized to request condemnation proceedings to acquire such land or any tract or parcel thereof and upon such request the Attorney General shall institute such proceedings."

Mr. TABER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. TABER to the committee amendment: On page 2, line 10, after the word "exceed," strike out the sign and figures "$200,000" and insert in lieu thereof the sign and figures "$100,000."

Mr. TABER. Mr. Chairman, I do not pretend to be a great technical expert, especially in aeronautics, and I do not want to take the position in this House, after the Committee on Military Affairs has investigated the matter, of saying that we should not go ahead and establish Maxwell Field in Alabama. But I do say we should limit ourselves and our authorization to a figure pretty close to the figure which has been given by the Committee on Military Affairs, through their representatives, as to the value of the land.

I was very careful to go into this question with the gentleman from Alabama [Mr. HILL] when he was on the floor. The bill requires an addition of 300 acres of land to the field in order to give it room enough, so that they can operate satisfactorily. It requires an addition of 200 acres for the purpose of completion of barracks and quarters. That is 500 more acres than they now have.

I asked the gentleman from Alabama as to the value of that land. He said it was from $150 to $200 an acre, but we calculate that $175 would be a fair average. That would make $87,500. In addition to that, they want to buy 400 acres of

cheap land, which the gentleman told me could be obtained at about $10 an acre, or at $4,000.

My amendment reduces the appropriation from $200,000 to $100,000, and it seems to me, if we adopt the amendment in this legislation, we will thereby automatically decrease the price of that land to the Treasury of the United States.

Mr. HILL of Alabama. Mr. Chairman, after making a careful study as to the location of this land and its value, the War Department asked the Budget for $320,000 with which to buy the land, and the bill as submitted by the War Department in its original form provided an authorization of an appropriation of $320,000. This sum was arrived at by taking the assessed value of the land as the land is assessed to-day for the payment of taxes; second, by getting the best estimates possible as to what would be a fair and reasonable price for the land. Using these bases, the War Department asked for $320,000. The bill went to the Budget Bureau, and the Budget Bureau said to the War Department, "Is there not some way to scale this down? Is there not some way to get this $320,000 down to a lower figure?"

The Bureau of the Budget held two different and distinct hearings on this bill. At these hearings plats were brought in showing the different parcels of land, the assessed value of the parcels of land, and the estimated market value of them. Photographic maps were brought in, and after a study of all the maps and charts and a consideration of the assessed values the Bureau of the Budget said: "We will have to cut you down. We may have a deficit this year, which we do not want, and we can give you but $200,000. Take the $200,000 and buy as much of the 1,000 acres that you have asked for as is possible."

The War Department said, "We can not buy the whole 1,000 acres which we ask for; but if that is the very best you can do, the very maximum amount you can give us, we will take the $200,000 and buy as much as possible with it and get along with that amount, although we want the original amount."

After the Bureau of the Budget had acted on this matter it came to the Committee on Military Affairs and that committee conducted very thorough, very detailed hearings on the bill and on the amount carried in the bill. Representatives from the War Department brought their maps, brought their valuation lists, brought all the different details as to this land and its value and its possible value, and presented these figures and documents to the committee. After a most thorough investigation the committee reached the conclusion that to buy the land absolutely necessary for the home of the tactical school there should be an authorization of the $200,000 recommended by the Budget.

Now, gentlemen, this bill comes here after no haphazard consideration, but after most thorough consideration, first by the War Department, second by the Bureau of the Budget, and third by your Committee on Military Affairs. These three branches of the Government having looked into all the evidence and having weighed it, have reached the conviction that not one dollar less than $200,000 will suffice.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. HILL] has expired.

Mr. CLAGUE. Mr. Chairman, I move to strike out the last word. I made a personal visit to Maxwell Field a year ago, and I want to say they have a wonderful flying field in a place where conditions for flying are ideal. I spent a day at that place going over the field and the grounds which they expected to buy. They need more land, but I do think the amount asked here is very large.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. CLAGUE. In just a moment.

The gentleman from New York [Mr. TABER] made a statement a moment ago. He took the figures given by the gentleman from Alabama, that it would cost on an average $175 per acre to secure 500 acres. Four hundred acres was valued at $10 or $15. Four hundred acres at $15 is $6,000, but 500 acres at $175 or $200 is less than $100,000. I want to see this necessary land purchased. It is needed down there, but the amount asked for I think is extremely high.

Mr. HILL of Alabama. Will the gentleman yield?

Mr. CLAGUE. The gentleman from Alabama has given nothing to dispute the figures given by the gentleman from New York [Mr. TABER].

Mr. HILL of Alabama. I want to dispute those figures. There is a large parcel of that land which can not be bought for $175 or $200 an acre. The truth is that this field is right on the city limits of the city of Montgomery, and a part of the land is to-day small negro residential section property and it can not be bought by the acre. It has to be bought by the lot.

I recall with much pleasure the visit of the gentleman, and we appreciated so much his interest there. As the gentleman will recall, at the time the gentleman went over the land the War Department was talking about an appropriation not of $200,000 but of $320,000, as originally carried in the bill.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. CLAGUE. I yield.

Mr. WAINWRIGHT. I think my position on this amendment can be gathered from my question. Why is it that the Appropriations Committee seeks to vary this amount? It is entirely in their hands, anyway. As the bill is framed it provides that not to exceed a certain figure shall be expended. It will be entirely in the hands of the Appropriations Committee.

Mr. CLAGUE. For this reason: The very minute we authorize a large appropriation, just that minute the land commences to rise in value. That is always true.

Mr. WAINWRIGHT. Then why not put in a provision to secure it by condemnation?

Mr. CLAGUE. Additional land is needed at Montgomery. There is no question about that, but I would like to secure it for the Government at a fair price, and I think the amount asked for here is a little large.

Mr. HILL of Alabama. When they went over that land the War Department estimated it would be $320,000.

Mr. McDUFFIE. Will the gentleman yield?

Mr. CLAGUE. I yield.

Mr. McDUFFIE. I am quite familiar with the situation at Maxwell Field, and I want to say to the gentleman that Montgomery is a large, growing city. I do not think it is possible to buy land near this field for $10 an acre. I do not think it will be easy to buy land near this field, the best of it, for $175 an acre. I do not think this price is at all out of reason. I do not think anybody at Montgomery has any desire to gouge the Government as to land prices. The gentleman knows the people there are public spirited and patriotic. But speaking, not as an expert, and I have not seen the assessor's books, but knowing the land involved and having been at Maxwell Field and in that section so often during my lifetime, I wish respectfully to say to the gentleman that I think he is entirely in error in his opinion as to the amount recommended by the committee for this land so necessary for Maxwell Field.

Mr. BARBOUR. Will the gentleman yield?

Mr. CLAGUE. I yield.

Mr. BARBOUR. Why is it necessary to buy this land practically in the city of Montgomery for a flying field?

Mr. HILL of Alabama. If the gentleman had been there as the gentlemen who recommended purchasing this ground were, he would realize that this field is right on the city limits, and unless you are going to discard the entire field and all the money already expended there, thousands of dollars, it is necessary to buy the land at the field.

Mr. BARBOUR. That is exactly what my question was directed to. With all the land there is in Alabama, and all the land there is in the United States suitable for flying fields, why do we have to buy land adjacent to or in a large city?

The CHAIRMAN. The time of the gentleman has expired.

The question is on agreeing to the amendment to the committee amendment, submitted by the gentlemen from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. HILL of Alabama) there were—ayes 52, noes 68.

Mr. TABER. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. TABER and Mr. WURZBACH.

The committee divided; and the tellers reported that there were—ayes 48, noes 58.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TABER to the committee amendment: On page 2, in line 10, strike out the sign and figures "$200,000" and insert in lieu thereof the sign and figures "$110,000."

Mr. TABER. Mr. Chairman, there are 500 or more acres, and this gives them $215 an acre, and about $8,000 or $10,000 to play on. It seems to me it is absolutely ridiculous for us to provide an amount which, according to the statement of the committee itself, is not needed.

Mr. HILL of Alabama. Mr. Chairman, the figures of the gentlemen on the Subcommittee on Appropriations are absolutely wrong. The plats, blue prints, the assessed value of the land, and estimated valuation of the land show that the very minimum for which this land can be purchased is $200,000. There has been some talk about buying land as low as $15 an acre. There is a little stretch of land on the river bank which will be used for a bombing range that may be bought very cheaply,

but this land which the bill authorizes to be purchased goes in value everywhere from that cheap land all the way up to small residential lots which will have to be bought at a very considerably higher price.

Mr. HUDSON. Will the gentleman yield?

Mr. HILL of Alabama. Yes.

Mr. HUDSON. Does the gentleman from Alabama mean to contend before this committee that if the amendment of the gentleman from New York should prevail you can not get a sufficient amount of land?

Mr. HILL of Alabama. Absolutely. As I said before, the War Department first asked for $320,000.

Mr. HUDSON. The War Department did not ask for that amount but made that estimate.

Mr. HILL of Alabama. No; they asked for it.

Mr. HUDSON. Does not the gentleman realize that the War Department's estimates are apt to be very liberal?

Mr. HILL of Alabama. No; that has not been my experience.

Mr. HUDSON. That has been my experience during the eight years I have sat here.

Mr. HILL of Alabama. I say this, as I have said before: That after most careful consideration by the War Department, by the Budget, and by our committee the amount was fixed at $200,000 as the very minimum amount for which the land could be bought.

Mr. McDUFFIE. May I suggest to the gentleman from Michigan that the War Department's estimates with reference to rivers and harbors are not always 100 per cent more than necessary?

Mr. HUDSON. Does the gentleman have authority to come before this committee and say the land can be bought for any specified amount?

Mr. HILL of Alabama. I will say it can not be bought for less than the $200,000.

Mr. HUDSON. But if you pass the bill with this amount in it and you can not buy all of the necessary land for $200,000, what are you going to do?

Mr. HILL of Alabama. They will buy as much as possible for the $200,000, and the bill even provides that there shall be condemnation proceedings if the land can not be purchased at a fair price.

Mr. HUDSON. Why not permit them to buy as much land as they can for the $110,000?

Mr. HILL of Alabama. Because that would not cover the needs at all and it would simply delay the matter and put it off and such action would be futile.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. HILL of Alabama) there were—ayes 33, noes 42.

So the amendment was rejected.

Mr. HILL of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL of Alabama: On page 2, line 15, after the word "purchase," strike out the period, insert a semicolon, and add the following:

"That no part of the amount authorized to be appropriated shall be expended until it has been determined to the satisfaction of the Secretary of War that acquisition of all additional land required at Maxwell Field for the proper and necessary accommodation of the Air Corps Tactical School and one Air Corps observation squadron can be accomplished by purchase or donation without exceeding expenditure by the Federal Government of the amount of such authorization."

Mr. TABER. May I ask the gentleman a question?

Mr. HILL of Alabama. Certainly.

Mr. TABER. I understood that the committee put in the original amendment with the idea of wiping out the donation proposition. Would not the gentleman like to strike out of the amendment all reference to donation?

Mr. HILL of Alabama. No; because the deeds for the lands that were donated are already in the hands of the Government of the United States, and the Congress of the United States has already passed an act authorizing the acceptance of those lands. That act was passed subsequent to the introduction of the original bill, and that is the reason the donation part of the original bill was not included in the committee amendment. The city of Montgomery has given the Government approximately $80,000 worth of land at Maxwell Field.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

The CHAIRMAN. The question is now on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. WURZBACH. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SLOAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 7638) 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, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. WURZBACH. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

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

The amendment was agreed to.

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

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from New York offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Military Affairs with instructions to that committee to report the same back forthwith with an amendment as follows: In line 10, on page 2, strike out the sign and figures "$200,000" and insert in lieu thereof the sign and figures "$100,000."

Mr. STAFFORD. Mr. Speaker, I make the point of order that the motion is not in order, in view of the fact that the House has just agreed to an amendment in toto in which the House declared its position as to the amount of money that should be appropriated for this purpose. I think there are precedents holding that where the committee adopts an amendment in its entirety a motion to recommit is not in order to eliminate part of such an amendment that has just been adopted.

The SPEAKER. The Chair was not present at the time. Just what was the proceeding in committee?

Mr. STAFFORD. Mr. Speaker, the proceeding in the Committee was that the Committee of the Whole considered the committee amendment and adopted it with an amendment. The committee amendment was reported back to the House and the House adopted the committee amendment. Therefore the House having acted upon the committee amendment, it can not reverse itself now by attempting to recommit the bill and strike out something the House has already acted upon.

The SPEAKER. The rule is very clear that when the House has agreed to an amendment, it can not thereafter by a motion to recommit change that amendment. So the Chair sustains the point of order.

Mr. TABER. Then, Mr. Speaker, I move to recommit the bill to the Committee on Military Affairs.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 31, noes 70.

Mr. BROWNE. Mr. Speaker, I challenge the vote on the ground there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 86, nays 213, answered "present" 1, not voting 128, as follows:

[Roll No. 65]

YEAS—86

Ackerman	Cooper, Wis.	Hess	Luce
Andresen	Craddock	Hope	McClintock, Ohio
Andrew	Dallinger	Hopkins	Martin
Bachmann	Dickinson	Hudson	Menges
Baird	Dowell	Hull, Wis.	Michener
Barbour	Dyer	Jenkins	Murphy
Beers	Eaton, Colo.	Johnson, Ind.	Nelson, Me.
Blackburn	Estep	Johnson, Nebr.	Newhall
Bolton	Foss	Kading	Perkins
Brand, Ohio	Frear	Kearns	Pittenger
Britten	French	Kendall, Ky.	Ramseyer
Browne	Gifford	Kiefner	Robinson
Burdick	Goodwin	Knutson	Rowbottom
Burtness	Guyer	Kopp	Sears
Christopherson	Hall, Ill.	Korell	Seiberling
Clague	Hall, Ind.	LaGuardia	Shreve
Clark, Md.	Hall, N. Dak.	Lampert	Simmons
Clarke, N. Y.	Hardy	Letts	Snow

Sparks	Thompson	Watson	Wolfenden
Sproul, Kans.	Tinkham	Welsh, Pa.	Wyant
Swick	Walker	Wigglesworth	
Taber	Watres	Williamson	

NAYS—213

Adkins	Drane	Kennedy	Reid, Ill.
Allgood	Drewry	Kerr	Rogers
Almon	Driver	Kincheloe	Rutherford
Arnold	Dunbar	Kinzer	Sabath
Aswell	Edwards	Kvale	Sanders, N. Y.
Ayres	Elliott	Lanham	Sanders, Tex.
Bacon	Ellis	Lankford, Ga.	Sandlin
Beedy	Eslick	Lankford, Va.	Schafer, Wis.
Bell	Evans, Calif.	Larsen	Seger
Black	Evans, Mont.	Lea	Selvig
Bland	Fenn	Leavitt	Shaffer, Va.
Blanton	Fish	Lehlbach	Short, Mo.
Bloom	Fisher	Lindsay	Shott, W. V.
Bowman	Fitzgerald	Linthicum	Simms
Box	Fitzpatrick	Lozier	Sirovich
Boylan	Free	McClintic, Okla.	Sloan
Brand, Ga.	Freeman	McCormack, Mass.	Smith, Idaho
Briggs	Fuller	McCormick, Ill.	Smith, W. Va.
Brigham	Fulmer	McDuffie	Somers, N. Y.
Browning	Garber, Okla.	McLaughlin	Speaks
Brumm	Garber, Va.	McLeod	Spearing
Brunner	Garner	McMillan	Sproul, Ill.
Butler	Garrett	McSwain	Stafford
Byrns	Gasque	Magrady	Stalker
Campbell, Iowa	Gavagan	Manlove	Steagall
Canfield	Glover	Mapes	Stevenson
Carter, Calif.	Goldsborough	Mead	Stone
Cartwright	Granfield	Miller	Strong, Kans.
Chalmers	Green	Milligan	Strong, Pa.
Chindblom	Greenwood	Montet	Summers, Wash.
Clark, N. C.	Gregory	Moore, Ky.	Swanson
Cochran, Mo.	Griffin	Moore, Va.	Swing
Cole	Hadley	Morehead	Tarver
Collier	Hale	Morgan	Taylor, Tenn.
Colton	Hall, Miss.	Nelson, Mo.	Thatcher
Connery	Halsey	O'Connor, La.	Tilson
Cooper, Tenn.	Hare	O'Connor, N. Y.	Timberlake
Corning	Hastings	O'Connor, Okla.	Tucker
Cox	Hawley	Oldfield	Vinson, Ga.
Coyle	Hill, Ala.	Oliver, Ala.	Wainwright
Crail	Hill, Wash.	Palmer	Warren
Cramton	Hogg	Palmisano	Wason
Crisp	Hooper	Parks	Whitehead
Cross	Houston, Del.	Patman	Whitley
Crowther	Howard	Patterson	Whittington
Cullen	Huddleston	Prall	Wilson
Davis	Hudspeth	Pritchard	Wolverton, N. J.
Dempsey	Irwin	Quin	Woodruff
Denison	Jeffers	Ragon	Wright
DeRouen	Johnson, Tex.	Rainey, Henry T.	Wurzbach
Dickstein	Jonas, N. C.	Ramey, Frank M.	Zihlman
Dominick	Jones, Tex.	Ramspeck	
Doughton	Kahn	Rankin	
Doxey	Kemp	Reed, N. Y.	

ANSWERED "PRESENT"—1

Johnson, Wash.

NOT VOTING—128

Abernethy	Douglas, Ariz.	Ketcham	Purnell
Aldrich	Douglass, Mass.	Kiess	Quayle
Allen	Doutrich	Kunz	Ransley
Arentz	Doyle	Kurtz	Rayburn
Auf der Heide	Eaton, N. J.	Lambertson	Reece
Bacharach	Englebright	Langley	Romjue
Bankhead	Esterly	Leech	Schneider
Beck	Finley	Ludlow	Sinclair
Bohn	Fort	McFadden	Snell
Buchanan	Gambrill	McKeown	Stedman
Buckbee	Gibson	McReynolds	Stobbs
Busby	Golder	Maas	Sullivan, N. Y.
Cable	Graham	Mansfield	Sullivan, Pa.
Campbell, Pa.	Hammer	Merritt	Sumners, Tex.
Cannon	Hancock	Michaelson	Taylor, Colo.
Carley	Hartley	Montague	Temple
Carter, Wyo.	Haugen	Mooney	Thurston
Celler	Hickey	Moore, Ohio	Treadway
Chase	Hoch	Mouser	Turpin
Christgau	Hoffman	Nelson, Wis.	Underhill
Clancy	Holaday	Niedringhaus	Underwood
Cochran, Pa.	Hull, Morton D.	Nolan	Vestal
Collins	Hull, Tenn.	Norton	Vincent, Mich.
Connolly	Hull William E.	O'Connell	Welch, Calif.
Cooke	Igoe	Oliver, N. Y.	White
Cooper, Ohio	James	Owen	Williams
Crosser	Johnson, Ill.	Parker	Wingo
Culkin	Johnson, Okla.	Peavey	Wolverton, W. Va.
Curry	Johnson, S. Dak.	Porter	Wood
Darrow	Johnston, Mo.	Pou	Woodrum
Davenport	Kelly	Pratt, Harcourt J.	Yates
De Priest	Kendall, Pa.	Pratt, Ruth	Yon

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. Snell with Mr. Bankhead.
Mr. Bacharach with Mr. Cannon.
Mr. Hickey with Mr. Douglass of Massachusetts.
Mr. Holaday with Mr. Abernethy.
Mr. Connolly with Mr. Wingo.
Mr. Lambertson with Mr. Romjue.
Mr. McFadden with Mr. Gambrill.
Mr. Golder with Mr. Kunz.
Mr. Allen with Mr. Montague.
Mr. Beck with Mr. O'Connell.
Mr. Purnell with Mr. Pou.
Mr. Graham with Mr. Underwood.
Mr. Harcourt J. Pratt with Mr. Oliver of New York.
Mr. Aldrich with Mr. Rayburn.
Mr. Sinclair with Mr. Yon.
Mr. Buckbee with Mr. Quayle.
Mr. Ransley with Mr. Collins.
Mr. Temple with Mr. Taylor of Colorado.
Mr. Johnson of South Dakota with Mr. Sullivan of New York.
Mr. Treadway with Mr. Busby.
Mr. Kendall of Pennsylvania with Mr. Carley.
Mr. Johnston of Missouri with Mr. Hull of Tennessee.
Mr. Kiess with Mr. Buchanan.
Mr. Cooper of Ohio with Mr. Celler.
Mr. Wood with Mr. Ludlow.
Mr. Michaelson with Mr. Auf der Heide.
Mr. Gibson with Mr. Woodrum.
Mr. Finley with Mr. Mooney.
Mr. Arentz with Mr. Crosser.
Mr. Clancy with Mr. Hammer.
Mr. Darrow with Mr. McReynolds.
Mr. Merritt with Mrs. Norton.
Mr. Doutrich with Mr. Williams.
Mr. Niedringhaus with Mrs. Owen.
Mr. Gates with Mr. Mansfield.
Mr. Esterly with Mr. Igoe.
Mr. Moore of Ohio with Mr. Douglas of Arizona.
Mr. Fort with Mr. Sumners of Texas.
Mr. Davenport with Mr. Stedman.
Mr. Turpin with Mr. Doyle.
Mr. Bohn with Mr. Johnson of Oklahoma.
Mr. Campbell of Pennsylvania with Mr. McKeown.
Mr. Eaton of New Jersey with Mr. Nolan.
Mr. Mouser with Mr. Kurtz.
Mr. Underhill with Mr. James.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

A motion to reconsider was laid on the table.

ATTORNEY GENERAL'S OPINION HOLDING BOULDER DAM CONTRACTS LEGAL AND IN FULFILLMENT OF ALL THE REQUIREMENTS OF SECTION 4 (B) OF THE BOULDER CANYON PROJECT ACT

Mr. SWING. Mr. Speaker, I ask unanimous consent that the opinion of the Attorney General on the validity of the Boulder Dam contracts may be printed as an extension of my remarks in the CONGRESSIONAL RECORD.

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

There was no objection.

Mr. SWING. Mr. Speaker, under the leave to extend my remarks in the RECORD, I present the following opinion from Hon. William D. Mitchell, Attorney General, holding that the contracts presented to the Appropriations Committee by the Secretary of the Interior, and which were signed by the city of Los Angeles and the Southern California Edison Co., are legal and in compliance with the requirements of section 4 (b) of the Boulder Canyon project act, which contains the conditions precedent to the appropriation of money:

DEPARTMENT OF JUSTICE,
Washington.

SIR: I have the honor to acknowledge receipt of your communication of June 6, 1930, transmitting a letter dated June 6, 1930, from the Secretary of the Interior advising that, as required by section 4 (b) of the Boulder Canyon project act (45 Stat. 1057), a contract has been secured with the city of Los Angeles, its department of water and power, and the Southern California Edison Co. (Ltd.), which will provide revenue adequate, in his judgment, to pay operation and maintenance costs and insure the repayment to the United States within 50 years from the completion of the dam, power plant, and related works, of all amounts to be advanced for the construction of such works, together with the interest thereon made reimbursable by the act, and that in addition two contracts have been secured with the Metropolitan Water District of Southern California which will provide additional revenues for such purpose, and requesting that the opinion of the Attorney General be obtained as to whether or not these contracts comply with all the requirements of section 4 (b) of the Boulder Canyon project act which are by that section made conditions precedent to the appropriation of money, the making of contracts, and the commencement of work for the construction of a dam and power plant in Boulder Canyon.

Responsive to your request for my opinion upon these questions, I have the honor to advise you as follows:

Section 4 (b) of the Boulder Canyon project act provides:

"(b) Before any money is appropriated for the construction of said dam or power plant or any construction work done or contracted for, the Secretary of the Interior shall make provision for revenues by contract, in accordance with the provisions of this act, adequate in his judgment to insure payment of all expenses of operation and maintenance of said works incurred by the United States and the repayment, within 50 years from the date of the completion of said works, of all amounts advanced to the fund under subdivision (b) of section 2 for such works, together with interest thereon made reimbursable under this act."

The contracts in question are:

(1) A contract dated April 26, 1930, between the United States of America and the city of Los Angeles and the Southern California Edison

Co. (Ltd.), entitled "Contract for lease of power privilege," as amended by supplemental contract dated May 28, 1930.

(2) A contract dated April 26, 1930, between the United States of America and the Metropolitan Water District of Southern California, entitled "Contract for electrical energy, as amended by a supplemental contract dated May 31, 1930."

(3) A contract dated April 24, 1930, between the United States of America and the Metropolitan Water District of Southern California, entitled "Contract for delivery of water."

The "Contract for lease of power privilege," as amended, recites:

"(1) This contract, made this 26th day of April, 1930, pursuant to the act of Congress approved June 17, 1902 (31 Stat. 388), and acts amendatory thereof and supplementary thereto, all of which acts are commonly known and referred to as the reclamation law, and particularly pursuant to the act of Congress approved June 21, 1928 (45 Stat. 1057), designated the Boulder Canyon project act, between the United States of America, hereinafter referred to as the United States, acting for this purpose by Ray Lyman Wilbur, Secretary of the Interior, hereinafter styled the Secretary, and severally, the city of Los Angeles, a municipal corporation, and its department of water and power (said department acting herein in the name of the city but as principal in its own behalf as well as in behalf of the city, the term 'city' as used in this contract being deemed to mean both the city of Los Angeles and its department of water and power), and the Southern California Edison Co. (Ltd.), a private corporation, hereinafter styled the company, both of said corporations being organized and existing under the laws of the State of California and hereinafter styled the lessees."

The original and supplemental contracts for lease of power privilege were executed in the name of the city of Los Angeles, acting by and through its board of water and power commissioners, by the president of the board. The supplemental contract contains a recital that it was the intention that the department of water and power of the city of Los Angeles, as well as the city of Los Angeles, should be firmly bound as principals by the original contract of April 26, 1930, and the parties adopt and reaffirm the original contract as amended. The department of water and power commissioners, by the president of the board, executed the supplemental contract.

There have been submitted to me certified copies of resolutions adopted by the board of water and power commissioners, and of resolutions and ordinances adopted by the council of the city of Los Angeles authorizing the execution of these contracts. Section 386 of the charter of the city of Los Angeles provides that contracts shall not be made without advertising for bids; but this section does not apply to contracts such as those here in question relating to a matter about which there is no competition and where advertising for bids would have been futile. Los Angeles Gas & Electric Corporation *v.* City of Los Angeles (188 Cal. 307, 319). In my opinion the ordinances and resolutions were sufficient to authorize the president of the board of water and power commissioners to execute the contracts.

In substance, the contract as amended imposes upon the city, acting by and through its department of water and power, and therefore upon the department itself, first, the obligation, when the dam is completed and the generating equipment has been installed by the Government, to take over as lessee the generating plant and operate it, paying as rental in 10 annual installments the cost to the United States of the generating equipment, with interest at 4 per cent. Second, the obligation to pay for electrical energy, as furnished, at stated rates. Third, an obligation to operate and maintain at cost the transmission lines required for transmitting power to the pumping plants of the metropolitan water district, and to transmit over its main transmission line the power allocated to others, for compensation based on a reasonable share of the cost of construction, operation, and maintenance. As none of the transmission lines have been built, performance of these obligations will require their construction.

Under the provisions of the charter of the city of Los Angeles, the department of water and power is specificially authorized to construct, operate, maintain, extend, manage, and control works and property for the purpose of supplying the city and its inhabitants with water and electric energy. To this department of the city government is intrusted full responsibility and control in entering into such contracts as those here involved. Quite in conformity with the charter provisions, the city, in its execution of the original and supplemental contracts for lease of power privilege, is described as acting by and through its board of water and power commissioners. The contract as amended, is, therefore, to be regarded as made in the name of the city, but subject to all of the provisions of the charter of the city of Los Angeles relating to contracts executed by the department of water and power, and the question of the validity of this contract, and the character of the resources available to secure its performance must be determined from a consideration of the power of the board of water and power commissioners of the department of water and power to make such a contract, and the sufficiency of the resources of the city, which are specifically allocated under the terms of the charter to its control and expenditures in the performance of the obligations of such contracts.

Under the charter of the city of Los Angeles, revenues for such purposes as those contemplated by these contracts are provided through the operations of the department of water and power, which, although an entity separate from the city for some purposes (Shelton *v.* city of Los Angeles, 275 Pac. 421) is a department of the city government. Its revenues are revenues of the city, but are allocated to the control and disposition of the department.

The charter provisions which are pertinent in this connection are as follows:

"SEC. 220. The department of water and power shall have the power and duty—

"(1) To construct, operate, maintain, extend, manage, and control works and property for the purpose of supplying the city and its inhabitants with water and electric energy, or either, and to acquire and take, by purchase, lease, condemnation, or otherwise, and to hold, in the name of the city, any and all property situated within or without the city and within or without the State that may be necessary or convenient for such purpose.

"(2) To regulate and control the use, sale, and distribution of water and electric energy owned or controlled by the city, the collection of water and electric rates, and the granting of permits for connections with said water or electric works, and to fix the rates to be charged for such connections, and, subject to the approval of the council by ordinance, to fix the rates to be charged for water or electric energy for use within or without the city, and to prescribe the time and the manner of payment of the same. * * *

* * * * * * *

"(7) To control and order, except as otherwise in this charter provided, the expenditure of all money received from the sale or use of water, or from any other source in connection with the operation of said waterworks, and all money received from the sale or use of electric energy, or from any other source in connection with the operation of said electric works: *Provided*, That all such money pertaining to said waterworks shall be deposited in the city treasury to the credit of a fund to be known as the water-revenue fund, and all such money pertaining to said electric works shall be deposited in the city treasury to the credit of a fund to be known as the power-revenue fund; and the money so deposited in each such fund shall be kept separate and apart from other money of the city, and shall be drawn only from said fund upon demands authenticated by the signature of the chief accounting employee of the board.

"SEC. 221. None of the money in or belonging to the water-revenue fund or the power-revenue fund shall be appropriated or used for any purpose except the following purposes pertaining to the municipal works from or on account of which such money was received, to wit:

"First. For the necessary expenses of operating and maintaining such works.

"Second. For the payment of the principal and interest, or either, due or coming due upon outstanding notes, certificates, or other evidences of indebtedness issued against revenues from such works, in pursuance of section 224, or bonds or other evidences of indebtedness, general or district, heretofore or hereafter issued for the purpose of such works, or parts thereof.

"Third. For the necessary expenses of constructing, extending, and improving such works, including the purchase of lands, water rights, and other property; also the necessary expenses of conducting and extending the business of the department pertaining to such works; also for reimbursement to another bureau on account of services rendered, or material, supplies, or equipment furnished; also for expenditures for purposes for which bonds, or evidences of indebtedness provided for in section 224, shall have been authorized, subject to reimbursement as soon as practicable, from moneys derived from the sale or issuance of such bonds or evidences of indebtedness.

"Fourth. To return and pay into the general fund of the city, from time to time, upon resolution of the board, from any surplus money in either such revenue fund, any sums paid by the city from funds raised by taxation for the payment of the principal or interest of any municipal bonds issued by the city for or on account of the municipal works to which such revenue fund pertains, or of liability arising in connection with the construction, operation, or maintenance of the municipal works to which said fund pertains.

"Fifth. For defraying the expenses of any pension system applicable to the employees of the department, that shall be established by the city.

"Fifth (a). For establishing and maintaining a reserve fund to insure the payment at maturity of the principal and interest on all bonds now outstanding or hereafter issued for the purpose of the municipal works, and such other reserve funds pertaining to such works as the board may provide for by resolution subject to the approval of the council by ordinance. The money set aside and placed in such fund or funds so created shall remain in said fund or funds until expended for the purposes thereof and shall not be transferred to the 'reserve fund' of the city.

"Sixth. To be transferred as provided in section 382 of this charter.

"Section 222. The board shall provide for the cost of extensions and betterments of said waterworks, and electric works from the funds de-

rived from the sale of bonds, general or district, so far as such funds shall be made available for the use of the board for said purposes, and so far as such funds shall not be made available for the use of the board therefor, from revenues received from the works to which such extensions and betterments pertain, and from the proceeds of loans contracted as provided by section 224.

* * * * * * *

"SEC. 382. At the close of each fiscal year the controller and treasurer shall transfer all surplus money remaining in each fund over and above the amount of outstanding demands and liabilities payable out of such fund to the 'reserve fund,' except such surplus money as is in the several bond funds, interest and sinking funds, trust funds, the fire and police pension fund, the harbor revenue fund, the library fund, the park fund, the permanent improvement fund, the playground and recreation fund, the power revenue fund, and the water revenue fund, but the council may by ordinance direct that any or all said surplus money in either the harbor revenue fund, the power revenue fund, or the water revenue fund be transferred to such reserve fund with the consent of the board in charge of such fund, but not otherwise."

Leaving entirely out of consideration the proceeds from the sale of bonds, which would no doubt require, under section 18 of article 11 of the State constitution, the approval of two-thirds of the electors, and leaving entirely out of consideration the proceeds of loans contracted as provided by section 224 of the city charter, which are authorized only for emergency purposes, and bearing in mind that the department of water and power is not authorized to levy taxes; it is apparent that its resources are limited to its earnings from the sale or use of water and of electric energy, and that over these revenues it has complete control of expenditure for the construction, operation, and maintenance of all works and property for the purpose of supplying the city and its inhabitants with water and electric energy.

I am advised by the Secretary of the Interior that yearly revenues of this department are more than ample to meet all of its liabilities under the original and amended contracts, and, therefore, to relieve the city of any necessity of financing the obligations which will arise under these contracts; that these revenues under the department of water and power are not only amply sufficient for this purpose but its yearly earnings will in his judgment be amply sufficient to provide for the construction of the transmission lines as well.

The only limitation upon the expenditure of such funds by this department is found in section 369 of the charter of the city of Los Angeles, which reads:

"No department, bureau, division, or office of the city government shall make expenditures or incur liabilities in excess of the amount appropriated therefor."

The method of appropriation is, however, provided in section 83, as follows:

"The board of each department * * * the finances of which are not included in the general budget, but which department itself has control of definite revenues or funds, as elsewhere in this charter set forth, shall, prior to the beginning of each fiscal year, adopt an annual departmental budget and make an annual departmental budget appropriation covering the anticipated revenues and expenditures of said department. Such departmental budget shall conform, as far as practicable, to the forms and times provided in this charter for the general city budget. Each such budget shall contain a sum to be known as the unappropriated balance, which sum shall be available for appropriation by the board later in the ensuing fiscal year to meet contingencies as they may arise. A copy of such budget, when adopted, and of every resolution subsequently adopted making appropriation from said unappropriated balance, shall promptly be filed with the mayor and controller each. No expenditure shall be made or financial obligations incurred by any such department except as authorized by the annual departmental appropriation or appropriations made subsequent to said annual budget."

Question arises under section 369 of the charter as to whether by the execution of the original and amended contracts a present liability was incurred for the payments to be made thereunder in the future. No authorities have been found construing this charter provision, but similar questions have often arisen under section 18 of article 11 of the constitution of the State of California, and, although this constitutional limitation has no application to contracts made by the department of water and power, these authorities must be considered in determining the effect of section 369 of the charter upon the validity of the contracts here in question.

Section 18 of article 11 of the Constitution of California provides:

"No county, city, town, township, board of education, or school district shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year without the assent of two-thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed 40 years from the time of contracting the same; * * *. Any indebtedness incurred contrary to any provision of this section shall be void; * * *."

The obvious purpose of this limitation is to prevent the city from incurring indebtedness in excess of its yearly revenue, and the question has often arisen in the courts of California as to when an indebtedness or liability is incurred, within the meaning of this provision, when a contract is executed requiring payments to be made from time to time in the future.

There is authority for the proposition that when a municipality receives the entire consideration for its promise to make payments or incur expenditures in the future a liability is immediately incurred under the provisions of the State constitution. See Chester *v.* Carmicheal (187 Cal. 287); In re City and County of San Francisco (195 Cal. 426); Mahoney *v.* City and County of San Francisco (201 Cal. 248). But a municipality does not incur an indebtedness or liability invalid under the constitutional provision when it enters into a contract to pay for services as and when rendered from time to time in the future. The obligations here involved to pay rental and power rates can not be said to be incurred until the rental accrues and the power is received. Such liabilities are held, for the purpose of this constitutional provision, to be incurred when the services have been rendered and the obligation to pay for them arises. See McBean *v.* Fresno (112 Cal. 195); Smilie *v.* Fresno County (112 Cal. 311); Doland *v.* Clark (143 Cal. 176); In re City and County of San Francisco (191 Cal. 172); compare Walla Walla *v.* Walla Walla Water Co. (172 U. S. 1).

It may, however, be said that if a contract imposes upon the municipality liabilities to arise in the future which in any year will necessarily exceed the income and revenue provided for such year, it will be invalid. The courts have held that the aggregate of all payments which will be required under such a contract is not to be regarded as a liability presently incurred upon the execution of the contract, and thus incurred within the year of its execution; but they have not held that a municipality may, in the face of the constitutional limitation, incur future liabilities which will exceed the income and revenue for the year in which payment thereof will be required, and so to hold would appear to be in direct contradiction of the express provision of the Constitution.

The city acting through its department of water and power will be under the necessity to construct transmission lines over which the power for which it has agreed to pay may be transmitted, but in so far as the parties to this contract are concerned it is under no express obligation to do so. Under no circumstances will it be necessary for the city to construct transmission lines in advance of the completion of the dam and generating equipment, and if, therefore, it appears that during this period it will be able to finance such construction out of current revenues of its department of water and power, I am of the opinion that no legal objection can be made to the contract as amended because of the necessity or liability which may arise to defray these construction costs.

Consideration of these authorities leads to the conclusion that the department of water and power has not incurred a present liability upon the execution of these contracts, and therefore the only effect of section 369 is to require the appropriation in each annual budget of sufficient funds from the water and power revenues to meet the obligations which will arise under and in connection with the performance of these contracts. Inasmuch as the Secretary of the Interior is clearly of the opinion that such funds will be available and ample for all such purposes, I see no reason for doubting the validity of the contract or for questioning its effect in securing payment to the United States of the amounts of money which will become payable under its terms.

With reference to the validity of the obligation assumed by the Southern California Edison Co. (Ltd.), its execution of the original contract has been formally approved by its board of directors, and I am informed that the supplemental contract has been duly ratified by the board. There can be no question, therefore, as to the binding effect of this contract upon this corporation.

By the supplemental agreement amending the original contract for lease of power privilege all objections which might have been raised to the validity of this contract upon the ground that the city, the department of water and power, and the company were not bound to take or pay for any electrical energy except as they might wish, have been removed. Mutuality of obligation is not lacking, and the city and its department are firmly bound to take and/or pay for certain percentages of firm energy as stated and defined in the supplemental contract, and the company is similarly bound to take or pay for certain percentages of such energy which are also defined and stated in the supplemental contract.

The contract for lease of power privilege between the United States, the city of Los Angeles, its department of water and power, and the Southern California Edison Co. (Ltd.) is in my opinion a valid agreement binding upon the city and its department to the extent to which funds are available under the provisions of the charter to the department, and is in full compliance with section 4 (b) of the Boulder

Canyon project act, since the revenues which it will provide out of such funds are in the judgment of the Secretary of the Interior adequate to meet the requirements of that section.

Objection has been made to the metropolitan water district power contract on the ground that the district has not yet voted bonds to provide funds to build the aqueduct on which this power would be used. It is unnecessary to consider which step must precede the other—provision for the aqueduct or provision for power and water—in view of the sufficiency of the city and company contracts to meet all requirements of the act. Even if the aqueduct financing were construed as being a prerequisite, the Secretary's reservation of energy for the district is within his authority under the second paragraph of section 5 (c) of the act.

Giving consideration only to the city and company contract, I am of the opinion that all the requirements of section 4 (b) of the Boulder Dam project act which are made conditions precedent to the appropriation of money, the making of contracts, and the commencement of work for the construction of a dam and power plant in Boulder Canyon have been fully met and performed by the Secretary of the Interior in securing the contracts referred to in his letter.

Respectfully,

WILLIAM D. MITCHELL,
Attorney General.

The PRESIDENT,
The White House.

THE COUZENS RESOLUTION

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks on the Couzens bill.

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

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I rise at this time to invite the attention of the Members of the House to what is known as the Couzens resolution, which passed the Senate recently and which now is under consideration by the House Committee on Interstate and Foreign Commerce.

That resolution, as you know, provides for the suspension of the power of the Interstate Commerce Commission to permit railroad consolidations until such time as Congress shall have had full opportunity to make an investigation, as to the feasibility and the desirability from the standpoint of our country and its people, of the proposal made by the various railroad companies.

You and I, my fellow Members, know that there is a worldwide depression existing at this time, that it has existed for quite a while, and that there are no assurances that it will not continue to exist for some time to come before the menacing cycle has passed away. For notwithstanding, Mr. Speaker, our tremendous advance along every conceivable line of endeavor, in every possible field; notwithstanding our ability through astronomical science to study the worlds that are whirling in boundless, limitless, endless space; notwithstanding our inventions during the period of those that are still living; notwithstanding electric cars, electric lights, telephones, telegraph, automobiles, airplanes, radio, and many other inventions of the last 50 or 60 years; notwithstanding our colleges and universities that are turning out so-called educated men by thousands annually; notwithstanding our great newspapers and magazines which are justly supposed to represent the intellectual force of the United States, we have not even begun anything like a scientific plan through which to study these cycles of depression which curse the world with poverty and shrink the souls of men and women with their menacing threats. It is exasperating in the last degree to know that the world starves in the face of plenty and prospers in the face of scarcity.

All of our so-called progress, inventions, and discoveries are as nothing compared to that great discovery that has to be made if civilization is to be made secure, and that is the cause and the cure of these cycles that prostrate millions of wage earners and paralyze with fear the women whose children may have to face want as a result of the awful visitations that curse the world with their gloom. This is not the time, Mr. Speaker and Members of the House, for consolidations and mergers.

They only serve the purpose generally of unifying what should be competitive forces and agencies through a financial process which adds millions to the coffers of those that are already rich beyond the dreams of avarice at the expense of thousands and thousands of poor men who are thrown out of employment. Consolidations from my viewpoint are largely brought about in order to enable the "bigwigs that ride the white mules in front of the temple" as the "money bags" and influential folks were described centuries ago, to enlarge the capitalization of the combined properties by a sum great enough to pay these patriotic souls for the power they possess and their ability to influence and control consolidations.

Under the specious guise of reducing overhead and operating expenses, large numbers of faithful employees, upon whose income many families are dependent, are thrown out of employment. Of course, the public are assured that the saving which will result from a reduction of overhead and operating expenses will be reflected in lower transportation or other rates. And, of course, the public nine times out of ten are bamboozled and hornswoggled by the enterprising entrepreneurs who laugh at the thought so cynically and laconically expressed years ago by Barnum—"that one is born every second." Mr. Speaker, there are too many people out of employment to-day for the tranquility of the Republic. Wage earners, toilers, workers are among the most patriotic men in this land. Our armies and navies have always been made up in a very large measure by the children of the poor. The wage earners being the largest element in our population necessarily furnish to the country its defenders in war time. They secure much less than their share of the wealth that they help to produce during every year of their lifetime. They are willing to suffer with the country when suffering is unavoidable and inescapable—they are willing to make their sacrifice and do their bit whenever that sacrifice and that bit are required by the country.

But it would not be well at this time, Mr. Speaker, to add to the discontent that prevails throughout our country as a result of unemployment by aggravating that unfortunate situation by permitting consolidations that will throw thousands of men out of employment and complicate still more the menacing condition that exists from one end of the country to the other to-day. Workers that live on the Great Lakes, with those that dwell on the shores of the Gulf of Mexico and those who toil in every village, town, hamlet, and city, from ocean to ocean, expect action—affirmative, positive action—by a quick report from the committee and passage by the House of the Couzens bill.

I have a confidence in the broad-minded patriotism, the vision, and the sympathy of the members of the Committee on Interstate and Foreign Commerce for all of the people of this country. I have confidence in their insight into the economic and industrial situation as it exists to-day. I hope that they will hearken to the voice of my friend, Congressman GEORGE HUDDLESTON, who is a member of that committee. Though he has repeatedly stated on the floor of the House that he does not speak for labor, saying that he leaves that prerogative and privilege to those selected by labor groups to speak for them, I know that by sheer result of choice he has labored in season and out of season with a zeal worthy of any crusader in behalf of the inarticulate and those who were destined by nature to go through life as hewers of wood and drawers of water, to use a Biblical phrase. Report out the bill on Thursday morning, gentlemen of the Committee on Interstate and Foreign Commerce, and through your powerful influence see that it is given that position in the House which will insure its passage before the adjournment of this session. The friends of labor are many and they are good Americans and will say of each of you, if such action is taken, though you may not hear it in the din of the day, "Well done, good and faithful servant." But putting pious language aside, gentlemen, report out the bill without any unnecessary examination, investigation, and hearing. Such a bill is necessary. Why light candles when the sun shines bright?

COTTONSEED OIL INDUSTRY

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein some excerpts from certain letters on the buying and selling of cottonseed.

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

There was no objection.

Mr. FULMER. Mr. Speaker, on February 14, during this session of Congress, I made a speech on the floor of the House, charging that the cottonseed-oil mills had entered into a combination for the purpose of controlling prices in buying cottonseed and selling their products. This combination was brought about by the Trade Practice Conference of the cottonseed-oil mills industry held at Memphis, Tenn., on July 24, 1928, with a member of the Federal Trade Commission acting as chairman.

Mr. Ben F. Taylor, secretary South Carolina Cottonseed Products Association, Columbia, S. C., replied to this speech stating that I was misinformed and that my statements were untrue. I have in my office a copy of the proceedings of the Trade Practice Conference wherein Mr. Christie Benet, one of the best lawyers in South Carolina, representing the cottonseed-oil mill industry, outlined the purpose of the conference, as follows:

Mr. BENET. Without going into details except in a very brief way, in 1926–27 the total number of tons of cottonseed raised in the South,

according to Government estimate, was 6,379,047 tons. It is estimated that the crop for this year—that is, for the 1927–28, which will not end officially until the 31st day of this month—will amount to 4,569,000 tons. This gives some idea of the enormous volume of business done by this industry, and done under the most intense competitive conditions. As stated, the seed is gathered from the farmers, sometimes directly by the mill, and oftentimes through the medium of ginners, merchants, or seed buyers.

"It is not necessary at this time," states Mr. Benet, "to go into a detailed statement of the competitive set-up in the industry; it has been and is now very acute. The industry has been thoroughly conscious of this competitive set-up for years but did not see its way out."

In this same conference report Mr. Benet stated:

The industry, when investigated by the Federal Trade Commission by special resolution of the Congress, was given a clean bill of health.

Yet I call to your attention the last part of Mr. Benet's statement, quoted as follows:

It is not necessary at this time to go into a detailed statement of the competitive set-up in the industry. We have known about this competitive set-up for years but did not see our way out.

The Federal Trade Commission did not find anything wrong with this competitive set-up in their examination. Mr. Benet could have extended his speech and perhaps did, as follows:

"Gentlemen of the conference, as you know, in the past as an industry we have had numbers of independent mills that did not go into our associations but persisted in buying seed and making their own prices, which brought about competition which was extended to the buyers of cottonseed from farmers; therefore, not being able to control these independent mills and independent buyers, we have had hard sailing in fixing and controlling prices."

No doubt he stated that this could be done only by buying up or forcing these independent mills to enter into set rules and trade practices and have all mills sign on the dotted line.

Now gentlemen, I not only make the charge that competition between the mills in buying and selling cottonseed and their products, which would mean a healthy competition on the farmer's market of the South, is a thing of the past, but that since the Trade Practice Conference at Memphis in 1928, the industry has enjoyed a "hog-tied" monopoly, weeding out independent mills and independent cottonseed buyers; thereby fixing prices and robbing farmers and cottonseed buyers out of millions of dollars annually. In making these charges I seem to have the backing of the South Carolina Legislature in the passage of a resolution wherein they make the same charges that I do and have authorized the attorney general to make investigations and prosecute the cotton mills doing business in South Carolina in violation of the antitrust laws.

JOINT RESOLUTION PASSED BY LEGISLATURE OF SOUTH CAROLINA

Whereas the sovereign States owes a solemn obligation to its farmers and planters to protect them from the high-handed and nefarious treatment which for some time has been and is now being measured out to them by the cottonseed oil manufacturers in that the universal price offered by the manufacturers for prime cottonseed, February 1, was the measly sum of $26 per ton, which, when manufactured into cottonseed products, are sold based on mill prices of same date for a minimum of approximately $44 per ton, a difference or gross profit to cottonseed oil manufactured of not less than $18 per ton; and

Whereas there exists and persists a very apparent oneness in agreement and action between mills to maintain this profit, regardless of market fluctuations and varying grades of seed; and

Whereas it is a well-known and established fact that 1 ton of prime cottonseed manufactured by an average or ordinary oil mill will produce the following products which were quoted February 1, f. o. b. mills, at—

950 pounds cottonseed meal, at $32 per ton	$15.20
340 pounds cottonseed oil, at 0.07¼ per pound	23.80
550 pounds cottonseed hulls, at 0.45 per hundredweight	2.48
75 pounds linters, at 0.03½ per pound	2.62
85 pounds loss due to trash and moisture.	
2,000 pounds.	44.10

and

Whereas the sacks and tags for the meal cost $1 for each ton of cottonseed worked, and the average freight charges on cottonseed from shipping points to cottonseed-oil manufacturing plants amount to $1.50 per ton, with no transportation charge on the large amount of cottonseed hauled by farmers and planters on wagons and trucks directly to the manufacturing plants; and

Whereas it can be established beyond question that $5 per ton is a reasonable manufacturing charge or cost, which, when added to the cost of the meal sacks and tags ($1) and freight charges ($1.50) herein mentioned, make a total of $7.50 per ton, which, deducted from the spread of $18 per ton between the car-lot market price for cottonseed and the manufactured cottonseed products, leaves a net profit to the cottonseed-oil manufacturers of $10.50 per ton; and

Whereas such profit is exorbitant, indefensible, confiscatory, and should not be tolerated, and is being maintained to the farmers' detriment and ruin only through a South-wide organization of the manufacturers, who, having a highly paid legal counsel and organizer, is evidently hoodwinking the Federal Trade Commission; and

Whereas, South Carolina farmers and planters annually produce approximately 300,000 tons of cottonseed on which, based on the figures named, they are losing, notwithstanding their poverty, approximately $3,000,000 annually; and,

Whereas it would be manifestly stupid for this general assembly, a part of whom have already expressed concern for the oppressed farmer and taxpayer in a comparative gesture, to pass unnoticed and unremedied the action of this gigantic combination which is unjustly and illegally extracting from the pockets of the farmers of South Carolina, alone, an annual sum equal to more than the entire income from the 5-mill property levy: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the attorney general is hereby instructed to confer immediately with the Attorney General of the United States, the Federal Trade Commission, and such other State and Federal authorities as he may be advised and to take vigorous steps in conjunction with the Federal Government and/or other States and/or alone to immediately correct the abuses mentioned and to punish those responsible for them if such course is practicable and to regulate or put an end to this manifestly unjust combine of the cottonseed oil mills of this and other States, and to make to this general assembly a progress report of his actions by March 15, 1930, and to make a full report of his acts, doings, and accomplishments to the next general assembly, together with such recommendation as he may deem proper.

My charges are further borne out by a recent unanimous opinion of the Supreme Court of the State of Alabama in the case of Dothan Oil Mill Co. et. al. *v.* Espy et al. (127 Southern Reporter, 179). In that case Mr. Espy and others obtained an injunction against the Dothan Oil Mill Co. and other oil mills from Alabama from putting into effect the agreements entered into at Memphis, Tenn., which had for their purpose the setting of prices of cottonseed and destroying competition in the purchase and sale of cottonseed. I quote from their decision:

We have no difficulty in reaching the conclusion that the defendants have entered into a combine, pool, trust, or confederation to regulate or fix prices of cottonseed in this State, and are attempting to destroy competition in the sale thereof in violation of the State antitrust laws.

In the meantime I am prepared to prove these charges not from statements issued by the industry or from the Federal Trade Commission, said commission being a party to the crime, but by written facts and figures from farmers, bankers, merchants, and cottonseed buyers; also by actual invoices and analysis of cottonseed issued by the mills to the buyers.

During March I mailed out a number of questionnaires to independent and commission cottonseed buyers in my district. Perhaps the largest file in my office contains replies and letters from seed buyers, bankers, and merchants from my State, showing that they are very much interested in this matter, and what applies to South Carolina will also apply to all of the cotton States.

I had a trip to my State during March and found that commission buyers were willing and anxious to tell me about the deplorable condition existing on the seed market since the trade-practice conference and also how the independent buyers were being put out of the market and forced to sign uniform commissioned buyers' contract. They did not want to do much writing because they knew that it would mean the canceling of their contract next fall. I shall be unable to place into the record all replies to these questionnaires or letters received, but I am going to give you a fair sample of them.

This party lives in my home county and is one of the best business men and farmers in the county.

I quote from the questionnaire:

Please answer the following questions and return to me. I will not use your name if you do not want me to.

Do you buy cottonseed independently or under contract? Answer—Contract.

Have you ever bought independently? Yes.

As an independent buyer, did you sell for the highest offer? Yes.

Under your present contract, do you sell to one mill? Yes.

How many independent buyers in your town? None.

Does your contract forbid you dividing your commission? Yes.

Did you find all mills had the same price during the past season? Yes.

I understand seed that you buy as wagon seed are not graded. Is this true? Yes.

I understand all seed shipped in car lots independently are graded; is this true? Yes.

It is my understanding that this is the method used by the mills to put independent buyers out of the market by grading their seed down from basis price. Am I right? Yes.

Do you operate a cotton gin? No.

Do you owe a cottonseed-oil mill for borrowed money? No.

Do you agree with what I say in my speech of February 14? Yes.

(Signed) ——— ———.

Listen to this letter written by the same party—

DEAR MR. FULMER: Your communication of March 15 has been received, and I heartily agree in what you say about the conduct of the cottonseed-oil mills. The organization or combine of these mills has completely eliminated the independent cottonseed buyer in that he will be unable to secure bids sufficient to let him out without losses. The grading down by the mills of independent car-lot seed will ruin any man of small means who undertakes to operate as an independent buyer.

For the past 25 years I have been connected in one form or another with the purchase of cottonseed, mostly as an independent buyer, but the past season the handwriting on the wall was so plain I found it necessary to buy only on contract for the mills and could not from time to time secure bids from other mills that were any advantage over the mill for which I was buying under contract. I might say, for your information, that no funds belonging to any mill were used by me in the purchase of cottonseed. While my contract called for the use of their funds, my own were used for the purpose of taking advantage of higher prices from other mills, but the same did not materialize.

I might also add that the prices paid for seed during the past season were not in proportion to prices of former years based on the quotation of cottonseed oil but run as a general thing from $5 to $10 per ton less. I want to congratulate you on the efforts being made to disturb this organization and wish to assure you of my cooperation and assistance.

Sincerely yours,

——— ———

This party lives out of my district.

As an independent buyer do you sell to the highest bidder? Answer. All the mills had the same price this season.

Prior to this trade conference and the formation of this combination a cottonseed buyer could call up a number of mills and get competitive bids and sell to the highest bidder, but to-day you can not do this as stated by numerous replies. In my own business for years I bought and sold thousands of tons of cottonseed. I bought independently and could call several mills when ready to sell, getting at all times competitive bids, but to-day I have two or three cars of seed on my own farm unsold. I can not get a single competitive bid. All prices offered me are the same and subject to grade at mill.

To this question: "Do you owe a cottonseed oil mill borrowed money on your cotton-gin plant?" I have quite a number of answers, "Yes."

These fellows by virtue of these loans are hog-tied in a contract to deliver all seed bought at their cotton gins to the mills loaning the money. It is needless for them to be concerned about a competitive market or a fair price for cottonseed. They simply buy as instructed and receive as commission $3 per ton.

These buyers requested me not to use their names as they realize that the mills would cancel their loans. The practice of owning outright and loaning money on gin plants by cottonseed-oil mills is growing by leaps and bounds. This is one of the sure ways of absolutely controlling the cottonseed market.

I quote from a statement issued by Mr. Smoak, of my district:

MR. SMOAK'S STATEMENT

He who "spake as never man spake" declared that "the laborer is worthy of his hire," but the Southern Cotton Oil Co. says, "Nay; not so" to the ginners of Calhoun County.

For apparently personal and selfish reasons the Southern Cotton Oil Co. of this place has seen fit to attempt to monopolize the ginning and seed business and drive legitimate competition to the wall by cutting the price of ginning at St. Matthews below the cost of operating, while holding the price up to the level in the sister town of Orangeburg and all other points.

This $10,000,000 corporation, composed of New York and New Orleans millionaires, have declared that they intend to drive us out of business for no other offense than that we have stood by our friends to the limit of our resources and have given to the extent of our ability to help them in every reasonable way by extending them every courtesy and accommodation within our power.

We raise no cry of persecution, the facts speak for themselves; and we now feel justified in requesting our friends to aid in staying the tentacles of this giant octopus, whose sole desire seems to be to strangle logical competition.

We commenced no fight on the Southern Cotton Oil Co., and will never do so. We wish them well in every legal and ethical business method, and are surely entitled to the same consideration. We know, and the Southern Cotton Oil Co. ought to know, that honest differences of opinion can only be properly adjusted by mutual conformity to the golden rule and not by fighting. If they have a reasonable grievance against our operating methods, why should they hesitate to manfully declare it? We and the public would welcome such criticism.

We consider the price of $3.25 per bale for ginning, bagging, and ties a very fair one to the farmer and the ginner; one which allows a living to both. When a farmer goes to the gin he not only expects but is entitled to have his cotton properly ginned, and I venture the assertion that there is not a farmer in Calhoun County so selfish as not to be willing to pay the ginner a fair price that will allow him to live and maintain his equipment in proper operating condition.

This price of $3.25 per bale is about 75 cents less than the prevailing price throughout South Carolina, but we adopted it in the beginning of the season as a fair one and will continue to stand by it. It has been violated, and the public knows the reason why.

The Southern Cotton Oil Co. will hardly venture to candidly inform the community of its reason or excuse for this gratuitous and unwarranted war on lawful business methods. If you have a valid price-cutting reason against the writer or other ginners of Calhoun County that will bear the light, speak out, gentlemen, and declare the "truth, the truth, the whole truth, and nothing but the truth."

We can not contend alone against this gigantic monopoly in its present price-cutting policy and are calling upon our farmer friends of Calhoun County to continue their support if our services to you have been satisfactory, which we always endeavor to make them. We are only the first victim of this unholy war. If they succeed in cutting our throats, the knife will in due season be applied to yours. If we do not "hang together now" for lawful and just business methods, we will all be "hanged separately later."

A. S. SMOAK GINNERY.

Number of gin plants, United States, 1910–1930

Growth year:	
1910	29,225
1915	26,721
1920	21,876
1925	18,262
1930	15,000

A decrease of about 50 per cent in 20 years.

Number of cottonseed-oil mills in the cotton States of the United States during the years from 1909 to 1929

Growth year:	
1909	810
1914	872
1919	727
1924	532
1929	545
1930	505

This shows a decrease during 16 years, from 1914 to 1930, of about 40 per cent.

Number of oil mills in South Carolina

Growth year:	
1909	102
1914	98
1919	82
1924	47
1929	40

The decrease during the 20 years for South Carolina was 61 per cent. In other Southern States the decrease was as follows:

	Per cent
Alabama	50
Arkansas	30
Georgia	59
Mississippi	57
North Carolina	46
Texas	14

The question, "Do you agree with my speech, copy mailed herewith?"—every answer was "yes," with the exception of one.

To the question, "Did you ever buy cottonseed independently?" I have a great many answers, "Yes; up until 1928 and 1929."

The forcing of the independent buyers out of the market and into commission contracts by the mills has no equal unless it is the force of the power by Mussolini over his people. I challenge you to go to the seed markets and get the facts.

To this question, "I understand that all seed shipped in car lots by independent buyers are graded by the mills; is this true?" the answers were "Yes" both by independent and commission buyers.

The independent shipper does not known what price he will get for his seed until he gets his returns as they are graded at the mills. Many of these independent buyers requested the mills to send a man down to their warehouses to get samples of their seed to be analyzed so as to make them a firm offer before shipping. I know that this used to be the method when there was any doubt about the quality of the seed. The mills refused

to do this, stating that the Federal Trade Commission had advised them that this would be an unfair practice in business. You see it is an easy matter to put independent buyers out of the market by this scheme.

To this question, "I understand that seed that you buy as wagon seed as commission buyers are not graded; is this true?" All answers from independent buyers, as well as commission buyers were "Yes."

I would like for you or the mills to explain why they use this scheme of grading when they buy from independent buyers and in the meantime accept the same quality of seed from commission buyers who ship from the same town without grading.

I am going to place in the RECORD here a letter from a commission buyer who was once a large and successful independent buyer:

DEAR MR. FULMER: I have read your speech and agree with what you say about the existing condition of the cottonseed market. There is not any competition in the seed market to-day. All you have to do is just call up one mill and get their price and you will have the price of all mills in this State or any other State that buys seed shipped from our State.

Last year you could get an oil-mill man to get samples from seed and make you a price on them before they were shipped. This spring they would not do this but would give you a certain price subject to grade at the mill. The farmers think that it is unfair to ship their seed in and not know what to expect for them, regardless of how honest the chemist that grades the seed may be. The whole truth of the matter is that there is not any competition in the seed market now.

I am against any kind of combine and the seed buying in this State is an ironclad combine which should be broken up.

I trust that you will be able to bring about the breaking up of this or any other combine that affects the products of the farmers.

Sincerely yours,

——— ———.

As a further proof that this grading method is used by the mills to eliminate independent buyers I am going to insert in the RECORD at this point invoices and certificates of analysis of two cars of seed shipped by an independent buyer. I am leaving out the name of the shipper as well as the mill, but I have in my files the original invoices and certificates of analysis of these two cars.

CERTIFICATE OF ANALYSIS

Date, February 14, 1930. Sample of cottonseed received from a South Carolina cottonseed mill. Analysis No. 4458.

Marked "A. C. L. 54479. John Doe, Batesville, S. C."

Sampled by ——— ———. February 1, 1930. Received February 14, 1930.

	Per cent
Foreign matter	0.50
Moisture	11.80
Total excess	.00
Free fatty acids	9.00
Discount	21.00
Basic price f. o. b	$30.00
Discount for excess foreign matter and moisture	------
Quality discount to apply on	30.00
Discounts for free fatty acids	6.30
Total discount	------
Net value	23.70

The above calculation of value gives credit for tolerances of 13 per cent combined foreign matter and moisture, 2 per cent free fatty acids content of the extracted oil.

Respectfully submitted.

CHEMIST.

INVOICE

SOUTH CAROLINA, *February 14, 1930.*

A South Carolina mill, returns for car cottonseed from John Doe, Batesville, S. C., stored in bin No. 5:

C. W. No. 5324.

Car initial and number, A. C. L. 54432.

	Pounds
Gross weight	93,050
Tare	43,000
Net	50,050
50,050 pounds net, at $23.70	$593.09

The above net weight, 50,050 pounds, at $30 basis price, would have amounted to $750.75; therefore a loss to the independent shipper of $157.66 on account of undergrading.

CERTIFICATE OF ANALYSIS—ANALYSIS NO. 6443

Date, February 17, 1930. Sample of cottonseed received from a South Carolina mill.

Marked A. C. L. 54231, John Doe, Batesville, S. C. February 16, 1930. Received February 19, 1930.

Sampled by ——— ———.

Foreign matter	per cent	0.40
Moisture	do	11.40
Total excess	do	.00
Free fatty acids	do	11.10
Discount	do	27.30
Basis price f. o. b		$30.00
Discount for excess foreign matter and moisture, quality discount to apply on		30.00
Discount for free fatty acids		------
Total discount		8.19
Net value		21.81

The above calculation of value gives credit for tolerance of 13 per cent combined foreign matter and moisture, and 2 per cent free fatty acids content of the extracted oil.

Respectfully submitted.

CHEMIST.

INVOICE NO. 4987

SOUTH CAROLINA, *February 17, 1930.*

A South Carolina mill; returns for car cottonseed, from John Doe; station, Batesville, S. C.

Stored in bin No. 3; C. W. No. 2438; car iniatial and number, N. B. C. 78934.

	Pounds
Gross weight	73,300
Tare	41,000
Net	32,300
32,300 pounds net, at $21.81	$352.23

The above net weight of 32,300 pounds at $30 per ton the basis price would have amounted to $484.50; therefore, a loss on this car to the independent shipper of $132.27 on account of undergrading.

You will note that the second car was shipped just about three days later than the first from the same point and by the same shipper. These cars contained the same quality of seed; in fact, I am informed that both cars were loaded out of the same warehouse. The seed in the first car were graded down $6.30 per ton, while the second car was graded down $8.19, making a difference of $1.81 per ton for the same seed. The basis price for both of these cars was $30 per ton. You will note from the prices received according to the outturns of the two invoices this shipper had a loss on these two cars from the basis price of $132.27 and $157.65, respectively, or a total of $289.92. In the meantime, my friends, commission buyers located at the same point, shipping the same quality of seed at the same time, received the full $30 basis price, which included their commission of $3, without any grading of their seed; therefore, without losing the $289.92, as in the case of the independent buyer. This independent buyer paid the same price to the farmer as did the commission buyer, namely, $27 per ton, which was the wagon price. Therefore, not only did he lose his profit of $3 per ton but the difference between wagon price, $27, and the net amount received; that is, $21.81 and $23.70, amounting to $289.92 of actual cash out of his pocket. How long could you expect an independent buyer to stay in the market under this grading scheme?

THIS PARTY LIVES IN CONGRESSMAN HARE'S DISTRICT

Do you buy seed independently or under contract?

Answer. Both ways.

Did you find that all mills had the same price this season?

Answer. Yes; yes; yes.

This party further states that when mills would send out quotations or changes in price limits that the commission buyers would receive these quotations at the same time and all prices would be the same. In fact, he states that all telegrams would be so worded that one could tell the wording had been agreed upon by the mills or sent by one party for the mills. He further states:

No bank robber ever beat this oil trust in highway robbery.

Here is a statement from a man that I have known all of my life, one of the best citizens in South Carolina. This party is a large farmer and operates a large gin plant. He states that he buys seed both ways, independently and on commission.

Listen to his answers to the following questions:

I understand that seed that you buy as commission buyer, wagon seed, are not graded when you ship to the mill, is this true?

Answer. Yes.

I understand that seed that you buy and ship in car lots as an independent buyer are graded after they are received at the mill, is this true?

Answer. Yes.

Now, here is a man shipping as a commission buyer and as an independent buyer from the same cotton gin the same quality of

seed. The independent shipments are graded down from $2 to $10 per ton, while seed shipped as commission seed are accepted without grading.

I quote from a commission buyer:

In buying wagon seed, we are paid $3 commission per ton. If there is any loss in weights we have to lose that out of our commission.

He further states:

The mills do not grade these seed.

The same party stated that an independent shipper at his station had just received returns for a car of seed and was docked (graded down) $6.14 per ton, which amounted to a net loss of $121.80 per car. If this car of seed had been shipped by the commission buyer, who gave me this information, he would have received the full basis price.

I now quote from a letter received from Congressman McMillan's district:

Dear Mr. Fulmer: We hasten to return your questionnaire in regard to the methods used by the cottonseed-oil mills. There is another ginnery in our town and they represent a South Carolina mill, buying strictly for them at all times on the quoted wagon prices, without any grading. As you know, the oil mills quote regularly the wagon price to be paid and also the car price.

As independent buyers, we are compelled to pay the quoted wagon price, not knowing what we will eventually get after they are graded. This absolutely compels the independent buyer to ally himself with some mill direct and buy for them on commission. If this is not discrimination, we do not see what would be. The independent buyer can not compete as they now have things.

The result is the oil mills will be in absolute control of prices, and once more we see the farmers and agricultural interests absolutely fleeced. From all appearances it is one of the most injurious trusts that has ever operated against the agricultural interests of the South and Southwest. We are heartily with you in your efforts, which should be commended by all right-thinking people. We will write our Representative requesting that he back you to the fullest extent in this good work.

With best wishes for your success and thanking you for your efforts to abolish a system that is doing the farmers far more injury than the boll weevil or anything that we know of.

Yours very truly,

——— ———.

P. S.—We would prefer you not using our name if you can, but if it is necessary for the cause, use it.

I WISH I COULD TALK WITH YOU PERSONALLY

My Dear Mr. Fulmer: I wish to congratulate you on your efforts to help the farmers of the country in the matter of the cottonseed situation. I wish that I could talk with you personally so that I might give you some of my experience. I will thank you, however, not to use my name as it may seriously affect the loan that one of the oil mills now has on my gin plant.

Assuring you of my pleasure in assisting you in any way that I can and with kind personal regards, I am,

Yours very truly,

——— ———.

HOW IS THIS?

There is absolutely no competition in the seed market now. The mills pay you what they please for cottonseed and charge you what they damn please for the products thereof. The oil mills have everything their own way and have the farmers hog tied. I am delighted that you are going to hold an investigation and hope that you will be able to break up this trust.

A LARGE INDEPENDENT BUYER

Mills are combined and cutting out competition without any fluctuation in the price of oil or by-products. They have reduced the price of seed and all mills have identical prices. They give notice prior to reduction in price so as to stimulate the sale of seed. I tried to get several mills to send representatives to take samples of my seed and make me an offer on them, but they claimed that this would be a violation of their agreement with the Crusher's Association. Is there no remedy for this?

IT WON'T BE LONG BEFORE WE WILL HAVE TO SIGN A CONTRACT

My Dear Mr. Fulmer: We have been buying seed independently for the past 15 years, also plant around 500 acres of cotton; hence, are in a position to fully realize what we are up against under the present conditions.

It seems to us that the mills are about to succeed in eliminating the independent seed buyers. We had 400 tons of seed in our warehouse around January 1. Heretofore, we have been having representatives of the various mills to call on us with the view of trying to buy our seed. We made an effort, since January, to dispose of these seed.

We tried every mill that we could think of, with the result that everyone made us the same offer, subject to the grading rules. We tried to get the different mills to send one of their representatives here to get a true sample and have them analyzed in order that they could buy the seed at a flat price. They refused, advising that they would only buy at the prevailing price then quoted for prime seed subject to the grading rules. We finally succeeded in getting a mill to buy these seed at a flat price of $23.

For your further information we might also state that we could not get an offer from the mills on a parity with the men that were on contract. We tried to sell our seed to a contract man in a near-by town. He only offered us $23, and yet paid another man that had some seed stored with us in the same house, on the same pile, and the same quality of seed a price of $25. This particular man knew that they were the same seed. We also tried before this to sell these seed to some of the men here that were under contract, since it was evident to us that we could not sell them as advantageous as the contract man. We being independent buyers, it seemed that the mills that had men on contract here did not want to buy our seed, for the reason when their men would call them up they would want to know if the seed being offered belonged to John Doe. They had not seen our seed or had them analyzed to know just what condition they were in. We sold our seed last year at a price of $43.75, compared with $23 this year, and we do not think they were any worse this year than last.

Unless conditions are remedied it looks to us as if we will be forced to enter into a contract with some mill. We trust that you will be able to help us out in this matter.

Yours very truly,

——— ———.

THIS LETTER IS FROM THE STATE OF LOUISIANA

Dear Sir: The writer has been connected with cottonseed buying for over 10 years and was with the ——— Cotton Oil Co. when they went out of business. For the past five years our firm has handled cottonseed on a brokerage or commission basis to Texas mills mostly. We have handled seed from as far east as the Mississippi River points and as far north as Mena, Ark. During the season of 1925 we handled approximately 800 cars of cottonseed, selling them to different mills in Texas. These mills, with freight rates of $5 to $6 per ton, would often pay several dollars more per ton than local prices prevailing at that time.

However, since the meeting in Memphis, Tenn., in July, 1928, there has been a marked change in the seed situation, and in our opinion the competitive prices on cottonseed is a thing of the past.

We can not understand why the Federal Trade Commission could afford to indorse such plans—at least if they considered the producers of cottonseed had any rights. It seems that they lean toward the cotton-oil industry and look out for their interests regardless of the producer of the raw material.

Just recently a young man by the name of Mr. Doe, claiming to represent the Federal Trade Commission, was in our office. From his conversation it would appear that the oil mills needed protection, but did not appear so anxious about the planter or ginner. The attitude of some mills in placing gins at points to compete with regular gins and ginning at cut prices does not look like fair competition according to their code of ethics.

Yours very truly,

——— ———.

THIS HONEST MAN HAD TO BOOTLEG HIS SEED

At the beginning of the season of 1929 I signed a commission contract. About the middle of the season I bought independently and my first car was sold at a basis price of $30 per ton and was graded off $4.50 per ton. The next three cars were sold to a Savannah mill and they graded approximately $5.50 off. Later I shipped two cars to an Augusta mill subject to grade. On being advised that one of these cars graded $7.50 off and the other $7.73, which was unsatisfactory to me, I instructed that they be returned to the original shipping point, as I would not accept this grading on them. I then got in touch with a commission buyer and sold them as wagon seed for $24 per ton, plus $2.50 of his commission, selling several other cars for the same price, a total of about 200 tons.

At the time I instructed that the two cars be returned from Augusta the Augusta mill called the Columbia mill and gave it the number of the cars (evidently the grades also), thus revealing the mutual interest and advices as to cottonseed movements.

This party is well known to me and has been buying seed for a number of years independently, always bidding so as to make a real cottonseed market at his place. The seed shipped by him were from the same warehouse; therefore, should have if properly graded, graded the same thing in every instance. You will note, however, that in shipping to three different mills he received in the first instance a grade of $4.50 per ton off. In the second shipment he received $5.50 off and in the third $7.50 and $7.73 per ton off. In the meantime a commission buyer at the same place was shipping seed at the full basic price without any grading whatsoever.

The two cars sold to the commission buyer and reshipped by the commission buyer were accepted without grading, although

the Augusta mill graded them down $7.50 and $7.73 per ton. What do you think of that?

LISTEN TO THIS

Your letter of the 24th, with inclosures, just to hand, and trust information we have given you will be of some assistance in going into this matter.

Since writing you last we had a conversation over the phone with Messrs. Doe Bros., regarding the cottonseed situation, as we have not been able to do any business with them this season.

Mr. Doe said they would like to sell their seed through our firm, but that last season an oil mill had built a cotton gin near their cotton gin and if they shipped any seed away this oil mill would cut their ginning prices. In other words, the gin was put there by the oil mill as a club to get seed. Messrs. Doe Bros. further advised us that they feared they would eventually be forced to sell their gin to the oil mill interests, as they would make it so unpleasant for them. They said they were firmly convinced that the gin was put at Chester simply because they were shipping their seed wherever they could get the best prices.

Yours very truly,

———.

EXCERPTS FROM LETTERS

The Crushers' Association as a trust is just as efficient as a trust can ever be.

———

They have a system of quoting prices jointly by telephone and by mail though making it appear as if quoted individually.

They have added a system of analyzing and grading the seed with no uniformity or reason, but purely in the interest of the crusher and to the detriment of the farmer.

———

"Unless something is done to relieve the situation, Congressman FULMER, the cotton producer is going to be grieviously impoverished. You are one of us and I am coming to you, as our representative, to ask that you do the needful thing in this emergency."

The cottonseed business is in a deplorable condition. The cotton-oil mills are certainly cooperating with themselves to rob the farmer.

———

I am glad to see that you are trying very hard to get something done for the farmer.

———

We certainly hope that you will help relieve the situation on cottonseed and I will give you my word, it is the worst I have ever seen, and doesn't seem to be improving any. It seems that the mills have made up their minds to take the seed from the farmers in spite of everything that we can do. It would be much better if the mills would give the farmers an even exchange on their seed for meal, but they won't even do that, so if it remains as it is now, the poor devil will be forced to sacrifice his seed and buy mixed and adulterated goods from the fertilizer manufacturers to put under his crop, hoping to grow another crop of cotton. We certainly appreciate your efforts in this matter and hope you will be successful in getting this adjusted by the coming season.

———

Up until the fall of 1928 we had independent street cottonseed buyers. Since that time they have disappeared. The farmers have no other alternatives but to sell their seeds to the ginner and all gins have the same price.

———

It is most important that Southern Senators and Congressmen get busy and break up the trust now existing between the cottonseed-oil mills in the South. For your information, the price of cottonseed to-day is only $29 per ton against $45 per ton a year ago. You can readily see what this loss of $14 per ton is meaning to the southern cotton farmer. Every cotton-oil company in the South has the same price on cottonseed, no competition now exists. Also, the cotton-oil companies have the same price on their products, meal, hulls, etc. The farmer to-day is at the mercy of the oil mills, having to take for his cottonseed any price that they may see fit to fix. It is high time that some action was being taken.

———

I have bought seed independently for 20 years. They have framed an agreement to force me out by jumping on the mills that dare handle my seed.

———

I have been a purchaser of seed for 30 years from the farmers and have never seen such a situation in the handling of seed. If I can be of any service to you, let me know. Wishing you success in breaking up this combination.

———

We certainly are needing some relief from the "trust" or "organization of the seed crushers."

———

The grading system is rotten; for instance, two chemists grading the same car of seed gave a difference in value of $2 per ton.

The mills will not take any samples of my seed here or buy them on a firm offer unless the car is delivered to their mills.

———

When one mill reduces prices, all mills reduce the same day, regardless of the price of oil.

———

Last year I sold my seed at $46 per ton; this year the best price I have been able to get is $30; yet there is very little difference in the price of oil.

———

During my 20 years of buying cottonseed as an independent buyer I could pay better prices than the commission buyer and sell them for a better price. It was no trouble then to sell to any mill and they did not have the same price. For the past two or three years I have been forced to buy seed as a commission buyer on their regular contract and at prices fixed by the mills.

———

I have observed an account of a meeting of the cottonseed-oil mills at which a member of the Federal Trade Commission presided and seemingly corrected the proof and suggestions made to him by the attorney of the cotton-oil mills industry. This may be proper and in accordance with law, but I can not understand how a person can maintain an impartial attitude and at the same time be the close friend and bedfellow of one of the parties to a cause.

TELEGRAM

Cottonseed Crushers' Association is holding down price of cottonseed. Mills are not paying farmers a fair price by several dollars per ton and many millions of dollars are lost to our State. General dissatisfaction all over the South.

Cottonseed-oil mills are surely trying to run independent buyers out of the market. The mills will buy wagon seed at full price; also at the gins without analyzing them, but will not buy from independent buyers unless you ship seed to mills, where they analyze seed.

Certainly glad to see that you are trying to do something about the cottonseed situation. The past season the mills have developed into one of the greatest monopolies in buying seed that has ever been in the United States. We in the South have always raised sand about the Standard Oil Co. and other northern companies combining and controlling prices, but we have it now right at home. The farmers of the South are certainly receiving a raw deal. Certainly hope you will be successful in what you have started out to do.

Here is one of the best friends that I have in Orangeburg County, a man of character, ability, struggling to keep his head above the water. Listen to his experience.

DEAR SIR: I will give you just a little of my experience. I contracted with an oil mill in Georgia last fall to buy seed. I bought some in the meantime for myself. Prices were low, and a good many farmers left seed with me to trade for meal later in the season, the trade not being satisfactory at that time. Having accumulated about two cars, the seed began to go through a heat; therefore, it was necessary to sell them before they commenced to damage. I sold one car to a buyer in my town for $31 per ton. I sold the second car to a mill, and this mill graded me down $3.42 per ton.

Having sold the seed that the farmers left with me, I had to rebuy these seed as an independent buyer. When I shipped a second car of seed on contract as a commission buyer I asked the mill what they would allow me for a car that I had bought independently. Instead of giving me a price they wrote and canceled my contract, stating inasmuch as I was buying independently, they could not use me as a commission buyer. In the meantime I had accumulated two cars to take the place of the farmers' seed that I had sold. I shipped these in for sale and trade and was graded down $7.77 on one car and $8.55 on the other car. Both cars contained the same seed. When I was cut off by the Georgia mill I tried to make a contract connection with another mill, but they refused to give me a contract. I call this a complete freeze out. I am glad that you are after them whether I am benefited or not; it may help others.

Yours sincerely,

———.

My friends, agriculture is in a serious depressed condition in the South. Farmers who inherited their property from their fathers are being sold out and forced into tenant homes. Men that were young men five years ago are now old because of these conditions, and many of our citizens are filling untimely graves. Yet, Congress sits idly by and allows daily manufacturers, bankers, and cottonseed-oil mills to merge, combine, centralize and monopolize, fix and control prices at the expense of farmers and the great masses.

MY RECORD IN CONGRESS

Mr. MOORE of Kentucky. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

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

There was no objection.

Mr. MOORE of Kentucky. Mr. Speaker and Members of the House, for the information of the splendid people of the third congressional district of Kentucky, whom I have had the honor to represent in Congress since the special election of November 3, 1925, to fill out the unexpired term of the Hon. Robert Y. Thomas, jr., deceased, and who have been so loyal to me since that election by twice reelecting me, and for the information of those who have not kept up with my record, I am making this statement:

COMMITTEE ASSIGNMENTS

From the beginning my committee appointments have been very important—the Committee on Pensions, the Committee on Immigration and Naturalization, and the Committee on Expenditures in the Executive Departments. I have been very active on the Pensions Committee, working in the committee and on the floor of the House for all bills for the benefit of veterans of all wars, their widows and orphans. The Spanish-American War veterans bill that we recently passed over the veto of the President originated in the Pensions Committee, of which I am second ranking minority member. The Speaker of the House appointed me one of the House conferees on an important pension bill. It was the duty of the House and Senate conferees to iron out the differences between the two Houses on this legislation, and in this act I feel the Speaker shows he has confidence in my judgment.

I have hope of the passage before Congress adjourns this session of the Johnson-Rankin bill for the relief of World War veterans. I have been interested in the passage of a bill to increase pensions of Civil War veterans and their dependents. This bill has been signed by the President and has become a law at this session. I have introduced and had the pleasure of putting through Congress many special bills that benefit scores of veterans and their dependents, and have also assisted with pleasure in procuring for ex-service boys compensation and hospitalization.

IMMIGRATION AND NATURALIZATION

I am a restrictionist and believe our immigration should be cut to the minimum. We passed during the last session a bill known as the national origins act, which cut the quota to about 150,000 per year. I am in favor of stricter deportation laws. We have a great many aliens in the United States who came in unlawfully, and they should be deported. Our cities are now overrun by undesirable aliens who have not and do not want to become citizens.

MAIL SERVICE

I have consistently voted for and worked through the Government departments for better mail service, by establishing new routes, new post offices, and so forth. I feel that the people in the country should have as good mail service as those in the city.

FARM LEGISLATION

No one has been more interested in farm legislation than myself. I supported all farm bills brought before Congress with the hope of bringing happiness and prosperity to the American farmer. The farmer has not yet gotten what is coming to him. To-day he is receiving very low prices for the products he is selling, but is still paying war prices for the manufactured articles he is buying for himself and family. The farmers of the Nation should have an equal opportunity with the manufacturers.

RIVERS AND HARBORS

I am cooperating with Representative DAVID H. KINCHELOE in legislation to rebuild locks on Green and Barren Rivers. Favorable bills have already passed the House and are now pending in the Senate to rebuild Lock No. 1 on Barren River and Lock No. 5 on Green River. I shall continue my efforts until appropriations have been made for the improvement of all locks in the entire Green River territory, if reelected to Congress.

GOOD ROADS

Under the law passed in 1916 and subsequent acts Kentucky has received over $20,000,000 toward the building of her roads. In my opinion no laws have been passed in many years of more importance than these. I am an advocate of good roads and have had the pleasure of voting for additional Federal aid of $50,000,000 during this session, to be apportioned to the States on the 50–50 plan.

LABOR

I am a friend of labor and it has always received my support, and I have received letters from various labor organizations commending me. I know from experience what labor is and what the laboring man has to go up against. Therefore, I am sympathetic.

PROHIBITION

My stand on prohibition is too well known to make comment necessary. I am for the enforcement of the eighteenth amendment, and am dry personally and vote dry.

KENTUCKIANS IN CONGRESS

The voters of Kentucky for the last 25 years have been exercising good judgment in reelecting their Members of Congress as long as they would serve. Age of service in Congress counts as much as, if not more than, anything else. It gives the Member experience, prestige, and influence that he can not otherwise get. It assists him in getting on important committees in the House and in taking a high rank on these committees.

The voters of the first congressional district kept Ollie James in Congress 10 years, and until he was elected to the United States Senate, where he served almost six years before he died, and would have been reelected for another term of six years had he lived. They kept ALBEN W. BARKLEY in Congress 14 years, until he was elected to the United States Senate, which office he now holds with honor and distinction.

The voters of the second congressional district kept A. O. Stanley in Congress 12 years, and would have kept him in longer had he desired to stay, but he was afterwards elected governor for four years and then served a term of six years in the United States Senate.

Representative DAVID H. KINCHELOE, present incumbent, has served the second district for the past 15 years with great honor, and no doubt will be continued indefinitely by the good people of the district.

The voters of the third congressional district kept R. Y. Thomas, jr., in Congress for about 18 years, and until his death.

The voters of the fourth congressional district kept Ben Johnson in Congress for 20 years, until he retired.

The voters of the fifth congressional district kept Swagar Sherley in Congress 16 years.

The voters of the sixth congressional district kept A. B. Rouse in Congress for 16 years, until he retired.

The voters of the seventh congressional district kept J. Campbell Cantrill in Congress almost 16 years, and until he retired to run for governor.

The voters of the eighth congressional district kept Harvey Helm in Congress almost 14 years, and until he died.

The voters of the ninth congressional district kept William J. Fields in Congress almost 14 years, and until he was elected governor.

In order to show the importance of keeping men in Congress from the standpoint of committee assignments, let us note the positions the above-named gentlemen occupied on important committees at the time they were either elected to the Senate, retired, or died:

Ollie James and A. O. Stanley members of the Ways and Means Committee at the time of their retirement from the House.

ALBEN W. BARKLEY, ranking Democrat on the Interstate and Foreign Commerce Committee.

R. Y. Thomas, jr., ranking Democrat on Judiciary Committee.

Ben Johnson, member of the Committee on Appropriations for the War Department.

Swagar Sherley, chairman of Appropriations Committee.

A. B. Rouse second Democrat on the Committee on the Post Office and Post Roads.

Campbell Cantrill, third Democrat on Public Buildings and Grounds.

Harvey Helm, chairman of Committee on the Census.

W. J. Fields, ranking Democrat on Committee on Military Affairs.

D. H. KINCHELOE is at present second Democrat on the Committee on Agriculture, and I am second Democrat on the Committee on Pensions.

I think you will agree with me that Kentucky has been ably represented in Congress in the past.

CONCLUSION

I do not deem it necessary to give you a more detailed statement of my record here. I assure you my record is an open book to all who might care to investigate it. I have not made much noise, but have gotten results.

I am a candidate for the Democratic nomination for Congress and the Democratic primary will be held on August 2. I have Democratic opposition, but I have no fear of not winning this nomination by an overwhelming majority if my friends will go to the polls on that day and vote for me. It is an important office and a responsible position. It is the duty of all the Democratic voters in this district, both men and women, to go to the polls on that day and cast their ballot for the candidate of their choice. I have given my time and the best talent I have in the

discharge of every duty that this great office entails. No citizen of this district has ever called upon me for any favor that I could grant that I did not do it cheerfully. No one has ever written me a letter about any matter that I did not answer it promptly. I appeal to all Democratic voters in the district who are my friends and who indorse my record in Congress to go to the polls on the 2d day of August and cast their votes for me. I will appreciate it and promise that I will continue to discharge the duties of this great office to the best of my ability and will continue to look after the interests of the congressional district in the future as I have in the past.

CONSTRUCTION OF A BRIDGE ACROSS THE EAST BRANCH OF THE NIAGARA RIVER

Mr. DENISON. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the bill (H. R. 11903) granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Niagara Falls, N. Y., was passed on yesterday for the purpose of correcting an error on the part of the printer.

The SPEAKER. The gentleman from Illinois asks unanimous consent to vacate the proceedings by which the bill H. R. 11903 was engrossed, read a third time, and passed, for the purpose of making a correction. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill.

The bill is as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Niagara Frontier Bridge Commission, a State commission created by act of the Legislature of the State of New York, chapter 594 of the Laws of 1929, its successors and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the east branch of the Niagara River at a point suitable to the interests of navigation, from the city of Niagara Falls, in the county of Niagara and State of New York at a point east of Evershed Avenue, in said city of Niagara Falls, to Grand Island, in the county of Erie and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That this act shall be null and void unless the construction of said bridge is commenced within two years and completed within five years from the date of approval hereof.

SEC. 3. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay 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 cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. 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 costs of the bridge and its approaches, the 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. 4. That the right to alter, amend, or repeal this act is hereby expressly repealed.

Mr. DENISON. Mr. Speaker, I offer an amendment to section 4, striking out the last word, which is "repealed," and substituting in lieu thereof the word "reserved."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DENISON: Page 3, line 9, after the word "expressly," strike out the word "repealed" and insert in lieu thereof the word "reserved."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

COMMEMORATION OF TERMINATION OF WAR AT APPOMATTOX COURTHOUSE, VA.

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (S. 3810) to provide for the commemoration of the termination of the War between the States at Appomattox Courthouse, Va., and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Texas calls up the bill S. 3810, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

[S. 3810]

An act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.

Be it enacted, etc., That for the purpose of commemorating the termination of the War between the States which was brought about by the surrender of the army under Gen. Robert E. Lee to Lieut. Gen. U. S. Grant at Appomattox Court House, in the State of Virginia, on April 9, 1865, and for the further purpose of honoring those who engaged in this tremendous conflict, the Secretary of War is authorized and directed to acquire at the scene of said surrender approximately 1 acre of land, free of cost to the United States, at the above-named place, fence the parcel of land so acquired or demarcate its limits, and erect a monument thereon.

SEC. 2. There is hereby authorized to be appropriated the sum of $100,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. I do that for the purpose of inquiring whether there is any member of the committee who wishes to move to change the amount as carried in the bill. It was intimated to me that there was such a proposition.

Mr. McSWAIN. That proposition was submitted to the sponsor of the bill, Judge TUCKER, and he said he could not accept that proposition.

Mr. STAFFORD. Mr. Speaker, I withdraw the pro forma amendment.

The Clerk completed the reading of the bill, as follows:

SEC. 3. The land acquired under section 1 of this act shall be under the jurisdiction and control of the Secretary of War and there is authorized to be appropriated for the maintenance of such tract of land and monument a sum not to exceed $250 per annum.

Mr. WAINWRIGHT. Mr. Speaker, I move to strike out the last word. I do that in order to express a certain view in regard to this bill—a most important one—one of the most important of its kind that has come before us at this session. I want to voice a criticism which has been made—not at all in hostility to this measure, for this is a most meritorious one—namely, to commemorate and memorialize that great event that transpired at Appomattox in 1865.

The bill provides for the acquisition, by gift to be sure, of only 1 acre of land upon which this monument is to be erected. Many who are deeply interested in the subject of a proper memorial at Appomattox feel that 1 acre of ground is by no means sufficient—that it will in no way tend to adequately or satisfactorily perpetuate the historic scene where the great surrender, which terminated the Civil War, occurred.

So I wish to express the view, without opposing the measure, that those interested in this project, possibly those who have already generously offered to donate to the Government 1 acre, will be disposed to make some arrangement whereby ultimately there will be a much larger tract of land laid aside for this purpose, so that the setting and scene of the surrender at Appomattox may be better preserved and perpetuated for all time. [Applause.]

Mr. Speaker, I withdraw the pro forma amendment.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

ANALYSIS OF HAWLEY BILL

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the chairman of the Tariff Commission with a few observations of my own.

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

There was no objection.

Mr. KNUTSON. Mr. Speaker, on June 3 there appeared in the St. Paul Pioneer Press an article headed "Three Minnesotans Attack Tariff Board Findings," written by Alfred D. Stedman, Washington correspondent, wherein it was made to appear that three Representatives from Minnesota had attacked the United States Tariff Commission's report as based upon garbled statistics and that the conclusion totally misrepresented the tariff bill's real significance for agriculture. The interview further quoted my colleague, Mr. CHRISTGAU, as having said that "he was 'tipped off' in advance of the report's appearance;

that the Tariff Commission was preparing a rate analysis which would be intended to make the bill palatable to agriculture."

I immediately sought Mr. CHRISTGAU out and gave him his choice of either informing the House as to the source of his advance information, or going before a congressional investigating committee and laying his information before them. I took the position that the Tariff Commission is a nonpolitical body composed of three Republicans and three Democrats, and if they had been guilty of juggling of figures and misrepresenting facts the American people and Congress were entitled to know about it that the evil might be corrected.

Mr. CHRISTGAU immediately took the floor on a question of personal privilege for the purpose of disavowing the inference of the phrase attributed to him, and I herewith insert a portion of his remarks as they appeared in the CONGRESSIONAL RECORD for June 6:

Mr. CHRISTGAU. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. CHRISTGAU. I have before me an article which appeared in the St. Paul Pioneer Press which, I think, makes a wrong interpretation of a remark I made in a certain interview. I would like to have about two minutes in which to explain that interview.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHRISTGAU. Mr. Speaker, ladies and gentlemen of the House, when the Tariff Commission made its report showing that agriculture received equality with industry or received about 68 per cent of the increases in the new tariff bill and that industry received about 32 per cent, one of the newspapermen interviewed me on what I thought about that report, and in the progress of the interview I stated I had heard, or maybe I used the unfortunate term "tipped off," or that I had heard that the commission was working on a computation of that kind, and that the commission's computation was going to show that agriculture received greater benefits.

The newspaperman used this particular language in connection with it:

"Representative CHRISTGAU said that he was tipped off in advance of the report's appearance that the Tariff Commission was preparing a rate analysis which would be intended to make the bill palatable to agriculture."

The day before the commission's report was made public in the United States Daily some one told me that the computation would show that agriculture received equality, and when I heard that statement, that the commission was going to show by this computation that agriculture was receiving practical equality with industry, I said that I wondered on what basis the computations were being made. After a study of the bill I was convinced in my own mind that agriculture did not receive equality with industry under these rates.

Mr. KNUTSON. Will the gentleman yield?

Mr. CHRISTGAU. I will be pleased to yield.

Mr. KNUTSON. The gentleman admits, then, he did not receive this information from any official source?

Mr. CHRISTGAU. Yes; I was going to say that.

Mr. KNUTSON. And the gentleman also repudiates the remark?

Mr. CHRISTGAU. I repudiate the interpretation that was placed upon my remarks.

Mr. KNUTSON. Read what you repudiate.

Mr. LAGUARDIA. Or disavow.

Mr. CHRISTGAU. I was tipped off in advance what the commission was going to report. The report was already made up, but was not in the newspapers.

Mr. KNUTSON. I accept the gentleman's disavowal.

Mr. CHRISTGAU (continuing). And when I got the information it was going to appear in that way I wondered on what basis the computation was going to be made.

Now, Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include some of the computations made by the economists and also by the Tariff Commission.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, does the gentleman believe in a protective tariff to protect the agricultural and dairy products of the great Northwest from the unfair competition of the cheap products of foreign countries?

Mr. CHRISTGAU. Yes; I believe in that. I believe that is the accepted policy of the country.

Mr. KNUTSON. What is the gentleman's request?

The SPEAKER. The gentleman asks unanimous consent to extend his remarks.

Mr. KNUTSON. I will have to see those remarks first.

Mr. O'CONNOR of Louisiana. May I ask if that is the matter about which the gentleman from Minnesota [Mr. KNUTSON] wanted 15 minutes to speak about?

Mr. KNUTSON. I do not want the time now.

Mr. HASTINGS. Will the gentleman yield?

Mr. CHRISTGAU. Yes.

Mr. HASTINGS. Are they the gentleman's own remarks with certain computations?

Mr. CHRISTGAU. My own remarks with certain computations from the Tariff Commission.

Mr. HASTINGS. And yet the gentleman objects?

Mr. CHRISTGAU. If the gentleman objects to my extending my remarks, I would like to have five more minutes to explain what I intended to explain in an extension of my remarks.

Mr. KNUTSON. If the gentleman is not going to make any more misrepresentations——

Mr. CHRISTGAU. I object to the suggestion that any misrepresentations were made.

Mr. KNUTSON. Well, I will let it stand.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. CHRISTGAU]?

There was no objection.

At first it was my intention to permit Mr. CHRISTGAU's remarks to go unchallenged, but in view of the fact that they tended to reflect upon the commission's analyses used by me in a speech which I delivered in the House on the tariff on June 3, I felt that in justice to the commission I should take cognizance of what he had said.

Mr. CHRISTGAU's disavowal is accepted. Mr. SELVIG, another member of the trio, told me that he did not question the figures submitted by the Tariff Commission save as they applied to acreage of surplus crops.

The third member of the trio, not being a member of the Republican Party, is under no obligation to support the Republican tariff program, so he does not enter into this discussion.

Although Mr. CHRISTGAU was granted two minutes by the Speaker in which to make his statement, under permission to revise and extend his remarks he used six columns of the RECORD, and in view of the fact that he presents an analysis based upon the formula prepared by the Baltimore Sun, a Democratic free-trade paper, I feel that in justice to myself and my regular colleagues who believe in protection for American producers, whether on farm, in factory, shop, or office, it is desirable that I insert at this place a communication from the Tariff Commission in explanation of the method used by the commission in arriving at the conclusion that the Hawley tariff bill is a good measure for agriculture, and I therefore insert it at this point:

UNITED STATES TARIFF COMMISSION,
Washington, June 9, 1930.

Hon. HAROLD KNUTSON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN KNUTSON: I have your letter of June 7, 1930, together with the article that appeared in the St. Paul Pioneer Press of June 3, 1930, under the name of Alfred D. Stedman, Pioneer Press staff correspondent. In accordance with your request, I am transmitting herewith a copy of a report by the United States Tariff Commission on Compensatory and Protective Duties, which apparently is the basis of the attack of the three Minnesota Congressmen mentioned by Mr. Stedman in the Pioneer Press article.

In reply to your specific inquiries I am glad to inform you that this report of the commission was prepared by the experts on the staff of the commission in the usual way in response to requests from Members of Congress. It was prepared in the regular course of the work of the Tariff Commission. The commission did not know what the result would be when the work was undertaken. The tentative draft of the report was submitted to the commission by the advisory board. The report was gone over by the commission and was unanimously approved for transmission to the parties who had requested it, and, because the requests for such material were numerous, the report was mimeographed for general distribution to the public. The three Republicans and the three Democrats on the commission approved the report, having no thought whatever that it might be made a subject of contention or that it was anything other than a straight factual presentation. It certainly was not prepared for political purposes.

The commission is well aware of the advantages and of the shortcomings of any average ad valorem equivalent rate of duty that might be calculated for all rates in any tariff bill, or weighted averages for any other series of like character. The experts of the commission, however, know of no better way to make a comparison of the average of all rates under one act with the average of all rates under another act, than by calculating such an average ad valorem equivalent rate based upon imports. The commission, together with the experts on the staff, have gone into that matter. They did not approve that report without knowing what was in it. The commission will be glad to receive any constructive suggestions of a better plan that anyone has to offer. We shall be glad to make a comparison on a more scientific basis if one can be found and time permits it.

It is true that weighting by imports leaves out of consideration products upon which there is a rate of duty but of which there are no imports. This would be true of articles of which the total domestic

supply was produced in this country irrespective of the tariff, as well as any article that might be imported except for the tariff. It is also true, other things being equal, that products with few imports have less weight than products with large imports, and products with low rates less than products with high rates, and consequently affect the result less. That is true of any average, and it is at one and the same time the strength and the weakness of all averages.

However, the report of the commission did not pretend to be anything other than what it is. What the statistical tables in the report show is made plain by the tables themselves and the text that describes the tables and precedes them.

Table 1, page 5, shows 1928 imports under the various schedules. Tables 2 and 3 following the summary table show the actual or computed ad valorem rates for the individual items under the various schedules that were classified as agricultural raw materials dutiable in either the tariff act of 1922 or the tariff act of 1930, and industrial commodities having compensatory duties for the duties on their agricultural raw materials. These two tables show the individual items included in the summary table, the imports, the computed duties, and the actual or computed ad valorem rates for such individual items. In other words, they show in considerable detail what is brought together in Table 1, page 5, in summary form. There is no deception whatever in the table. It is a straight arithmetical proposition as far as it can be made so.

The largest imports for any one single agricultural item shown is raw sugar from Cuba, on which it is shown that the actual or computed ad valorem rate was increased 10 per cent ad valorem—from 72.59 per cent to 82.33 per cent ad valorem. Other agricultural items having imports are: Tobacco, flaxseed, hides and skins, wool, cotton, cattle, dairy products, flower bulbs, beans, onions, potatoes, tomatoes, peppers, castor beans, nuts of various kinds, field and grass seeds, fruits, olives, wheat, corn, oats, rice, and other products listed.

No attempt was made to select agricultural products for inclusion. As far as I know, the list was made complete. The report of the commission did not attempt in any way to state nor to show how effective either the agricultural rates or the industrial rates would be. That is most difficult, if not impossible, to determine from available data. No attempt was made in the report of the commission to minimize or to maximize the effect of the rates on imports for such items as figs, dates, pineapples, nuts, tomatoes, etc. They were included without comment, as were all other items, at the respective rates and based upon the imports of 1928.

The statement that agriculture would benefit by the new tariff rates was evidently based upon Table 1, page 5, of this report of the commission, which shows that, based upon 1928 imports, approximately 68 per cent of the increase of total duties shown there is on imports of agricultural raw materials and compensatory duties on industrial products made from such raw materials and approximately one-third of the increase in total duties under the new bill shown there is for increased protective duties on industrial products.

This statement does not say that all farmers in the United States will be benefited. It refers to those farm products on which the increased rates of duty are proposed, and to those industrial products on which increased duties are proposed. Agriculture will benefit to the extent that the increased duties will help it, and the increased duties amounted to 68 per cent of the total increase under the new bill.

What I have said is not an argument for or against the pending tariff bill. It is a statement based upon the report of the commission, and was made without any thought of either the report or the statement being made a matter of political controversy.

I hope this information answers your specific inquiries and that it may be of use to you.

I am returning herewith, as requested by you, the article that appeared in the St. Paul Pioneer Press.

Sincerely,

E. B. BROSSARD, *Chairman.*

RELIEF OF THE STATE OF VERMONT

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (H. R. 3222) for the relief of the State of Vermont, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Texas calls up the bill H. R. 3222, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the State of Vermont be, and it is hereby, relieved from all responsibility and accountability for certain quartermaster property to the approximate value of $1,758.87, the property of the War Department, which was lost, destroyed, or used for relief work incident to the flood of November, 1927, while in the possession of the troops of the National Guard, State of Vermont; and the Secretary of War is hereby authorized and directed to terminate all further accountability for said property.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 8372. An act to provide for the construction and equipment of an annex to the Library of Congress.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 30. Concurrent resolution to pay to Helen T. Scott a sum equal to six months' compensation of the late Walter W. Scott.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 1268) entitled "An act authorizing the States of Illinois and Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Vincennes, Ind."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 4140) entitled "An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FRAZIER, Mr. MCMASTER, and Mr. ASHURST to be the conferees on the part of the Senate.

RELIEF TO SUFFERERS OF MISSISSIPPI RIVER FLOOD, 1927

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs I call up the bill (H. R. 233) to approve the action of the War Department in rendering relief to sufferers of the Mississippi River flood in 1927, on the Union Calendar, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the bill be considered in the House as in Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the action of the Executive in directing the issue and the issuance of Army supplies out of the current and reserve stock for use of the Army, and in directing payment for supplies and for services rendered in connection with the shipment and transfer of such supplies, including all other extra expenditures, for the relief of sufferers from the Mississippi River flood in the spring of 1927 is approved. Credit for all such supplies so issued and funds so disbursed in connection therewith, and with the relief tendered by the Army shall be allowed in the settlement of the accounts of the officers of the Army.

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

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

TABLET IN FORT SUMTER MILITARY RESERVATION

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs I call up the bill H. R. 11409, to authorize the erection of a tablet in the Fort Sumter Military Reservation to the memory of the garrison at Fort Sumter during the siege of 1861, on the Union Calendar, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the bill be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to erect, on such site as he may select, in the Fort Sumter Military Reservation, an appropriate tablet to the memory of the garrison at Fort Sumter during the siege of 1861: *Provided*, That the said tablet shall contain the name of each member of said garrison.

SEC. 2. There is authorized to be appropriated the sum of $2,500, or so much thereof as may be necessary, to carry out the provisions of this act.

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

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

NATIONAL MILITARY PARK, BATTLE OF KINGS MOUNTAIN

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs I call up the bill H. R. 6128, to establish a national military park to commemorate the Battle of Kings Mountain, on the Union Calendar, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the bill be considered in the House as in Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to commemorate the Battle of Kings Mountain, which was fought on the 7th day of October, 1780, the Kings Mountain battle ground, in the State of South Carolina, including such adjacent and contiguous lands as may be useful and proper in effectually carrying out the purposes of this act, is hereby declared to be a national military park, to be known as the Kings Mountain National Military Park, when such land including said battle ground shall become the property of the United States.

SEC. 2. The Secretary of War shall ascertain on what land the Battle of Kings Mountain was fought and, subject to the provisions of section 355 of the Revised Statutes, shall proceed to acquire title to such land, together with such adjacent and contiguous lands as he may deem useful and proper, in effectually carrying out the purposes of this act, either by purchase or gift or by condemnation under the provisions of the act entitled "An act to authorize condemnation of land for sites of public buildings, and for other purposes," approved August 1, 1888.

SEC. 3. Such park shall be under the control and direction of the Secretary of War. The Secretary is authorized to prescribe from time to time such regulations for the care and management of such park as he may deem necessary.

SEC. 4. Upon such terms and conditions as he may prescribe, the Secretary of War is authorized to permit any person occupying any land within the boundaries of such park to continue to occupy such land, but the Secretary may revoke such permit at any time.

SEC. 5. The Secretary of War shall open or repair such roads in such park as may be necessary, and ascertain and mark with tablets or otherwise, as he may determine, all lines of battle of the American troops and British troops engaged in the Battle of Kings Mountain and other historical points of interest pertaining to the battle which are within the boundaries of the park. The Secretary is authorized to employ such labor and services and to obtain such supplies and materials as may be necessary to carry out the provisions of this section.

SEC. 6. The authorities of any State which had troops engaged in the Battle of Kings Mountain may enter the Kings Mountain National Military Park for the purpose of ascertaining and marking the lines of battle of such troops, but before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be approved by the Secretary of War. Any State organization or individual may, with the approval of the Secretary of War, erect monuments or place tablets within such park.

SEC. 7. There is authorized to be appropriated the sum of $225,000, or so much thereof as may be necessary, in order to carry out the provisions of this act.

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

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

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill just passed.

The SPEAKER pro tempore (Mr. HOOPER). Is there objection?

There was no objection.

Mr. STEVENSON. Mr. Speaker, this bill creates a park in my district commemorating one of the decisive battles of the Revolutionary War. The bill now before the House was introduced by Mr. JONAS of North Carolina, practically a duplicate of one introduced by myself. For practical reasons entirely satisfactory to myself this bill was reported by the Military Affairs Committee instead of mine, and I am heartily supporting the same. It provides for commemorating the memory of the men who fought a most remarkable battle, lead only by colonels, trained largely in border warfare, and equal in military genius to any body of men ever assembled under the flag of the United States. Questions are being raised by many people who are always looking at the purely commercial side of affairs about spending so much money for memorials for heroic events. To them I would quote the language of Alexander H. Stephens at the close of his remarkable work on the War Between the States in which he effectively refers to the utility of memorials in the following language:

Amidst our own ruins, bereft of fortunes and estates as well as liberty, with nothing remaining to us but a good name and public character unsullied and untarnished, we will in the common misfortunes still cling in our affections to the "land of memories" and find expression for our sentiments when surveying the past, as well as of our distant hopes when looking to the future, in the grand words of Father Ryan, one of our most eminent divines, and one of America's best poets:

"A land without ruins is a land without memories—a land without memories is a land without liberty. A land that wears a laurel crown may be fair to see, but twine a few sad cypress leaves around the brow of any land, and be that land beautiless and bleak, it becomes lovely in its consecrated coronet of sorrow, and it wins the sympathy of the heart and history. Crowns of roses fade—crowns of thorns endure. Calvaries and crucifixes take deepest hold of humanity—the triumphs of might are transient, they pass away and are forgotten—the sufferings of right are graven deepest on the chronicles of nations."

"Yes, give me a land where the ruins are spread,
And the living tread light on the hearts of the dead;
Yes, give me a land that is blest by the dust,
And bright with the deeds of the downtrodden just.
Yes, give me the land that hath legend and lays
Enshrining the memories of long-vanished days.

"Yes, give me a land that hath story and song,
To tell of the strife of the right with the wrong;
Yes, give me the land with a grave in each spot,
And names in the graves that shall not be forgot.
Yes, give me the land of the wreck and the tomb,
There's a grandeur in graves—there is glory in gloom.

"For out of the gloom future brightness is born,
As after the night looms the sunrise of morn;
And the graves of the dead, with the grass overgrown,
May yet form the footstool of liberty's throne,
And each single wreck in the warpath of might,
Shall yet be a rock in the temple of right."

In such a land, this memorial marks and consecrates.

Mr. JONAS of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JONAS of North Carolina. Mr. Speaker, H. R. 6128, a bill to establish a national military park to commemorate the Battle of Kings Mountain, is identical in material provisions with H. R. 14449 which was introduced in the Seventieth Congress by Representative Bulwinkle, received favorable report of the House Military Affairs Committee and passed the House. It was never considered in the Senate.

The War Department opposed, in the Seventieth Congress, the passage of H. R. 14449, but has filed with the committee a modified statement in which it does not oppose the passage of this bill. At a hearing before the committee, on H. R. 6128, Colonel Landers, representing the War Department, stated in effect that after careful consideration it is the opinion of the War Department that Kings Mountain is really in many respects in a class by itself, and while the department does not change its classification as a class B battle, nevertheless, because of the desperate condition of the American cause at the time of the battle, the very decisiveness of the battle itself, and the undoubted influence of that battle upon the final outcome of the Revolution, especially in the South, it is felt that this battle is entitled to be considered apart from others in its class, and if the Congress shall determine it should be commemorated by a military park the department will be satisfied. In fact, I understand Colonel Landers, who has spent much time studying the great battle and its effects, is in sympathy personally with the purposes of this bill. He said at the hearing before the committee:

You may not be aware that recently the Secretary of War notified this committee, in reporting on the Kings Mountain bill, that he would no longer object to it. You see, prior to that, he had been objecting to it because, according to the policy established, Kings Mountain had already been memorialized. The Federal Government erected a monument there costing twenty or thirty thousand dollars, so that as each bill on Kings Mountain came into the War Department the report on it would be that the place was already memorialized and suggesting unfavorable action. Recently the Secretary of War informed the committee he would no longer object to the passage of the bill creating a national military park at Kings Mountain.

It was one of the decisive actions of the Revolutionary War for this reason: Washington's army up North did very little in 1779, and in 1780 and 1781 did less. The main activities of the Revolutionary War during the last two years were in the South. When Cornwallis was overrunning South Carolina and North Carolina the way he did in 1780, many political conversations were engaged in around army headquarters

and in Philadelphia to the effect that if the South could not take care of itself, "we of the North will probably make peace with England and let England retain Georgia, the two Carolinas, and maybe Virginia." All such talk was ended after the affair at Kings Mountain on October 7, 1780. Therefore, until a decisive action like that at Kings Mountain put a stop to this advance, this unprecedented advance that Cornwallis was making in overrunning the South, he would continue on through the upper part of North Carolina, into Virginia, by which time, in all probability, the people in power would have talked peace with England on the basis of England retaining the Southern Provinces.

Let us get a proper setting of the Battle of Kings Mountain in the War of the Revolution. It was fought just south of the border line between North Carolina and South Carolina on October 7, 1780.

In the North, during the year 1778, the fortunes of war strongly favored the Briitsh, but in 1779 slightly favored the patriots, and the British had begun to wonder if they would be able to conquer all the Colonies.

In the South conditions were quite different. In the fall of 1778 General Prevost, after completely subduing the feeble opposition to the British cause in the Florida Territory, and after establishing British authority there, marched into Georgia for the purpose of subduing that colony. March 3, 1779, at the Battle of Briar Creek the American Army was cut to pieces and almost destroyed. The British conquest of Georgia proceeded rapidly and almost unhampered and on October 8, 1779, Savannah was practically destroyed, and the last organized army of opposition crushed.

These disasters so disheartened the colonists of Georgia and South Carolina that they practically ceased for the time opposition to British arms, most of their militia disbanded, and many of the colonists professed allegiance. Only General Lincoln was left in the South with an army of about 4,000 to oppose the apparently certain and rapid conquest of the South. The patriot cause in the South was desperate and the spirit of the patriots at a low ebb.

Under these conditions Sir Henry Clinton and General Cornwallis with more than 7,000 men under arms decided to come south and either overrun that section and then attack the American armies of the north from the rear, and thus subdue the colonies or overrun the South and if necessary grant the northern colonies independence while retaining the South as a British colony.

February 11, 1780, they began the siege of Charleston, which was defended by General Lincoln and his little band of 4,000. After two months Charleston fell and was partially burned, and a large part of the American army was lost in killed, wounded, and captured. The remnant fell back into the interior. Clinton returned to the north flushed with victory and left Cornwallis to complete what seemed to all the easy task of completing the subjugation of the South. Colonel Buford was at the head of a small American force in South Carolina. In May, 1780, the British practically destroyed his army, and now only Gen. Horatio Gates—who had been placed in command of the American forces in the South—and his army at Camden was left to defend the patriot cause in the South. In August of that year Gates was ingloriously defeated at Camden, S. C., leaving practically no organized opposition to the British march of conquest. It was said, "The northern laurels of Gates had turned to southern weeping willows."

Truly the whole South was weeping. Florida, Georgia, and South Carolina had been overrun, and Cornwallis, flushed with victory after victory, prepared to crush North Carolina, where loyal sentiment was strong and apparently growing stronger, with one mighty blow and complete the conquest of the South. It seemed that nothing could prevent his success. The South appeared inevitably lost. The question of suing for peace on terms of independence for the northern Colonies and leaving the South a British possession was seriously considered in the Continental Congress. Benedict Arnold had deserted the patriot cause. Even Washington had said, "I have almost ceased to hope."

British oppression, a cruel army of invasion, conquest, and loss of freedom, threatened North Carolina all along her southern border. Cornwallis was already knocking at the doors of Charlotte and two armies under two trusted and brave subordinate officers were marching on that colony from the south and west of Charlotte, supporting Cornwallis on his left. These armies were under Colonels Ferguson and Tarleton. They had sent messages all through North Carolina that if the patriots would surrender to British rule their property and their women and children would be cared for, but if they offered resistance their country would be laid waste by fire and sword.

Faced with this choice between slavery to a foreign monarch and a last death grapple at arms with an apparently invincible foe, a number of brave and heroic patriot leaders decided to rally an army and meet the invader in combat with the determination to preserve freedom for themselves and their posterity or give their lives in the cause. Every man enlisted in that irregular army of patriot volunteers from North Carolina, South Carolina, Georgia, Tennessee, and Virginia was under instructions and promise that when the enemy was engaged all would fight without giving or asking quarter until victory came or the patriot army was destroyed. They were led by as brave, heroic, daring, and chivalric leaders as ever led an army to battle. Campbell, Shelby, Joseph and Charles McDowell, Cleveland, Winston, Williams, Hambright, Chronicle, and Lacy—their names are immortal and are revered by every southern patriot who loves liberty, heroism, and freedom, and their brave deeds and valiant daring for home and country will be sung wherever and as long as the glories of America are cherished by a grateful people.

The patriot forces assembled at Cowpens the evening before the battle of Kings Mountain numbered approximately 1,800 men, but about 1,100 picked men, mounted on the best horses in the Army were selected to engage the enemy, and they advanced by forced march all night through heavy rain to Kings Mountain where the British Army of about 1,200 was stationed awaiting attack. The remainder of the American forces proceeded leisurely toward Kings Mountain, foraging for provisions as they marched. Before they reached Kings Mountain they were rejoined by their victorious comrades who had already engaged and destroyed the British Army.

The patriot army met the British, under Colonel Ferguson, on Kings Mountain October 7, 1780. They fought like demons. They were untrained volunteer frontiersmen fighting with their backs to the wall in defense of home and native land. A cruel enemy was at their door threatening their property, their wives, and their children. Like a tiger at bay protecting its young, they charged Kings Mountain from all sides. When the battle was over the British commander, the valiant Ferguson, was dead on the field and every British officer and soldier was either dead, wounded, or captured. Not a man of the British Army escaped. No other such battle is recorded in American history—none so decisive, none showing such bravery and heroic daring by untrained soldiers, and none so far-reaching in its contribution to American independence. The result of that great battle electrified the patriots of the South. The tide of war turned immediately. Truly, as said by Thomas Jefferson, "Kings Mountain was the turning point of the War for Independence." A few weeks afterwards Colonel Tarleton was utterly defeated at Cowpens by Colonel Morgan, and the rout of his army was almost as complete as that of Ferguson at Kings Mountain. Meantime Cornwallis had run into a "hornets' nest" at Charlotte.

The result of these reverses to British arms was that Cornwallis withdrew into South Carolina, and instead of a campaign of conquest he now inaugurated a campaign of defense. Kings Mountain lit the spark of patriot fervor and devotion to home and country that caused a general uprising of the patriots in all the southern colonies and the rapid assembling of patriot armies to drive the invader from their borders. A new spirit of victory and independence thrilled the patriots, especially in North Carolina. When the last gun was fired at Kings Mountain, the doom of the British cause in the South was sealed. After that Cornwallis maneuvered and fought a defensive campaign, the inevitably disastrous end of which was known to none better than to himself. Kings Mountain made possible Cowpens, Guilford Court House, and Yorktown—and American independence, if not for our entire country, then most certainly for the whole South. But for Kings Mountain a great part of our glorious America, if not all, would probably be a British dominion.

If there is a battle in all American history which deserves to be commemorated by a military park such as will adequately preserve it as a reminder that on that spot American independence was decided, that battle is Kings Mountain. The establishing of such a park at that historic spot, where bravery and courage and heroic daring reached the high-water wark in the struggle for American freedom, is a patriotic duty we owe to posterity and a just, if tardy, tribute of a grateful people to those heroes who fought and conquered there that we and those who come after us might be free.

CARE OF PRIVATE BATTLE-FIELD MEMORIALS IN EUROPE

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs I call up the bill (H. R. 4290) to provide for the care of private battle-field memorials in Europe.

The SPEAKER pro tempore. The gentleman from Texas calls up the bill H. R. 4290, on the House Calendar, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That such governmental agencies as may be available may, in the discretion of the Secretary of War, without incurring direct expense to the Government, supervise the care and maintenance of private battle-field memorials in Europe when funds to defray the costs of such care and maintenance and the direct and necessary expenses of such supervision are furnished by the owners concerned.

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

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

GRANTING WAR-TIME RANK TO RETIRED OFFICERS, UNITED STATES ARMY

Mr. WURZBACH. Mr. Speaker, I call up the bill (S. 465) to give war-time rank to retired officers and former officers of the United States Army.

The SPEAKER pro tempore. The gentleman from Texas calls up the bill S. 465, on the House Calendar, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That all commissioned officers who served in the Army of the United States during the World War, and who have been or may be hereafter retired according to law, except those retired under the provisions of section 24b of the act of June 4, 1920, shall, on the date of the approval of this act or upon retirement in the case of those now on the active list of the Army, be advanced in rank on the retired list to the highest grade held by them during the World War: *Provided*, That any such officer on the active or retired list who died or may die prior to the approval of this act, or on the active list who may hereafter die before retirement, shall be advanced in rank to said higher grade as of the date of death: *Provided further*, That no increase of active or retired pay or allowances shall result from the provisions of this section.

SEC. 2. All persons who have served honorably in the Army of the United States during war shall, when not in the active military service of the United States, be entitled to bear the official title and, upon occasions of ceremony, to wear the uniform of the highest grade held by them during their war service.

Mr. BRITTEN. Mr. Speaker, I desire to offer an amendment to the bill.

The SPEAKER pro tempore. Does the gentleman from Texas yield for that purpose?

Mr. WURZBACH. What is the amendment?

Mr. BRITTEN. I want to include in the bill the Navy, the Marine Corps, and the Coast Guard.

The SPEAKER pro tempore. The gentleman from Texas has control of the time. Does the gentleman yield for that purpose?

Mr. BRITTEN. Mr. Speaker, will the gentleman yield to me for two minutes?

Mr. WURZBACH. I yield two minutes to the gentleman from Illinois.

Mr. BRITTEN. Mr. Speaker, the situation is this: Certain temporary ranks were granted to officers of the Army, the Navy, the Marine Corps, and the Coast Guard during the war. They held those ranks during the war. After the war they reverted to their permanent ranks. A captain reverted to the rank of commander and an admiral to the rank of captain. What this bill now provides is to allow men who are retired to enjoy their war-time rank. It does not cost anything. The Navy, the Marine Corps, and the Coast Guard should be included in the bill in order to do justice to the other services.

I am sure the Senate will not object to an amendment of that kind. I hope the gentleman from Texas will allow that to go in. This committee knows about it, and our committee knows about it.

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

Mr. WURZBACH. Not now. Mr. Speaker, I will offer this amendment now.

Mr. PATTERSON. Mr. Speaker, will the gentleman from Texas yield to enable me to ask the gentleman from Illinois [Mr. BRITTEN] a question?

Mr. WURZBACH. Yes.

Mr. PATTERSON. Does the gentleman think this will not cost anything to the Government?

Mr. BRITTEN. Nothing whatever.

Mr. WURZBACH. Mr. Speaker, I offer the following amendment: On line 3, page 1, after the word "Army," insert the words "Navy, Marine Corps, and Coast Guard."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. WURZBACH: Page 1, line 3, after the word "Army," insert the words "Navy, Marine Corps, and Coast Guard."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WURZBACH. Mr. Speaker, I offer the same amendment on page 1, line 9, after the word "Army."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WURZBACH: Page 1, line 9, after the word "Army," insert "Navy, Marine Corps, and Coast Guard."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I suggest to the acting Speaker that there should also be inserted the words "and/or," and the same as to the first amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 1, line 4, after the word "Army," insert the words "Navy, Marine Corps, and/or."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WAINWRIGHT. Mr. Speaker, I want to say that this bill is an act of long-delayed justice to these officers who served during the World War. By passing this bill we are simply doing for those who served as commissioned officers during the World War what was done with respect to those who served in the Civil War and the Spanish-American War.

Mr. STAFFORD. Mr. Speaker, I believe the gentleman from Texas wishes to offer a similar amendment to that just adopted, adding the words "and/or."

Mr. WURZBACH. That was offered before. That has been voted upon.

Mr. Speaker, I offer an amendment. On page 2, line 8, after the word "Army," insert the words "Navy, Marine Corps and/or Coast Guard."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WURZBACH: On page 2, line 8, after the word "Army," insert the words "Navy, Marine Corps, and/or Coast Guard."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, in line 9, of page 2, after the word "military," insert "and/or naval."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 9, after the word "military," insert the words "and/or naval."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

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

The SPEAKER pro tempore. Does the gentleman from Texas yield to the gentleman from Georgia?

Mr. WURZBACH. Yes.

Mr. EDWARDS. The amendment suggested a little while ago by the gentleman from Illinois [Mr. BRITTEN] which has been accepted and offered by the chairman of the committee should be enacted into law, for while the bill as originally presented is meritorious, the amendment improves it and makes it more acceptable. The bill, with the amendment, will include officers from all branches of the service and will do justice by officers in the Army, Navy, Marine Corps, and the Coast Guard. I think the legislation will in part at least correct what I have felt was an injustice to certain officers, and I am glad to see it enacted. I earnestly hope the bill will be passed as amended so as to include the officers from the Navy, Marines, and Coast Guard, as well as the Army.

The SPEAKER pro tempore. The question is on the third reading of the bill as amended.

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

Mr. WURZBACH. Mr. Speaker, I move to amend the title.

The SPEAKER pro tempore. The Clerk will report the amendment.

Mr. STAFFORD. Strike out the words "United States," before the word "Army," so that it will read:

The Army, Navy, Marine Corps, and/or Coast Guard.

The SPEAKER pro tempore. The Clerk will report the proposed amendment to the title.

The Clerk read the amendment, as follows:

Amendment by Mr. STAFFORD: Amend the title so as to read: "An act to give war-time rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States."

The amendment was agreed to.

A motion to reconsider was laid on the table.

SECOND DEFICIENCY BILL

Mr. WOOD, chairman of the Committee on Appropriations, reported a bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years' to provide supplemental appropraitions for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, which was read a first and second time, referred to the Committee on the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

ST. CHARLES RIFLE RANGE, ST. LOUIS COUNTY, MO.

Mr. WURZBACH. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (S. 3965) to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles Rifle Range, St. Louis County, Mo.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to grant, under such terms and conditions as he may determine, to the Wabash Railway Co., an Indiana corporation, its successors and assigns, an easement 100 feet in width over and upon the property belonging to the United States known as the St. Charles Rifle Range and located near St. Charles, in the county of St. Louis, State of Missouri, with full power to use said property for railroad purposes and to locate, construct, and operate thereon an approach, together with all necessary tracks, sidings, structures, and appurtenances, to the bridge authorized to be constructed by the act entitled "An act granting the consent of Congress to the Wabash Railway Co. to construct, maintain, and operate a railroad bridge across the Missouri River at or near St. Charles, Mo.," approved February 7, 1930: *Provided*, That the property herein granted shall not be used for other than railroad purposes, and whenever it ceases to be used for such purposes it shall revert to the United States.

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

A motion to reconsider was laid on the table.

RELIEF OF THE STATE OF FLORIDA

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs be discharged from further consideration of the bill (S. 1458) for the relief of the State of Florida, and that the House consider the same at this time.

The bill has been considered by the committee but has not yet been reported. It is a bill providing for an appropriation of $1,117 for the relief of the State of Florida, occasioned by damage by floods.

This afternoon we have passed similar bills as far as the State of Vermont and the State of Mississippi are concerned. This is a companion bill carrying a very small appropriation, which has not as yet been formally reported by the committee, but the committee has acted upon it favorably.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the Committee on Military Affairs be discharged from further consideration of the bill S. 1458, and that the same be now considered by the House. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the State of Florida be, and it is hereby, relieved from all responsibility and accountability for certain quartermaster property, to the approximate amount of $1,117.64, the property of the War Department which was lost, damaged, or destroyed in relief work incident to the hurricane of September, 1928, while in the possession of the Florida National Guard. And the Secretary of War is hereby authorized and directed to terminate all further accountability for said property.

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

A motion to reconsider was laid on the table.

RETIREMENT OF LICENSED NAVIGATORS OR ENGINEERS

Mr. STAFFORD. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (H. R. 7929) providing retirement for persons who hold licenses as navigators or engineers who have reached the age of 64 years, and who have served 25 or more years in the Army Transport Service.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. STAFFORD]?

Mr. BARBOUR. Reserving the right to object, this applies only to the engine-room men?

Mr. STAFFORD. To navigators and engineers.

Mr. BARBOUR. Would that include seamen?

Mrs. KAHN. No, no; only engineers and captains.

Mr. BARBOUR. It would include none of the officers? I mean, for instance, the first officer or second officer?

Mrs. KAHN. Yes; licensed officers.

Mr. BARBOUR. And licensed engineers?

Mrs. KAHN. Licensed engineers, if they have had 25 years' experience.

Mr. BARBOUR. Is that satisfactory to the men in the Transport Service?

Mrs. KAHN. Yes; they are anxious to have it.

Mr. BARBOUR. But is this satisfactory to all of them?

Mrs. KAHN. Absolutely.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That licensed officers of the Army Transport Service who have reached the age of 64 years and who have served 25 years or more in the Army Transport Service or who have become physically unfit for service in line of duty or have received injuries incapacitating them for a further performance of their duties after 25 years' service shall be retired.

SEC. 2. Those persons retired as specified in section 1 of this act shall receive compensation equal to three-fourths of the average annual pay received for the past five years of service: *Provided*, That such retirement pay shall not include any amount on account of subsistence or other allowance.

SEC. 3. That hereafter the Secretary of War is authorized to include in the annual Army appropriation estimates for the payment of the licensed officers so retired.

With the following committee amendments:

Page 1, line 4, after the word "of," insert the words "at least."

Page 1, line 7, after the word "received," insert the words "in line of duty."

Page 2, line 1, strike out the words "after 25 years' service shall be retired" and insert in lieu thereof "shall, when retired, receive compensation as hereinafter provided."

Page 2, line 10, after the word "authorized," insert the following words "to prescribe the regulations relating to the retirement of such licensed officers and."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

BRANCH HOME OF THE NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS AT OR NEAR ROSEBURG, OREG.

Mr. STAFFORD. Mr. Speaker, by direction of the Committee on Military Affairs, I call up House bill 9638, Union Calendar 419, to establish a branch home of the National Home for Disabled Volunteer Soldiers at or near Roseburg, Oreg.

The SPEAKER pro tempore. The gentleman from Wisconsin calls up a bill which the Clerk will report.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. WILLIAMSON. Mr. Speaker, reserving the right to object, what is this bill?

Mr. STAFFORD. This is H. R. 9638, to establish a branch home of the National Home for Disabled Volunteer Soldiers at or near Roseburg, Oreg.

Mr. WILLIAMSON. Mr. Speaker, reserving the right to object, the House recently passed a bill providing for the consolidation of all veterans' activities. That bill abolishes the Board

of Managers of the National Home for Disabled Volunteer Soldiers. The consolidation bill is now pending in the Finance Committee of the Senate, and it is my understanding it is the intention to report it out for the consideration of the Senate before the close of the session. Therefore it seems to me that action upon these bills ought to be deferred until we know definitely whether or not there is going to be action upon the bill to consolidate these various veterans' activities.

The hearings before the Committee on Expenditures show that a new home is needed in the South and that one should be built there sooner or later. I am not familiar with the situation on the Pacific coast, but it is also true that the Veterans' Bureau has a very large appropriation for hospitals and domiciliary facilities, large enough to take care of the situation, and it was the belief of the Committee on Expenditures that nothing should be done about the establishment of further homes or additional hospitals until the new organization could be perfected, when these homes would be considered in connection with veterans' hospitals, with a view to ascertaining their proper location, so as not to have too many in some localities and too few in other localities.

Mr. STAFFORD. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. STAFFORD. Mr. Speaker, the Committee on Military Affairs, when hearings were held as to the need for providing adequate housing of veterans of the Civil War, Spanish-American War, and World War, considered the proposed merger of all activities under one administrative head. The hearings took place several months before the administrative bill was reported by the Committee on Expenditures, of which the gentleman from South Dakota is chairman, and acted upon by the House. The gentleman has already stated that the hearings before his committee show the need of an additional home in the Southeast. It is the intention of the committee, as soon as this bill is passed, to call up for consideration a bill providing for an additional home in the Southern Gulf States.

The hearings show unmistakably that there is urgent need, and that there will continue to be increased demands for barracks in which to house the Spanish-American War veterans and the World War veterans. One question arises as to the hospitalization which is provided by the Veterans' Bureau and another question arises as to giving domiciliary accommodations to veterans of the Spanish-American War and the World War.

The showing made before the Military Affairs Committee was so impressive that we feel it is absolutely essential that some action be taken now to provide for additional accommodations for our World War veterans and our Spanish-American War veterans, not only as far as hospitals are concerned but giving them such quarters as are provided by the National Soldiers' Home as a place of residence. The committee considered most carefully the geographical locations, with a view of determining where these additional facilities should be established. The gentleman admits that his hearings show the need of a new home in the Gulf States. To that we subscribe. The hearings before our committee show the need of a new home in the North Pacific States. That is the bill under consideration, and the question is whether we shall expedite the consideration of these two bills by having them considered in the House as in Committee of the Whole or whether we will be obliged to go into the Committee of the Whole and take considerable time in debate.

Mr. WILLIAMSON. Mr. Speaker, I am disposed to object to this bill being considered in the House as in Committee of the Whole, because I do not believe these bills ought to be considered until after the consolidation bill is out of the way. I do not think we shall have to wait very long for that. I object.

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. 9638) to establish a branch home of the National Home for Disabled Volunteer Soldiers at or near Roseburg, Oreg., with Mr. CHINDBLOM in the chair.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, a tract of land at or near Roseburg, Oreg., as a site for a branch home of the National Home for Disabled Volunteer Soldiers, to provide for the improvement of such site, and for the construction, equipment, operation, and maintenance thereon of suitable buildings for the use of such branch home.

SEC. 2. The sum of is hereby authorized to be appropriated to carry out the purposes of this act.

Mr. STAFFORD. Mr. Chairman——

Mr. WILLIAMSON. Mr. Chairman, a parliamentary inquiry with respect to the division of time on this bill. As I understand, there is two hours of debate, and I ask to be recognized in opposition to the bill.

The CHAIRMAN. The time for debate is fixed by the rules of the House at two hours, one-half to be controlled by those in favor of the bill and one-half by some one opposed to the bill. The gentleman from Wisconsin, the proponent of the bill, is recognized.

Mr. STAFFORD. Mr. Chairman, under the reservation of objection to this bill being considered in the House as in Committee of the Whole, I virtually explained the reason for the bill. I will not take any further time at this moment, but will reserve the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin reserves the balance of his time. Is there any member of the committee opposed to the bill who desires recognition? If not, the Chair will recognize the gentleman from South Dakota [Mr. WILLIAMSON].

Mr. WILLIAMSON. Mr. Chairman, it is not my purpose at this time to oppose this bill from the standpoint of need. The hearings before the Committee on Expenditures in the Executive Departments showed pretty conclusively, I think, that a branch home of this character is needed somewhere in the Southern States, and, personally, I am very much in favor of their having a home in that region of the country. Our hearings did not go into the question of a branch home out on the Pacific coast, and I have no information upon that subject.

My opposition to the bill is based upon the fact that the House has already passed a bill consolidating the various veterans' activities, including the National Home for Disabled Volunteer Soldiers, the Veterans' Bureau, and the Pension Bureau. The bill as it passed the House abolishes the Board of Managers for the National Home for Disabled Volunteer Soldiers.

The hearings before our committee demonstrated rather conclusively that the branch homes in many instances are badly located with reference to some of our Veterans' Bureau hospitals. The western coast is very well supplied with veterans' hospitals and there is a serious question in my mind whether under the new organization a branch home upon the western coast is at all necessary, because I am inclined to think that we already have sufficient facilities to take care of the veterans in the Pacific Northwest. We ought not to extend facilities in that area to a point where we shall have to transport men from great distances to fill them.

The situation in the South is somewhat different in that respect. The South does not have the supply of veterans' hospitals that they have in the West, but even as to the hospital proposed to be built in the South I think it would have been very much better to have deferred action until the consolidation bill is disposed of.

Gentlemen of the House, this is all I care to say about the matter, but I think I owe it to the House to call its attention to the situation that exists. I think we should wait with these bills until the consolidation can be effected. That would give the new head of the organization a chance to make the necessary survey and intelligently determine where these branch homes should be established. I do not think the Congress ought to locate these branch homes or even attempt to say how many are needed until the head of the new organization has had an opportunity to make a complete survey of the entire situation. We should then have the benefit of his judgment in the matter. One of the main purposes of the consolidation was to prevent unnecessary new construction.

I reserve the balance of my time, Mr. Chairman.

Mr. STAFFORD. Mr. Chairman, there are 10 or 11 branch homes distributed throughout the United States: In the West, one located at Fort Leavenworth, and in the far West at Sawtelle, Calif. Sawtelle is near Los Angeles. There is a stretch of about 1,500 miles from Los Angeles to the Canadian border.

When we were reporting this bill, as well as the companion bill that is to be taken up following this bill, providing for the establishment of a home in the Southern Gulf States, we had before us a map with the existing branch homes spotted. A mere casual glance at this map would convince anyone that there is need, and will be more pressing need in the future, of a home in the North Pacific States.

Your Committee on Military Affairs did not think it advisable to locate this home at any one designated place. The bill as introduced provided for the establishment of a home upon the donation of a tract of land at Roseburg—a small tract, comprising perhaps less than 100 acres. We thought it was very bad legislative policy to authorize the establishment of a home at any one designated place. So the committee recommended an amendment striking out the identification of the place and

leaving to the Board of Managers of the Soldiers' Home the location at any place in one of the Northwest Pacific States.

Now, as to the argument advanced by the chairman of the Committee on Expenditures. He says there is need for a home in the Southern States. I take it from his statement that he is in favor of voting out a bill to provide for that home.

If there is need for a home in the southern Gulf States, it must follow from the testimony presented to the committee on Military Affairs that there is need for another home in the North Pacific States. Your committee is not playing any favorites in the location of these homes. There were two bills and two bills alone before the committee. The testimony is uncontradicted that there is great demand for additional quarters for our Spanish-American War veterans and the World War veterans that the present homes can not accommodate. It is one thing to provide hospitalization under the Veterans' Bureau and another to provide residential accommodations for our veterans not furnished by that bureau.

The bill that passed the House providing for a merger of the activities of the Veterans' Bureau, Pension Bureau, and national soldiers' homes, which had my earnest support, as members of the committee will remember, does not seek to do away with the national soldiers' homes. They are to continue as a distinct entity, and we would be short-sighted—aye, more, we would be recreant to our trust—with the testimony uncontroverted before the committee of the need for additional quarters, if we would adjourn and not pass some legislation providing for additional quarters for the Spanish-American War veterans and the rapidly growing numbers of the World War veterans that are coming into the national branch homes.

There can be no basis for the demand that we should postpone our duty to provide quarters. Our committee takes the responsibility, and you gentlemen, I know, will not favor a policy that will not give housing, proper housing, to our World War veterans and Spanish-American War veterans, so that I will not take up more time. I hope both bills will pass. [Applause.]

Mr. McSWAIN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. McSWAIN. In order to save my taking the floor I want to assure the membership of the committee that there is no danger in overdoing this matter of hospitalization or domiciliation, for the testimony before our committee is that the peak of this necessity will not be reached for 15 or 20 years.

Mr. STAFFORD. And it is growing very rapidly, and at the present time there are 1,500 in excess of all of the regular facilities of the homes.

Mr. O'CONNOR of Louisiana. Will the gentleman from Wisconsin yield for a correction of a statement which the gentleman inadvertently made when he said that there were only two bills before the committee? I am in favor of both of these bills, but I do not want it to go into the RECORD that there were only two bills, for I introduced a bill for a home in Louisiana.

Mr. STAFFORD. I wish to say in reply to the deserved correction by the gentleman from Louisiana that in the committee upon my motion in the bill that is to follow I moved an amendment striking out the word "Southeastern" and substituting "Southern States," because I wanted to have Mississippi and some other Gulf States included as a proper site for consideration for a new home, if the Board of Managers should so determine. We want to open it to a fair fight and have the best site in the judgment of the board selected for the new home that there is in the Southern States.

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

Mr. STAFFORD. Yes.

Mr. WILLIAMSON. I take it the language of this bill will not permit the construction of additional facilities at some of the present hospitals or homes. The testimony shows pretty clearly that you can build extensions to existing institutions for about one-half the cost per bed that you can construct them for in a new institution. I think there is a very great opportunity to build extensions to existing hospital facilities at a large saving to the Government. I am not familiar with the situation on the coast, so that I do not know whether there are hospitals there that could be enlarged to advantage or not. The bill provides for entirely new construction, new and distinct institutions, when it may be advisable to extend one or more existing institutions.

Mr. STAFFORD. The gentleman should understand that in the establishment of a hospital for World War veterans a very small tract of land may have been acquired. In my country the Veterans' Bureau converted an old hotel at Rest Haven, Waukesha, into a hospital, but to establish a proper site for a branch home involves a different proposal entirely, requiring large grounds for barracks, hospital, and all attending facilities.

I yield five minutes to my colleague from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, I am a member of the Committee on Expenditures in the Executive Departments which held extensive hearings and gave a great deal of consideration to the bill consolidating veterans' activities. As a member of that committee who has carefully considered all of the testimony taken at those hearings, I do not see how in any way the passage of this bill will interfere with the purpose of the consolidation.

I sincerely hope, in view of the fact that many World War veterans, Spanish War veterans, and other veterans are being turned away from National Homes for Disabled Volunteer Soldiers because of the scarcity of quarters available for their care, that this bill may be passed at this time. I desire to ask the acting chairman of the Committee on Military Affairs if it is not possible for his committee in the near future to report out bills which have been introduced providing for additional beds at some of the present branches. General Wood, president of the Board of Managers, testified at length before the Committee on Military Affairs as to the congestion existing, and indicated that the quarters were entirely inadequate at several of the existing homes, particularly the Northwestern Branch at Milwaukee, Wis., which is located within my congressional district. The testimony shows that many veterans have been denied domiciliary quarters and care this winter, and that General Wood recommended that additional barracks be built at the Northwestern Branch. I introduced a bill, H. R. 9992, providing for a $300,000 appropriation for that purpose, and since the Committee on Military Affairs recognizes the present inadequacy of domiciliary barracks in national homes by recommending the pending bill for a new home, I believe it would be appropriate to report out H. R. 9992 at an early date.

I yield now to ask the acting chairman of the Committee on Military Affairs if it is not possible for his committee to favorably report out the bill I introduced several months ago providing for an appropriation of $300,000 to construct additional barracks for domiciliary purposes at the northwestern branch.

Mr. WURZBACH. We have been very busy with other matters, as the gentleman knows, and I state that the gentleman has quoted correctly General Wood. He has urged an authorization for the appropriation for barracks in Wisconsin, and I think also in Illinois, and if it is possible the Committee on Military Affairs will report favorably upon that bill at this session.

Mr. SCHAFER of Wisconsin. I thank the gentleman, and I shall look at the calendar each day with the hope of seeing those bills placed upon it. I know we have sufficient funds. If we have sufficient funds to spend a million and a half dollars to buy a collection of books, as we did the other day, we should have the necessary money to house the veterans who have faithfully served our country.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from Oregon [Mr. HAWLEY].

Mr. HAWLEY. Mr. Chairman, in the few minutes at my disposal, I will not repeat what has already been well said. This bill provides for a national soldiers' home in a vast area in which no home is now located. The only home in the western half of the United States is located at Sawtelle, Calif., and from Sawtelle to the northern boundary of the United States is 1,100 miles. The homes nearest the Pacific coast, except a small sanitarium at Hot Springs, S. Dak., are located at Milwaukee, Wis., 1,700 miles, and at Leavenworth, Kans., 1,600 miles, respectively, from the Pacific coast. The territory naturally tributary to the proposed home in the Pacific Northwest is over 700 miles by 1,000 miles.

A survey has been made of the soldier population that would naturally go to a home in the Pacific Northwest. During the World War 7½ per cent of total enlistments, or 306,000 persons, came from what would be a part of the patronizing area of the proposed home. In the same area there are 25,000 veterans of the Spanish War. Also a considerable number of veterans of the Civil War. In addition, there has been an influx of a large number of soldiers of the World War from other States. There exists now in that area a sufficient number of soldiers who are entitled to the benefits of a home to justify its erection, and this number will steadily increase, according to the evidence of the authorities submitted at the hearing.

The home at Sawtelle was compelled to refuse admission to 1,500 soldiers last year because it lacked the necessary accommodations. General Hines testified that the Veterans' Bureau hospital at Portland will need homes for 630 of its present population, before this home can be constructed. These men will need only such hospital care from time to time as a home

will provide. They can be cared for in a home at much less expense than in a hospital. Their removal to a home will afford beds for other soldiers in need of hospitalization. There is a large number of soldiers there who are waiting to enter a home, and the Board of Managers of the National Home for Disabled Volunteer Soldiers has recommended the construction of a home in the Pacific Northwest for several years, and the limit of cost is that proposed by the board. It is an excellent location for a soldiers' home for its own population and those who are constantly coming to the Pacific Northwest.

Mr. STAFFORD. Mr. Chairman, I ask that the bill be read for amendment.

The CHAIRMAN. There being no further debate, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, a tract of land at or near Roseburg, Oreg., as a site for a branch home of the National Home for Disabled Volunteer Soldiers, to provide for the improvement of such site, and for the construction, equipment, operation, and maintenance thereon of suitable buildings for the use of such branch home.

SEC. 2. The sum of is hereby authorized to be appropriated to carry out the purposes of this act.

With committee amendments as follows:

Page 1, line 5, strike out the words "purchase, condemnation, or otherwise" and insert the word "donation."

On page 1, line 6, after the word "land" strike out the words "at or near Roseburg, Oreg.," and insert the words "located in one of the Northwest Pacific States."

On line 1, page 2, after the word "of" and before the word "is" insert "not to exceed $2,000,000."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. The Chair calls attention to the spelling of the word "authorize" on page 2, line 2. It should be "authorized." The Chair asks unanimous consent that the Clerk may make the necessary correction. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. HOOPER] having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 9638) to establish a branch home of the National Home for Disabled Volunteer Soldiers at or near Roseburg, Oreg., reported that that committee had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. STAFFORD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to.

The SPEAKER pro tempore. Is a separate vote demanded on any amendments? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. Without objection, the title will be amended.

There was no objection.

The title was amended so as to read: "A bill to establish a branch home of the National Home for Disabled Volunteer Soldiers in one of the Northwest Pacific States."

A motion to reconsider the vote whereby the bill was passed was laid on the table.

STEPHEN T. MATHER AND THE PARKS

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include a statement by Mr. Howard Hayes, who reviews the history of the National Park Service and pays a tribute to the late director, Mr. Mather. The statement is a particularly interesting one, and I am sure all Members of the House will enjoy reading it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. Mr. Speaker, ladies and gentlemen of the House, under the leave granted me by the House I present here an address recently delivered at Riverside, Calif., by Mr. Howard Hayes, of California and Montana. The address is an eloquent tribute to the late Stephen T. Mather, the first director of the national park system, and at the same time one of the most effective reviews I have ever read of the development of the public-park idea in general and the national park system. I am sure many Members of the House will desire to read it. The address follows:

OUR NATIONAL PARK SYSTEM

My theme to-day is our national park system, its inception, its dedevelopment to this day, and its future. I take my text from a eulogy by Congressman CRAMTON, of Michigan, on the public service of the late Stephen T. Mather, founder and director of the National Park Service. In the Congress he used these words: "There will never come an end to the good that he has done."

In the few minutes at my disposal I hope to establish that this text is not only an appraisal and a prophecy, but also an inspiration to all Americans to realize the value and splendor of our scenic heritage and to stimulate our patriotic interest in its everlasting preservation.

National parks are an American invention, just as is the homestead law and the restrictive power of our Supreme Court. As early as the sixteenth century, in England, royal forests for the King were set aside "for his princely delight and pleasure." There were no national parks for the common man.

In 1870 there were no national parks in the world. It so happened that in the Territory of Montana there lived a coterie of pioneers—the like of the great of early California. These men had heard amazing tales by Jim Bridger and other trappers, of marvels at the headwaters of the Yellowstone River—a mystic region, uncharted, and infested by wild beasts and marauding war parties of Indians. It was our last frontier; Custer had not been killed on the Little Big Horn; Gen. Nelson A. Miles had not captured Chief Joseph.

These men of Montana Territory—Washburn, Langford, Hedges, and the rest—15 in all, including their military escort, set out from Helena in August, 1870, and spent over four weeks on one of the greatest adventures in western history. They authenticated the existence of the geysers, the hot springs, the Yellow Canyon, the great waterfalls, the vast lake, and all the other marvels. Finally the time came to leave for home. On the night of September 19, 1870, the party held its farewell camp-fire meal near the Firehole River, only a few miles from Old Faithful Geyser, which General Washburn had named that very afternoon.

Here, in the glow of the camp fire were all the elements of a successful Lions meeting—splendid environment, hearty appetites, good food, mental vigor, the song of the rushing river, and a live subject for discussion and decision. The imminence of the return to civilization tempered excited minds with practical thoughts. One of the band suggested that immediately on the return to Helena, each member preempt parcels of land around the geysers and other phenomena, thereby converting the wilderness abode of these natural wonders into a privately-owned area. Most natural was this sudden mental descent from the sublime to the selfish. How many of us would have favored the proposal? It was a critical period in western history. Judge Cornelius Hedges, a pioneer Montana lawyer, stood up in the glow of that memorable camp fire and said he did not approve of any of the ideas expressed—that there ought not to be any private ownership in this region; but that the whole of it ought to be set apart as a great national park for the benefit and enjoyment of all the people, and that each one ought to make an effort to have this accomplished. Langford, historian of the expedition, whose diary is more romantic than fiction, records that this suggestion met with an instantaneous and favorable response. Thus, at this camp fire was created the national-park idea, as we now know it; and it is hardly too much to say that this meeting holds an important historic place in the beginnings of our modern concept of the conservation of all natural resources.

Years pass. The idealism of the frontier camp fire becomes an actuality. Yellowstone was established in 1872. Sequoia, Yosemite, and General Grant were set aside 18 years later, in 1890. Glacier National Park was created in 1910. By 1915 there were 13 national parks, but there was no national-park policy and no administrative continuity. Park matters were handled in Washington by the miscellaneous division of the Interior Department. Politics had crept in. Local pressure sought the creation of national parks from inferior areas for local benefits. The times called for a man. Franklin K. Lane was Secretary of the Interior. One can not read his life and letters without feeling that he was superlatively gifted—one of the truly great men of the times. Although he was a Democrat in a Democratic administration, when he looked about to find a man to safeguard the national parks he drafted Stephen T. Mather, a Republican,

a business man, another Californian, a follower of Roosevelt. Mather accepted and set to work in the Interior Department, through the authority of Congress, to establish a bureau for the administration of the national parks. Mather labored in this cause from 1915 until his death in 1930. "There will never come an end to the good that he has done."

Time allows only a few strokes for an etching of Mather. He inherited his power of leadership from Cotton and Increase Mather, of old New England. Like Benjamin Franklin, he had achieved financial independence and comparative wealth at 45 and gave the rest of his life to the service of his country. Like Henry Clay, he counted his personal friends by the thousands.

During the United States Railroad Administration I traveled with him officially for thousands of miles. He never found himself in a city or a village or a crossroads where he did not know some one, and that some one was a friend. He was gifted, highly imaginative, generous, gentle, kind, lovable, impetuous, daring, and ruthlessly unsparing of his physical and mental self. He was an inspiration to young men. I came under his spell at 30, and count it as one of my great privileges.

This is the man who organized our national parks, made the Congress and our whole people national-park conscious, and labored indefatigably to set standards for the future protection, utilization, and amplification of the system. He inspired his associates like an apostle. He took the youthful attorney, Horace Albright, and made of him his right hand and second self. His missionary fervor captured the imagination of Congress. When he took the stand before the legislative committees to ask for money or authority for new parks, the atmosphere of the hearings was transformed, in his latter years, from formality to good fellowship. His frankness, his disinterestedness, and his fervor won him anything he wanted. To-day the National Park Bureau administers 21 national parks and 33 national monuments. Visitors in 1929 numbered far over 3,000,000, and congressional appropriations for the next fiscal year amount to the vast sum of $10,200,000. "There will never come an end to the good that he has done."

The 33 national monuments have been set aside to commemorate history, conserve forests, and other works of nature. A few examples are the Muir Woods near San Francisco, Washington's Birthplace at Wakefield, the Natural Bridges of Utah, the Petrified Forests of Arizona, and the Carlsbad Caverns of New Mexico. I believe the Carlsbad Caverns are the greatest in the world, and that this monument will soon be raised to the status of a national park. It has been known locally for many years. While riding along in the foothills of the Guadalupe Mountains at dusk, Jim White, a cowboy, suddenly saw a cloud of bats emerge from a cavern on the side of a distant mountain. The vastness of the cloud was unbelievable. It is estimated that 3,000,000 bats nightly leave this cavern in a mighty smoke screen so vast that it takes almost an hour for them to emerge on their nocturnal feeding expedition. These bats do not live in the cavern which has been opened for visitors, but in an adjacent cavern to the east.

The dimensions and description of the Carlsbad Caverns are as romantic and unbelievable as the stories of a trip to the moon. Prior to 1930, 21 miles of caverns had been explored. In March, 1930, the Frank E. Nicholson expedition explored 10 additional miles, and descended to an extreme depth of 1,200 feet below the surface. There are hundreds of rooms and corridors. "Big Room" is 4,000 feet long, 625 feet wide, and at one place the ceiling is 300 feet high. All other caves, not excepting Mammoth Cave, are dwarfed.

The big room is not the highest room. There is an arched chamber where thousands of glittering stalactites form a dome 500 feet from the floor. One of the great stalagmites, measured by the rate at which it must have grown by evaporation, is estimated by scientists to be 60,000,000 years old. Visitors tell me that the cave's immensities are not more awesome than its sublimity. Many famous caverns have been ruined by the smudge of torches. Carlsbad is unspoiled—the National Park Service raised its protecting arm in time to prevent its spoliation either by carelessness or vandalism. The cave is illuminated for the first 7 miles of the journey by flood lights which transform its awful darkness into an iridescent fairyland, more glorious and more fantastic than Little Nemo ever saw.

Director Mather gave much thought to national-park standards. He realized that the very success of the national-park system would likely prove to be its greatest menace. Localities in the vicinity of the national parks reap a rich harvest from travelers. It is natural for less-favored communities to seek congressional action for securing national parks in their own back yards. The name national park should connote the same superlative quality as the name "Sterling" on silver. The Campfire Club has adopted this definition:

"National parks are spacious land areas essentially in their primeval condition, and so outstandingly superior in quality and beauty to average examples of their several types as to demand their preservation intact, and in their entirety, for the enjoyment, education, and inspiration of all the people for all time."

With this defensive idea in mind, and actuated as well by a zeal to serve his countrymen in every nook and corner of our land, Director Mather, in 1921, embraced the State park movement, one of the most useful and popular enterprises of the generation. I know that Mr. Mather, to a considerable extent, financed the early national conferences on State parks, out of his own pocket. More than that, he traveled the length and breadth of our land preaching the doctrine of State park conservation and development. Many of us recall the months he spent in his beloved California, arousing its people to the menace of the vanishing public ownership of seacoast, mountain, and desert. To-day, California is salvaging its heritage. We have in prospect in Riverside County a State park in Mount San Jacinto, and a national monument in Palm Canyon which will be transformed, I verily believe, into the greatest State park area in America. To-day, almost every State in the Union either enjoys a State park development or has a program advanced. "There will never come an end to the good that he has done."

For the purpose of portraying the typical organization and functioning of the national-park service in a national park, I shall take up Glacier National Park, located in northern Montana along the Canadian boundary line. It sits astride the continental divide of the Rocky Mountains where that famous range becomes truly Alpine in its splendor. The Blackfoot Indians and the pioneers call this range "the Shining Mountains."

Sixty glaciers, two hundred and fifty lakes, vast forests of cedar, fir, spruce, and pine, and nearly vertical mountains rising more than a mile almost sheerly out of the lakes (on account of the geological phenomena known as the Lewis overthrust), make up the physiography of the region 1,534 square miles in area. The average snowfall is more than 20 feet—a covering which lies in the valleys from November until May, and on the mountains, often, throughout the year. The local government administration consists of a superintendent and staff, together with a force of rangers, about 40 in number. The utilities in this park are of independent ownership. There is a hotel organization operating hotels, camps and chalets; a motor transport operating coaches and touring cars; a saddle-horse outfit providing over 800 horses for trail and horseback trips; and a boat service supplying launch and rowboats for excursions and fishing. All of these operators are licensed by the National Park Service along the same lines as the State utilities are administered by the utilities boards of the several States.

The duties of the park ranger force are protection and interpretation. Their first duty is to protect our American park from the American people. The rules and regulations for observance by visitors are few and simple, and they are enforced with a zeal and thoroughness which reflects honor on the superintendent. Fire prevention occupies the time of many rangers during the tourist season when the risk is the greatest.

The menace of fire is perhaps the most serious of all agencies which operate to prevent this generation from transmitting our national parks to posterity—a posterity which, from all signs, will be sadly in need of any remnants of the wealth of forest and wild life which our fathers found here. This age is using up America at an appalling rate. The ruthless mechanisms of our day destroy our national resources and threaten with ruin our historic shrines. All hail to agencies like the national parks, national forests, State park associations, and other conservation plans which aim to save something for our children's children; all hail to men like Stephen T. Mather, John D. Rockefeller, jr., Henry Ford, Gilbert Pearson, Ray Lyman Wilbur, Duncan McDuffie, Henry Van Dyke, William E. Colby, Frank A. Miller, and others who realize that the America we sing about is not the America which the new immigrant and his children and our own generation see in the congestion and standardization of city existence.

Wild life in Glacier National Park is not only protected but propagated. Fish culture, under the United States Bureau of Fisheries, has produced valuable results. Two hundred and fifty lakes and as many turbulent streams afford catches of black-spotted trout, rainbow, grayling, eastern brook, mackinaw, and cutthroat. Rearing ponds on the east side of the park now have a capacity to grow 2,000,000 trout fingerlings; a series of ponds of the same size will be constructed this season on the west side. The superintendent stated this winter, officially, that a total of 20,662,424 trout have been planted in Glacier Park waters.

In our national parks during the visitors' season trained rangers are engaged in the task of interpreting the parks to the people. This idea, originating, so far as I know, with Enos A. Mills, in Rocky Mountain National Park in Colorado, was adopted by Mr. Mather as an essential part of his policy. His experimental educational programs began in Yosemite Park with nature-guiding and museum exhibits. The response by visitors was enthusiastic. Travelers were quick to avail themselves of opportunities to be personally conducted over foot trails by experienced nature guides who could explain the wonders on every hand. Just as one would receive tenfold more pleasure and benefit by being conducted through the Mission Inn by a trained guide rather than to wander aimlessly and ignorantly through its corridors, so does the service of the park ranger increase tenfold the pleasure of a journey along the foot trails of Glacier. Educational work in each major park is now in charge of a park naturalist. His staff of nature guides is recruited

for the summer season from students in our universities who possess the required technical training. This interpretive phase has attracted the attention and support of the Laura Spelman Rockefeller Memorial Foundation to such an extent that they have appropriated large sums for the construction of general and trail-side museums. More than 400,000 people visited the Yosemite Museum in 1929. In Yellowstone this foundation spent $118,000 last year for educational work.

The trail-side museums are an innovation. In each case these museums are located at places where the traveler will be interested particularly in the subject portrayed. For example, the new trail-side museum in the Yellowstone Geyser Basin is given to an exposition of hydrothermal activity, including working models of the geysers. In Sequoia National Park a museum will be established with the central idea of interpreting the historical and scientific aspects of the biggest trees in the world.

I close my outline of the ranger service by a reference to the winter patrols which have for their primary object the detection of poaching. In Glacier, in midwinter, often during periods of subzero temperature, rangers start out from park headquarters for long journeys on snowshoes and skis. No food or shelter is carried, because they depend on the solitary snowshoe cabins which are located along the routes of the patrols at intervals of about 15 miles. These tiny cabins are provisioned in the summer with food and fuel. In the dead of winter when the patrolman reaches a shelter cabin, he usually has to dig out the doorway from under the snow. In January, 1930, Chief Ranger Carter, of Glacier Park, made an inspection trip of 185 miles on snowshoes in a period of 15 days. He crossed eight divides, among them the main Continental Divide, which proved the most difficult because it was covered with 15 feet of snow. Subzero weather prevailed during the entire trip, the coldest day being 38° below zero.

One afternoon about 3 o'clock he came to the site of the shelter cabin for that district, which was to mark the close of his day's journey, only to discover that all trace of it was obliterated by a snowslide. He did not hesitate, but plodded on with renewed vigor for the next snowshoe cabin 15 miles distant over another divide. We often wonder at, and sometimes doubt, the tales of the early trappers who spent their winters in the Rockies; but to-day we can see their deeds of daring equaled, if not outdone, by the winter patrols of the National Park Service.

The national park idea is now national. In a few years thousands of westerners will travel east to visit national parks. The first and at present the only national park east of the Mississippi River is Acadia, on the Maine coast—a group of granite mountains on Mount Desert Island. This park has a recorded history as early as 1604, when Champlain made here the first French settlement in what is now the United States. The next eastern national park, probably, will be the Great Smoky Mountains national park in the splendid wilderness mountain area which unites western North Carolina and eastern Tennessee. A few years ago Congress passed a law authorizing the Federal Government to accept donations of a minimum of 427,000 acres for this national park. The enterprise of the citizens of the two States has been prodigious. Almost $5,000,000 has been pledged.

Influenced by the high scenic values of the district, the Rockefeller Foundation has pledged itself to match the contributions of the two States, dollar for dollar, up to $5,000,000, making a total of $10,000,000 presently available for the acquisition of the lands necessary to create the park. Those of us who know the beauty of the Appalachian Mountains will realize the true significance of this great park, including as it does Mount Mitchell, highest mountain in the East. I can think of no motor trip more colorful or more stimulating than a trip through this primeval forest wonderland when the autumnal colorings glorify it all.

Shenandoah National Park, in Virginia, embracing 327,000 acres, will soon join the family of parks. President Hoover's private camp on the Rapidan is in this area, so rich in recreational values and historical significance. Eventually, it is said, the President expects to turn his acreage over to the Government as his personal contribution to this national park.

It has been proposed that a tropical national park to be known as the "Everglades National Park" be created at the southern tip of Florida. I am told that this proposed park has values of the highest order which would give it a rank among the very first. It will comprise several hundred square miles, embracing the best of the everglades, seacoast, and keys. It is a tropical country, lying fully 600 miles farther south than Riverside and 50 miles nearer the Equator than the southern projection of Texas. It is a true wilderness.

The exploration of its waters has hardly begun, except by those who are engaged in slaughtering the wild life. Doctor Pearson, president of the Audubon Society, on a recent visit of less than a week, personally saw and noted 73 kinds of birds; many of them are the most colorful birds in America. Among his notes I see a reference to the white ibis which breeds there in vast numbers. He saw more than 3,000 in one flock at a roosting place. He also saw tern, gulls of many kinds, and egrets. He saw a thousand or more of the snowy egrets. In addition to the birds are the crocodiles, white-tailed deer, and the almost-extinct manatee. This movement to secure this great tropical area for a national park will salvage for future generations another section of primeval America.

In January, 1930, Congressman CRAMTON introduced a bill for the creation of a colonial national monument in Virginia. I believe that this is the beginning of the creation of one of our most valuable national reservations. Mr. CRAMTON calls attention to a striking coincidence of fact in that the definite beginnings of our colonial period and its definite close occurred within 20 miles of each other in the enchanted peninsula of Tidewater, Va., north of the James River. On Jamestown Island in 1607 was established the first permanent English settlement in the New World; and at Yorktown, a few miles to the east, in 1781, occurred the surrender of Cornwallis.

Midway between lies ancient Williamsburg, colonial capital of Virginia. It is the idea of Congressman CRAMTON that these three historical shrines be consolidated in some manner so that future generations can see a true picture of the colonial period. John D. Rockefeller, jr., is restoring Williamsburg at a cost of millions of dollars. Here, in early days, was erected the first legislative building in America, the first public school, and one of the first colleges—William and Mary. It is all being restored. Along this ancient street the old houses that have survived are being repaired, and those that have vanished are being rebuilt in exact duplication as to plan and furnishings. Even the old tavern has been reborn. Think of its value to the children of America. Picture your own emotions when treading this ancient street, entering its buildings, and seeing in fancy that great American historical drama wherein no less famous personages than Patrick Henry, George Washington, George Mason, and Thomas Jefferson were actors in the cast. Verily a day in such a colonial national park would give more satisfaction than a year's study of American history.

This, in briefest outline, is the story of our national parks. Horace Albright, a man of great energy and worth, is the present director of the service. The name and fame of this American institution is universal. National parks have been established or are being established in Canada, South America, Japan, and even in the Belgian Congo.

Just as the "minute men" at Concord and Lexington little dreamed of the world-wide significance of their day's work on April 19, 1775, so did the band of Montana pioneers around the Yellowstone camp fire on September 19, 1870, little dream that they, too, had "fired a shot heard around the world." In the United States of to-morrow national parks and State parks will spread, I fondly believe, across the length and breadth of our country like bright stars in the firmament, natural sanctuaries for our physical and mental recreation, memorial halls for quickening our patriotism, and cathedrals for our spiritual betterment.

"There will never come an end to the good that he has done."

"O Palissy! within thy breast
Burned the hot fervor of unrest;
Thine was the prophet's vision, thine
The exultation, the divine
Insanity of noble minds,
That never falters nor abates,
But labors and endures and waits,
'Till all that it foresees it finds,
Or what it can not find, creates."

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS

Mr. STAFFORD. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (S. 174) to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the Southeastern States.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be considered by the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Board of Managers of the National Home for Disabled Volunteer Soldiers is authorized and directed to select a tract of land located in one of the Southeastern States or to acquire land by donation and without expense as a site for a branch home of the National Home for Disabled Volunteer Soldiers to be located in one of the Southeastern States. The land selected or acquired shall be transferred to the jurisdiction of the Board of Managers of said home, together with all books, maps, records, and other documents necessary for use, administration, and control of such land.

SEC. 2. The Board of Managers of the national home is authorized and directed to provide for the improvement of the land so selected or acquired and for the construction, equipment, operation, and maintenance thereon of suitable buildings for the use of a branch home.

SEC. 3. There is hereby authorized to be appropriated the sum of $2,000,000 to carry out the provisions of this act.

With the following committee amendments:

Page 1, line 5, strike out the word "Southeastern" and insert in lieu thereof the word "Southern";

Page 1, line 8, strike out the word "Southeastern" and insert in lieu thereof "Southern"; and

The committee amendments were agreed to.

Mr. GREEN. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Florida [Mr. GREEN] is recognized.

Mr. GREEN. Mr. Speaker and Members of the House, I shall address you briefly as to the merit of the passage to-day of the bill now before the House which provides for the establishment in one of the Southern States of a branch of the National Home for Disabled Volunteer Soldiers.

During the Seventieth Congress, owing to so many persons, ex-soldiers residing in my State, permanently and temporarily, the State meeting of the Spanish-American War veterans, soon after their adjournment, wrote me asking that a branch of the national home be established in the State of Florida. Of course, I took the matter up promptly with General Wood, and he very promptly responded with such information and advice as he, as the president of the Board of Managers, could offer along this line.

The result was that during the Seventieth Congress I introduced a bill in the House and a similar bill was introduced in the other body calling for the establishment in the State of Florida of a branch home of the National Home for Disabled Volunteer Soldiers and calling for an appropriation of $3,000,000, and, of course, the lands to be provided without expense to the Government—the home to be erected either on existing Government lands or on lands to be furnished without expense to the Government. The response in our State was unusually good; number of persons and organizations offered tracts of land, and the matter took on a great magnitude; other States saw it would be well to have a home somewhere in the Southeast, and numbers of bills were introduced. It led eventually to an attempt in the other body, first, to broaden the bill and to change the word from "Florida" to "Southeast," which was done, and the bill passed.

Last session, just before the adjournment of the House, the bill apparently was almost ready for action by the House, but the few hours before adjournment prevented definite and final consideration by the House, or by the whole Committee on Military Affairs. So that in the Seventy-first Congress we find this bill introduced by me again—it has already passed the other—providing for the establishment in the Southeast of a branch of the soldiers' home and an appropriation of $2,000,000. The situation is, as has been well brought out in hearings before the Military Affairs Committee, that the applications for admission to the homes are growing. We have, I believe, only 500 beds vacant, outside of the one in Maine, with the expectation of 3,000 soldiers soon to ask for admission. The number applying from my State, through me, is very large, and through the other Members, of course, I am sure is large. It happens in my State that not only World War veterans, not only Spanish-American War veterans, but particularly the War between the States veterans, have gone there on account of our climate. That makes, of course, the demand upon us locally greater for admission into these homes. The governor of the home in Tennessee and the one in Virginia, as promptly as they possibly could, have given to our Florida people admission into their homes, but the fact of the matter is that if one goes from south Florida to one of those homes he travels some 1,400 miles; if he goes from Mississippi to one of those homes, he has probably traveled half a thousand miles; if he goes from Georgia, he probably travels a third or fourth of that amount. So that it seems to me it is a very good business policy and very good reasons for the establishment, at this time and by this Congress, of a branch soldiers' home in the Southeast.

Now, as to where the branch shall be located if left with the Board of Managers to decide on such place as they believe and know would be the most suitable. It happens the district I represent in Florida, I do not believe, is more than 40 miles from the exact center of all of the portion of the Southeast which would be served by such a new branch of the soldiers' home. It is right at the hub of the wheel of the center of the population. It happens, also, that your Federal Government has there a United States veterans' hospital, one of the finest, best arranged, and best managed of all of the hospitals for veterans in our country, and it happens they have some 300 acres of the choicest land there that the Government owns. It happens, also, according to the figures in Director Hines's office, that the per capita maintenance cost of the World War veterans' hospital at Lake City, Fla., is, I believe, smaller than at any other hospital in the Union, and if the per capita maintenance cost of the veterans' hospital is smaller, it would be reasonable to conclude that a branch home of the National Home for Disabled Volunteer Soldiers could be operated near to this hospital with a minimum expense per capita. The specialists there, of course, could attend your soldiers, if need be, and could cooperate in that way. However, those things are to come later.

I have received a large number of telegrams, letters, and petitions, urging that this legislation be enacted at this session of Congress. Particularly strong indorsements have come from Dr. L. M. Anderson, chairman of the resolutions committee of the Florida State Medical Association. This association, through Doctor Anderson, has sent a long letter indorsing the establishment of such a branch in the State of Florida, and giving in detail the good climatic conditions which prevail and which render so feasible the establishment there of such a branch home. This resolution copy is found on page 53 of the hearings held before the Military Affairs Committee of the House on January 17, 1930.

Also on page 54 of the same hearings will be found a strong petition by Col. E. I. Weil, Florida department commander of the United Spanish War Veterans; one from the Hon. Fred P. Cone, past president of the Florida State Bankers' Association; one from Mr. C. F. Cramer, who represents the National Winter Retreat, Spanish War Veterans, Nurses, Widows, and Auxiliaries, and whose address is Lake Weir, Fla. In his petition he offers a large acreage of his association's holding in Lake Weir, Fla., for the location there of such a home.

Time will not permit mention of the numerous other letters and petitions from my State asking for this legislation.

If the House passes the bill to-day, and the President signs same, the final location will be left with the Board of Managers of the National Home for Disabled Volunteer Soldiers, of which Gen. George H. Wood, of Dayton, Ohio, is chairman. Then the citizens of all the States of the South will be able to present their claims for location to the board, the board having the final say in the actual location of the home. Frankly, I believe that the bill should pass, and that the home should be located in the second congressional district of Florida, as it is the most centrally located point in all of the territory of the Southeast which now is without a branch of the National Home for Disabled Volunteer Soldiers. And for reasons before mentioned, I trust that the home will be located there. The climate of Florida in general, and of the second congressional district of Florida in particular, is matchless. Conditions for patients of the home are there unparalleled. Fresh fruits, fresh vegetables are there to be had 12 months in the year; these are necessary for the health and happiness of the patients at soldiers' homes.

Passage of this bill will culminate a long, drawn-out, earnest, and united effort of Florida. The bill before the House to-day is the form of the one which I introduced with the word "South" substituted for "Southeast."

The branch home is needed, and I sincerely hope that the House will pass the bill. [Applause.]

Mr. O'CONNOR of Louisiana. Mr. Speaker, I move to strike out the last two words.

I desire to congratulate the committee on reporting out this bill. It will give satisfaction to the Gulf States particularly, as they form a part of the Southern States. I think it is to the credit of the committee that they were so thoughtful as to amend the bill so as to make for an equal opportunity on the part of all of the Southern States, and not confine the provisions of the bill and its direction to the Southeastern States.

As I suggested a few moments ago to the gentleman from Wisconsin [Mr. STAFFORD], who has shown such a laudable interest in all bills affecting the welfare of all of our soldiers, both in the Committee on Military Affairs and on the floor of this House, during the course of his very able presentation of H. R. 9638, to establish a branch home of the National Home for Disabled Volunteer Soldiers in Oregon, I had introduced a bill the purpose of which is to establish a branch home for disabled volunteer soldiers in Louisiana. I knew that our good friend had inadvertently made the erroneous statement that there were but two bills before the committee, and that he would be quick to correct any misapprehension on the subject that might result from his statement. I suppose that there were a dozen bills before the committee, but the members thereof decided to authorize the establishment of two branch homes at this time.

The bill that I introduced and had referred to the Committee on Military Affairs was sent me by a number of prominent gentlemen forming a committee of the New Orleans Association of Commerce. The chairman of that committee is my friend, Gen. Allison Owen, who has taken an active interest in the military affairs of this country, which, of course, is his country, your country, and my country, from his earliest days. He was a prominent member of the Washington Artillery, one of the

famous artillery organizations of the United States. Its history is in a large measure the history of Louisiana.

It is now merged into the State National Guard of Louisiana. My friend was in the Spanish-American War and he was in the World War. I mention these facts not to laud him, because he needs no laudation, but merely to establish the fact that the committee, of which he is the chairman, has a patriotic interest in the soldiers of our country.

In the event that the committee amendment, which will be adopted, of course, by this House, is not stricken out in conference and the Members from the Gulf States should see that the amendment is not stricken out, I know that General Owen and his friends will be able to demonstrate to the Board of Managers of the National Home for Disabled Volunteer Soldiers that the finest place in this country on which to locate a branch home is in the piney woods section of southern Louisiana contiguous to New Orleans, and separated from it only by the historic Lake Pontchartrain, which is spanned by one of the finest bridges in the world. In other words, from the standpoint of a health-giving, healthful location nothing is comparable to the piney woods section to which I have referred, as I believe the vital statistics of the country will prove. Again, there located, it would be in close touch with the city of New Orleans, which in itself is a great depot and warehouse for the many things that a home might have to call for at any moment.

I was glad to vote, Mr. Speaker, for H. R. 9638, which provides a home for that district which lies between Los Angeles, Calif, and the Canadian line and from the Pacific to the eastern edge of Wyoming and Montana, in which there is at present no national soldiers' home. And I am glad, of course, to vote for S. 174, to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the Southern States in accordance with the amendment which we have adopted. It will be gratifying to soldiers and to those citizens who have served their country in peace and war time, because they love that country and "scorn to give ought other reason why."

Mr. EDWARDS. Will the gentleman yield?

Mr. STAFFORD. Mr. Speaker, I move to strike out the last two words in order that I may yield to the gentleman from Georgia.

Mr. EDWARDS. I notice the committee struck out the word "Southeastern." This soldiers' home is needed more particularly in the Southeastern States than in the section which I think the gentleman from Wisconsin has in mind. It is true that there is a home in Ohio, is it not?

Mr. STAFFORD. There is a branch home in Tennessee.

Mr. EDWARDS. And there is one in Ohio as well as in Tennessee?

Mr. STAFFORD. There is one at Dayton, Ohio, near Cincinnati, and one at Johnson City, Tenn.

Mr. EDWARDS. And one in Virginia?

Mr. STAFFORD. And one in Virginia.

Mr. EDWARDS. And this home is needed in the southeastern part of the country. The same condition that obtains in the Northwest, in Oregon, obtains in the section where this home is needed. I hope this word which has been stricken out in the House will be restored by the conferees, and the home will be established for the Southeastern States where it is needed. The home is badly needed, and I am glad the bill is to pass and give our section this much-needed institution.

Mr. STAFFORD. Mr. Speaker, it was the judgment of the committee after mature consideration that latitude of discretion should be given to the Board of Managers to select a site, and we did not wish to limit them by any one geographical section, but it was made the Southern States generally, so as to include the Gulf States.

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

A motion to reconsider was laid on the table.

The title was amended.

Mr. STAFFORD. Mr. Speaker, the Committee on Military Affairs does not wish to call up any further bills to-day.

UNEMPLOYMENT

Mr. MEAD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the question of unemployment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MEAD. Mr. Speaker, I desire to bring to the attention of the House as forcibly as possible a matter which, in my judgment, is the most important problem of government. No problem considered by Congress in this session approaches in importance the problem presented by the vast and ever-increasing number of unemployed workers. The problems of international peace, prohibition, naval disarmament, the tariff, Muscle Shoals, and other matters are of far less value and importance than the consideration and solution of this grave question. The Nation's progress, prosperity, security, and success are dependent upon the effectiveness and promptness with which we settle this matter. No Member of the House can give it the time and consideration it merits, but it is the duty of every Member of Congress recognizing the capital importance of this great question to put forth his best effort to right the evil and unbalanced condition in which the Nation finds itself to-day.

Individual business facing the keen competition of the day will not solve the problem of unemployment. Industry in America is engaged in a terrific drive with its competitors with increased productivity and reduced cost as its goal. The task is, therefore, one for the Government to solve and it particularly recommends itself to the Federal Government for it is our duty to consider the problems that are nation-wide in scope and that affect the very lives, rights, and happiness of our people. In the past, during periods of widespread unemployment such as the country is in to-day, Congress failed in its duty with a result that this recent period of hard times struck the country with very serious effects bringing in its wake great suffering, poverty, and want. Truly last winter can be termed "America's winter of want." Therefore, our responsibility to act and to act at once is so pressing and urgent that no Member of Congress can fail to recognize his duty and to perform it without delay. Unless we take action within the next two or three weeks, at which time I am informed this session of Congress will have taken its place in history, the United States will face another winter of misery, suffering, poverty, and want which may exceed the unhappy winter just passed in its number of unemployed.

Many bills have been introduced both in the House and in the Senate bearing upon this all engrossing subject but the most important of all of the bills of this nature, the bills that provide the first step toward the ultimate solution of the greater problem, are those sponsored by the junior Senator from the State of New York which only recently received the approval of the Senate. One of these measures authorizes the Bureau of Labor Statistics to gather and publish at monthly intervals accurate and comprehensive employment figures which would serve as a national barometer and enable the authorities to deal more intelligently with the question.

The second bill provides for long-range planning of public works, authorizing a maximum expenditure of $150,000,000 a year for that purpose, and by its provisions periods of depression would be anticipated and the public works initiated in the very beginning of times of unemployment. The third bill provides for a nation-wide free employment service which would be operated in cooperation with the States. It would bring the idle man and the job together in a most effective and practical method.

The three measures mentioned are all of fundamental importance in any intelligent and constructive effort looking towards the ultimate solution of the unemployment problem. The adoption of these bills will enable the Government to intelligently apply its power and resources to the alleviation of this serious evil. They have been recommended by the leading newspapers and magazines of the country, by economists and authorities on labor legislation, by committees of Congress and commissions appointed by the President of the United States. The New York Tribune of May 3 last published an editorial from which I quote the following paragraph:

> Obviously, what the Government can do in this sphere is limited. But to the extent of its powers it should be permitted to function effectively. And to this end, it seems to us, every one of the Wagner bills should be enacted into law. Moreover, now is the time to put them through before the situation is sufficiently eased to allow Congress and the country to forget the plain lessons of our "winter of discontent."

When Mr. Hoover was Secretary of Commerce he appointed a group of distinquished men, of which Owen D. Young was chairman, to study the question of business cycles in unemployment. That conference reported in favor of unemployment exchanges as an important part of any program for the solution of this important economic question. In the report of the Secretary of Labor for 1928 we find Mr. Davis advocated the establishment of employment exchanges as a vital part of any program to help solve the problem of unemployment. I further understand that the Secretary, in a communication to the Senate Committee, recommended the legislation contained in the Wagner bills.

Recently the Senate Committee on Education held extensive hearings on the subject of unemployment and in the report submitted by that committee it recommended as a vital part of any program for the solution of the unemployment problem the creation and operation of unemployment exchanges.

In a recent address before the United States Chamber of Commerce President Hoover explained that the Government was taking steps to solve the problem of unemployment. He mentioned three important methods by which the Government was attempting to prevent a recurrence of the present unemployment situation, and these three methods are provided for in the bills sponsored by Senator WAGNER. The collection of accurate information and statistics, the advanced planning of public works by the Government, and the establishment of employment exchanges is the program advocated by the President.

UNEMPLOYMENT

After these three measures are enacted into law and we set up a chain of national employment exchanges, create an information bureau that will furnish accurate and complete statistics concerning employment, and create a Federal agency for the inauguration of public works in times of unemployment, it shall then be our further duty to continue our consideration of this question until there is sufficient employment provided in this country for every citizen who is anxious to work. It seems to me that among the inalienable rights of the people of these United States is the right to work, for without it "life, liberty, and the pursuit of happiness" is a meaningless phrase. By constantly improving the methods of mass production, by substituting machines that throw men out of work faster than new jobs can be created for them it is obvious that the remedies contained in these three bills will not entirely solve the evil of unemployment. They merely provide the groundwork which will intelligently enable us to carry on the program in an effective and enlightened way.

To illustrate the seriousness of this grave economic question and the great need of immediate action thereon let me explain very briefly a scene at the Little Church Around the Corner which is located at No. 1 East Twenty-ninth Street, New York City. One morning not so long ago a line composed of upwards of 2,000 men standing in solid formation 5 abreast covering a distance of three city blocks, waited for a little blue ticket that would entitle the holder to a bowl of soup and a cup of coffee at a station located approximately 1 mile away from the church.

These men, because of the great number, stood around for hours from the time they took their place in the bread line until they were eventually fed at the soup house. This is an illustration of what is going on throughout the length and breadth of this Nation and it is a damning indictment against our intelligence and sense of justice and fair play to permit such a situation to continue.

In this day and age of mass production, bigger profits, and lower prices there must be higher wages, shorter hours, and permanent employment, for without mass consumption mass production can not exist very long. Unemployment, reduced wages, or any other economic act that diminishes the purchasing power of the masses is bound to destroy the whole mass-production idea and unbalance our economic structure. The employer who forces his employees to work 10, 12, or 14 hours per day, one who profits at the expense of child labor, one who insists upon men and women working seven days a week, should be treated as an unworthy citizen for he is not only injuring himself and his employees but he is also doing an injury to the country which protects him and his property.

Again let me remind you, my colleagues of the House, that no responsibility in all the history of our Republic has ever been more urgent or more pressing than our present need of effecting proper adjustment between the needs of our vast army of consumers and the decreasing but more powerful producing classes. No matter how often the President may issue reassuring proclamations the situation is going from bad to worse constantly and unless something is done decisively an evil day for the Republic is not far off. Our unemployed workers, now in growing numbers because of the increasing pressure of the machine, must not starve. No greater or more patriotic act could ever be performed by the Members of this body than by the enactment of a program of legislation which would point to the ultimate solving of this evil.

I appeal generally to my colleagues of the House, and in particular to the Speaker, the majority leaders, and the members of the powerful steering committee to place their stamp of approval on these three bills. In my judgment we would be remiss in our duty to the people of the country were we to permit Congress to adjourn without sending these measures to the President for his approval.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. BURTNESS, beginning June 12, for the balance of the session, on account of official business.

Mr. GIBSON (at the request of Mr. BRIGHAM) until Tuesday, June 17, on account of important business.

PRIVATE CALENDAR

Mr. TILSON. Mr. Speaker, I ask unanimous consent that on Friday next bills on the Private Calendar unobjected to may be considered in the House as in Committee of the Whole, beginning at the star, Calendar No. 541.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that on next Friday bills on the Private Calendar unobjected to may be considered in the House as in Committee of the Whole, beginning at the star. Is there objection?

Mr. CHINDBLOM. Reserving the right to object, I think it would be well if there is an understanding now as to the matter of returning to any bills prior to the star.

Mr. TILSON. I am making no request as to that.

Mr. LAGUARDIA. Mr. Speaker, we serve notice now that efforts to go back of the star will be objected to, without knowing at this time what the applications will be.

Mr. CHINDBLOM. That is wise.

Mr. CRAMTON. Reserving the right to object, will the gentleman from Connecticut be willing to say something about the procedure on Saturday in connection with the conference report on the tariff bill, and whether there will be some time taken in debate?

Mr. TILSON. I suppose that is a matter to be determined largely by agreement between the gentleman from Oregon, the chairman, and the gentleman from Texas, the ranking minority member, of the Ways and Means Committee.

Mr. CRAMTON. My only interest is that I am to be away on Friday and my return on Saturday would depend upon the hour the vote is to be taken.

Mr. GARNER. I talked with the gentleman from Oregon [Mr. HAWLEY] about an hour ago and he asked me if I would agree to vote on both reports at the same time, but I declined to do so. Unless a rule is brought in for that purpose, there will be two separate votes. I assume the gentleman from Oregon will call up No. 1 first, as that has already been discussed in the House and passed on by the House, and there are very few changes made in it. That will probably take an hour in debate. Report No. 2 will come up after that, and as that has never been discussed in the House, it will probably take two hours; there will be two roll calls and we will probably be through by 5 o'clock.

Mr. TILSON. Mr. Speaker, I renew my request.

Mr. RANKIN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Connecticut what he expects to take up next week?

Mr. TILSON. Monday is the regular day for the consideration of the Unanimous Consent Calendar. Beyond that we are not able to go at the present time and until we see what the situation is.

Mr. RANKIN. Then why the hurry in taking up the Private Calendar?

Mr. TILSON. Friday is the regular day, and it has been announced as the program. It is the regular day for the Private Calendar anyway.

Mr. RANKIN. Let me ask the gentleman from Connecticut again. I see it stated in the morning papers that it is the intention of the leaders to attempt to adjourn this Congress without the veterans' bill becoming a law, and I just wondered if that had anything to do with the speeding up of this Consent Calendar and this Private Calendar?

Mr. TILSON. I have not heard the matter referred to mentioned in this connection at all. We are trying to have the business of the Congress transacted in as orderly a manner as possible and as expeditiously.

Mr. RANKIN. Since the rest of us are kind enough to grant these unanimous-consent requests, I just wondered if the gentleman from Connecticut would not help us to hold the Congress in session until the veterans' bill can be disposed of in the Senate and go to the White House and back or receive the signature of the President.

Mr. TILSON. Mr. Speaker, I do not control the House. A majority of the House controls it.

Mr. RANKIN. But the gentleman from Connecticut does control his own attitude, and a great many on his side will gladly follow him, so I would like to ask him about his attitude and whether he will help us to that extent.

Mr. TILSON. I shall help expedite the business of the House as rapidly as possible as it comes along.

Mr. RANKIN. What about the gentleman's attitude toward helping us to get a vote on the veterans' bill?

Mr. TILSON. I make no exceptions at all. It is all the business of the House. Mr. Speaker, I renew my request.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, I ask the gentleman that question.

Mr. TILSON. I have answered the gentleman.

Mr. RANKIN. No; the gentleman from Connecticut has evaded it. It is being stated in the press every day that it is the intention of the leaders to adjourn this Congress without the veterans' bill becoming a law or having an opportunity to go to the White House and back or receiving the signature of the President.

Mr. TILSON. I am not responsible for what the press has to say.

Mr. RANKIN. The gentleman from Connecticut is responsible for his own conduct.

Mr. TILSON. I am and shall continue to be.

Mr. RANKIN. And the gentleman can let us know whether or not he will help us to get a vote on this bill and on the veto message if the bill is vetoed.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. RANKIN. Yes.

Mr. CHINDBLOM. Friday being the day for the consideration of the Private Calendar, the effect of the unanimous consent is only to determine whether we shall take up the calendar in the regular order or not.

Mr. RANKIN. I will say to the gentleman from Illinois that I am perfectly familiar with that fact. The thing I am trying to get at is the attitude of the leaders in this House with reference to an alleged attempt to kill the veterans' bill by adjournment.

Mr. TILSON. There has been no such attempt.

Mr. RANKIN (continuing). Adjourning the Congress before we have an opportunity to vote on it, or before the bill has an opportunity to go to the White House and come back in case of a veto.

Mr. TILSON. There has been no such attempt to kill any legislation so far as I know.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. RANKIN. Yes.

Mr. SCHAFER of Wisconsin. Does not the gentleman think his statement is manifestly unfair? The leaders of the House of Representatives certainly can not control the leaders of the other body and pass legislation for them; and in so far as voting to adjourn is concerned, that is a question for each individual Member to decide when the motion comes before us.

Mr. RANKIN. Let me say to the stentorian gentleman from Wisconsin that I am merely asking for the attitude of the leaders in this House. I want to get the attitude of the leaders on this proposition, since the press continues to carry the statement that they are attempting to speed up legislation and adjourn the Congress without the veterans' bill becoming a law or having time to go to the White House and come back, if passed by the Congress and vetoed by the President.

Mr. TILSON. I repeat that I am not responsible for what the press carries. I have not been a party to any such attempt as the gentleman indicates. I have given nothing of the kind to the press, and have no knowledge of anything of that kind being under consideration.

Mr. RANKIN. Will the gentleman from Connecticut help us in our attempt to hold the Congress in session until the veterans' bill can be voted on and, if passed, go to the White House, and if vetoed by the President, give us an opportunity to vote on the veto?

Mr. TILSON. I am making no promises to the gentleman of any kind whatever. I shall attempt to forward the business of the House as expeditiously as possible, to the end that it may all be completed, if possible.

Mr. RANKIN. Then the gentleman from Connecticut is not willing to say he will assist us in attempting to get a final vote on the veterans' bill?

Mr. TILSON. I am not willing to join the gentleman in his campaign at all. I am trying to forward the business of this House as expeditiously and as orderly as possible. I have asked now that we may consider the Private Calendar on Friday, which is the regular Private Calendar day.

Mr. RANKIN. I will say to the gentleman from Connecticut that I have no campaign. This is merely a fight for justice for the disabled veterans of the World War, and those of us who want this bill passed for their relief are going to oppose any attempt to adjourn this Congress until that bill is finally disposed of. If passed by the Senate and is vetoed, we want it to come back here so that we may have an opportunity to vote on it.

Mr. TILSON. Mr. Speaker, I renew my request.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I reserve the right to object in order to suggest to the gentleman from Mississippi that before he becomes so vehement in endeavoring to lecture the Republican floor leader he first ascertain from the Democratic leaders and from the Members of the Democratic Party whether each and every one of them is going to vote against adjournment until certain specific legislation is enacted into law.

Mr. RANKIN. I reserve the right to object to make one further statement. I desire to say to the gentleman from Wisconsin that the Democrats are in favor of the veterans' bill and will help to hold the Congress in session until it is finally disposed of; and if the President should return it without his signature we are ready to vote to pass it over the veto.

Mr. SCHAFER of Wisconsin. And I will state to the gentleman from Mississippi that the roll call on the motion to adjourn will show whether the gentleman is speaking accurately or not. I have heard that line of talk before.

Mr. TILSON. Mr. Speaker, I renew my request.

The SPEAKER. Is there objection?

There was no objection.

ERECTION OF A BANKING HOUSE AT FORT LEWIS, WASH.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4046) authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash., an identical bill, H. R. 11277, introduced by me, having been reported by the Military Affairs Committee.

I would like to say that this is an emergency in that it will give some employment. The banking house is now on the reservation, but without its own house.

The bill permits a revocation so that the building can be taken off if necessary. The report was made by the Committee on Military Affairs.

Mr. LAGUARDIA. What kind of a house is it?

Mr. JOHNSON of Washington. A banking house on a military reservation. The bank is a great convenience to the officers and soldiers at Fort Lewis.

Mr. GARNER. Is this a unanimous report from the committee?

Mr. McSWAIN. Yes; and it is a revocable license.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

S. 4046

An act authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.

Be it enacted, etc., That the Army National Bank of Fort Lewis, Wash., a national banking corporation organized and existing under the laws of the United States relative to national banks, be, and is hereby, authorized to erect in and on the United States military reservation at Fort Lewis, Wash., and there maintain, under such regulations and conditions and for such term or terms as the Secretary of War may prescribe, a suitable building for the conduct of its general banking business and to occupy and use the same for and conduct therein a general banking business authorized under and by the charter of said bank and the laws of the United States relative to national banks: *Provided,* That such building shall be erected upon the location prescribed by the Secretary of War and be constructed in accordance with plans first approved by him.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

SALE OF THE REMAINDER OF COAL AND ASPHALT DEPOSITS IN THE CHOCTAW AND CHICKASAW NATIONS, OKLAHOMA

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4140, and further insist on the House amendment and agree to the conference asked for by the Senate.

The Clerk read the title to the bill.

Mr. GARNER. What committee reported the bill?

Mr. LEAVITT. The Committee on Indian Affairs. The gentleman from Wisconsin [Mr. STAFFORD] offered amendments which were accepted by the House. The Senate has disagreed, and we wish to further insist on the House amendments.

Mr. GARNER. Do you expect to go over and yield to the Senate?

Mr. LEAVITT. The statement of the gentleman from Wisconsin was that the amendments appealed to him, and he wishes to have the matter considered in conference. He is not asking to have the conferees bound. I have no idea of going into the conference bound in any way, although I agreed with the gentleman from Wisconsin that his proposal should be given real consideration.

Mr. GARNER. Who is the conferee on the Democratic side?

Mr. LEAVITT. Judge EVANS.

Mr. GARNER. Is he in favor of going to conference?

Mr. LEAVITT. He is.

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

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. LEAVITT, Mr. SPROUL of Kansas, and Mr. EVANS of Montana.

SENATE BILLS REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 4551. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplemental thereto; to the Committee on the District of Columbia.

S. Con. Res. 30. Concurrent resolution to pay to Helen T. Scott a sum equal to six months' compensation of the late Walter W. Scott; to the Committee on Accounts.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 976. An act providing that subscription charges for newspapers, magazines, and other periodicals for official use may be paid for in advance;

H. R. 1086. An act for the relief of George W. Posey;

H. R. 8479. An act to amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 3298. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Evansville, Ind.;

S. 3386. An act giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on February 12, 1929;

S. 3466. An act to legalize the water pipe line constructed by the Searcy Water Co. under the Little Red River near the town of Searcy, Ark.;

S. 3868. An act granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River at or near Talisheck, La.;

S. 3898. An act granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith;

S. 3950. An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans.;

S. 4175. An act to legalize a bridge across Duck River, on the Nashville-Centerville Road, near Centerville, in Hichman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road; and

S. J. Res. 155. Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson.

BILLS AND JOINT RESOLUTION 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 and a joint resolution of the House of the following titles:

H. R. 976. An act providing that subscription charges for newspapers, magazines, and other periodicals for official use may be paid for in advance;

H. R. 1086. An act for the relief of George W. Posey;

H. R. 8479. An act to amend section 7 of the Public Act No. 391, Seventieth Congress, approved May 15, 1928; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

ADJOURNMENT

Mr. WURZBACH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Thursday, June 12, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, June 12, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To consider several bills relating to unemployment.

COMMITTEE ON THE PUBLIC LANDS

(10.30 a. m.)

To amend sections 17 and 27 of the general leasing act of February 25, 1920 (H. R. 12811).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WURZBACH: Committee on Military Affairs. H. R. 11277. A bill authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.; with amendment (Rept. No. 1856). Referred to the Committee of the Whole House on the state of the Union.

Mr. STALKER: Committee on the District of Columbia. S. 3895. An act to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935; without amendment (Rept. No. 1857). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. S. J. Res. 184. A joint resolution to declare July 5, 1930, a legal holiday in the District of Columbia; without amendment (Rept. No. 1858). Referred to the Committee of the Whole House on the state of the Union.

Mr. STALKER: Committee on the District of Columbia. S. 4243. An act to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia; without amendment (Rept. No. 1859). Referred to the House Calendar.

Mr. PURNELL: Committee on Rules. H. Res. 243. A resolution providing for the consideration of H. R. 12549, a bill to amend and consolidate the acts respecting copyright and to permit the United States to enter the International Copyright Union; without amendment (Rept. No. 1860). Referred to the House Calendar.

Mr. PURNELL: Committee on Rules. H. Res. 244. A resolution providing for the consideration of S. 962, an act to amend and reenact subdivision (a) of section 209 of the transportation act, 1920; without amendment (Rept. No. 1861). Referred to the House Calendar.

Mr. PURNELL: Committee on Rules. H. Res. 245. A resolution providing for the consideration of H. R. 11, a bill to protect trade-mark owners, distributors, and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguishing trade-mark, brand, or name; without amendment (Rept. No. 1862). Referred to the House Calendar.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 3314. A bill to further amend section 6, act of March 4, 1923, so as to make better provision for the recovery and disposition of bodies of members of the civilian components of the Army who die in line of duty, and for other purposes; without amendment (Rept. No. 1869). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANSLEY: Committee on Military Affairs. H. R. 12719. A bill to authorize appropriation for construction at military posts, and for other purposes; without amendment (Rept. No. 1870). Referred to the Committee of the Whole House on the state of the Union.

Mr. STALKER: Committee on the District of Columbia. S. 4211. An act to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927; without amendment (Rept. No. 1871). Referred to the Committee of the Whole House on the state of the Union.

Mr. COOKE: Committee on Indian Affairs. H. R. 11203. A bill to ratify certain leases with the Seneca Nation of Indians; without amendment (Rept. No. 1874). Referred to the House Calendar.

Mr. CRAIL: Committee on Foreign Affairs. H. R. 9702. A bill authorizing the payment of an indemnity to the British Government on account of losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the U. S. S. *Cherokee*; without amendment (Rept. No. 1875).

Referred to the Committee of the Whole House on the state of the Union.

Mr. WOOD: Committee on Appropriations. H. R. 12902. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes; with amendment (Rept. No. 1876). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHARACH: Committee on the Civil Service. H. R. 12742. A bill to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928; without amendment (Rept. No. 1877). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEHLBACH: Committee on the Civil Service. H. R. 12136. A bill to regulate leaves of absence of employees of the navy yards, gun factories, naval stations, and arsenals of the United States Government; with amendment (Rept. No. 1878). 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. ROWBOTTOM: Committee on Claims. H. R. 1335. A bill for the relief of the First State Bank & Trust Co., of Mission, Tex.; with amendment (Rept. No. 1863). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 1709. A bill for the relief of Hedwig Grassman Stehn; with amendment (Rept. No. 1864). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. H. R. 7175. A bill for the relief of Arthur A. Burn, sr., and J. K. Ryland; with amendment (Rept. No. 1865). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 9526. A bill for the relief of G. Carroll Ross; without amendment (Rept. No. 1866). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10850. A bill for the relief of Bernis Brien; without amendment (Rept. No. 1867). Referred to the Committee of the Whole House.

Mr. DOUGLAS of Arizona: Committee on Military Affairs. H. R. 9347. A bill for the relief of Sidney J. Lock; without amendment (Rept. No. 1868). Referred to the Committee of the Whole House.

Mr. PALMER: Committee on the District of Columbia. H. R. 12158. A bill authorizing the Secretary of the Treasury to refund to the so-called assistant directors in the public schools of the District of Columbia, divisions 10–13, all that portion of their salaries erroneously and illegally deducted and withheld under the provisions of the act of June 20, 1906; without amendment (Rept. No. 1872). Referred to the Committee of the Whole House.

Mr. WOLVERTON of West Virginia: Committee on Military Affairs. H. R. 7943. A bill for the relief of Stuart L. Ritz; with amendment (Rept. No. 1873). 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. DAVILA: A bill (H. R. 12901) to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico; to the Committee on Education.

By Mr. WOOD: A bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. BRITTEN: A bill (H. R. 12903) to provide for the removal of the Otter Cliffs radio station; to the Committee on Naval Affairs.

By Mr. FISH: Resolution (H. Res. 246) to provide for the expenses of the Committee on Banking and Currency in carrying out the provisions of House Resolution 220; to the Committee on Accounts.

By Mr. FULMER: Resolution (H. Res. 247) to authorize the printing of the hearings held before the Federal Trade Commission relative to the charge that certain corporations operating cottonseed-oil mills are violating the antitrust laws with respect to prices for cottonseed and acquiring the ownership or control of cotton gins, and that the same shall be printed with accompanying illustrations as a document for the use of the Senate and House; to the Committee on Printing.

By Mr. MICHENER: Resolution (H. Res. 248) to authorize the printing of the report relating to an inquiry into the administration of bankrupt estates conducted before Hon. Thomas D. Thacher pursuant to an order of the United States District Court for the Southern District of New York and the petitions of the Association of the Bar of the City of New York, et al., as a House document; to the Committee on Printing.

By Mr. PERKINS: Resolution (H. Res. 249) authorizing additional clerical service in the enrolling room for the balance of the present session; to the Committee on Accounts.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 362) proposing an amendment to the Constitution of the United States giving the House of Representatives coordinate power in ratification of treaties; to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 363) proposing an amendment to the Constitution of the United States requiring submission of constitutional amendments to the direct vote of the people; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 12904) granting an increase of pension to Mary M. Ough; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 12905) granting an increase of pension to Rachel F. Porter; to the Committee on Invalid Pensions.

By Mr. CHALMERS: A bill (H. R. 12906) to reimburse the Ransom & Randolph Co., of Toledo, Ohio, for supplies furnished the Veterans' Bureau during the fiscal years 1922, 1923, and 1924; to the Committee on Claims.

By Mr. EATON of Colorado: A bill (H. R. 12907) granting an increase of pension to Fannie J. Ames; to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 12908) granting a pension to Belle Hill; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 12909) granting an increase of pension to Charlie R. Saylor; to the Committee on Pensions.

By Mr. HARDY: A bill (H. R. 12910) granting an increase of pension to Emma E. Hodges; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 12911) for the relief of the Lower Vein Coal Co.; to the Committee on Claims.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 12912) granting a pension to Malissa Hoover; to the Committee on Pensions.

By Mr. MILLIGAN: A bill (H. R. 12913) granting an increase of pension to Sarah E. Farrell; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 12914) for the relief of Dorothy Marie O'Higgins; to the Committee on Claims.

By Mr. SIMMONS: A bill (H. R. 12915) for the relief of D. M. Leypoldt Co.; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 12916) granting an increase of pension to Sophia Sabary; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 12917) granting a pension to Sarah Jane Austin; 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:

7530. By Mr. BACON: Petition of Mount Sinai, Millers Place, Bay Shore, and Flushing, N. Y., organizations of the Woman's Christian Temperance Union, urging Federal supervision of motion pictures destined for interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

7531. Also, petitions of Woman's Christian Temperance Unions of Sag Harbor, Greenport, Eastport, Sayville, and Whitestone, N. Y., favoring Federal supervision of motion picture licenses for interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

7532. By Mr. CLARKE of New York: Resolution of the Woman's Christian Temperance Union of Westover, N. Y., requesting Congress to enact a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7533. Also, resolution of the Woman's Christian Temperance Union of Bainbridge, N. Y., requesting Congress to enact a law

for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7534. By Mr. GARBER of Oklahoma: Petition of the John E. Wolf Co., Oklahoma City, Okla., in support of House bill 10344 and in opposition to House bill 11096; to the Committee on the Post Office and Post Roads.

7535. By Mr. HUDSON: Petition of the Detroit Federation of Labor, urging a cessation of border-crossing privileges for the purpose of employment of aliens in the United States, and urging a revocation of any order of proclamation for interference with the rights of the worker in and around Detroit, Mich., which deprives legally domiciled labor of such employment; to the Committee on Immigration and Naturalization.

7536. By Mr. MEAD: Petition of Woman's Christian Temperance Union of Protection, N. Y., for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7537. By Mr. YATES: Petition of F. W. Pangborn, secretary-treasurer Dairy Employees' Union, No. 220, South Ashland Boulevard, Chicago, requesting the passage of House bill 6603; to the Commtitee on the Post Office and Post Roads.

7538. Also, petition of F. R. Eisel, secretary United Brotherhood Carpenters and Joiners, Chicago, Ill., urging the passage of House bill 6603; to the Committee on the Post Office and Post Roads.

7539. Also, petition of James B. Felty, secretary-treasurer Cigar Makers' Union, No. 114, 66 West Washington Street, Chicago, Ill., requesting the immediate passage of House bill 6603; to the Committee on the Post Office and Post Roads.

7540. Also, petition of E. E. Blake, of O. D. Jennings & Co., 4309-4339 West Lake Street, Chicago, protesting against the consideration and passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7541. Also, petition of Jay D. Miller, vice president and general counsel Sprague, Warner & Co., Chicago, Ill., opposing the passage of House bill 11514, to define preserves, jams, etc., and provide standards therefor; to the Committee on Agriculture.

SENATE

THURSDAY, *June 12, 1930*

(Legislative day of Monday, June 9, 1930)

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

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1458. An act for the relief of the State of Florida;

S. 3810. An act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.;

S. 3965. An act to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles rifle range, St. Louis County, Mo.; and

S. 4046. An act authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.

The message also announced that the House insisted upon its amendment to the bill (S. 4017) to amend the act of May 29, 1928, pertaining to certain War Department contracts by repealing the expiration date of that act, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RANSLEY, Mr. WURZBACH, and Mr. QUIN were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendments to the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LEAVITT, Mr. SPROUL of Kansas, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 174. An act to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the Southeastern States;

S. 465. An act to give war-time rank to retired officers and former officers of the United States Army; and

S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 233. An act to approve the action of the War Department in rendering relief to sufferers of the Mississippi River flood in 1927;

H. R. 3222. An act for the relief of the State of Vermont;

H. R. 4290. An act to provide for the care of private battlefield memorials in Europe;

H. R. 6128. An act to establish a national military park to commemorate the Battle of Kings Mountain;

H. R. 7638. An act 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;

H. R. 7929. An act providing retirement for persons who hold licenses as navigators or engineers who have reached the age of 64 years and who have served 25 or more years in the Army Transport Service;

H. R. 9638. An act to establish a branch home of the National Home for Disabled Volunteer Soldiers in one of the Northwest Pacific States; and

H. R. 11409. An act to authorize the erection of a tablet in the Fort Sumter Military Reservation to the memory of the garrison at Fort Sumter during the siege of 1861.

ENROLLED BILLS SIGNED

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. 8372. An act to provide for the construction and equipment of an annex to the Library of Congress;

H. R. 11903. An act granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Niagara Falls, N. Y.; and

H. R. 11933. An act granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Tonawanda, N. Y.

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

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

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

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

BRIDGES IN THE STATE OF KENTUCKY

Mr. BARKLEY. I ask that the Chair lay before the Senate the bill S. 4269, returned from the House of Representatives with amendments.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4269) authorizing the Commonwealth of Kentucky, by and through