

Also, petition of patrons of the National League Baseball Grounds, at Chicago, Ill., believing in human liberty and the principle of self-determination, urge upon the Congress of the United States to recognize the Irish Republic as now established; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of National Board of Farm Organizations, Washington, D. C., concerning antitrust laws as affecting farmers; to the Committee on Agriculture.

Also, petition of National Board of Farm Organizations, Washington, D. C., concerning antitrust laws as affecting farmers; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of the Illinois Manufacturers' Association and sundry citizens of Illinois, opposing the enactment of the Kenyon bill (S. 2202), the Kendrick bill (S. 2199), and the Anderson bill (H. R. 6492), relating to the livestock and meat-packing industries; to the Committee on Agriculture.

Also, petition of the Illinois Agricultural Association and sundry citizens of Illinois, favoring repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of George A. Custer Post, No. 1, Department of Alabama, Grand Army of the Republic, favoring House bill 7022 increasing Civil War pensions; to the Committee on Invalid Pensions.

Also, petition of the Polish Alma Mater Society, opposing Senate bill 2099 to prohibit admission to the mails of publications printed in a foreign language; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Belvidere, Ill., praying for the speedy return of the Twenty-seventh and Thirty-first Infantry from Siberia; to the Committee on Military Affairs.

Also, petition of the Illinois Association of Postmasters and of sundry post-office officials and employees for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. GOULD: Petition of the Weedsport (N. Y.) Branch of the Railway Mail Association, for the adoption of legislation to increase the salaries of railway mail clerks; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Iowa: Petition of the City Council of the city of Keokuk, urging the Committee on the Post Office and Post Roads to make a favorable report on Senate joint resolution No. 48; to the Committee on the Post Office and Post Roads.

By Mr. McGLENNON: Petition of the Board of Commissioners of Bayonne, urging the adoption by the Congress of the United States of a resolution providing for recognition of the republic of Ireland; to the Committee on Foreign Affairs.

Also, petition of the Board of Trade of the city of Newark, N. J., protesting against Government ownership of the railroads; to the Committee on Interstate and Foreign Commerce.

By NEELY (by request): Resolution adopted by the Logan Coal Operators' Association in re Plumb plan for nationalization of railroads; to the Committee on Mines and Mining.

By Mr. RAKER: Telegrams from the Madera Sugar Pine Co., Madera, Calif., and the California White & Sugar Pine Manufacturers' Association; letters from the California Sugar & White Pine Co., of San Francisco, and the Riverside Chamber of Commerce, Riverside, Calif.; telegram from the Bayside Lumber Co., of San Francisco; and letter from the California Sugar & White Pine Manufacturers' Association, of San Francisco, Calif., urging support of the Cummins bill, which provides for the return to the Interstate Commerce Commission of the power to suspend rates; to the Committee on Interstate and Foreign Commerce.

Also, telegram from the California Associated Raisin Co., Fresno, Calif., protesting against any legislation prohibiting the export of foodstuffs that would apply to raisins; to the Committee on Interstate and Foreign Commerce.

Also, letter from the Sisson Headlight, Sisson, Calif., protesting against any repeal of the zone postal law; to the Committee on the Post Office and Post Roads.

By Mr. RAMSEYER: Petition of post office clerks of Newton, Iowa, urging an increase of salary; to the Committee on the Post Office and Post Roads.

By Mr. ROWAN: Petition of sundry employees of the United States Government, members of the Navy Yard Retirement Association, Navy Yard, New York, favoring Sterling-Lehlbach retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Institute for Public Service, William H. Allen, director, regarding budget plan; to the Committee on Rules.

By Mr. TIMBERLAKE: Petition of the Colorado Cannery Association, by P. H. Troutman, president, protesting against the Kenyon bill, Senate bill 2202; to the Committee on Agriculture.

By Mr. WHITE of Maine: Petition of Mount Sugar Loaf Grange No. 111, of Dixfield, Me., protesting against the so-called Lane reclamation plan; to the Committee on the Public Lands.

Also, petition of Citizens of Wiscasset, Me., protesting against the so-called "luxury taxes"; to the Committee on Ways and Means.

Also, petition of the Pleasant Valley Grange of Rockland, Me., protesting against the Lane reclamation plan; to the Committee on the Public Lands.

By Mr. YATES: Petition of Hon. Walter A. Shaw, member of the public utilities commission, Springfield, Ill., urging increase in the wages of postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of the Chicago Railway Equipment Co., by E. B. Leigh, president, Chicago, Ill., containing protest against the Kenyon bill; to the Committee on Agriculture.

Also, petition of Charles E. Ward, Chicago, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of George Schern, editor and manager of the Journal, Peoria, Ill., urging 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Inderrieden Canning Co., Chicago, Ill., protesting against the repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Seymour & Peck Co., by C. E. Warren, president, Chicago, Ill., containing protests against the Kenyon bill and the Nolan-Kenyon bill; to the Committee on Agriculture.

Also, petition of Illinois Manufacturers' Association, by John M. Glenn, secretary, Chicago, Ill., containing protest against policy of board of contract adjustment in following legal precedents and Court of Claims decisions in adjusting informal contracts; to the Committee on the Judiciary.

Also, petition of chamber of commerce, East St. Louis, Ill., protesting against Senate bill No. 2202; to the Committee on Agriculture.

Also, petition of postmaster of Ottawa, Ill., Mr. James J. Dougherty, favoring the increase of salaries of postal employees to cope with the high cost of living; to the Committee on the Post Office and Post Roads.

Also, petition of L. W. Meckstroth, president Woodstock Typewriter Co., Chicago, Ill., containing protest against the Nolan-Kenyon bill; to the Committee on Agriculture.

Also, petition of Julius E. Weil, of Rosenwald & Weil, Chicago, Ill., urging unbiased consideration of House joint resolution 121 and Senate joint resolution 57; to the Committee on Labor.

Also, petition of J. C. Belden, president Belden Manufacturing Co., Chicago, Ill., urging unbiased consideration of the House joint resolution 121 and Senate joint resolution 57, concerning conference in the interests of capital and labor; to the Committee on Labor.

Also, petition of Chicago Federation of Labor, 166 West Washington Street, Chicago, Ill., protesting against denial of the right of asylum; to the Committee on Public Buildings and Grounds.

Also, petition of Thomas James, Springfield, Ill., urging the passage of the bill for increase in the wages of postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of Paul R. Lisher, Joliet, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of George A. Wood, United States yards, Chicago, Ill., containing protest against the Kenyon and Kendrick bills; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

TUESDAY, August 19, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We invoke Thy blessing, O God our Heavenly Father, upon all the deliberations of this House to-day, that they may be in consonance with our highest conceptions of right and duty, that the onward march of civilization may be accelerated, and Thy kingdom come, and that right speedily, and Thy will be done in all the earth, under the divine leadership of the world's Great Exemplar. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

Mr. SEARS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Florida makes the point of order that no quorum is present. Obviously no quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Kansas moves a call of the House.

A call of the House was ordered.

Mr. BLANTON. Mr. Speaker, are we to vote on the amendment of yesterday?

The SPEAKER. No; this is simply a call of the House. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Alexander	Dunn	Lea, Calif.	Rouse
Andrews, Md.	Echols	Linthicum	Sabath
Babka	Evans, Mont.	Longworth	Saunders, Va.
Begg	Evans, Nebr.	Luce	Scully
Benham	Fairfield	Luhning	Shreve
Bland, Ind.	Flood	McAndrews	Sisson
Bland, Mo.	Foster	McKenzie	Slemp
Boles	Frear	Magee	Smith, Ill.
Booher	Freeman	Mann	Snell
Brand	Gallvan	Mead	Stedman
Britten	Gandy	Monahan, Wis.	Stephens, Miss.
Brooks, Ill.	Goodykoontz	Moon	Sullivan
Brown	Graham, Pa.	Moore, Pa.	Summers, Wash.
Brumbaugh	Greene, Mass.	Morin	Summers, Tex.
Buchanan	Griest	Mott	Taylor, Ark.
Burke	Hadley	Mudd	Tilson
Candler	Hamill	Nicholls, S. C.	Towner
Cannon	Hardy, Colo.	Nolan	Vare
Carter	Hersey	Osborne	Walsh
Casey	Hicks	Paige	Walters
Christopherson	Hill	Parker	Ward
Clason	Humphreys	Peters	Wason
Copley	Jefferis	Purnell	Whaley
Costello	Johnson, S. Dak.	Rainey, J. W.	Wilson, Pa.
Cramton	Kelley, Mich.	Randall, Calif.	Wise
Crowther	Kennedy, Iowa.	Randall, Wis.	Woodyard
Dempsey	Kettner	Rogers	Wright
Dickinson, Iowa	Kiess	Rose	Zihlman

The SPEAKER. On this roll call 317 Members have answered to their names. A quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1289. An act for the relief of Simon M. Preston;

S. 1004. An act for the relief of the owners of the steam lighter *Cornelia*;

S. 1005. An act for the relief of the owner of the steamship *Matoa*;

S. 1670. An act for the relief of the Arundel Sand & Gravel Co.;

S. 629. An act for the relief of the Alaska Steamship Co.;

S. 608. An act for the relief of Orion Mathews;

S. 609. An act for the relief of James Duffy;

S. 2676. An act to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916;

S. 1546. An act for the relief of Katie Norvall;

S. 2677. An act to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes;

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker;

S. 2257. An act for the relief of George B. Hughes;

S. 2496. An act authorizing the retirement of members of the Army Nurse Corps (female);

S. 562. An act for the relief of occupants of certain premises within the naval station at Pensacola, Fla.;

S. 2700. An act granting the consent of Congress to the D. E. Hewit Lumber Co. to construct and maintain a bridge across Tug River connecting Martin County, Ky., and Mingo County, W. Va.;

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett*; and

S. 1006. An act for the relief of the owners of the schooner *Horatio G. Foss*.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6323. An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2257. An act for the relief of George B. Hughes; to the Committee on Claims.

S. 2700. An act granting the consent of Congress to the D. E. Hewit Lumber Co. to construct and maintain a bridge across Tug River connecting Martin County, Ky., and Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 2496. An act authorizing the retirement of members of the Army Nurse Corps (female); to the Committee on Military Affairs.

S. 2676. An act to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

S. 2677. An act to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes; to the Committee on Military Affairs.

S. 609. An act for the relief of James Duffy; to the Committee on Military Affairs.

S. 608. An act for the relief of Orion Mathews; to the Committee on Military Affairs.

S. 1670. An act for the relief of the Arundel Sand & Gravel Co.; to the Committee on Claims.

S. 1546. An act for the relief of Katie Norvall; to the Committee on Claims.

S. 1289. An act for the relief of Simon M. Preston; to the Committee on Claims.

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett*; to the Committee on Claims.

S. 1006. An act for the relief of the owners of the schooner *Horatio G. Foss*; to the Committee on Claims.

S. 1005. An act for the relief of the owner of the steamship *Matoa*; to the Committee on Claims.

S. 1004. An act for the relief of the owner of the steam lighter *Cornelia*; to the Committee on Claims.

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker; to the Committee on Claims.

S. 629. An act for the relief of the Alaska Steamship Co.; to the Committee on Claims.

S. 562. An act for the relief of occupants of certain premises within the naval station at Pensacola, Fla.; to the Committee on Claims.

ORDER OF BUSINESS.

Mr. BLANTON. Mr. Speaker, I desire to offer a privileged motion.

The SPEAKER. For what purpose does the gentleman rise?

Mr. BLANTON. I desire to offer a privileged motion.

The SPEAKER. What is the gentleman's motion?

Mr. BLANTON. Is there anything of higher privilege than the veto message of the President of the United States before Congress? I notice from the roll call that the gang are all here from New York, Philadelphia, and Boston; but they are not here from the forks of the creek. I move that the President's veto be deferred until next Monday.

The SPEAKER. The Chair thinks that is not in order at present, inasmuch as the previous question has been ordered on the motion of yesterday.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is not a veto message from the President of the United States concerning certain legislation pending before Congress of the highest privilege?

SEVERAL MEMBERS. Regular order!

The SPEAKER. The regular order is demanded.

Mr. BLANTON. I ask recognition to offer a motion concerning that veto message.

The SPEAKER. The Chair thinks the gentleman is out of order.

PRICE OF SHOES, SUGAR, CLOTHING, AND COFFEE.

The SPEAKER. The regular order is the unfinished business, House resolution 217, which was pending when the House adjourned last night, on which the previous question was ordered. The Clerk will report the resolution by title.

The Clerk read the title of House resolution 217, directing the Federal Trade Commission to inquire into the proposed increase in the price of shoes and the increased price of sugar, clothing, and coffee.

The SPEAKER. When the House adjourned last night a motion to recommit was pending, and on that the previous question had been ordered, as well as on the resolution. So the first question is on the motion to recommit. The Chair thinks that considering the circumstances the motion to recommit should be reported, and unless there is objection the motion to recommit will be reported.

The Clerk read as follows:

Mr. EMERSON moves to recommit the resolution to the Committee on Interstate and Foreign Commerce, with instructions to that committee to report the resolution back forthwith, with the following amendments: Page 1, line 3, after the word "shoes," insert the words "clothing and food products," and on page 1, line 4, after the word "manufacturers," insert the words "or producers."

The SPEAKER. The question is on the motion to recommit. The question being taken, the motion to recommit was rejected.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that the title may be amended to conform to the text.

The SPEAKER. Without objection, it will be so ordered.

On motion of Mr. IGOE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SWEARING IN OF A MEMBER.

Mr. LANGLEY. Mr. Speaker, I have been assigned the pleasant duty of announcing to the House that the Hon. KING SWOPE, Member elect from the eighth Kentucky district, successor to our late lamented colleague, Hon. Harvey Helm, is present. I ask unanimous consent that he be permitted to take the oath of office. His credentials have not yet arrived because under the law of Kentucky our State board of election commissioners could not meet until yesterday to canvass the vote, but his majority was over 1,700 and there is no question about his election. [Applause.]

The SPEAKER. The gentleman from Kentucky asks unanimous consent that his colleague elect, Mr. SWOPE, be sworn in, although his credentials have not yet arrived. Is there objection?

There was no objection.

Mr. SWOPE appeared at the bar of the House and took the oath of office. [Great applause on the Republican side.]

EXTENSION OF REMARKS.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made yesterday on House resolution 217, which has just been passed.

The SPEAKER. Is there objection?

There was no objection.

DAYLIGHT-SAVING LAW—VETO MESSAGE.

The SPEAKER. The Chair lays before the House the following message from the President of the United States, which the Clerk will report.

The Clerk read as follows:

To the House of Representatives:

I return this bill, H. R. 3854, "An act for the repeal of the daylight-saving law," without my signature, but do so with the utmost reluctance. I realize the very considerable and in some respects very serious inconveniences to which the daylight-saving law subjects the farmers of the country, to whom we owe the greatest consideration and who have distinguished themselves during these recent years of war and want by patriotic endeavors worthy of all praise. But I have been obliged to balance one set of disadvantages against another and to venture a judgment as to which were the more serious for the country. The immediate and pressing need of the country is production, increased and increasing production, in all lines of industry. The disorganization and dislocation caused by the war have told nowhere so heavily as at the industrial centers—in manufacture and in the many industries to which the country and the whole world must look to supply needs which can not be ignored or postponed. It is to these that the daylight-saving law is of most service. It ministers to economy and to efficiency. And the interest of the farmer is not in all respects separated from these interests. He needs what the factories produce along with

the rest of the world. He is profited by the prosperity which their success brings about. His own life and methods are more easily adjusted, I venture to think, than are those of the manufacturer and the merchant.

These are the considerations which have led me to withhold my signature from this repeal. I hope that they are considerations which will appeal to the thoughtful judgment of the House and in the long run to the thoughtful judgment of the farmers of the country, who have always shown an admirable public spirit.

WOODBROW WILSON.

THE WHITE HOUSE,

15 August, 1919.

Mr. BLANTON. Mr. Speaker, I offer a privileged motion—

Mr. ESCH. Mr. Speaker—

The SPEAKER. The gentleman from Wisconsin is recognized.

Mr. ESCH. Mr. Speaker, I do not know whether any extended debate is desired, in fact necessary, on the veto message— [Cries of "Vote!"]

Mr. BLANTON. Mr. Speaker, a point of order.

Mr. ESCH. Mr. Speaker, I move the previous question on the message.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where a Member seeks to make a privileged motion concerning a veto message of the President of the United States, is he not entitled to recognition by the Chair?

The SPEAKER. Yes.

Mr. BLANTON. I ask for recognition to make a privileged motion.

The SPEAKER. What is the gentleman's motion?

Mr. BLANTON. My motion is to defer action on the veto message of the President of the United States until Monday.

Mr. ESCH. Mr. Speaker, that is not a privileged motion.

Mr. BLANTON. I understand that any motion to defer action is privileged.

The SPEAKER. That is a privileged motion, but the gentleman can not take a Member off the floor in order to make that motion.

Mr. BLANTON. But the Member was not on the floor when I asked for recognition of the Chair. [Cries of "Regular order!"] I asked recognition and made the privileged motion before the gentleman rose from his seat.

The SPEAKER. The Chair thinks the gentleman is entitled to make his motion.

Mr. BLANTON. For instance, the daylight savers, some of whom are night wasters, are all here, and we want all of our Members here who believe in protecting the interests of the farmers, who are the real producers of our Nation.

Mr. BAER. Mr. Speaker, I make the point of order that the gentleman is not in order.

The SPEAKER. The gentleman can not debate his motion.

Mr. BLANTON. I make the motion to defer action on the President's veto message until next Monday, and upon that I move the previous question.

Mr. WINGO. Mr. Speaker, I desire to offer an amendment.

Mr. MONDELL. Mr. Speaker, the gentleman from Wisconsin was recognized and had moved the previous question.

The SPEAKER. The Chair in the confusion did not hear the gentleman move the previous question.

Mr. MONDELL. The gentleman from Wisconsin [Mr. Esch] began a statement about the message and then moved the previous question.

The SPEAKER. The House will be in order. The situation is this: The Chair laid before the House the veto message of the President, and, of course, upon that the question was pending, Shall the House consider the bill? There are three motions which are privileged, one of which is the motion the gentleman from Texas [Mr. BLANTON] made. Of course, if the gentleman from Wisconsin [Mr. Esch] had moved the previous question, that was in order and would take precedence.

Mr. BLANTON. Mr. Speaker, I was clamoring for recognition to make a privileged motion.

The SPEAKER. The gentleman from Texas will suspend.

Mr. MONDELL. Mr. Speaker, the gentleman from Wisconsin [Mr. Esch] after having suggested that there might be debate, if it was desired, in response to clamorous calls of "Vote," made the motion for the previous question.

Mr. BLANTON. And I raised the point of order.

The SPEAKER. If that is so, the Chair was not aware of it at the time, owing to the confusion.

Mr. MONDELL. Everyone about the gentleman from Wisconsin heard him make the motion.

The SPEAKER. If that is true, the gentleman from Wisconsin is entitled to recognition.

Mr. BLANTON. Mr. Speaker, I raised the point of order before the gentleman ever made his motion and asked for recognition on the previous question.

Mr. HAMILTON. I ask for a reading of the reporter's notes, which will show the fact.

The SPEAKER. The gentleman, of course, would be entitled to recognition if the Chair recognized him; but the Chair preferred to recognize the gentleman from Wisconsin, as he had the right, and if the gentleman from Wisconsin made, as he states, which the Chair did not hear, the motion for the previous question, it was in order.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. A veto message is received by the House from the President of the United States and submitted to the House, and where the Speaker's attention is directed to the fact that a Member of the House seeks to make a privileged motion, namely, to defer action thereon, before any Member is recognized by the Chair, and that is brought home to the attention of the Speaker, is not the Member who intends to make the privileged motion entitled to recognition before a Member can move the previous question on the adoption of the resolution?

The SPEAKER. He certainly is not. The gentleman in charge of the bill is entitled to prior recognition [applause], and if he moves the previous question that comes first.

Mr. ESCH. Mr. Speaker, I renew my motion for the previous question on the veto message of the President for reconsideration of the bill.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. If the House sees fit, or if, in other words, the proponents of the repeal of the daylight-saving law see fit, in order to save the repeal, to vote down the previous question, they can do it. I believe that we have a sufficient vote here now to pass this repeal over the President's veto, but it is such an important matter we can not afford to take chances. Three of our Texas Members and numerous other proponents of repeal are absent at this time.

The SPEAKER. That is not a parliamentary question. The gentleman will take his seat.

Mr. BAER. Mr. Speaker, I make the point of order the gentleman is not speaking—

Mr. KING. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. KING. I rise for the purpose of making a privileged motion to postpone action upon this message until next Tuesday, and upon the ground, Mr. Speaker, that the consideration of a President's message is privileged, and under the rules of this House a motion to postpone to a day certain is privileged.

The SPEAKER. Certainly it is. Also a motion for the previous question is privileged, and if the House wishes to vote down the previous question, then, of course, other privileged motions can come up; but if the House adopts the previous question—

Mr. RUBEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUBEY. Mr. Speaker, I was on my feet a moment ago for the purpose of interrogating the gentleman from Wisconsin.

The SPEAKER. That is not now in order.

Mr. RUBEY. I would like to ask for one minute in order that I may interrogate the gentleman from Wisconsin.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for one minute. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object—

Mr. GOOD. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. RUBEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUBEY. Did I understand the gentleman was recognized to make a motion that this be postponed?

The SPEAKER. He is not recognized for that purpose. The question before the House is, Will the House on reconsideration pass the bill, the objection of the President to the contrary notwithstanding?—and on that the gentleman from Wisconsin moves the previous question.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. BLANTON and Mr. KING) there were—ayes 225, noes 34.

Mr. BLANTON. Upon that I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. Six gentlemen have arisen, not a sufficient number.

So the previous question was ordered.

The SPEAKER. On that the gentleman from Wisconsin is entitled to 20 minutes if he so desires— [Cries of "Vote!"]

Mr. CAMPBELL of Kansas. No; there was debate before moving the previous question, which cuts off further debate.

Mr. WINGO. Mr. Speaker, I move to commit the bill and message to the Committee on Interstate and Foreign Commerce. That is in order after the previous question.

The SPEAKER. After the previous question has been ordered that would not be in order.

Mr. WINGO. Mr. Speaker, that is the only motion that is in order—to recommit. Why, it is a recommittal; that is what it is, certainly.

The SPEAKER. Why, the President's veto has never been in the committee.

Mr. WINGO. The bill has been in the committee, and the bill carries with it the accompanying papers and the veto. The bill is the substantive proposition before the House. We are reconsidering a bill, and I am moving to recommit the bill to the Committee on Interstate and Foreign Commerce under Rule XVII, which says a motion to commit may be made on any question either before or after the previous question is ordered.

The SPEAKER. The Chair thinks that clearly is not in order. A motion to commit was in order, but—

Mr. WINGO. I am not moving to commit the President's message; his message is not before the House now. The House is reconsidering a bill, and the rules plainly provide that after the previous question is ordered you can move to recommit a bill, and I am moving to recommit the bill to a committee, which the rules plainly provide may be made after the previous question has been ordered.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman.

Mr. CLARK of Florida. Mr. Speaker, is it not a fact that the question before the House and upon which the previous question has been ordered is the question of the veto of the President? The previous question is not ordered on the bill, but it has been ordered upon the proposition of the President's veto.

The SPEAKER. On reconsidering the bill, the President's veto to the contrary notwithstanding. The Chair thinks the gentleman's motion is not in order. [Cries of "Vote!" "Vote!"]

Mr. WINGO. Mr. Speaker, the veto has nothing to do with the parliamentary situation. The veto has served its purpose, and, as one Speaker has ruled, is now history. We are proceeding, as the Constitution provides we shall, to reconsider a bill. Now, the rule plainly provides that after the previous question is ordered one motion to recommit shall be in order. I am not talking about the veto. I am not asking that the veto go to the committee, because it is not necessary. We are considering a bill, and the rule plainly provides that one motion to recommit a bill may be made even after the previous question is ordered. And I am sure if the Chair will examine the rule he will find that that is true.

The SPEAKER. The Chair will be very glad if the gentleman will refer him to any precedent.

Mr. WINGO. Read Rule XVII. The Chair is confusing this proceeding with the disposition of a veto message. My motion does not go to the veto message, but to the pending question, which is the passage of a bill on reconsideration.

The SPEAKER. The Chair thinks the precedents—

Mr. WINGO. The effect of the President's veto is to put the bill back to where it was immediately when the bill first came up for the consideration of the House. In other words, the veto of the President, under the Constitution, puts the bill back in the House for consideration. Now, the veto has served its office. It is dead, so far as the parliamentary situation is concerned, and is now history. And when the House took up the consideration of the bill the parliamentary status was the very same as it was the day the House originally considered the bill when it came from the committee, except it can not be amended. In other words, the House is proceeding to the consideration of a bill. Now, the President's veto does not affect the parliamentary status. It has served its office—that is, to force the House to take up, de novo, the bill as vetoed, and that is what we have done. No one will seriously contend if this were the first time we were considering the bill that we would not have the right to make a motion to recommit.

The SPEAKER. The Chair will state to the gentleman, inasmuch as the gentleman referred to the precedents, that in the Manual, page 32, it says:

While the ordinary motion to refer may be applied to a vetoed bill, it is not in order to move to recommit it pending the demand for the previous question or after it is ordered.

Mr. WINGO. The decision cited does not bear out the syllabus. I move, then, to refer the bill, Mr. Speaker, to the Committee on Interstate and Foreign Commerce.

The SPEAKER. The Chair does not think a motion to refer is in order after the previous question is ordered.

Mr. WINGO. I respectfully appeal from the decision of the Chair.

The SPEAKER. The Chair rules it is not in order to move to refer a bill after the previous question is ordered, and the gentleman from Arkansas appeals from the decision of the Chair.

Mr. ANDERSON. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The gentleman from Minnesota moves to lay the appeal on the table.

Mr. WINGO. And on that I ask for the yeas and nays.

The SPEAKER. On that motion the gentleman from Arkansas [Mr. WINGO] demands the yeas and nays. Those in favor of demanding the yeas and nays will rise and be counted. [After counting.] Four gentlemen have risen, not a sufficient number. The question is on the motion of the gentleman from Minnesota [Mr. ANDERSON] to lay the appeal on the table.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WINGO. Division, Mr. Speaker.

The House divided; and there were—ayes 214, noes 5.

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. DYER. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. A quorum was counted on the last vote. The ayes were 214 and the noes 5.

Mr. WINGO. I understood the Chair to say 142. Of course, with the vote as stated there is a quorum present.

The SPEAKER. The question is, Will the House on reconsideration agree to pass the bill, the veto of the President to the contrary notwithstanding? That vote, under the Constitution, will have to be taken by the yeas and nays. Those who are in favor of passing the bill over the President's veto will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 223, nays 101, answered "present" 1, not voting 106, as follows:

YEAS—223.

Almon	Emerson	Kraus	Robison, Ky.
Anderson	Esch	Kreider	Rodenberg
Andrews, Md.	Evans, Nev.	Lampert	Romjue
Andrews, Nebr.	Ferris	Langley	Rubey
Anthony	Fess	Lanham	Rucker
Ashbrook	Fields	Lankford	Sanders, Ind.
Aswell	Fisher	Larsen	Sanders, La.
Ayres	Focht	Layton	Sanders, N. Y.
Babka	Fordney	Lazaro	Schall
Baer	French	Lee, Ga.	Sears
Bankhead	Fuller, Ill.	Little	Sells
Barbour	Garner	McArthur	Sincclair
Barkley	Garrett	McClintic	Sinnot
Bee	Godwin, N. C.	McCulloch	Small
Bell	Good	McDuffie	Smith, Idaho
Benham	Goodwin, Ark.	McFadden	Smithwick
Blackmon	Goodykoontz	McKeown	Snyder
Bland, Va.	Gould	McKinley	Steagall
Blanton	Graham, Ill.	McLaughlin, Mich.	Steenerson
Bowers	Greene, Iowa	McLaughlin, Nebr.	Stevenson
Box	Greene, Vt.	McPherson	Strong, Kans.
Briggs	Hamilton	Major	Strong, Pa.
Brinson	Hardy, Tex.	Mansfield	Sweet
Brooks, Pa.	Harrison	Martin	Swope
Burroughs	Hastings	Mason	Taylor, Colo.
Butler	Haugen	Mondell	Taylor, Tenn.
Byrnes, S. C.	Hawley	Montague	Temple
Byrnes, Tenn.	Hayden	Mooney	Thomas
Campbell, Kans.	Hays	Moore, Ohio	Thompson, Ohio
Cantrill	Hefflin	Moore, Va.	Thompson, Okla.
Caraway	Hernandez	Morgan	Tillman
Carss	Hickey	Murphy	Timberlake
Clark, Fla.	Hoch	Nelson, Mo.	Tincher
Clark, Mo.	Holland	Nelson, Wis.	Upshaw
Cole	Houghton	Newton, Mo.	Venable
Collier	Howard	O'Connor	Vestal
Connally	Huddleston	Oldfield	Vinson
Cooper	Hudspeth	Oliver	Voight
Crisp	Hulings	Overstreet	Volstead
Curry, Calif.	Hull, Iowa	Padgett	Watson, Pa.
Dale	Hull, Tenn.	Park	Watson, Va.
Davey	Ireland	Parrish	Weaver
Davis, Minn.	Jacoway	Pou	Welling
Davis, Tenn.	Johnson, Ky.	Purnell	Wheeler
Denison	Johnson, Miss.	Quin	White, Kans.
Dent	Johnson, Wash.	Rainey, H. T.	Williams
Dickinson, Mo.	Jones, Pa.	Ramseyer	Wilson, Ill.
Dominick	Jones, Tex.	Rayburn	Wilson, La.
Doughton	Juul	Reavis	Wingo
Dowell	Kearns	Reed, N. Y.	Wood, Ind.
Drane	Kendall	Reed, W. Va.	Woods, Va.
Dunbar	Kincheloe	Rhodes	Yates
Dyer	King	Ricketts	Young, N. Dak.
Eagle	Kinkaid	Riddick	Young, Tex.
Elhott	Kitchin	Robinson, N. C.	Zihlman
Ellsworth	Knutson		

NAYS—101.

Ackerman	Caldwell	Coady	Dallinger
Bacharach	Campbell, Pa.	Crago	Darrow
Benson	Carew	Crowther	Dewalt
Browning	Chindblom	Cullen	Donovan
Burdick	Clary	Currie, Mich.	Dooling

Doremus	Kahn	Michener	Scott
Dupré	Keller	Miller	Sherwood
Eagan	Kelly, Pa.	Minahan, N. J.	Siegel
Edmonds	Kennedy, R. I.	Moore, Ind.	Sims
Elston	Klecza	Newton, Minn.	Smith, Mich.
Fitzgerald	LaGuardia	Nichols, Mich.	Smith, N. Y.
Fuller, Mass.	Lehlbach	O'Connell	Steele
Gallagher	Leshner	Ogden	Stephens, Ohio
Ganly	Loneragan	Olney	Stiness
Gard	Lufkin	Pell	Tinkham
Garland	McGlennon	Phelan	Treadway
Glynn	McKiniry	Platt	Valle
Goldfogle	McLane	Porter	Watkins
Goodall	MacCrate	Radcliffe	Webb
Griffin	MacGregor	Raker	Webster
Haskell	Madden	Ramsey	Welty
Hersman	Maher	Reber	White, Mo.
Husted	Mapes	Riordan	Winslow
Hutchinson	Mays	Rowan	
James	Mead	Rowe	
Johnston, N. Y.	Merritt	Sanford	

ANSWERED "PRESENT"—1.

Igoe

NOT VOTING—106.

Alexander	Evans, Mont.	Longworth	Scully
Begg	Evans, Nebr.	Luce	Shreve
Black	Fairfield	Luhring	Sisson
Bland, Ind.	Flood	McAndrews	Slomp
Bland, Mo.	Foster	McKenzie	Smith, Ill.
Boies	Frear	Magee	Snell
Booher	Freeman	Mann	Stedman
Brand	Gallivan	Monahan, Wis.	Stephens, Miss.
Britten	Gandy	Moon	Sullivan
Brooks, Ill.	Graham, Pa.	Moore, Pa.	Summers, Wash.
Browne	Greene, Mass.	Morin	Summers, Tex.
Brumbaugh	Griest	Mott	Taylor, Ark.
Buchanan	Hadley	Mudd	Tilson
Burke	Hamill	Nicholls, S. C.	Towner
Candler	Hardy, Colo.	Nolan	Vare
Cannon	Hersey	Osborne	Walsh
Carter	Hicks	Paige	Walters
Casey	Hill	Parker	Ward
Christopherson	Humphreys	Peters	Wason
Classon	Jefferis	Rainey, J. W.	Whaley
Copley	Johnson, S. Dak.	Randall, Calif.	Wilson, Pa.
Costello	Kelley, Mich.	Randall, Wis.	Wise
Cramton	Kennedy, Iowa	Rogers	Woodyard
Dempsey	Kettner	Rose	Wright
Dickinson, Iowa	Kless	Rouse	
Dunn	Lea, Calif.	Sabath	
Echols	Luthicum	Saunders, Va.	

So, two-thirds having voted in the affirmative, the House decided to pass the bill, the objection of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On the vote:

Mr. MOTT and Mr. DEMPSEY (for) with Mr. HAMILL (against).
 Mr. SHREVE and Mr. RANDALL of Wisconsin (for) with Mr. DUNN (against).
 Mr. GANDY and Mr. BROOKS of Illinois (for) with Mr. TILSON (against).
 Mr. COPLEY and Mr. BEGG (for) with Mr. BURKE (against).
 Mr. BLACK and Mr. HILL (for) with Mr. MORIN (against).
 Mr. BUCHANAN and Mr. SAUNDERS of Virginia (all) with Mr. GALLIVAN (against).
 Mr. BOIES and Mr. HERSEY (for) with Mr. PETERS (against).
 Mr. MCKENZIE and Mr. CRAMTON (for) with Mr. COSTELLO (against).
 Mr. WASON and Mr. WARD (for) with Mr. ROSE (against).
 Mr. SMITH of Illinois and Mr. SNELL (for) with Mr. GRAHAM of Pennsylvania (against).
 Mr. FOSTER and Mr. LEA of California (for) with Mr. JOHN W. RAINEY (against).
 Mr. WHALEY with Mr. DICKINSON of Iowa (for) with Mr. SABATH (against).
 Mr. WILSON of Pennsylvania and Mr. NICHOLLS of South Carolina (for) with Mr. SULLIVAN (against).
 Mr. FREAR and Mr. MUDD (for) with Mr. MAGEE (against).
 Mr. EVANS of Nebraska and Mr. JEFFERIS (for) with Mr. MOORE of Pennsylvania (against).
 Mr. MONAHAN of Wisconsin and Mr. CLASSON (for) with Mr. NOLAN (against).
 Mr. TOWNER and Mr. CARTER (for) with Mr. McANDREWS (against).
 Mr. KENNEDY of Iowa and Mr. BOOHER (for) with Mr. RANDALL of California (against).
 Mr. ALEXANDER and Mr. CANDLER (for) with Mr. WALTERS (against).
 Mr. CANNON and Mr. LUHRING (for) with Mr. VARE (against).
 Mr. BRAND and Mr. WISE (for) with Mr. LUCE (against).
 Mr. JOHNSON of South Dakota and Mr. FLOOD (for) with Mr. GREENE of Massachusetts (against).
 Mr. BLAND of Indiana and Mr. BROWNE (for) with Mr. WALSH (against).
 Mr. HADLEY and Mr. CHRISTOPHERSON (for) with Mr. PAIGE (against).

Mr. IGOE and Mr. WRIGHT (for) with Mr. SCULLY (against).
Mr. HUMPHREYS and Mr. SISSON (for) with Mr. CASEY (against).

The result of the vote was announced as above recorded and was greeted with applause.

Mr. BLANTON. Mr. Speaker, I move that the vote whereby the bill was passed over the President's veto be reconsidered, and I move to lay that motion on the table.

The SPEAKER. The gentleman's motion is not in order.

Mr. SEARS. I make the point of order, Mr. Speaker, that that motion is not in order.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BLACK, at the request of Mr. JONES of Texas, for five days, on account of sickness in his family;

To Mr. SUMNERS of Texas, at the request of Mr. JONES of Texas, for five days, on account of sickness in his family;

To Mr. JOHN W. RAINEY, at the request of Mr. HENRY T. RAINEY, for the remainder of this week, on account of the death of his mother; and

To Mr. WRIGHT, at the request of Mr. CRISP, for one week, on account of sickness in his family.

POTATO FLOUR AND STARCH.

Mr. FORDNEY. Mr. Speaker, by direction of the Committee on Ways and Means, I submit the following privileged report.

The SPEAKER. The gentleman from Michigan submits a privileged report, which the Clerk will report by title.

The Clerk read as follows:

The Committee on Ways and Means has made the following report to accompany the bill (H. R. 6814) to provide revenue for the Government and to promote the production of potato flour and potato starch in the United States.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered printed.

TUNGSTEN ORES IN THE UNITED STATES.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437; and, pending that motion, I wish to arrange as to general debate with the gentleman from North Carolina [Mr. KITCHIN].

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437; and, pending that—

Mr. FORDNEY. I want to see what length of general debate the gentleman from North Carolina desires.

Mr. KITCHIN. One gentleman on this side desires 40 minutes, and others desire about an hour.

Mr. FORDNEY. I do not believe that we want to consume that much time over here. I ask unanimous consent, Mr. Speaker, that we have an hour and 20 minutes on this side and debate for 3 hours, 1 hour and 20 minutes to be controlled by myself and 1 hour and 40 minutes to be controlled by the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. That is satisfactory.

The SPEAKER. And, pending that motion, the gentleman from Michigan asks unanimous consent that the general debate be limited to 3 hours—1 hour and 20 minutes to be controlled by himself and 1 hour and 40 minutes to be controlled by the gentleman from North Carolina [Mr. KITCHIN]. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I want to ask the gentleman from Michigan when was the bill ordered reported out from committee that he reported a moment ago? I was not here when the report was submitted.

Mr. FORDNEY. It was reported out and authorized by the committee before we recessed—that is, 10 days or 2 weeks ago. I then offered a report, but it was shut out by some motion. We did not file the report until now.

Mr. GARNER. I did not happen to be in the Chamber at the time, so that I did not know.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself in Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] will please take the chair.

Accordingly the House resolved itself in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437, with Mr. GOOD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4437, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States.

The CHAIRMAN. Under the special order the gentleman from Michigan [Mr. FORDNEY] has 1 hour and 20 minutes and the gentleman from North Carolina [Mr. KITCHEN] has 1 hour and 40 minutes. The gentleman from Michigan is recognized.

Mr. FORDNEY. Mr. Chairman, I yield one minute to the gentleman from Illinois [Mr. MASON].

The CHAIRMAN. The gentleman from Illinois is recognized for one minute.

Mr. MASON. Mr. Chairman, I ask unanimous consent to withdraw a petition filed some weeks ago in the House, addressed to the Congress and to the President, relating to the return of our troops from Siberia. There is a committee from the State of Illinois coming to Washington to-night who hope to see the President within a day or two, and I ask unanimous consent to withdraw this petition in order that they may have it to present to the President.

Mr. CAMPBELL of Kansas. Mr. Chairman, I think that will have to be done in the House.

The CHAIRMAN. The Chair thinks that can not be done in Committee of the Whole. That action will have to be taken by the House.

Mr. FORDNEY. Mr. Chairman, I ask the gentleman from North Carolina [Mr. KITCHIN] to occupy some of his time.

Mr. KITCHIN. I yield 40 minutes to the gentleman from Louisiana [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, I ask that I be not interrupted until I have completed my remarks.

The CHAIRMAN. The gentleman from Louisiana asks that he be not interrupted until he has concluded his remarks.

Mr. MARTIN. Mr. Chairman, in view of the many resolutions that have been offered in this body asking for an investigation, both as to the scarcity and price of sugar, I shall ask the indulgence of the House while I give a few facts and figures which may throw some light upon existing conditions in the sugar market.

That there has been profiteering in sugar, just as there has been in other foods and commodities during the late war and since the signing of the armistice, no one will deny, but the record will show that the public has been fleeced not by the sugar producer but by the wholesale and retail dealers in sugar.

During the fall of 1918 the cane and beet sugar producers of this country entered into a written agreement with the United States Food Administration, by the terms of which the producers agreed to sell their sugar at a price to be fixed and determined by the Food Administration. At the time that this contract was signed no price had been agreed upon and it was left to the Food Administration to fix a price which would, in its opinion, be fair both to the producers and the consumers. The producers also agreed to sell and distribute their sugar in such manner as the Food Administration might direct.

In other words, the sugar producers of this country voluntarily placed themselves absolutely in the hands of the Food Administration, agreeing and binding themselves to sell their sugars for such price and at such time and place as might be designated by the Food Administration.

Subsequently the Food Administration fixed a basic maximum price of 9 cents a pound for fine granulated sugars and provided for a differential on all sugars of an inferior grade—nearly all of which are manufactured in Louisiana—of from 20 cents to \$1.20 a hundred pounds. These prices were f. o. b. seaboard points, with the customary discount of 2 per cent for cash, thus making the price of refined and plantation granulated sugars 8.82 cents per pound. Other direct-consumption sugars made in Louisiana were marketed at from 8.20 to 8.70 cents per pound, while second and third sugars sold at from 6.5 to 7.2 cents per pound.

The differentials on the various grades of sugar made in Louisiana will be found in the written agreement made with the Louisiana producers, which I shall ask leave to print in connection with my remarks.

It is provided that this agreement shall remain in full force and effect from October 1, 1918, until the final disposition of the crop of the season of 1918-19 and for each succeeding year thereafter until the existing state of war between this country and Germany shall have terminated, as evidenced by the proclamation of the President, provided that either party may withdraw from the contract after the disposition of the crop of 1918-19 by giving 30 days' written notice to that effect before October 1, 1919.

This agreement was signed by every sugar producer in the State of Louisiana and has been patriotically lived up to both in letter and in spirit, even though its fulfillment in many instances demanded additional equipment and was followed up by so many rules and regulations emanating from the Food Administration relative to the shipping, marketing, and distribution of the sugars that the sugar producers of this country will breathe a sigh of relief when the provisions of this control are no longer in force and effect.

Under authority given in the Lever food-control act the United States Food Administration, on July 3, 1918, fixed the profit of the wholesale dealer in sugar at 0.25 cent per pound and that of the retailer at 1 cent per pound, but this was amended later on so as to permit the wholesaler to realize from 0.15 to 0.35 cent per pound and the retailer to realize a profit of 1½ cents per pound. By adding these prices to the maximum price fixed under contract for the refined article—that is to say, 9 cents less 2 per cent for cash—it will be found that the maximum price which the consumers of this country were called on to pay for their sugar was from 10 to 11 cents per pound, and the Department of Justice has recently held that 11 cents is a fair retail price for sugar and that all dealers charging more will be investigated.

And, as a matter of fact, sugar was sold to the consumer at these prices until January 14, 1919, when for some unaccountable reason the rule issued by the Food Administration regulating the profits of the wholesale and retail dealers in sugar was canceled and annulled.

It will therefore appear that after January 14, 1919, the wholesale and retail dealers were permitted to fix the price at which they would dispose of their sugars, while the producers were under contract with the Government not to sell any of their product at a price exceeding 9 cents per pound.

With a scarcity of sugar prevailing, is it any wonder that dealers in sugar have taken advantage of the fact that the rule regulating the price at which sugar should be sold at wholesale and retail had been canceled, thereby giving them a free hand to profiteer in sugar as well as in other commodities and necessities of life?

If press reports are to be believed, dealers in sugar have not been slow to take advantage of this situation.

A few weeks ago sugar was sold by some grocers in Washington at 13½ cents per pound, or 2 pounds for 27 cents, and a press report from Pittsburgh appearing in the Washington Post on August 7 states that three wholesale sugar dealers had been arrested by agents of the Department of Justice for selling sugar at wholesale for 14 cents per pound, while in Chicago it was retailing for as high as 16 cents per pound.

This is profiteering with a vengeance, and it is to be hoped that these parties can be held, convicted, and severely punished for having thus imposed upon the public.

Think of it, Mr. Chairman, the sugar producers and refiners of this country are under contract with this Government to dispose of their entire output during the year 1919 for the maximum price of 9 cents per pound, less 2 per cent for cash, and yet some dealers in this country, taking advantage of the scarcity of sugar, are holding up the public and making the enormous profit of more than 5 cents per pound, or \$5 per hundred pounds and \$17.50 per barrel.

It takes the sugar farmer of this country 12 months to grow and harvest his cane or beets and manufacture the same into sugar. He has an enormous investment of capital and takes the risk of freezes, overflows, and unfavorable seasons, which are often followed by large financial losses. And yet when the dealers of this country sell sugar at 14 cents per pound, thereby making a profit of more than 5 cents per pound, they are making from five to ten times as much profit as the farmer, who has produced the sugar at great risk and by the sweat of his brow.

But this is not all, Mr. Chairman. When the housewife goes to the grocer to buy her sugar and she is made to pay an exorbitant price for it, her wrath and criticism is visited not upon the grocer but upon the producer, whom she is lead to believe is responsible for the high price of the sugar.

That some Members of Congress are laboring under the same hallucination as the housewife is shown by the fact that some bills have been introduced looking to the repeal of the present duty on sugar.

I feel sure, however, that these bills are meant merely for home consumption, as any thoughtful man knows that to now remove the duty on sugar and thereby discourage its production in this country would not relieve the present situation either as to quantity or price.

That the price of sugar has not increased in the same proportion as other commodities was brought out in the hearings before the Senate Committee on Manufactures when it was investigating the shortage of sugar and coal last winter.

At that hearing, Mr. Clans Spreckels, a refiner, produced a letter written by Mr. George M. Rolph in December, 1917, at which time Mr. Rolph was at the head of the Sugar Division of the Food Administration, in which he makes this statement:

Taking the value of other products and comparing the prewar prices with the present to ascertain what price should obtain for raw sugars on the same ratio, the showing would be as follows:

Cotton at 25 cents per pound, sugar should be worth 11½ cents per pound.

Cottonseed meal at \$67 per ton, sugar should be worth 10 cents per pound.

Cowpeas at \$3.25 per bushel, sugar should be worth 12.7 cents per pound.

Wheat at \$2.20 per bushel, sugar should be worth 10 cents per pound.

It is important to note that in making his comparisons, Mr. Rolph takes raw sugar instead of the refined article. The price of raw sugar as fixed by the Food Administration is 7.28 cents, while that of refined sugar is 9 cents, less 2 per cent, the difference between the two representing the cost of refining. So that to the average comparative prices given on sugar by Mr. Rolph, 11.03 cents, must be added 1.54 cents, which would put the price of refined sugars at 12.57 cents f. o. b. seaboard points. To this would have to be added the profits of the wholesaler and retailer, amounting to from 1.5 to 2 cents per pound, which would mean, according to Mr. Rolph, that in comparison to the prices of the products cited by him in his letter, sugar should retail at between 14 and 15 cents per pound.

It should also be noted that the prices of most of the articles selected by Mr. Rolph for comparison with sugar have increased considerably in price since his letter was written.

SCARCITY OF SUGAR.

There is now pending on the House Calendar a resolution offered by the gentleman from Massachusetts [Mr. TINKHAM], directing the Federal Trade Commission to institute an immediate investigation and report to the House its findings on the cause of the present scarcity of sugar and the reasonableness of the wholesale and retail prices of that article.

This resolution was taken up for consideration before the Committee on Interstate and Foreign Commerce on July 14 and was favorably reported to the House on August 5.

While I regret that I did not know when this resolution would be taken up by the committee for consideration, as I would have been pleased to have been in attendance, yet, Mr. Chairman, I wish to say as a representative of a sugar-producing district, that an investigation will be welcomed by the sugar producers of this country.

The facts will show that they are in no way responsible for the present apparent scarcity of sugar, and that they voluntarily and patriotically accepted for their sugars a price which was fixed and determined by this Government as being reasonable and fair and which did not yield excessive profits.

Several factors have contributed to the present scarcity of sugar in this country, but as a matter of fact there is a sufficient amount of sugar in sight to supply the demands of this country.

The domestic supply of sugar has long since been sold and distributed in accordance with the rules and regulations of the Food Administration, but the Cuban crop is by no means exhausted.

On the 24th day of October, 1918, the United States Sugar Equalization Board (Inc.), a corporation which was financed by the President for the purpose of acting as an agency of this Government in equalizing the distribution and selling price of sugar, purchased the entire crop of raw sugar made on the island of Cuba during the crop season of 1918-19. This crop, it is estimated by the Equalization Board, will exceed 4,100,000 tons. One third, or 1,300,000 tons, was allotted and sold by the Equalization Board to Great Britain, thus leaving 2,700,000 tons to be distributed in the United States. Of this, 1,700,000 tons had already been taken or shipped to the United States on July 1, leaving 1,000,000 tons of raw sugar in Cuba, which is the property of this Government and which is available for distribution in this country just as fast as it can be shipped and refined.

The factors which have contributed to the scarcity of sugar in this country are:

First, the simultaneous and sudden demand made for sugar by the big fruit canneries and confectionery factories, who failed to anticipate their normal demands and postponed ordering their usual supply of sugar with the hope that the price would be lowered. They knew that the refiners under their contract could not sell above the fixed price of 9 cents, and believing that the control and price of sugar by the Government would be discontinued now that the emergency is over, they held off from purchasing their necessary supplies, and then deluged the refiners with orders that it was impossible to meet.

Second, the limited capacity of the sugar refineries. The combined capacity of the 22 refineries in this country is 4,800,000 tons, while the consumption is approximately 4,250,000 tons. In addition to supplying the domestic trade, the refineries have

been called upon to supply our Allies, and large quantities of sugar have been refined in this country and shipped to Great Britain and other European countries, so that when the canners and confectioners made their sudden demand for sugar the stock of the refineries was soon exhausted and a shortage followed.

Third, the strike by the marine unions of New York City, which held Cuban and Porto Rican sugar carriers at Atlantic and Gulf ports for three weeks. Happily, this strike was settled on July 30, but not before it had materially affected the receipts and output of sugar at many of the refineries, some of which were forced to reduce their meltings for several days from 25 to 50 per cent.

There does not appear to be any disposition to hoard sugar to any extent, but this is now being investigated by the Department of Justice.

In justice to the Sugar Equalization Board, permit me to say that they have done everything possible to meet the situation and relieve the sugar shortage.

An embargo on exports of sugar to European countries was declared, and the combined output of all the refineries is now being put into domestic channels of trade.

In addition to this the Sugar Equalization Board has recently distributed for the War Department some 37,000,000 pounds of sugar, and has distributed the same where it will give greatest relief, and has sold it to the trade at the fixed price of 9 cents per pound, less 2 per cent for cash.

The situation brought about by the marine strike was met as far as possible by pressing into service all vessels that could be reached by radio and diverting them to Cuba to bring back raw sugar.

It takes a vessel three weeks to make the round trip from New York to Cuba, so that the effect of the marine strike will have disappeared by the last of August, and we should then be receiving Cuban raw sugars at the rate of 300,000 tons per month, which will relieve the shortage until our domestic product is placed on the market.

The resolution introduced in the House by my colleague from Ohio [Mr. EMERSON] to repeal all duty upon sugar would accomplish no good purpose and would neither affect the price of sugar nor increase the amount of sugar we are now receiving in this country. It is evident that Mr. EMERSON was under the impression that the removal of the customs duty would result in the importation of foreign-grown sugars.

The fact of the matter is that every other sugar-consuming nation is suffering from the scarcity of sugar much more than the United States. Aside from that which the United States and Great Britain control by the purchase of the entire Cuban crop there is but a small surplus of sugar in other countries, and where a surplus does exist exorbitant prices are being demanded.

The important thing to be accomplished at this time is to hold on to what sugars we have, and the Sugar Equalization Board has met this situation by placing an embargo on further shipments of sugar abroad.

In an Associated Press dispatch from Paris appearing in the Washington Star on July 18 the sugar situation in France is summed up as follows:

French food officials, it was explained, were given an option last fall on as large a proportion of the Cuban sugar crop as they wished. The French, however, took only about 31 per cent of the crop, although American officials warned them of an impending world sugar shortage. Now that the French face a serious sugar deficit they are seeking an American supply, where prices are lower than elsewhere. Sugar is available in Czechoslovakia, but the Czechs are asking 25 cents a pound. Stocks are available elsewhere, but at prices far higher than in the United States.

It would seem, therefore, that the French are seeking this market not so much because sugar can not be found elsewhere but because sugar is selling in this country for less than one-half the price that it can be purchased from any other source.

As a matter of fact, sugar is selling cheaper in this country than in any other part of the world, due alone to the fact that the domestic and Cuban producers and refiners are under contract with this Government. Strike these contracts out of existence and the price of sugar on the market to-day would be more than double that fixed by the Food Administration.

In testifying before the subcommittee of the Committee on Manufactures of the United States Senate last winter, when that body was holding hearings on Senate resolution 163, relative to the shortage of sugar and coal, the Hon. Herbert Hoover, United States Food Administrator, made this statement in regard to the agreements and contracts made with the sugar producers of this country:

Supposing that we had made no agreement with him, during this shortage he would probably have sold his sugar at 25 to 30 cents a pound.

Those of you who remember the sugar shortage of last winter, when the consumption of sugar was limited to 2 and 3 pounds per capita, will not doubt the statement of Mr. Hoover.

It was at this time that the sugar and beet crops were being marketed and the producers were receiving less than 9 cents a pound for their sugars.

Taking the lesser figure given by Mr. Hoover, and say that sugar would have sold at 25 cents a pound without Government control, it will be found that the amount saved to the consumers of this country and lost to the producers is almost staggering.

The difference between the price fixed by the Food Administration—9 cents—and that for which Mr. Hoover said sugar would have sold without his control—25 cents—shows a difference of 16 cents a pound, or a difference of \$320 per ton of 2,000 pounds.

Louisiana and Texas produced 284,000 tons of sugar, while the beet-sugar farmers produced approximately 800,000 tons, so that the cane-sugar producers lost by reason of their contracts and the resulting control of price by the Food Administration \$90,880,000, while the beet-sugar producers lost \$256,000,000, or a total loss to the sugar producers of this country of \$346,880,000.

It does seem to me, Mr. Chairman, that in the face of these figures the consumers of this country are without reason to complain as to the price of sugar as fixed by the Food Administration, but that if complaint there be it should come from the sugar producers of this country who voluntarily sacrificed millions of dollars to aid their country in the winning of the war.

I say "voluntarily," because the control of sugar was not contemplated by the Lever food bill, as this act specifically states that its provisions shall not apply to any farmer or gardener or other person with respect to the products of any farm or garden or other land owned, leased, or cultivated by him.

SUGAR OUTLOOK AS TO SUPPLY AND PRICES.

A careful analysis of the threatened world shortage discloses the following facts: The sugar production of the world for the season of 1918-1919 amounted to 16,350,400 long tons, of which 12,010,644 tons is cane sugars and 4,339,856 beet sugars. This shows an estimated decrease in the world's production of 982,555 tons.

There is no question but that the world is now short of sugar and has been short all of the present year. It follows, therefore, that with the restrictions removed as to the consumption of sugar in this and other countries, this shortage will be accentuated another year, unless there is a considerable increase in production.

The English colonies will undoubtedly produce more sugar than they have done since prewar times. The British West Indies last year produced 210,000 tons, but this is far short of England's needs, and during the coming year she will again rely largely upon Cuban and American sugars for her necessary supply.

The sugar-producing colonies of Great Britain have recently been called upon by that Government for a statement as to their relative capacity for sugar production, and the colonists are insisting that the British Government shall so adjust any scheme of sugar duties that it may put in force as to give a preference to the British colonies. Canada has for some years had a preferential arrangement with the West Indian colonies to the extent of 15 per cent of the duties, and the colonies are now demanding similar treatment at the hands of the British Government. England usually takes care of her own, and I believe it safe to say that the production of sugar in the British colonies will be materially increased during the coming year.

The French colonies only produce some 60,000 tons of sugar, and are a very small factor in meeting the demands of that country.

Previous to the war the French were extensive producers of beet sugars, but their beet fields were overrun by the Huns in the late war and all of their factories were destroyed, and it will take several years before France can reestablish this industry. France, like England, is looking to Cuba and the American refiners for her sugar supply.

The same may be said of Italy and Belgium, but the fact that these countries will be called upon to pay for their sugars in American money or securities will deter them from buying any large quantity of sugar, and they will probably remain on a restricted basis for the next year or two.

Germany before the war was a large producer and exporter of beet sugar, and, in fact, took care of most of the European demands, and while her sugar output during the war was reduced to a point where it only took care of local consumption, yet her fields and her factories are still intact and my information is that she will have some sugars for export the coming season.

Russia was likewise a large producer and exporter of beet sugars, but she is now cut off from the rest of the world and her internal troubles have demoralized the industry and she will not be an important factor in supplying the world with sugar.

While Mexico and some of the South American countries produce cane sugar, it is mostly consumed locally and will play no part in rendering much-needed assistance to those countries suffering from a sugar famine.

On the other hand, with few exceptions, those sugar-producing countries that were not affected by the ravages of war have increased their production by leaps and bounds.

The great demand for sugar and the increased price have stimulated production in Cuba more than 33 per cent in two years. For the season of 1916-17 the tonnage production was slightly over three million, in 1917-18 it was nearly three and one-half million, and in 1918-19 it exceeded 4,000,000 tons. If this same percentage of increase continues Cuba will produce four and one-half million tons for the season of 1919-20.

Java produced last year 1,333,613 tons, of which 430,000 tons went to Europe and the balance was distributed chiefly in the Orient. Previous to the outbreak of the war much of the Java sugar came to this country, but importation stopped on the outbreak of the war and we have received little, if any, Java sugar since 1914. Java's production for 1919-20 is expected to reach 1,600,000 tons.

Formosa produced 400,000 tons in 1918, with the promise of a material increase this year. These sugars are refined in Japan and are consumed in that country and in China.

The Dominican Republic produced a banner crop last year of 165,000 tons, and promises to increase her output this season.

In the United States the prospects are not so encouraging. Both the cane and beet sugar crops have suffered from shortage of labor and unfavorable weather conditions.

The latest Government report on the Louisiana crop, dated August 8, estimated the coming crop of sugar at 152,463 tons, as against 280,900 tons last season, a decrease of more than 40 per cent. The best information obtainable as to the beet-sugar production is that it will not exceed 700,000 tons, which is a decrease of about 100,000 tons. Reports from our insular possessions are to the effect that next year's crop will equal if not exceed the crop of this year.

The total sugar supply of the United States and its insular possessions may therefore be estimated as follows:

Louisiana cane sugars.....	152,463
Texas cane sugars.....	4,000
Porto Rico.....	400,000
Hawaiian Islands.....	576,000
Philippine Islands.....	150,000
Beet sugars.....	700,000
Total.....	1,982,463

The total supply of the United States and its insular possessions will therefore be about 1,982,463 tons.

The per capita consumption of sugar last year was 77 pounds, and was highest in 1914, when it reached 89 pounds. It would be safe to say, therefore, that our consumption next year will not exceed 85 pounds.

Estimating our population at 105,000,000, it will be found that the probable consumption of sugar next year will be 4,400,000 short tons.

Adopting the estimate made on the Cuban crop (4,500,000 tons) and that of the United States and its possessions (1,982,463 tons), we have 6,482,463 tons of sugar that will either be made or refined in this country, or a surplus over and above our own needs of 2,082,463 tons, which can be shipped to Europe and absorbed by the countries now suffering from a sugar shortage.

I do not, therefore, anticipate such a world shortage in sugar as is being predicted by the press throughout this country, and if the European countries continue to limit and restrict the use of sugar there will be no shortage at all.

In any event, there is no danger of such a world shortage as will necessitate the enactment of any further laws looking to the control of sugar either as to price or distribution.

FUTURE PRICE OF SUGAR.

It is not practical at this time to predict what the price of sugar will be next year. But we do know that the sugar producers of this country can not afford to sell their sugars at the price fixed by the Food Administration for the crop of last season.

The scarcity and high price of labor, the increased cost of mules, agricultural implements, fertilizer, and every article that goes into the cultivation and manufacture of sugar, coupled with the extreme wet weather that has prevailed for more than a year, will make the Louisiana crop the most expensive one ever grown in that State.

While the prices of last year yielded a fair margin of profit to most of the sugar producers, there were yet some who actually lost money, and for any sugar farmers to show a profit this season they must have a considerable advance in the price of sugar. This would not necessarily mean any material increase to the consumer, if the wholesaler and retailer are held down to legitimate profits.

Some idea of the rise in cost of producing sugar in this country may be gained from a study of the following table quoted from Tariff Information, series No. 9, of the United States Tariff Commission, entitled "Cost of production in sugar industry," published in 1919.

TABLE XV.—Wages and prices of sundry items used in the production of sugar for the years indicated, together with the percentage rates of increase.

	1913-14		1917-18		1918-19	
	Amount.	Amount.	Amount.	Increase per cent over 1913-14.	Amount.	Increase per cent over 1917-18.
Wages per day:						
Mill laborers.....	\$2.24	\$3.24	45	\$4.24	31	89
Sugar boilers.....	4.22	5.27	25	6.36	21	51
Prices:						
Beets, per ton....	6.47	9.12	41	11.99	31	85
Coal, per ton....	2.49	3.71	49	4.08	10	64
Coke, per ton....	6.86	9.82	43	13.49	37	97
Fuel oil, per barrel.....	.77	.94	22	1.67	78	117
Lime rock, per ton.....	2.32	2.82	22	3.51	25	51
Sugar bags, each.....	.13	.16	23	.43	169	231
Sugar barrels, each.....	.46	.60	30	.99	65	115
Filter cloth, per yard.....	.16	.18	12	.57	217	256

The above table does not cover all of the cost items in the manufacture of beet sugar, but it is sufficient to show the general increase in the cost of production brought about by war conditions.

This table of cost of production refers particularly to beet sugars, but the report of the Tariff Commission shows that the increase in the cost of production of cane sugars was in about the same proportion.

The price of refined sugar for the 1917-18 crop was fixed at 7.45 cents per pound and was increased to 9 cents, less 2 per cent for cash, for the crop of 1918-19. It will therefore be seen that this increase of 20 per cent was not at all unreasonable in view of the large increases in cost of the various items entering into the manufacture of the domestic product.

But as the cost of production and material has further increased since 1918, it follows that the domestic producer must receive an increased price for his sugar if the industry is to remain on a paying basis.

A recent press dispatch from Cuba indicates that the producers will demand a higher price for their sugars, and to this end are preparing to form a controlling committee of their own. The Cubans are disposed to give the United States first call on the coming crop, but they very justly feel that in view of the fact that other nations are willing to pay any price to secure a supply of sugar the United States should, in recognition of this fact, pay an increased price in the event that the purchase of the entire crop is again contemplated.

There is no question but what the Cubans hold the whip hand and that they are in a position to dictate prices, but at the same time they are not forgetful of the fact that their present position as the largest sugar-producing country of the world is due to the tariff preference given by the United States as against the duty collected on sugar from other foreign countries.

If the negotiations now in progress should result in this country again purchasing the entire Cuban crop, which would have the effect of fixing the price in this country, whether our domestic sugars are controlled or not, then, in marketing the Cuban crop, due regard should be given the fact that Cuban sugars are produced for approximately 2 cents per pound less than the domestic article.

CUBAN AND REFINERS' CONTRACTS.

As I have frequently referred to the contracts entered into by the Cuban producers by which they sold their entire output to the United States and to the contract which this Government, through the United States Sugar Equalization Board, also entered into with the refiners, fixing the refiners' margin and providing for the method of distributing sugars, it may not be out of place to review briefly the important provisions of these contracts. I shall, however, ask the consent of the House to print these contracts in full as a part of my remarks.

The purpose of both contracts was to provide for the equitable distribution of sugar to the American people, the Army, the Navy, as well as to protect the consumers against excessive prices for the same.

In the Cuban contract the basic price for 96° raw sugar was fixed at 5.50 cents per pound, plus 0.0385 freight, 0.02 insurance, and tariff 1.0048, making the delivered cost of sugar to the Sugar Equalization Board \$6.90 per 100 pounds, to which was added 38 cents profit for the Equalization Board, making the sugar 7.28 cents per pound.

In the contract with the refiners it was determined that a differential of \$1.54 per 100 pounds to the refiner to cover cost of refining, cooperage, distribution, and profit would be fair, thus making the price at the refinery 9 cents, less 2 per cent, or 8.82 cents net. This is the price at which the wholesaler receives his sugar f. o. b. refinery.

These two provisions construed together fix the price for American sugars, which price is in effect to-day just as it was in October last year and all succeeding months. It is definitely stated that the United States Sugar Equalization Board (Inc.) was created and is acting as agency for the United States for the purpose of equalizing the distribution and selling price of sugar.

Their contract as to distribution with the Cubans is that their entire crop shall be sold exclusively to the Sugar Equalization Board, and that it should be delivered at the rate of 2 per cent of the crop in December, 1918, and the entire balance in approximately equal monthly shipments from January to November, 1918, inclusive.

Article 4 of the refiners' contract makes provision for the distribution of the Cuban sugars and provides that the Equalization Board shall distribute the sugar among the refiners so as to meet their requirements in the proportions set forth in "Exhibit B," which is the proportionate refining capacity of the several refiners, thus making an equitable allotment of the sugar to the refiners, the refineries being situated geographically so that this could be done, there being refineries in New York, Boston, Philadelphia, Savannah, New Orleans, and in California. The refiners agreed to accept the allotments as made and make equitable distribution of the sugar as refined. Ample protection was given to the requirements of the refiners relative to the supply of domestic, Hawaiian, Philippine, and Porto Rican raw sugars, so that the effect of the Cuban contract could be carried out in full, covering the other sugars named.

Provision was made in the Cuban contract for the handling of such sugars as were allotted to the royal commission of Great Britain, France, and Italy. Similar agreements were had with the refiners for the refining and delivery of such sugars to our Allies.

Under article 4 of the Cuban contract it was agreed that whatever the crop might be in volume, none of the 1918-19 crop should be exported from Cuba except under the contract, and that Cuba would enact such laws and promulgate such orders and decrees as were necessary to faithfully fulfill the stipulations and conditions aforesaid, fixing penalties for failure so to do.

In turn the contract with the refiners stipulates that they should purchase no raw sugars except from the Sugar Equalization Board, the board agreeing to sell them their entire requirements of raw sugars from the date of the contract to December 31, 1919, for the operation of their several refineries for such time as the respective refiners in their judgment determine.

All of the above stipulations are well and fully protected in minute details as to the operation of the contract between the Equalization Board and Cuban producers and the Equalization Board and the American refiners. Thus the supply of sugar was as nearly as could be anticipated fixed at a level flow, and a price to protect the consumer, which was fixed at the time of the signing of the contract, is in effect without change to-day.

FUTURE OF SUGAR IN THE UNITED STATES.

Stimulated by high prices, countries that were not engaged in the World War have greatly increased their production of sugar in order to meet the demands of those countries whose industries were either hampered or destroyed as a result of the war.

But a day of reckoning is coming.

When the peace treaty has been signed, when normal conditions have been restored, when the devastated and abandoned fields in France, Germany, Austria, and Russia are again brought under cultivation and are producing their normal amount of beet sugars, what, then, is to become of the domestic industry?

When the European countries have resumed their normal production of sugar there will be a tremendous surplus, and the Cuban sugar will have no market other than the United States.

I have already shown that with the Cuban crop of four and one-half million tons, there would be a surplus in this country of over 2,000,000 tons, and with Europe producing her own

sugars the United States will be the dumping ground of the entire Cuban crop.

Unless our tariff laws are revised, these sugars will enter this country by the payment of a duty just a fraction over 1 cent per pound, and yet they are produced for 2 cents less per pound than domestic sugars.

If the domestic industry is to continue to exist and thrive in the United States, then there must be an increase of tariff for this industry, as well as for many others in this country.

This Great War and the resulting control of sugar prices has established the fact that the two great parties are at one as to the necessity and amount of protection which should be accorded domestic sugars.

Schedule E of the Payne-Aldrich bill fixes the tariff on Cuban 96° test sugars, after deducting the 20 per cent preferential, at 1.348 per pound, while the Underwood bill fixes the duty on the same sugars at 1.0048.

When conditions became such during the war as to make it necessary for this Democratic administration to control the distribution and price of food products in this country, a sugar division of the Food Administration was created and a committee selected which undertook to fix such a price on domestic sugars as would yield a fair margin of profit, and at the same time encourage the production of domestic sugars.

Mr. GALLAGHER. Mr. Chairman, will the gentleman from Louisiana yield?

Mr. MARTIN. I yield to the gentleman from Illinois.

Mr. GALLAGHER. What has the gentleman to say regarding the assertion that has been frequently made here that the raising of sugar in Louisiana is a hothouse industry, like the raising of oranges in Maine?

Mr. MARTIN. It is no more a hothouse industry than the raising of beet sugar in the North. We now produce about one-half of the amount of sugar that is consumed in this country. To strike down the cane-sugar and beet-sugar industries would mean that we would be absolutely at the mercy of foreign producers, both as to price and supply.

After a thorough investigation as to the cost of production both in this country and Cuba, it was concluded that 5.50 for Cuban sugars would be a fair price, and this being acceptable to the Cubans the entire crop of that island was purchased by the United States Sugar Equalization Board for this Government.

Adding to this figure the existing duty of 1.0048 plus freight and insurance, amounting to 0.405 cent per pound, it will be found that under the contract of purchase made with the Cubans their sugars are delivered in New York at 6.90 cents per pound.

But an investigation of the domestic industry disclosed the fact that sugar could not be grown and manufactured in this country at this price, and that it would be necessary to give an increased price to the domestic producers. The difference arrived at by this committee after a full and fair investigation as to the cost of production was 0.38 cent per pound, and this was accordingly added to the Cuban price of 6.90, thus fixing the price of domestic raw sugars at 7.28 cents per pound.

This 0.38 cent is, in effect, an additional duty exacted from the Cubans, made necessary in order to protect the domestic industry.

This additional duty added to 1.0048 fixed in the Underwood bill places the protection which this administration deems fair and adequate as against Cuban sugars at 1.3848, while the Payne-Aldrich bill fixes the duty at 1.348, or at practically the same figure.

Thus I repeat that the Democrats and Republicans are now at one as to the necessity of further protection against foreign sugars.

Let us hope that when the next tariff bill is framed the two parties will be in as thorough accord as they are to-day. [Applause.]

Mr. LAZARO. Has not this war demonstrated the fact that every country should have its own sugar industry in order to be safe?

Mr. MARTIN. There is no question about that.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. MARTIN. Yes.

Mr. LAZARO. Is it not my friend's judgment that it is time for Members to stop quarreling with the producers, not only of sugar but of all agricultural products, and to go after certain profiteers who stand between the producer and the consumer?

Mr. MARTIN. They are the ones who are doing all the profiteering.

Mr. WILSON of Louisiana. Will the gentleman yield for a question?

Mr. MARTIN. I do.

Mr. WILSON of Louisiana. Can the gentleman give the comparative cost of producing cane sugar and beet sugar in this country?

Mr. MARTIN. I will state to the gentleman that I have a table showing the increased cost of production, which I will print in my remarks. I did not want to take the time to read it.

Mr. WILSON of Louisiana. I am speaking about the comparative cost of the production of cane sugar and beet sugar.

Mr. MARTIN. There is very little difference at this time.
Mr. WILSON of Louisiana. So they are both in the same boat.

Mr. MARTIN. Both in the same boat.
Mr. O'CONNOR. With reference to the suggestion that sugar is a sort of exotic or desert rose, will the gentleman kindly state for the information of Members how many acres are devoted to the raising of sugar down in Louisiana, the number of people dependent on the sugar industry, and the great number of thriving towns scattered all through that famous Teche country?

Mr. MARTIN. There are more than 350,000 acres of land cultivated in cane in Louisiana, and with factories and buildings represent an investment of at least \$120,000,000. There are some 60,000 laborers employed at an annual outlay of more than \$30,000,000.

In the beet-sugar industry there is an investment of more than \$150,000,000, and some 200,000 farmers are engaged in cultivating 800,000 acres of beets.

Mr. O'CONNOR. The Teche country has been truthfully described as the paradise of this earth, where the skies are bluer and the grass greener than anywhere else. [Applause.]

Mr. SANDERS of Louisiana. Will the gentleman yield?
Mr. MARTIN. I yield to my colleague.

Mr. SANDERS of Louisiana. As a matter of fact, is not practically one entire congressional district and a large part of three other congressional districts in Louisiana given over very largely, if not wholly, to the production of sugar?

Mr. MARTIN. Yes; most of the third congressional district is cultivated in sugar.

Mr. SANDERS of Louisiana. And a large part of the sixth?
Mr. MARTIN. Yes.

Mr. SANDERS of Louisiana. And a large part of the seventh and a good part of the first and second.

Mr. MARTIN. That is correct.
Mr. OLIVER. Has the gentleman any information as to whether the domestic crop of sugar, which he states has already been sold, has been sold to parties who are now hoarding it?

Mr. MARTIN. No, sir. As I stated in my remarks, there is no hoarding in this country at all so far as sugar is concerned. The distribution of all raw sugars is absolutely in the hands of the Government, and they designate where it shall go.

Mr. OLIVER. Has the gentleman any information as to the amount of sugar that candy manufacturers now have on hand?

Mr. MARTIN. I have not.

Mr. OLIVER. Does the gentleman know whether the amount they have on hand is more than sufficient to meet their ordinary needs for some months?

Mr. MARTIN. I think not. As I said in my remarks, the canners put off buying their sugar, believing that the Government control would stop and that the price would be reduced.

Mr. OLIVER. On yesterday, as I recall, the gentleman from Louisiana [Mr. SANDERS] stated that if there was in fact a sugar shortage it was due in a large measure to manipulations of the Sugar Trust. Is the gentleman sufficiently informed to give us in detail what those manipulations are?

Mr. MARTIN. No, sir. I agree with Gov. SANDERS that previous to the war there was considerable manipulation of sugar, but I do not believe there is any manipulation now, by reason of the fact their output is absolutely under the control of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN. I ask unanimous consent to print in connection with my remarks the various contracts to which I referred in my speech.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks by inserting the contracts referred to. Is there objection?

There was no objection.
The documents referred to are as follows:

CERTIFICATE OF INCORPORATION OF UNITED STATES SUGAR EQUALIZATION BOARD (INC.).

First. The name of this corporation is United States Sugar Equalization Board (Inc.).

Second. The location of its principal office in the State of Delaware is in the city of Wilmington, county of New Castle. The name of the resident agent therein and in charge thereof is the Delaware Charter Co. The street and number of said principal office, and the address by street and number of said resident agent, is 900-904 Market Street.

Third. The objects and purposes for which, and for any of which, this corporation is formed are to do any or all of the things herein set forth to the same extent as natural persons might or could do, viz, to purchase or otherwise acquire, manufacture, sell or otherwise dispose of, store, handle and otherwise deal in, and with raw and refined cane and

beet sugar, sirups, molasses, and other commodities, and to do all acts and things necessary, expedient, or incidental to the efficient conduct of said business within or without the State of Delaware.

To exercise all powers which may be delegated to it by the President of the United States.

The foregoing clauses shall be construed both as objects and powers, and it is hereby expressly provided that the foregoing enumeration of specific powers shall not be held to limit or restrict in any manner the powers of this corporation.

In general, to have and to exercise all the powers conferred by the laws of Delaware upon corporations formed under the act hereinafter referred to.

Fourth. The total authorized capital stock of this corporation is \$5,000,000, divided into 50,000 shares of \$100 each.

The amount of capital stock with which this corporation will commence business is the sum of \$1,000, being 10 shares of \$100 each.

Fifth. The names and places of residence of each of the original subscribers to the capital stock and the number of shares subscribed for by each are as follows:

Name.	Residence.	Number of shares.
George M. Rolph.....	San Francisco, Cal.....	4
Theodore F. Whitmarsh.....	New York, N. Y.....	3
George A. Zabriskie.....	do.....	3

Sixth. This corporation is not to have perpetual existence. Its existence is to commence on the 15th day of July, 1918, and is to cease on the 14th day of July, 1923, unless it is sooner dissolved in the manner provided by law.

Seventh. The property of the stockholders shall not be subject to the payment of corporate debts to any extent whatever.

Eighth. The directors of this corporation shall hold office for one year from the date of their election and until their successors are elected and qualified unless sooner removed. The holder or holders of two-thirds of the outstanding capital stock may call a special meeting of stockholders at any time upon mailing notice to the other stockholders of the time and place of said meeting, three days prior to said appointed time, which notice may be waived by unanimous consent or by the presence of all stockholders at said special meeting; and the stockholders present may by a majority vote remove any director or directors from office and elect a successor or successors to hold office for the remainder of the unexpired term.

In furtherance, and not in limitation, of the powers conferred by statute the board of directors are expressly authorized to make, alter, amend, and rescind the by-laws of this corporation and to authorize and cause to be executed mortgages and liens upon the personal property of this corporation, and to authorize the borrowing of such sums of money from time to time and the making and execution of such notes, mortgages, pledges, and liens on the personal property of this corporation as they may deem advisable.

This corporation reserves the right to amend, alter, change, or repeal any provision contained in this certificate of incorporation in the manner now or hereafter prescribed by statute, and all rights conferred on stockholders herein are granted subject to this reservation.

We, the undersigned, being each of the original subscribers to the capital stock hereinbefore named for the purpose of forming a corporation to do business both within and without the State of Delaware, and in pursuance of any act of the Legislature of the State of Delaware entitled "An act providing a general corporation law," approved March 10, 1899, and the acts amendatory thereof and supplemental thereto, do make and file this certificate, hereby declaring and certifying that the facts herein stated are true, and to respectively agree to take the number of shares of stock hereinbefore set forth, and accordingly have hereto set our hands and seals this — day of July, 1918.

In presence of—
 _____ [SEAL]
 _____ [SEAL]
 _____ [SEAL]

AGREEMENT WITH UNITED STATES FOOD ADMINISTRATION AS TO LOUISIANA SUGARS.

This agreement, entered into this — day of —, 1918, between Herbert Hoover, United States Food Administrator, acting in this behalf for the President of the United States, and _____ of _____, hereinafter called the producer, witnesseth that—

Whereas the United States Food Administrator, pursuant to the act of Congress approved August 10, 1917, known as the "food-control act," has issued regulations for the conduct of the business of all persons importing, manufacturing, storing, or distributing sugar, and desires under said act to secure an equitable distribution of the cane-sugar crop of the season of 1918-19 and to prevent unjust, unreasonable, unfair, and wasteful commissions, profits, and practices; and

Whereas the United States Food Administrator has requested all producers of cane sugar in the State of Louisiana to enter into an agreement with him covering the sale and distribution of all cane sugar produced in the State of Louisiana and manufactured for direct consumption; and

Whereas the United States Food Administration has appointed a committee of the United States Food Administration to be called the Louisiana sugar committee, and, subject to his approval, to superintend the distribution of Louisiana sugar and carry out the provisions of this contract. A majority of said committee shall constitute a quorum, and the assent of four members of said committee at a meeting duly called shall be considered the action of the committee. The committee shall be composed of the following persons, and in the event of vacancies occurring the United States Food Administrator shall appoint successors to all such vacancies:

B. E. Milling (chairman), C. D. Kemper, E. J. Gay, J. C. LeBourgeois, W. J. Barkley, E. A. Pharr, and E. A. Burguières.

Whereas the undersigned, _____ is a producer of cane sugar and is desirous of aiding and promoting the efficient administration of said act and of securing the purpose contemplated by said act by agreement as authorized by section 2 of the aforesaid act of Congress.

Now, therefore, in consideration of the premises and the agreements of the United States Food Administrator hereafter set forth the producer hereby agrees:

(1) That in selling and distributing Louisiana cane sugar he will observe and respect and be governed by any and all orders and regulations which said United States Food Administrator, through the said sugar

committee, may from time to time make or prescribe, or any general or special regulations issued under the provisions of said act.

(2) That the "basic price" of fine granulated sugar at any time for the purposes of this contract shall be that price which is then determined by the United States Food Administrator under the provisions of his uniform contracts with the sugar refiners of the United States dated October 1, 1917, as the maximum price which may be charged by such refiners for fine granulated in barrels or 100-pound bags f. o. b. seaboard points with the customary discounts, terms, and conditions, which contract is on file with the United States Food Administrator and made part hereof by reference, and the basic price of Louisiana sugars shall be such basic price less the following differentials:

	Per hundredweight.
Plantation granulated-----	None.
White clarified-----	\$0.10
Off plantation granulated-----	0.10
Off white-----	0.15
Choice yellow clarified-----	0.15
Prime yellow clarified-----	0.20
Kettle-----	0.20
Off yellow clarified-----	0.30
Seconds and thirds (first group)-----	0.80
Seconds and thirds (second group)-----	0.90
Seconds and thirds (third group)-----	1.00
Seconds and thirds (fourth group)-----	1.10
Seconds and thirds (fifth group)-----	1.20

(Differential later reduced on clarified.)

The differential on all grades of semirefined, direct-consumption sugars not listed above shall be the differential indicated for sugars of equal grade, or, if of an intermediate grade, at the differential of the listed grade next below; and the differential on sugars the grade and price of which can not be thus determined shall be fixed by the said sugar committee.

The above grades shall be determined with reference to the standard samples thereof as fixed by the New Orleans Sugar and Rice Exchange, with the approval of the United States Food Administration, and now on file with said exchange. In case of dispute regarding the grade, the final decision shall be made by the Louisiana Sugar Committee.

(3) That unless the aforesaid Louisiana Sugar Committee permits the sale at a lower price by reason of deterioration, or sets a lower price for any or all grades under the provisions of section 4 hereof, the producer will sell direct consumption sugars manufactured by him at not more than such price as is found to be just and fair by the United States Food Administrator, hereafter called the "maximum price." The said United States Food Administrator agrees that he will not name a price less than the basic price mentioned in section 2 hereof for sugar in barrels or 100-pound bags f. o. b. New Orleans or point of origin carrying the same freight rate as New Orleans. *Provided, however,* That if domestic beet sugar is generally selling at a higher price than the basic price of fine cane granulated sugar, the United States Food Administrator will not name a price less than the price of domestic beet sugar, less the differentials named in paragraph 2, provided that if there is a sale to the United States or any of its agencies such price shall not necessarily govern.

That he will sell raw sugar at a price delivered at customary Louisiana refining points not greater than the price which may be found to be just and fair by the United States Food Administrator and not less than the price of duty paid 96° Cuban raw sugar delivered at such refining points.

That he will sell washed sugar (which is defined as any first sugar above the grade of raw sugar, and below the grade of off yellow clarified, and having a color test of not less than 22 Dutch standard) at a price 40 cents above the price of raw sugar as determined by the foregoing paragraph and paragraph 4, with an addition of one-sixteenth of a cent per pound for each degree or fraction thereof above 96°, and a deduction of one-tenth of a cent per pound for each degree or fraction thereof below 96°.

(4) The producer further agrees that the said sugar committee with the approval of the United States Food Administrator may name a price for any grade or grades of Louisiana sugar from time to time at any figure not greater than the price for such grade or grades which may be fixed as the "maximum price" therefor by the United States Food Administration under paragraph 3 hereof, and that after the prices thus fixed are posted at the New Orleans Sugar and Rice Exchange he will sell the sugar at the price named until changed under the provisions of this contract.

(5) In the event that the producer is required by the United States Food Administrator directly or through said committee to ship sugar to a point carrying a freight rate higher from point of origin to point of destination than that from New Orleans to point of destination the producer may add to the price prescribed under paragraphs 3 and 4 hereof the extra freight, provided that the selling price to the retailer shall not be greater than the maximum authorized selling price of similar sugars at such point to retailers.

(6) a. The producer further agrees that he will ship sugar at such time, to such places, and in such quantities as may be directed by the United States Food Administrator through the said sugar committee; that he will route all sugars as directed by said committee; and that he will promptly comply with all orders for change of destination and route and for reconignment.

Provided, That if no instructions or directions are given by the said Food Administrator or the sugar committee he may continue to distribute his sugar in the customary manner heretofore existing for the distribution of such sugars, subject to the price provisions of this contract.

Provided further, That nothing in this contract shall require the producer to ship or dispose of his sugar when prices lower than the "maximum price" named under paragraph 3, less the differentials stated in paragraph 2, are named by the sugar committee under paragraph 4.

b. The producer, unless notified to the contrary, will keep the committee constantly informed of the quantity and grade of sugar that is being produced daily and the disposition of the same.

(7) In consideration of the foregoing agreement, the United States Food Administrator agrees:

a. That he will cause the said sugar committee to direct the disposition of direct consumption sugars in the most economical and efficient method consistent with equitable distribution and the needs of the country.

b. That he will use his best efforts to secure preference in the distribution and sale to local refiners of Louisiana raw sugars manufactured by the producer herein, if the producer is desirous of selling to such refiners.

c. That he will use his best efforts with the proper authorities to secure an adequate supply of railroad cars for the distribution of all Louisiana sugars covered by this contract.

(8) Sugar shall be delivered to the United States Government for Army and Navy uses when and in such amount as the Government may require at prices to be fixed by the United States Food Administrator.

(9) It is understood and agreed by the producer that a willful violation of any of the terms of this agreement may result in and be cause for revocation of his license.

(10) This agreement shall remain in full force and effect from October 1, 1918, and until the final disposition of the crop of the season 1918-19, and for each succeeding year thereafter until the existing state of war between the United States Government and Germany shall have terminated and the fact of such termination shall have been proclaimed by the President of the United States; provided, that either party hereto may withdraw from the contract after the disposition of the crop of 1918-19 by giving a 30 days' written notice to that effect before October 1, 1919; or may withdraw for any subsequent crop year by giving such notice on or before October 1 of that year.

(11) The word "he" wherever used in this contract to indicate the producer shall refer to such producer, whether an individual, partnership, or corporation, as the case may be.

In witness whereof, the parties hereto have subscribed this agreement on the day and year first above written.

By _____

Producer.

(Post-office address.)

CONTRACT COVERING PURCHASE OF FULL CUBAN CROP BY SUGAR EQUALIZATION BOARD FINALLY RATIFIED.

TEXT OF AGREEMENT.

Agreement entered into this 24th day of October, 1918, in the city and State of New York by and between United States Equalization Board (Inc.), a corporation of the State of Delaware, a party of the first part; Carlos Manuel de Cespedes, Robert B. Hawley, and Manuel Rionda, a Cuban commission, parties of the second part; and agents of various Cuban producers acting severally for the producers of sugar in the island of Cuba, parties of the third part, witnesseth:

Whereas the United States Sugar Equalization Board (Inc.), was created and is acting as an agency of the United States for the purpose in part of equalizing the distribution and selling price of sugar, and to that end has power and authority to purchase domestic or foreign raw sugar in such quantities, at such prices, and upon such terms and conditions as it may deem advisable, and to resell said sugar in its discretion at, below, or above cost, and upon the same or other and additional terms and conditions; and

Whereas the President of the Republic of Cuba, by Executive order, has appointed Carlos Manuel de Cespedes, Robert B. Hawley, and Manuel Rionda a Cuban commission to arrange for the sale of sugar produced in the island of Cuba during the crop season 1918-19, and to pledge the Republic of Cuba to the terms and conditions provided herein to be performed by said Republic; and

Whereas the said Cuban commission has represented there is power and purpose in the Government of the Republic of Cuba to cooperate in the establishment of a stabilized price for the whole of the Cuban crop 1918-19, and also to control by license the export of any Cuban sugar to any person, entity, or country under specified terms and conditions, including price; and

Whereas the said United States Sugar Equalization Board (Inc.) and the said Cuban commission have arranged for the purchase and sale of sugar produced in the island of Cuba during the crop season 1918-19, upon the terms and conditions hereinafter stated:

WHOLE OUTPUT PURCHASED.

Now, therefore, the parties hereto each for its or his or himself for the part to be performed by it or him, or in behalf of others herein described, agree as follows:

I.

The said Cuban commission agrees that it will immediately arrange that each and every producer of sugar in Cuba shall duly authorize an agent in the city of New York, one of the parties hereto (hereinafter severally or collectively called the seller), to contract for and sell to the United States Sugar Equalization Board (Inc.) (hereinafter called the buyer) the whole of his or their output of sugar deliverable at the option and upon the direction of the buyer for shipment to the United States, United Kingdom, Canada, France, or Italy, or to any other country upon the terms and conditions hereinafter stated; said authorization shall be in writing and filed with the buyer, and shall state the name and location of the factory or factories of each of the said producers and the estimated production of each during the crop season 1918-19.

II.

Pursuant to the said authorization the seller, on behalf of himself and his principals, agrees to sell and to deliver to the buyer all the raw sugar produced by him or his principals in the island of Cuba during the crop season of 1918-1919 (except that actually used for local consumption in Cuba) and the buyer agrees to purchase and receive the same on the following terms:

SHIPMENTS TO UNITED STATES.

For shipments to the United States at the price of 5.88 cents per pound c. and f. to New York-Philadelphia, basis 96° average outturn polarization, net landed weights, based on a freight rate of 38 $\frac{1}{2}$ cents per 100 pounds from north side ports west of and including Calbarien, subject to United States raw sugar contract terms, a copy of which is hereto annexed marked "Schedule A" and made a part hereof;

For shipment to the United Kingdom, France, and Italy at the price of 5.50 cents per pound f. o. b. northern ports, or 5.45 cents per pound f. o. b. south side ports, basis for 96° centrifugal sugar, subject to all the conditions of the usual contract form for shipments to these countries, a copy of which is hereby annexed marked "Schedule B" and made a part hereof;

For shipment to Canada, if shipped direct to a Canadian port, at the same prices and upon the same terms as are provided for shipments to the United Kingdom, but if shipped via New York at the same prices and upon the same terms as are provided for shipments to the United States.

SHIPMENTS TO OTHER COUNTRIES.

For shipments to all countries other than the United States, the United Kingdom, Canada, France, and Italy, at the same prices and upon the same terms as are provided for shipments to the United Kingdom, except, however, that net shipping weights, less 1 per cent, and Cuban tests shall be accepted by the buyer and the seller (weight to be calculated on United States standard), and that payment for such sugar shall be made by the buyer in cash in New York in 10 days after presentation of shipping documents, or, at seller's option, by 10 days' sight draft drawn on buyer with shipping documents attached, and except that all matters of disagreement shall be determined pursuant to the provisions of article 6 hereof.

The freight rates from various Cuban ports to various United States ports and the minimum amount of sugar to be loaded per day at each Cuban port are and will be as set forth in Schedule C annexed hereto and made a part hereof, except as the same may be hereafter changed by the United States Shipping Board or other agency of the United States Government having jurisdiction in the premises.

Shipments are to be made as soon as possible after grinding commences, and not less than 2 per cent of the amount shall be shipped during December, 1918, the balance in approximate equal monthly shipments from January to November, 1919, both inclusive.

Sugar shall be shipped in sound jute bags containing approximately 325 pounds each. In all cases where shipment is made in second-hand bags there shall be deducted not less than 15 cents for each second-hand bag.

The buyer will notify the seller from time to time of proposed allocations of sugar for shipment as between the United States and other countries, and shipments shall be made as directed.

The seller undertakes to pay all lighterage charges and all shipping expenses and also all Cuban taxes, both domestic and export.

The seller also undertakes to pay all necessary expenses at the port of discharge to effect delivery to buyer on such safe wharf or refinery dock as may be designated by buyer.

The seller agrees to pay to the buyer a commission of one-half of 1 per cent on the sugar allocated for shipment to countries other than the United States and Canada.

SELLER TO PAY BROKERAGE.

The seller agrees to pay on the sugar allocated for shipment to the United States and Canada a brokerage to be calculated on the average tons of Cuban sugar handled by brokers in the United States heretofore acting in their legitimate capacity as brokers in the three-year period of 1915, 1916, and 1917, but the total disbursement for this purpose shall not exceed \$250,000. The concurrent decision of the buyer and the Cuban commission shall be final and conclusive on any question or dispute arising under this clause.

In the event of any steamer being lost its cargo shall be settled on the bill of lading net weights and Cuban tests as soon as possible, but not later than 30 days after proof of loss.

The parties obligated hereto will use due diligence and every effort to provide tonnage, but are released from responsibility by acts or circumstances beyond their control.

Marine insurance to be covered by the buyer from shore to shore including the risk of lighterage to and from the vessel at ports of loading and discharge. Sugar shall not be loaded on any steamers or other vessels not acceptable to the insurers under buyers' average rate policy, unless specific directions to load an unacceptable vessel are given by either the buyer or the seller. When such specific directions are given the excess insurance over an average rate of 31 cents per \$100 shall be paid by the party ordering the vessel loaded. All war risk is for account of buyer.

III.

The buyer shall have the right from time to time to assign this contract, without recourse, in respect to any part of the sugar contracted for herein, to the Governments of the United Kingdom, Canada, France, or Italy, or to any duly constituted agency representing all or either of said Governments, or to any sugar refiner of the United States. The buyer, upon making any such assignment, shall give notice thereof to the seller.

IV.

The purchase of the sugar crop of 1918-19 by the buyer, as herein provided, is made in reliance upon the representation and agreement of the Cuban Government that it will effectually prohibit any sugars of the 1918-19 crop from being shipped or exported from the Island of Cuba except under this contract, and that it will enact such laws and promulgate such orders and decrees as are necessary to faithfully fulfill and observe the stipulation and condition aforesaid.

In the event of failure on the part of the Cuban Government to take the action above provided, or to faithfully fulfill and observe said stipulation and condition, or in the event of inoperation, rescission, or suspension thereof, the buyer shall have the option, upon notice in writing to the seller, to cancel this contract in respect to any undelivered portion of the said sugar crop of 1918-19.

If the seller fails to deliver the sugar required to be delivered to the buyer under this contract or if any sugar is directly or indirectly shipped or exported from the Island of Cuba by the seller or his principal to any consignee other than the buyer or its assigns, the buyer shall have the right, either in law or in equity, to sue for and recover all damages resulting therefrom, whether or not the above option of cancellation is exercised.

V.

This contract is also made in reliance upon the representation and agreement of the Cuban Government that it will place no restrictions or embargoes on the export of molasses to the United States.

VI.

All matters of disagreement arising under this contract between the buyer and the seller which can not be adjusted by them to their mutual satisfaction, shall be left to arbitration in Washington. But before any arbitration can be called by the seller the matter in dispute shall be submitted by it or him to the Cuban Commission, and its approval of and consent to the arbitration obtained in writing. For the purposes of the arbitration the buyer and the seller shall each select one arbitrator, and the two so selected shall select a third, and the decision of any two of said arbitrators shall be final and conclusive upon the parties thereto. Any expenses attached to such arbitration shall be divided equally between said parties. It is agreed, however, that as to disputes arising on shipments to the United Kingdom, France, or Italy the arbitration clause in Schedule B shall apply.

VII.

The Cuban commission is acting hereunder solely in a representative capacity as an administrative agency of the Cuban Government under the express authority of said Government, and its members do not assume nor shall they be charged with any personal liability. Upon the execution of this contract the Cuban Government will promptly take such governmental action as is necessary on its part to carry out its terms. It is understood and agreed by the parties hereto that the obligations of the buyer hereunder are conditioned upon the undertakings of the Cuban Government herein expressed and upon the faithful fulfillment and observance thereof.

VIII.

It is contemplated by the buyer and seller that the greater part of the sugar delivered for shipment to the United States will be resold, directly or indirectly, to the Atlantic and Gulf sugar refiners of the United States, who will be made the consignee of such sugar. For the convenience of the parties in all such cases it is agreed that before departure of vessel from loading port the seller, upon request of the buyer, will execute with the consignee a confirmation in the form of Schedule A hereto annexed, and will settle with such consignee in accordance with this contract, and it is further agreed that the buyer will guarantee performance by the consignee. All such consignments shall be by negotiable bill of lading.

IX.

It is agreed that the seller or his principals shall not export from the island of Cuba during the terms of this contract any edible sirups fit for human consumption from which sugar may be commercially extracted without the consent of the buyer.

X.

Should any unforeseen circumstances such as war, rebellion, insurrection, political disturbances, strikes, lack of fuel, riots, or civil disturbances in the island of Cuba prevent the making of the sugar covered by this contract, the seller shall so advise the buyer immediately and thereupon shall be released from delivery of such portion of the crop as can not be made or delivered, but the seller agrees to use due diligence to carry out this contract in its entirety, notwithstanding the circumstances mentioned.

Should any unforeseen circumstances such as war, fire, explosion, acts of God and the public enemy, strikes, riots, car shortage, lack of fuel, or disturbances in the United States prevent the buyer from receiving or delivering, or the refiners of the United States from refining the sugar purchased under this contract the buyer shall immediately give notice of such conditions to the seller and thereupon the buyer shall be released from any damages by reason of nonacceptance of raw sugar (except sugars afloat) during the time that the above conditions continue, but the buyer will use all due diligence, notwithstanding the unforeseen circumstances, to carry out this contract as far as possible in its entirety.

In witness whereof, the parties hereto being duly authorized, have executed this agreement as of the day and year first above written.

UNITED STATES SUGAR EQUALIZATION BOARD (INC.),

By _____, President,
_____, Secretary.

CUBAN COMMISSION,

By _____,

Agents of various Cuban producers acting severally for the producers of sugar in the island of Cuba under authorizations dated October 24, 1918, and filed with the buyer.

RAW SUGAR CONTRACT—SCHEDULE A—CONFIRMATION—UNITED STATES
RAW SUGAR CONTRACT—CUBA—COST AND FREIGHT.

NEW YORK, _____, 191-.

To _____ Refining Co. (hereinafter called consignee).

At the request of the United States Sugar Equalization Board (Inc.) we hereby confirm the sale to you for its account under the terms of the agreement as to Cuban sugars, 1918-19 crop, dated October 24, 1918, of about _____ long tons of Cuba centrifugal sugar. Delivery of 5 per cent, more or less than this amount, to be settled for on same basis. Shipment to be made by negotiable bill of lading per s/s _____ expected to be loaded at _____ about _____, 191-, for port of _____ via steamer (or steamers) or by car ferry via Key West. The consignee must give notice of destination at least two days before steamer finishes loading at the last loading port. The consignee can order steamers to New York, Philadelphia, Boston, Savannah, New Orleans, or Galveston, but to only one port for each trip.

At a price of 5.88 cents a pound, cost and freight, basis 96 degree average outturn polarization, net landed weights, and is based on a freight rate of 38½ cents from north side ports west of and including Caibarien to New York or/and Philadelphia. In case the rate of freight to Boston, Savannah, New Orleans, or Galveston is lower/higher than the rate to New York or/and Philadelphia from said north side ports, the amount of the reduction/increase shall be deducted from/added to the above price. In case the rate of freight from said north side ports to New York or/and Philadelphia is increased/decreased, the above price shall be increased/decreased by the amount of such increase/decrease.

Discharge of the sugar in the United States to be made at a customary safe wharf or refinery, as directed by the consignee. Demurrage and dispatch money at port of destination to be for account of consignee and at port of loading to be for account of seller. Consignee not to be responsible for demurrage or other loss caused by reason of the failure of seller to furnish all necessary Cuban papers. Documents required to effect a prompt entry and discharge of cargo in the United States to be furnished by the seller. Party in default in producing necessary papers for entry of sugar shall be liable for demurrage of the vessel and for actual expense incurred.

TERMS OF PAYMENT.

Payment by the consignee to _____ either in cash on presentation of all necessary shipping documents or at buyer's option by one-day sight draft attached to the shipping documents for 95 per cent of the invoice, based on net shipping weights and tests less interest for nine days at the rate of 6 per cent per annum. Any balance to be paid after final settlement of weights and tests, with interest on balance at the rate of 6 per cent per annum from 10 days after date of entry of steamer. If sugar is shipped in sailing vessel, payment to be made in cash on presentation of documents after entry of vessel at customhouse for 95 per cent of the invoice, based on net shipping weights and tests with interest on said balance as above. All payments to be made in New York or New York exchange.

Samples to be drawn mutually by consignee and seller. Three tests to be made of each sample of sugar—one by seller's public chemist, one by consignee's public chemist, and one by the New York Sugar Trade Laboratory. The average of the two nearest polarizations to be taken as the final test. Settlement on each shipment to be made on the final test, with the allowance of one-twentieth of 1 cent per pound for each degree above the selling basis up to 98 degrees and one-tenth of 1 cent per pound for each degree below the selling basis down to 94 degrees, fractions in proportion. Any marks below 94-degree test three-twentieths of 1 cent per pound per degree down, fractions in proportion, but no sugar to be delivered below 93 degrees, unless on discount terms mutually satisfactory to consignee and seller.

Marine and war-risk insurance arranged by the United States Sugar Equalization Board (Inc.).
Accepted:

_____, Seller.
_____, Refining Co., Consignee.

SCHEDULE B.

CONDITIONS OF THE USUAL CONTRACT FORM FOR SHIPMENT TO THE UNITED KINGDOM, FRANCE, AND ITALY.

_____ tons (of 2,240 lbs. net each) of Cuba, centrifugal sugar, fair average quality of the crop.

For shipment _____ free on board steamers at one or two customary _____ safe north side Cuban ports for each cargo.

Basis 96 per cent average outturn polarization. For any excess above 96 per cent one-twentieth of 1 cent per pound per degree to be added to contract price; for any deficiency below 96 per cent, one-tenth of 1 cent per pound per degree to be deducted from contract price down to 94 per cent polarization. If any mark or marks polarize below 94 per cent, an allowance of three-twentieths of 1 cent per pound per degree to be deducted in addition to the aforesaid allowance from 96 per cent to 94 per cent, but no sugar to be delivered below 93 per cent.

FRACTIONS IN ALL CASES IN PROPORTION.

Net landed weights and outturn polarization at ports of discharge in United Kingdom, but at ports in France and Italy net shipping weights less 1 per cent and Cuban tests to govern. Shipping weights to be calculated on United States standard.

USUAL CONDITIONS OF SAMPLING AND POLARIZING.

Sellers have the option of delivering at one or two customary safe south side Cuban ports. Vessels are to receive sugar as fast as possible, and the sellers are to supply the cargoes at not less than 6,000 bags per working day at north side ports and Cienfuegos, and 4,500 bags per day at all other south side ports, in default of which demurrage is to be paid by sellers at the same rate as heretofore.

Sugar is to be shipped in vessels to be provided by buyers to load as above. Buyers to give sellers reasonable notice of expected readiness.

Payment to be made by buyers in cash in New York in exchange for complete sets of bills of lading and certificates of origin (old and new forms) immediately upon receipt of cable from _____ to _____ saying that the documents are in their possession in New York.

Marine insurance from shore to shore, including craft risk loading and discharging, on usual full Lloyd's conditions to be for buyer's account.

WAR RISK, IF ANY, TO BE FOR BUYER'S ACCOUNT.

Any dispute arising out of this contract to be settled by arbitration under the rules of the Sugar Association of London (cane-sugar section), buyers being considered as a refiner.

If sugar shipped to Europe, buyers to give sellers at once copies of such documents as are required by and on forms acceptable to the customs at port of destination, including full details of such consular certificates as are needful. Sellers to have shipping documents made on similar forms as soon as shipment is complete, but they are not to be held responsible for any delays owing to absence of or distant locations of consuls from port of shipment.

In the event of buyers failing to provide tonnage as above they are to reimburse sellers for the actual cost and proved loss of holding over the sugar, including interest at 5 per cent per annum. The provisions of tonnage not to be unduly delayed.

SCHEDULE C.

FREIGHT RATES FROM CUBA TO THE UNITED STATES PER 100 POUNDS.

(Basic rate, 38½ cents.)

	Cents.
North-side ports, taking basic rate to New York, and/or Philadelphia-Habana or Matanzas or Cardenas or Sagua or Caibarien, one or two ports (6,000 bags loading)	38½
Other north-side ports to New York and/or Philadelphia-Manati or Chaparra, loading at one port only (6,000 bags loading)	39½
Other ports east of Caibarien, loading at one port only	41
Two ports (5,000 bags loading)	43
South-side ports to New York and/or Philadelphia-Cienfuegos (6,000 bags loading)	45½
Santiago (4,500 bags loading)	48
Guantanamo (4,500 bags loading)	48
Trinidad (3,500 bags loading)	51½
Guayabal (4,500 bags loading)	50
Jucaro, Zaza, or Manzanillo, loading at one port only (3,500 bags loading)	51½
Manzanillo and a second port to the east	53½
Jucaro, and a second port to the west	53½
To New Orleans, above rates less	6
To Savannah or Galveston, above rates less	2½
To Boston, above rates plus	6

All freights quoted on gross landed United States Government weights.

REFINERS' AGREEMENT.

Agreement entered into this 24th day of October, 1918, in the city and State of New York, between the United States Sugar Equalization Board (Inc.), a corporation of the State of Delaware, hereinafter described as the "Equalization Board," and the refiners of sugar in the United States, acting severally, signatory hereto, hereinafter described as the "refiners," and Herbert Hoover, as United States Food Administrator, hereinafter described as the "Food Administrator," witnesseth: Whereas the Equalization Board has been created and is acting as an agency of the United States for the purpose in part of equalizing the distribution and selling price of sugar, and contemporaneously with the execution of this agreement has entered into an agreement bearing

even date herewith for the purchase of raw sugar produced in the island of Cuba during the crop season 1918-19, which agreement, described as the "Cuban agreement," is hereto annexed and marked "Exhibit A"; and

Whereas, with a view to securing regular and sufficient supplies of sugar to the American people and the Army and Navy at a reasonable price, even during the disorganized period of world trade, the Equalization Board has, in the interest of the American people and the Allies, purchased the Cuban crop of 1918-19 for distribution to the American people, their Allies, and others; and

Whereas the Food Administrator and the Equalization Board are desirous of securing an equality of distribution of said sugars according to requirements or to secure such exports from said sugar as may be in surplus and may be determined by the agencies of the Government as necessary to meet its international obligations; and

Whereas it is necessary and advisable, in order to secure an equitable distribution of sugar throughout the United States, to apportion Cuban and other sugars among the refiners for their requirements, and to that end to continue the American refiners' committee; and

Whereas the American refiners are desirous of fully cooperating with the agencies of the Government in the purposes above set forth:

Now, therefore, the parties hereto, in consideration of the premises and the mutual covenants herein contained, each for itself and himself, for the part or proportion of this agreement to be performed by it or him, severally and not jointly, agree as follows:

1. The Food Administrator and said refiners agree that the agreement of October 1, 1917, between the refiners and the Food Administrator shall be, and same is hereby, canceled and annulled so far as the rights and obligations of the parties hereto to each other are concerned, except as to such sugars of 1917-18 crop as have not been delivered.

2. Such of the following-named persons as are officers of companies signatory hereto are hereby appointed by the Food Administrator for the period of this agreement and shall constitute the American refiners' committee, with the powers and duties hereinafter set forth: James H. Post (chairman), Claus A. Spreckels, Charles M. Warner, George H. Earle, Jr., Robert M. Parker; and the following-named persons who are representatives of companies signatory hereto are appointed as alternates on said committee, who shall have the privilege of being present at all meetings and serving in place of any absent member or filling any vacancies in said committee in the order named: Dwight P. Thomas, W. J. McCahan, Jr., Benjamin A. Oxnard, M. E. Goetzinger, John Farr, William Henderson, W. T. Eldredge, E. L. Wemple.

3. Until the 31st day of December, 1919, the refiners will not purchase any sugar except from the Equalization Board, other than such sugars as are provided under the said agreement of October 1, 1917, and Hawaiian sugars hereinafter referred to: *Provided, however*, That refiners may purchase sugars other than the crop of 1918-19, for delivery after December 31, 1919.

4. The sugar provided by the Equalization Board shall be distributed among the refiners who enter into this agreement to meet their requirements in the proportions set forth in "Exhibit B," which is made a part hereof, and in case there is a disagreement between a refiner and the American Refiners' committee as to apportionment the matter shall be submitted to the United States Food Administrator and his decision shall be final, and any sugar received by a refiner from any source shall be charged against his pro rata amount under such distribution. The Hawaiian sugar that may be deliverable under any contract to any refiner, party hereto, shall be taken over in rotation in an order to be determined by lot, to be drawn by the chairman of the American Refiners' committee and upon the terms provided for in such contract for account of the New York and Philadelphia refiners, parties hereto, and the rights and obligations of the purchaser under said contract are to be assumed by said refiners.

5. The American Refiners' committee is, under the direction, supervision, and control of the Equalization Board, hereby charged with the duty and responsibility on behalf of the refiners hereto, of arranging, routing, and distributing to the several refiners the sugar to be purchased as hereinafter set forth from the Equalization Board, and such duties shall, so far as possible, be carried out in accordance with the requirements and conveniences of the several refiners.

6. The several refiners, not in any way limiting their ordinary power or business discretion to determine to what extent they may severally operate their refineries, agree to and do hereby purchase from the Equalization Board, and the Equalization Board agree, subject to its commitments from time to time to Governments or persons outside the United States and to the requirements of the United States Government, and buyers in the United States other than refiners, to sell to the refiners their entire requirements of raw sugar for the operation of their several refineries for such time as the respective refiners in their respective judgments determine to operate their respective refineries, for the period beginning with the date of this agreement and ending on December 31, 1919 (except for such raw sugars as are purchased by the refiners under the agreement of October 1, 1917, and the Hawaiian contracts herein referred to); and they severally agree not to purchase any sugar from any person, country, or source of supply during said period other than from the Equalization Board.

For all such purchases of sugar from Cuba the several refiners agree to pay the price of 7.28 cents per pound, 96° average outturn polarization (duty, if any, paid). (For sugar polarizing over 96° there shall be added to the price 7 cents per 100 pounds per degree up to 98°. For sugar polarizing under 96° there shall be deducted from the price 12 cents per 100 pounds per degree down to 94°. For sugar polarizing between 94° down to 93° there shall be deducted from the price 17 cents per 100 pounds per degree, fractions in proportion.)

All sugar furnished the refiners from Cuba shall be settled for by each refiner on the same terms and conditions under which said sugar was purchased by the Equalization Board under the Cuban agreement. The refiners severally agree for their proportions of the Cuban sugar hereby purchased by them to pay the amounts required to be paid by the Equalization Board, under, by, and in accordance with the terms of the Cuban agreement and in addition thereto to pay the Equalization Board the difference between the amount per pound they are required to pay under the Cuban agreement for sugar delivered and 7.28 cents per pound for 96° test.

The Equalization Board states that the amount so paid to it may be used by it for the liquidation of any losses it may incur on excess stocks of sugar purchased by it or in equalizing the distribution or price of sugar to the American people. Any balance in the treasury of the Equalization Board, after the discharge of its obligations hereunder, and other liabilities, belongs to its only stockholder, the United States.

7. The refiners severally agree to receive, accept, and pay for any sugar other than Cuba which may be purchased by the Equalization Board from time to time for the requirements of such refiners, respectively, as stated in paragraph VI, at a price of 7.28

cents per pound, 96 degree test, average outturn polarization (duty, if any, paid) delivered at the refinery, with allowances for differences in test, as specified in paragraph VI, provided that the Sugar Equalization Board is not required to deliver sugar under this and the preceding paragraph VI unless due notice of the requirements of such refiner is given to the said board and the sugars are reasonably obtainable at a delivered duty-paid price of 7.28 cents per pound or less.

8. Marine insurance on sugar purchased by the Equalization Board on a cost and freight basis shall be arranged by the American Refiners' Committee, under direction of the Equalization Board, from shore to shore, including the risk of lighterage to and from the vessel at ports of loading and discharge, the cost thereof to be paid by the refiners severally and charged against the price of the sugar delivered hereunder.

9. The Equalization Board, however, reserves the right in its sole discretion, from time to time, to change the price to the refiners as to any sugar to be delivered under this agreement upon giving 15 days previous notice of such change of price, and in case of any such change in price settlement by the refiners for their purchases of all sugar shall thereafter be upon the basis of such changed price instead of the 7.28 cents per pound 96 degree test above mentioned. Due regard to be given allowances up and down from 96 degrees.

10. In making settlement for sugars purchased by them hereunder, the Colonial Sugar Co. and the Leon Godchaux Co. (Ltd.) shall each be entitled to charge against any sum or sums to be severally paid by them, to cover inland freight to refining points when paid by such refiners, the sum of 3½ cents per 100 pounds of sugar purchased by them from the Sugar Equalization Board aforesaid. These charges, however, may be canceled or changed from time to time at the option of the Equalization Board.

11. Each of the undersigned refiners agrees that it will sell all sugar refined by it at a price not more than \$1.54 net per 100 pounds wholesale of refined sugar, on the basis of fine granulated sugar in barrels or in 100-pound bags, when used as the standard basis, f. o. b. refinery above the price for 96-degree centrifugal sugar paid to the Equalization Board provided for in this agreement, with such differentials as are now shown on its official price list, same being subject to change from time to time on consent and approval of the Equalization Board. Said net margin shall be exclusive of the 2 per cent cash discount, payment in 10 days to the trade. This margin is determined on a delivered duty paid price of from 7.10 to 7.35 cents per pound for 96-degree test raw sugar, and in case the price provided for in this agreement goes below 7.10 cents per pound the margin aforesaid shall be decreased in such a manner as to return substantially the same profit to the refiner. In case the basic price goes above 7.35 cents per pound, said margin shall be increased to accomplish the same purpose. It is mutually agreed between the parties hereto the said margin shall be promptly revised by the parties hereto from time to time in case of changes in cost of refining and of wholesale distribution, or in the event of an excise or similar tax.

It is further understood that the margin upon any sugar purchased under the Hawaiian contracts above referred to may be increased by the amount of the differential under which sugar is purchased.

12. It is further understood that inasmuch as this agreement has been entered into at the request of the Food Administration and the Equalization Board for the purposes above recited, in view of the limitation on the price to be secured by the refiner for its refined product, it is mutually agreed between the Equalization Board and the refiners that in case of an advance or decline in the price of sugar from 7.28 cents per pound for 96° test, raw basis, due to any action of the Equalization Board, the Equalization Board will pay to each of the refiners in the event of a decline in price, and each of the refiners will pay to the Equalization Board in the event of a raise in price, a sum equivalent to the change in price multiplied by the number of pounds of raw or refined sugar, raw basis (refined sugar shall be reduced to raw basis by adding 7 per cent to its weight), which each of the refiners may have purchased hereunder and which is undelivered or on hand or in transit on the date when such change takes place.

13. Each refiner signatory hereto agrees to conduct his or its export business under the direction of the Equalization Board and to export or distribute to the domestic trade such proportion of its refined sugar as the Equalization Board may direct, upon prices and terms which will yield the refiner the same margin as is specified in paragraph XI, and in the event of sales for export at a higher price the excess over the refiners' margin is to be for the account of the Equalization Board.

The Equalization Board furthermore agrees, in conducting its export business, that it will endeavor, where conditions permit, to provide (in case the refiners desire) additional quantities of dutiable raw sugar after giving due consideration to the requests and requirements of other nations or buyers.

14. So long as raw sugars are available for refiners' requirements the said Food Administrator and the said Equalization Board will not restrict the sale and distribution of refined sugar made from raw sugar purchased under this agreement. The Food Administrator or the Equalization Board shall have the right to supervise the domestic distribution of sugar during the life of this contract. No restrictions shall be placed upon domestic consumption until after the refiners have been consulted.

15. In the event that any refiner named in Exhibit B does not enter into this agreement its pro rata proportion of sugar shall be allotted to the refiners signatory hereto, if they desire, in the proportion and at the price and upon the terms and conditions herein provided as to the sugar purchased hereunder.

16. From October 1, 1919, to December 31, 1919, if requested so to do by the Equalization Board, the refiners agree to refine any raw sugar the Equalization Board may have purchased and not sold to the refiners at the refiners' margin then in effect, to be ascertained as provided in paragraph XI, less 3 cents per 100 pounds. The refiners agree to offer said sugar for sale and distribution, if requested so to do, at such price and on such terms as the Equalization Board may direct for a commission of 3 cents per 100 pounds.

17. Should any unforeseen circumstances, such as war, rebellion, insurrection, political disturbances, strikes, lack of fuel, marine loss, fire, explosion, riots or civil disturbances, embargoes, prohibitions, or other causes, either in the United States, Cuba, or elsewhere, prevent the Equalization Board from making delivery of the sugar according to the terms hereof, it shall so advise the refiners' committee immediately and be released from delivery of such portion of the sugar as can not be delivered, but the Equalization Board agrees to use due diligence to carry out this agreement in its entirety, notwithstanding the circumstances mentioned.

18. All matters of disagreement arising under this agreement between the Equalization Board and any other party hereto which can not be adjusted by them to their mutual satisfaction shall be left to arbitration in Washington. The Equalization Board and the American refiners' committee shall each select one arbitrator and the two so selected shall

select a third and the decision of any two of said arbitrators shall be final and conclusive upon the parties thereto. In case the disagreement is between only one refiner and the Equalization Board the arbitrator provided to be appointed by the American refiners' committee shall be appointed by such one refiner. Any expense attached to such arbitration shall be divided equally among the parties to the arbitration.

19. It is agreed by all parties hereto that said Equalization Board may earn a profit on any sugar it may purchase and resell to said refiners or on any sugar it may purchase from said refiners and resell for export.

20. It is further understood that the individual members of the said American refiners' committee are acting herein as volunteers, in a purely administrative capacity, and accordingly the parties hereto agree that said members of the said committee shall not incur any personal liability, individually or collectively, under the terms of this contract, nor be responsible for any damage of whatever kind connected with any matter or thing relating to this contract; nor shall they be responsible or liable for any act, fault, or misconduct of any agents or persons employed by them, and the parties hereto hereby further release and discharge the same individual members of the said committee from any and all claims of whatever kind for personal responsibility or liability as aforesaid.

21. The refiners severally agree to pay their pro rata share on the basis of sugar purchased of any expenses incurred by the American refiners' committee in carrying out this agreement.

22. This agreement shall remain in full force and effect up to and including December 31, 1919, and shall cover all sugar shipped or in transit prior to that date.

EXHIBIT B.

Basis of proportionate distribution as fixed on November 4, 1918, at a meeting of the American refiners' committee of the United States Food Administration:

	Per cent.
American Sugar Refining Co.....	38.001
Arbuckle Bros.....	6.613
California & Hawaiian Sugar Refining Co.....	6.945
Colonial Sugar Co.....	2.185
Federal Sugar Refining Co.....	9.645
William Henderson.....	1.220
Imperial Sugar Refining Co.....	1.122
The W. J. McCahan Sugar Refining Co.....	2.489
National Sugar Refining Co.....	11.940
Pennsylvania Sugar Co.....	4.537
Revere Sugar Refining Co.....	2.985
Savannah Sugar Refining Corporation.....	2.149
Warner Sugar Refining Co.....	6.187
Western Sugar Refining Co.....	5.549
The Leon Godchaux Co. (Ltd.).....	1.433

Mr. **FORDNEY**. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. **REBER**].

Mr. **REBER**. Mr. Chairman, I hope the House will pardon me for transgressing upon its valuable time, but I feel it my duty to make suggestions at this time that to me seem very timely and important.

The President of the United States, in his address to the Congress August 8, touched upon the subject I have in mind, but disappointed my expectations in that he did not go far enough, did not dwell fully, and did not give the subject I have in mind the prominence it deserved.

He placed this subject near the end of his address, whereas he should have put it at the beginning.

He said—I quote in part only:

The world must pay for the appalling destruction wrought by the Great War, and we are part of the world. We must pay our share. For five years now the industry of all Europe has been slack and disordered. The normal crops have not been produced; the normal quantity of manufactured goods has not been turned out. For the present it is manifest we must quicken, not slacken, our own production.

All will address themselves to the task of peace with the same devotion and the same stalwart preference for what is right that they displayed to the admiration of the whole world in the midst of war.

For a period of over four years the mad world has danced a mad dance, and now it must pay the fiddler. During that time the world took an immense number—possibly 100,000,000 people—out of the productive industries and put them into war, the most destructive occupation known to man. And a large number of these people have not been returned into the productive industries.

Every means of destruction that the genius of man knew or could devise was brought into play, and the destruction of life, health, and wealth was indeed appalling.

Yesterday the Hon. David Lloyd-George, the British prime minister, stated to the House of Commons that the late war cost Great Britain alone \$200,000,000,000. If his figures for Great Britain are correct, what must have been the cost to the entire world? Who can estimate it correctly? Continuing, he said:

In every direction we are spending more and are earning less. We are consuming more and producing less. These are facts. It can not last.

The premier declared that Great Britain would never improve economic matters until there came an increase in production.

The world is suffering from shell shock on a big scale, but all of this will pass away.

One of the arguments in favor of reducing the working hours, the premier said, was that the reduction in time would not involve a reduction in output. There has, he said, been a substan-

tial reduction in the hours of labor and the output has been reduced almost in the same mathematical proportion. Labor has made tremendous gains in the last two or three years, the premier added, but he said these could not be maintained if production did not increase.

The lives that were sacrificed we can not restore, but the wealth that we destroyed can be replaced by toil and saving, but by toil and saving only. We can create new wealth to take the place of what we destroyed, but it will require many years of hard, steady work. We must produce more than we consume. [Applause.]

We have danced and danced, and this is the price we must pay the fiddler. The enormous loss of wealth can not be replaced overnight, nor can it be restored by legislation. It is futile to attempt it. Many panaceas will be suggested, many nostrums may be tried, but they will not avail. They are simply subterfuges to side-step the natural consequences of war—to avoid paying the fiddler. Legislation can not substitute for labor and economy. It never has and never will. If the newspapers are giving us the correct news, and I presume they are, we see therein that in nearly all countries men are frantically appealing to their legislative bodies for laws to relieve the universal distress and unrest.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. REBER. Yes.

Mr. GREEN of Iowa. The gentleman is aware, doubtless, that there have been various efforts to regulate prices from the time of the Roman Empire down. Does the gentleman know of any time when any distinguished success was made in the process?

Mr. REBER. Never any very great success.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. REBER. Yes.

Mr. EMERSON. It would not be a bad idea if we would try to do something, would it? There is no need to say, "Here is the wolf, and we can not do anything." We can try, can we not?

Mr. REBER. I shall cover that a little later.

They are appealing in vain, for legislation can no more restore the wealth that was destroyed than it can restore the lives that were sacrificed to the greed of men. That wealth is gone forever. New wealth can be created, but it can be created in only two ways, either by decreased consumption or increased production, or both; it is up to mankind to decide which it will be—decreased consumption or increased production, and possibly both. Lloyd-George said it meant both for England.

A condition plainly stares the world in the face. It is this: We must either get along without the wealth we formerly had, and which we destroyed ruthlessly, or we must get down to hard work and create new wealth to take its place. [Applause.]

We can not increase production by shortening working hours, by strikes, and by lockouts; nor will these methods reduce the cost of living. They will increase the cost of living by shutting off production, making a shortage of the product, thus making it scarce, and thereby increasing its cost and its selling price. Work and save should be our slogan until we regain the material conditions we formerly enjoyed. The gentleman from Ohio [Mr. FESS] said in his able and instructive address on the high cost of living that all of Paris is aglow with placards of "To work; to work." They have realized there what we must realize here sooner or later.

The paying of higher wages to the wage earners and immediately taking it from them again by increased cost of living will not solve our problem.

The regulating of the prices of commodities is only a makeshift. You dare not regulate the price below the cost of production, plus the cost of unavoidable waste, plus the cost of transportation, distribution, and a reasonable profit. To go beyond this is confiscatory, a policy that I hope this body would never think of adopting. Shall we place an embargo on food and shoes and clothing and thereby starve and freeze millions? Is it not more humane to suffer a little longer, suffer a few privations, than to withhold food and clothing from a naked, starving world, thereby committing wholesale murder?

That there has been profiteering is beyond a question of doubt, and it should be severely dealt with when and where found, but from what I have been able to see the profiteering has been general, and is not confined to any particular class. What profiteering there is starts at the source of supply and goes all along the line to final consumption.

The idea of all seems to be, "Get it now, get all you can while the getting is good, and the devil take the hindmost."

It is the duty of the administration, and I hope it is its purpose, to try to stop this profiteering by enforcing the adequate laws

we now have. I wish to show, by reading from the Washington Star of August 12, what England is trying to do along this line:

COMMONS FAVOR BILL TO PUNISH PROFITEERS—SIR AUCKLAND GEDDES DECLARES PRACTICE CAUSES UNREST—LABOR GIVES SUPPORT TO MEASURE.

LONDON, Monday, August 11, 1919.

The House of Commons, after hearing Sir Auckland Geddes, minister for national service and reconstruction, declare that profiteering in foodstuffs was responsible for social unrest and discontent, passed tonight on second reading the Government bill providing for prosecution and penalties for persons guilty of profiteering. The bill was supported on second reading by the labor party and the vote on passage was 251 to 8.

Sir Auckland, who is in charge of the bill for the Government, said the measure would have a bad effect upon profiteering. The minister said that a manufacturer in northern England had told him he was "ashamed" of the profits he was making. He added that shoes that sold at wholesale at from 15 to 25 shillings retailed at from 50 to 60 shillings.

He explained that the Government had rejected the idea of internal control of trade and also the idea suggested in America of stamping goods with factory prices and establishing a system for fixing prices. He admitted that the Government had no alternative but to confess it was powerless under the laws as they stand at present.

Sir Auckland declared that the pending bill had not been hastily introduced, but had been long and carefully considered. The bill now is in the hands of a committee of the whole house preparatory to bringing it up on final passage.

The profiteering bill before the House of Commons provides for the establishment of a central authority to deal with those speculating in the necessities of life. Local and county tribunals would be associated with the central authority. These tribunals would be empowered to inflict penalties up to 200 pounds or six months' imprisonment. The bill would apply to England, Scotland, and Wales, but not to Ireland.

The suppression of this great evil will be a step in the right direction and will show our people that our administration is not ignorant of the conditions that exist nor negligent of its duty. However, this suppression of profiteering is only a drop in the bucket in the solving of the problem of getting back to where we were before the holocaust.

By your kind permission I will read you a part of an editorial in the Philadelphia Ledger of August 12, entitled "Is America 'jazzing' when she should saw wood?":

If we eliminate for the moment all questions of hoarding and profiteering and combining in restraint of trade—with which the Government is now pledged to act promptly and fearlessly—there are just two ways left in which a rising cost of living can be met: We can increase the supply of things by making more, and we can decrease the demand by buying only what we need. The man with more money than he requires for the present can not only assure himself and his family against future want by saving his surplus, but he can help the Nation through a crisis by giving it his capital to work with and by releasing goods and labor to the service of real needs. The correlative of this is to work harder. This is not a facetious remark, but a sound philosophic maxim. If a farmer found his woodpile depleted by an accidental fire as winter approaches, he would not seek to cure the trouble by going out on strike. He would settle down and cut wood. He would think it the poorest possible time to choose for working shorter hours or ceasing work altogether. Yet this is the present position of the American people. Any time any man stops work now he increases the cost of living, he reduces the value of his own pay, he flings a stone into the pond of this pressing problem, which sends out widening circles of disturbance that rock all manner of "boats" most disquietingly.

It has been charged that the farmer has been profiteering. Possibly he has, but it is a long lane that has no turn. He has suffered a long time. His turn has come. He is coming into his own.

The urban population has exploited the farmer for years, and he is getting wise. He has decided that if the urban population is entitled to a living on an 8-hour day he is entitled to more than a mere bare living on a 16-hour day.

Mr. Chairman and gentlemen, can you realize what it would mean to us city people if the farmer and his entire family went on a six-hour or an eight-hour day? What would become of us? It is as plain to me as anything can be that we would have to do one of two things. We would get back to the land or we would starve. I have heard it said on the floor of this House, and no man cared to refute it, that we are all in favor of an eight-hour day.

Is it true that we are in favor of an eight-hour day for all classes? Is it true that we are in favor of an eight-hour day for the farmer? Is it not more correct to say that we are in favor of an eight-hour day for all except the farmer, the man who keeps our souls and bodies together—the man who toils from sunup to sundown; whose wife and children do likewise? Is not he and his thrifty family entitled to more than a bare, lonely existence? God help us when he wakes up and puts himself or his products on a six-hour or an eight-hour basis.

I hope no hasty, ill-considered legislative nostrums will go out from this House to return later to curse us. Would we not be doing our constituents a greater benefit by showing them that the great patriotism and loyalty they showed in war must not cease now; that a more trying patriotism—more trying

because free from passion, hatred, and excitement, and one harder to endure—must be practiced and sustained for years?

The press and the pulpit can aid very materially in bringing to the attention of our people the fact that the wealth which we had before the war, and which we all miss so much now, was destroyed, and we must all endure its loss and get along without it until by toil and saving we can replace it, and that it can not be replaced by legislation.

In conclusion let me repeat that our slogan should be and must be "Work and save." [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield now to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Chairman, I have always voted at every opportunity against the daylight-saving law. I have always voted at every opportunity in favor of its repeal, and I expect to vote now to pass the bill repealing this law over the veto of the President of the United States. The farmers are unanimously opposed to this law, and the farmers and the small communities which depend entirely upon them comprise over one-third of the population of the United States. The very large vote cast in this body when this proposition was up before to pass over the veto of the President the Agricultural bill which contained an item repealing the daylight-saving law shows the strong preponderance of the sentiment of the country in favor of repealing this obnoxious law. I predict that to-day enough votes will be obtained to pass the repealing measure over the veto of the President.

While the rural population of the country is unanimous in its opposition to this alleged war measure, organized labor, on whose behalf, it is said, the law was enacted, has not asked for its retention. In fact at the great labor convention held recently in Atlantic City, at which all sections of organized labor were represented, a resolution protesting against the repeal of the law failed by a very large majority to pass.

This law was adopted as a war-time measure. The farmers submitted to the inconvenience caused by it and increased largely the food production of the country in spite of the fact that the daylight-saving law made food production enormously more difficult. Now that the war is over, they have the right to demand that this law be repealed. The farmer is the only man who works by the sun. Turning the clock up an hour does not get the dew off the grass an hour earlier in the morning. The farmer wants the old time back in order to work. The golf players and the motorists want the new time extended indefinitely into the future in order to have more time in which to play. This is a contest between the golf stick and the hoe. Agriculture is our most important industry and the interests of the farmers have been too long treated with indifference. What we need in the present crisis in our history is the fullest possible production of farm products. Only in this way can we bring down the high cost of living, and the reduction of the high cost of living is most strenuously demanded by those who live in the cities of the land.

PROPAGANDA.

Members of Congress have been flooded with letters written by heads of manufacturing firms in cities, all drafted in substantially the same language. I have two of them before me now. A letter written by the vice president of Lamont, Corliss & Co., of New York City, advocating the retention of the daylight-saving law, contains this clause:

We think the farmer's opposition is due more to propaganda emanating from interests in favor of repeal than to any real inability on his part to adjust himself to the change in time.

The letter is dated July 28, 1919. On the same day I received a letter from the Peter Cailler Kohler Swiss Chocolate Co., of New York City, which contains the following language:

In our opinion the opposition to the law is due more to propaganda emanating from interests who would be benefited by repeal than to any real inability on the part of the farmer to adjust himself to the change in time.

I wrote to both of these firms, asking them for evidence of propaganda, and each firm wrote back saying that the reference was merely a matter of opinion and they had no evidence. The singular thing, however, is that all these firms, including the two to which I have called attention, in addressing letters to Members of Congress and to Senators, used practically the identical language I have quoted, thus showing that somewhere there is a propaganda, promoted by some interest, inspiring these letters, and the propaganda is in favor of retaining the law. Not long ago I received a letter from the head of a tuberculosis cure establishment somewhere up in the Adirondacks. He advised me that he stood for the daylight-saving law, for the reason that an abundance of light and fresh air was needed in effecting a cure for people afflicted with tuberculosis. I wrote back to him and asked how turning the clocks up an hour would increase the amount of sunlight and the amount of fresh air in

the Adirondack sections of New York State, and up to the present time he has not favored me with an answer to my inquiry.

During the World War the farmers made tremendous sacrifices. Their boys were not considered skilled laborers, although they were able to handle the complicated farm machinery in use at the present time, and they were refused exemption—those who applied—from military service, for the reason that they were not skilled laborers. A boy, however, who had spent three weeks in a boiler factory assisting in driving rivets—and an easier, less complicated work could not be imagined—was considered a skilled laborer and was exempted from military service. The farmers submitted to these rulings, and after their boys had gone to war—the boys who had assisted them in producing crops—they responded to the demands made upon them for increased production. The women of the rural communities went to work on the farms. Gray-headed farmers who had accumulated a competency, small but sufficient for them with their simple habits of life, went back to the farm to resume the strenuous labors of their younger days, and the result of all this sacrifice was the greatest crops any nation ever produced in the history of the world. The farmers now demand a repeal of this obnoxious law, and if this Congress does not repeal it, they will elect a Congress next year which will repeal it.

Mr. KITCHIN. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I have an item here to which I want to call the especial attention of my good friend from Pennsylvania, Mr. BURKE; my good friend from Minnesota, Mr. CARSS; and my good friend from Ohio, Mr. COOPER, all of whom are members of the four great brotherhoods. It is a letter from the general manager of the Pennsylvania Railroad, dated Philadelphia, August 16, 1919. It is as follows:

UNITED STATES RAILROAD ADMINISTRATION,
PENNSYLVANIA RAILROAD, EASTERN LINES,
OFFICE OF GENERAL MANAGER,
Philadelphia, August 16, 1919.

HON. THOMAS L. BLANTON,
House of Representatives,
Committee on Education, Washington, D. C.

DEAR SIR: In accordance with your request of the 14th instant we show below the highest maximum wages paid to any freight engineer, passenger engineer, passenger conductor, and freight conductor during the month of July, 1919, in the service of the Pennsylvania Railroad, eastern lines:

Freight engineer	-----	\$392.35
Passenger engineer	-----	376.85
Passenger conductor	-----	313.90
Freight conductor	-----	308.55

Yours, very truly,

R. L. O'DONNELL,
General Manager.

Mr. CARSS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now. I am sorry I have not the time. I have only three minutes. Let me show my friends what some of the Army officers are getting, and what the governor of Texas gets. Draw a comparison between these salaries, those fixed by the people and the railroad salaries fixed by threats, strikes, and force. The governor of Texas now receives a salary of only \$333.33 per month, which is \$59.02 per month less than the maximum a freight engineer receives. The following United States officers in our Army now receive the following salaries:

A colonel in the United States Army gets \$333.33 per month, which is \$59.02 a month less than the maximum a freight engineer receives on the Pennsylvania Railroad. A lieutenant colonel gets \$291.66 a month. A major receives \$250 per month. A captain receives \$208.33 per month. In other words, a passenger conductor who works six days a week on a safe, comfortable passenger train, eating his meals at reduced rates on lavish dining cars, and having Negro porters to wait on him, and auditors to take up his tickets for him, who receives this maximum salary on the great Pennsylvania system, gets \$22.24 per month more than a lieutenant colonel, and he gets \$63.90 per month more than a major in charge of a whole battalion of soldiers in the United States Army. A member of the four great brotherhoods is an expert engineer or conductor through mechanical training, during the acquiring of which he never ceases to be a wage earner, while men in the professions and even Army men of high rank need to be highly educated, and during the acquiring of which technical training they often devote many years of hard study and spend every dollar of their earthly possessions.

Mr. CARSS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now. I am sorry, but my three minutes are almost up. I had only three minutes altogether. I have an item here from the Dallas News referring to the circuit judge who succeeded me in Texas when I left the bench there. It is an account of the fact that he has sent in his resignation to the governor of Texas, and he says that he resigns his office for the reason that the office is paying him only about \$10 a day, while common laborers in many cases are earning fully that much. I

held this office eight years on even less salary than Judge Burkett receives, and while you may agree with me that he should not have been a "quitter," after getting the people to elect him, until his term expired, still you can not escape the force of his complaint that ordinary laborers should not be paid more than circuit judges.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I want the press of the country to state to the people of the country what the maximum is that the railroad brotherhoods are now receiving. [General applause in gallery.]

Mr. FORDNEY. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Chairman, in an address made in this Chamber on August 13 by the distinguished gentleman from Alabama [Mr. HUDDLESTON] animadverting upon the prospect of a coal shortage this winter, and, incidentally, high prices for coal, he stated (RECORD, p. 3851):

There is neither a car shortage nor is there a labor shortage, but there is a shortage in common humanity and honesty on the part of the coal operators of this country.

I challenge the statement of the gentleman as being unfounded and utterly at variance with the facts in the case.

There is no industry that is subject to more trials and misfortunes, disappointments, and vicissitudes than that of the coal-mining industry. There is no business that requires higher technical skill and greater business ability than that of producing coal. There is no business enterprise that is as harrowing and exasperating as that of conducting a coal-mining operation. The establishing of an efficient coal-mining plant calls for a very considerable investment. There is a very large financial risk coupled with the development of a coal mine, and the man who enters upon it engages in a business venture that may cause the entire loss of his investment. A coal-mining plant is either an asset or a liability. The United States have half of the coal supply of the world. Coal mining is West Virginia's greatest industry. It is the second State in the Union in the production of coal. Coal is shipped from eight of the nine counties in the congressional district which I represent. In this great coal region there are over 400 mines. The district includes the greater portion of the Pocahontas coal field, producing the very highest grade of smokeless and coking coal, used by the Navy, and famous throughout the world. The district also covers the Logan and Williamson fields, whose high volatile and steaming and domestic coals are celebrated throughout the country.

For 25 years I have had opportunity to hear discussed and to observe at first hand the coal-mining industry in all its phases. It has come to my knowledge that there is a vast amount of misinformation on the subject of coal and coal mining. There are thousands who believe, and thousands who profess to believe, that to own a coal mine is the very end of all earthly ambition.

That some great fortunes have been made out of coal, just as out of oil, there can be no doubt. But it is probably true that in the coal business, as in the case of the oil business, more money has been lost than was ever made. It is therefore for the purpose of correcting what I conceive to be a wrong impression concerning this business that I crave your kind indulgence for a little while.

I have referred to the ups and downs of the business. These are almost too numerous to catalogue. But, to begin with, a coal-mining plant must be a going concern. It can not stand still. The overhead is going on whether coal is mined or not. If it be a lessee, the rent is accruing, and the landlord's hand is ever out to receive. It is either a strike or a car shortage, want of orders, a breakdown, or low prices. Let a foreign miner die, and all of that nationality at the camp must lay off until their fellow countryman is laid under the sod, and, again, the foreigner not only celebrates our own holidays, State and National, but his own holidays as well. If the railroad company shall be late in placing empty cars on the siding there is no run for that day. If an explosion takes place, the mine is wrecked. If the railroad men strike, the mine, in consequence, is shut down. If the railroads declare an embargo on a given point, and the operators' coal is destined for that point, the mines are shut down. If an epidemic of disease enters the camp, all employees will be afflicted. When pay day comes—and it comes twice a month in West Virginia—quite a few of the men, following a time-honored custom, lay off for a day or so. The average coal mine, notwithstanding the most heroic efforts upon the part of the operator, works not to exceed 20 days in the month. If the mine is shut down for an indefinite time a force of men must keep the pumps going and clean up the slate falls. In the summer time orders are scarce. When winter comes

there may be a big demand for coal, but generally the railways can not furnish the empty cars on account of congested terminals and for other reasons caused by operating difficulties due to conditions of winter.

With the approach of next winter there will be a sharp increase in the demand for coal. There is already a great shortage throughout Europe. To save foreigners from freezing America will be expected to divide her coal supply with them. It was in order to give employment to men at the mines during the summer time, to keep our mills and factories going next winter, and in order to keep the people of the world from freezing that the National Coal Association appropriated \$50,000 for newspaper advertising warning the people to buy early and thereby fill their coal bins while a supply was available.

The praiseworthy efforts of the coal operators of the country to relieve, as far as possible, national and international shortage of coal next winter, and the distress that would be occasioned by such shortage, has been met by the charge made here on the floor of this House that the activities referred to were, in effect, due alone to ignoble designs and sordid purposes.

One who invests his capital in farm lands located, say, in the Mississippi Valley or elsewhere in our country will, by cultivation, see his land increase in value from year to year; one who buys property located in most any growing town or city, or in the suburbs thereof, will realize a steady increase in the value of that investment; but one who invests in coal lands undergoing development has an experience just to the contrary. The operator may buy a tract of coal land containing, we will say, 3,000 acres, at a price of \$100 per acre, and totaling \$300,000. He will then install a plant thereon to cost \$700,000, making a total investment of \$1,000,000. Let us assume that it would take the operator 40 years to remove the coal from this land. It will thereupon be perceived that the operator must before he takes any profit recover from the sale of his coal his capital of \$1,000,000, plus interest and taxes. The interest alone on \$1,000,000 is \$60,000, the average of the entire term being \$30,000 annually. When the last ton of coal shall have been mined the mine will be worthless—the plant the same. The plant will not be worth the cost of dismantling. The cost of mining the coal has nearly trebled, due to the increased cost of labor, electrical machinery, mine cars, steel rails, copper wire, powder, and other supplies. There never will be a return to the old prices. The mines are loaded down with expensive equipment purchased during the war and at war prices, and the cost of which, due to the Government prices as fixed by Dr. Garfield, the operator has never been able to write off. At a time when we were selling coal under Government prices to France and Italy at \$2.25 per ton, Great Britain was charging these countries in the neighborhood of \$50 per ton to carry that coal across the sea. Again, we had a chance to build up a trade in South America, but the State Department required our operators to consign their coal to British agents. Before these British agents would allow the consumers of South America to have the coal which they so badly needed they required the consumer to sign a five-year contract whereby the consumer agreed to buy all their coal within that period from the British agent. These contracts are still in force and are controlled solely by the British agent, and British coals are used so far as they are procurable for the fulfillment of those contracts.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GOODYKOONTZ. I will.

Mr. GREEN of Iowa. In that connection I noticed an item in the newspapers to the effect that Great Britain would export next year only about one-half the coal it usually did. Can the gentleman inform me whether that is correct?

Mr. GOODYKOONTZ. Undoubtedly the English mines are greatly disorganized. Their labor is certainly dissatisfied. They are not in a position to fill the markets of the Eastern and Western Hemispheres at all, and the world is looking to the United States for its supply of coal. Now, we have a considerable car shortage in this country and it is getting worse all the time. I have in my hand here 26 telegrams from West Virginia operators, directing my attention to car-shortage conditions. A gentleman here from the Logan field in West Virginia, Mr. George M. Jones, was to see me to-day. He is managing director of the Amherst Fuel Co., that has an investment of about \$3,000,000 in Logan County, and he tells me that his books show that so far this year his company has lost money by reason of the fact that he has not had the cars upon which to ship the coal that is produced at his mines. There are on the sidings of this country 40,000 new cars—I am speaking of coal cars—bought by the Railroad Administration of the Government. Those cars ought to be put into service. There are 2,400 of those cars on the sidings at Huntington and in the Logan field alone. It is

true that the Railroad Administration has given orders that those cars be stenciled and they are stenciling them at the rate of from 15 to 20 a day, but at that rate it will be along toward January before those 40,000 new cars that this Government has bought will be put into commission. It is in order to obviate the possibility of a coal shortage and as a warning to the administration that I am speaking this afternoon, urging that they use every effort toward getting those cars into commission and that they repair the "shopped" cars—those that have already been set aside needing repair. Otherwise, when winter comes on, the people in the cities will be freezing. Then there will be a clamor throughout the whole country. During the whole summer these mines have been practically idle, men out of employment, because, forsooth, consumers wanted to wait until the price of coal went down. One operator told me the other day that he had started up his mine and he had sold 40 cars at \$2.24. The price of coal has been low, so low that the operators have been unable to produce it.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. GOODYKOONTZ. I will.

Mr. EMERSON. The gentleman stated something about some proposition Great Britain had slipped over on us about selling coal in South America?

Mr. GOODYKOONTZ. I presume they were exercising the war power. They had plenary power during the war, although their exercise of that power was to the distinct disadvantage of the American people.

Due to a long and intimate acquaintance with the coal operators, I am competent to speak of them, and it affords me pleasure to say to you and to the American people that for patriotism and common honesty the coal operators as a group stand second to no other class of business men in this country. The coal mines of West Virginia are chiefly owned by outside people—men living in New York, Philadelphia, Baltimore, Washington, Norfolk, Richmond, Lynchburg, Roanoke, Cincinnati, Chicago, Detroit, Toledo, Sandusky, Columbus, Cleveland, and Pittsburgh. It is true West Virginians are also largely interested; there are men who were once trapper boys and later diggers and afterwards mine bosses who, by reason of their brawn and brain, have risen to the top and are now their own proprietors; but they have lived in a mine camp all their lives and have seen very little pleasure. This man and the good wife who has shared his trials have lived in hope that some day they would be able to get the company out of debt and on a dividend-paying basis, so that they could move out to some college town, in Virginia or elsewhere, and educate their children. If you ask them if they are making money, they will optimistically tell you yes. If you ask them if their company is going to declare a dividend, they will tell you no; that they are putting the earnings back into the plant.

The experience of the coal operator is not unlike the case of a tobacco raiser in Virginia that I knew years ago. Meeting the tobacco planter one day on the road driving his team with a hogshead of tobacco in his wagon, I inquired where he was going. He replied: "I am taking my tobacco to town to sell in order to buy some more fertilizer to raise some more tobacco to buy some more fertilizer with."

The ancients found good in everything, and believed that even a toad had a jewel in his head. And so, from the war and the taxing laws the operators have been held to a system of uniform accounting, with the result that they have discovered what they never before seemed to have realized, that they, under the old system of prices, had been losing money every day they operated the mine. Expert accounting showed them that every ton of coal taken from the mine reduced their capital expenditure just that much, and that when exhaustion was complete the entire investment was extinguished, so that coal must be sold at a price sufficient to cover the original cost of the coal and the plant, with interest, taxes, and other fixed charges, and also to cover the cost of mining.

The cost of coal is bound to steadily increase from year to year. To illustrate, I give you this example: Assuming that an investor in undeveloped coal land is entitled to a return of 6 per cent on his investment and that the cost of the land is \$100 per acre and that the taxes will be 2 per cent; the land, in order to carry this charge, must increase 8 per cent annually. Eight per cent compounded annually on \$100 will double the principal in nine years. So that the land will increase in value per acre as follows: At 9 years, \$200; at 18 years, \$400; at 27 years, \$800; at 36 years, \$1,600; at 45 years, \$3,200 per acre.

Let us take, for example, an acre of Pocahontas coal land, for which a low price, according to existing values, would be \$500 per acre, and applying the above rate, we have: At 9 years, \$1,000; at 18 years, \$2,000; at 27 years, \$4,000; at 36 years, \$8,000; at 45 years, \$16,000, as the price of the acre of land.

The man who is only getting 6 per cent is not a profiteer. Very few of us are satisfied with an investment that only pays 6 per cent.

The gentleman from Alabama, in his remarks above referred to, read a letter from Hon. J. B. Densmore, Director General of the United States Employment Service. In this letter Mr. Densmore admitted that thousands of miners had been idle ever since the armistice was signed, and said, furthermore:

This is due to the fact that coal mines have been shut down, and thousands of men have been forced out of employment. The coal operators allege that this idleness is caused because there has been no market for the coal. Unemployment in certain sections of Indiana, Illinois, and Ohio is such as to create distress and want among a large number of miners and their families.

It is usual for coal mines to be idle in summer time for lack of orders. It was for the purpose of keeping the mines at work and giving employment to the men and saving the population from suffering during the approaching winter weather, and in order to keep our mills and factories and furnaces going, that the National Coal Association appropriated the sum of \$50,000 to warn the people. This patriotic action upon the part of the coal operators has been held up to public view as only the indication of lack of "common humanity and honesty on the part of the coal operators of this country." A more unfair statement and unjust allegation was never made, and the man who assumes to advise a domestic consumer in this country not to lay in a supply of coal for the coming winter assumes a terrible responsibility.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODYKOONTZ. Mr. Chairman and gentlemen, I thank you. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. TIMBERLAKE].

Mr. TIMBERLAKE. Mr. Chairman and gentlemen of the committee, I did not expect to occupy any more time in general debate upon this bill after having occupied some time on Thursday last, when it was up for consideration in the House, but since that time my attention has been called to a few things by some Members who seem to have an erroneous idea with reference to some features of the bill and some products which it affects.

In the first place, I want to correct the statement that I made in reply to an inquiry on last Thursday, when the matter was being considered. The gentleman from West Virginia [Mr. REED] asked me if they shipped ore here from China. I answered, "No; not in that form." I had in mind crude ore, in which there is only a very small per cent of WO_3 , or concentrated tungsten; but my answer should have been "Yes." They ship in the concentrated ore. And in that connection I showed the other day this sample, which is a sample of concentrate placer ore from the China field. This [exhibiting] is as it is found there. It has not been concentrated by machinery, as it is in this country, but it is picked up by the Chinese or gonged out of the rock and shipped to this country almost in this shape.

Mr. VAILE. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. VAILE. Can the gentleman state whether the piece he now holds in his hand is found in fields where there is extensive blasting, or removal, or where it is not necessary?

Mr. TIMBERLAKE. My understanding is that there is no removal of any considerable amount of rock where this is produced. It is virtually on top, gathered by shovels, picked up by hand, in a concentrated form. It is a very rich piece. It does not often contain that per cent of WO_3 . This contains 70 per cent of tungstic trioxide, and it is that grade of ore upon which there is no tariff. It comes in free of duty, although it is in its full strength of 60 per cent of concentrates. It requires a milling process to bring to that form the ore that is found in our mines in this country. This sample [exhibiting] is one taken from the Boulder field. Many tons of rock have to be displaced to secure this ore, and then it has to be crushed and concentrated.

Mr. VAILE. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. VAILE. Can the gentleman state whether the United States produces all the supply of tungstic trioxide which is necessary for our arts and industries here?

Mr. TIMBERLAKE. I stated the other day, if the gentleman will recall, that it does not. About from 50 to 60 per cent of our needs is mined in this country.

Mr. VAILE. And then, notwithstanding some stimulation of our industry, which might arise from further development of our mines, it would still be necessary to import some from China, Burma, and other places?

Mr. TIMBERLAKE. According to the statistics that are available it is thought that we will for the next three years at least have to import into this country to supply our needs from 3,000 to 4,000 tons.

Mr. VAILE. Then, if the tariff duty was collected on that we would now be receiving a revenue at the same time we are stimulating our industries, whereas we receive no revenue at all now. Is that correct?

Mr. TIMBERLAKE. The gentleman is correct. And in this connection, it was demonstrated at the hearing, in the judgment of the people who testified there, among whom were those interested in the use of the metal in the hardening of steel, and who testified to the very great necessity of having a dependable supply of that in this country, that with the stimulation such as this tariff would give there would be new fields discovered in this country and other fields developed, so that within two or three or four years the industry would be so extended in this country as to provide for our needs. Until that time, of course, a large quantity would be shipped in and pay this duty and have the effect of stabilizing the price.

I hope you have all read the testimony and report on this bill of the interests that appeared at this hearing. First permit me to say that there were no objections, except from one party from Pennsylvania, who is interested in the South American mines. The Tariff Commission was represented there; and while it is not their province, as we all know, and as they disclaimed at that hearing, to determine the rate of duty, but rather to present the facts before the committee and the people of the country as to the conditions, on question by members of the committee to the parties who represented the Tariff Commission it was developed that in the judgment of these parties, after having made a careful investigation, which they did on the ground in California and Colorado, this amount of duty was actually necessary if the industry was to be developed in this country. However, as I stated the other day, there has not been a mine operating in this country since a few days after the armistice was signed, because of the importation of the Chinese and the Burma ores at a price against which our people could not compete.

Mr. EMERSON. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. EMERSON. I am in favor of putting tariff on anything we can produce in this country in sufficient quantities and do not produce—I do not care how high it is. With that statement, I would like to ask the gentleman from Colorado if this duty of \$10 per unit, or whatever you call it, is sufficient to encourage and stimulate an American production in such quantities as will supply our own demands?

Mr. TIMBERLAKE. It is thought that will be true. The hearings developed, in the judgment of those who had given the subject careful thought, that it would be true. And this tariff of \$10 per unit is absolutely necessary if our mines here are to operate at all. As I showed the other day, it was coming to the New York market from China and Burma, and selling at \$6.50 to \$7.50 per unit, and the hearings showed, according to the report of the Tariff Commission after investigation on the ground, that with the price paid for labor in this country, WO_2 could not be produced at a less figure, varying according to the condition in which it is found in the different fields, than from \$17 to \$22 a ton. So you see this tariff is not going to prevent the coming in of this cheap ore from these other countries. It will still come in until such time as we have developed our industry in this country so as to supply all our needs, when this probably will not be the case.

I know that each Member of the House was furnished this publication in his mail this morning, gotten out by the American Mining Congress, which is most significant, indeed. We all know that nothing appeals so forcibly to anyone as a cartoon or a picture such as this, and in this are graphically portrayed the conditions of the tungsten industry at this time. If there are any members of the committee that have not received a copy of this publication, I will ask a page to put copies in their hands.

First is shown the man producing the raw ore, illustrating the product raw ore. "Tariff, \$10 per unit of tungsten. No burden at this point on ultimate consumer."

The second cartoon is the mill; product, tungsten concentrates. "Tariff, \$10 per unit of tungsten. No burden at this point on ultimate consumer."

The next one is the electric furnace product, ferrotungsten. The electric furnace is where this product, ferrotungsten [showing sample], is made through heating in an electric furnace and then grinding into this shape. "Tariff \$1 per pound for tungsten contained. No burden at this point on ultimate consumer."

The fourth illustration is of the tool manufacturer product, tungsten tool steel. "Tariff \$1 per pound for tungsten contained. No burden at this point on ultimate consumer."

Many of you have a vague idea, probably, of the uses to which tungsten is applied, and I have here some very interesting pic-

tures showing the very manifold and various uses to which tungsten is applied, delineating a set of hardened tools manufactured from this product and the very complex machinery into which the use of this metal enters, which is so vitally necessary to the industries of this country. And especially if we should ever be at war again and be at the mercy of the foreign countries we can see how indispensably necessary it will be for us to have developed our resources here to such an extent as to be able to furnish our entire demand.

Now, No. 5, the machine shop where tungsten tool steel is consumed: "The tariff of \$1 per pound for tungsten contained is here distributed upon 1 ton of machined steel parts produced by 1 pound of tungsten contained in tungsten steel tools."

Now, there is where the \$1 per pound affects the ultimate consumer, and you can see how very small that would be, in view of the extent to which \$1 of tungsten would go in the preparation of this steel.

In the sixth picture is shown machined steel, the article of ultimate consumption. "This theoretically carries a tariff burden of \$1 per ton on a finished product of a value of \$500 to \$2,500 per ton," so that you can see the cost to the ultimate consumer from this is so small as to be almost entirely negligible.

Now, when you come to see the advantages and see why the steel men of this country are supporting this bill, you will find that they helped in the preparation of the bill, because they saw the necessity for a suitable production of this article in this country, and for that reason they were perfectly willing to bear this added burden of \$1 per pound for the product they used in order to encourage the production and development of this industry in this country. There is in fact no such burden on the ultimate consumer, because one man operating with these tools hardened by this process is capable of doing the work of five. The cause there is thus very apparent to you all. [Applause.]

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Mr. Chairman, I think we ought to have more than 40 men present. There are just 40 men in the committee now. I make the point of no quorum.

The CHAIRMAN. The point of no quorum is made. The Chair will count.

Mr. TIMBERLAKE. Mr. Chairman, has my time expired?

The CHAIRMAN. The gentleman's time has expired. The Chair will count. Fifty Members are present, not a quorum.

Mr. FORDNEY. Mr. Chairman, I demand tellers.

The CHAIRMAN. Tellers can not be had on a point of no quorum.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Michigan moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chair announced that the yeas appeared to have it.

Mr. FORDNEY. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 21, yeas 22.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum.

Mr. FORDNEY. Mr. Chairman, I ask for tellers.

The CHAIRMAN. It is not necessary to have a quorum for the committee to rise. The gentleman from Michigan asks for tellers. Those in favor of ordering tellers will rise and stand until they are counted. [After counting.] Twenty-nine Members have risen, a sufficient number. The gentleman from Michigan [Mr. FORDNEY] and the gentleman from North Carolina [Mr. KIRCHIN] will take their places as tellers. Those in favor of the motion that the committee rise will pass between the tellers and be counted.

The committee again divided; and the tellers reported—ayes 1, yeas 58.

Mr. BLANTON. Mr. Chairman, I make the point of order against this camouflage on the Republican side. [Laughter.]

The CHAIRMAN. The point of order is overruled.

Mr. KNUTSON. Mr. Chairman, I wish to say that whatever is going on is by unanimous consent.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. Fifty-eight gentlemen have risen in the negative.

Mr. BLANTON. I make the point of no quorum.

The CHAIRMAN. On this question the ayes are 1 and the noes are 58. The point of no quorum is made. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anderson	Ferris	Little	Sanders, Ind.
Anthony	Flood	Longworth	Sanders, N. Y.
Bee	Foster	Luce	Saunders, Va.
Begg	Frear	McAndrews	Scully
Benham	Freeman	McCulloch	Shreve
Black	Gallivan	McKenzie	Sims
Bland, Ind.	Gandy	McLaughlin, Mich.	Sisson
Bland, Mo.	Gard	MacGregor	Slemp
Boles	Godwin, N. C.	Magee	Small
Booher	Goodall	Maher	Smith, Ill.
Brand	Goodwin, Ark.	Mann	Smith, N. Y.
Britten	Gould	Martin	Snell
Brooks, Ill.	Graham, Pa.	Mead	Stedman
Brown	Graham, Ill.	Merritt	Steenerson
Brumbaugh	Greene, Mass.	Monahan, Wis.	Stephens, Miss.
Burke	Greene, Vt.	Montague	Stevenson
Byrnes, S. C.	Griest	Moon	Stiness
Candler	Hadley	Moore, Pa.	Sullivan
Cannon	Hamill	Moore, Va.	Summers, Wash.
Cantrill	Harby, Colo.	Morin	Summers, Tex.
Carter	Harrison	Mott	Swope
Casey	Haugen	Mudd	Taylor, Ark.
Christopherson	Hersey	Neely	Taylor, Colo.
Cleary	Hicks	Nolan	Thomas
Copley	Hill	Osborne	Tilson
Costello	Humphreys	Paige	Towner
Crago	Husted	Parker	Upshaw
Cramton	Hutchinson	Peters	Yare
Dempsey	Jeffers	Porter	Venable
Denison	Johnson, S. Dak.	Pou	Voigt
Dewalt	Johnson, Wash.	Rainey, John W.	Volstead
Dickinson, Iowa	Jones, Tex.	Randall, Calif.	Walsh
Donovan	Kahn	Randall, Wis.	Walters
Dooling	Kelley, Mich.	Rayburn	Ward
Doremus	Kelly, Pa.	Reavis	Wason
Drane	Kennedy, Iowa	Reed, N. Y.	Watson, Pa.
Dunn	Kettner	Riddick	Whaley
Dyer	Kless	Riordan	Wilson, Pa.
Echols	Langley	Rogers	Winslow
Elliott	Lea, Cal.	Rose	Wise
Esch	Lee, Ga.	Rouse	Woodyard
Evans, Mont.	Leshier	Rowan	Wright
Evans, Nebr.	Linthicum	Sabath	

The committee rose; and the Speaker having resumed the chair, Mr. Good, 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. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States, found itself without a quorum; whereupon he caused the roll to be called, when 259 Members, a quorum, answered to their names, and he handed in the names of the absentees to be printed in the Journal and Record.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. Good in the chair.

Mr. FORDNEY. Mr. Chairman, I will ask the gentleman from North Carolina to use his time.

The CHAIRMAN. The gentleman from North Carolina has 57 minutes remaining.

Mr. KITCHIN took the floor amid applause.

Mr. KITCHIN. Mr. Chairman, this bill is protection run mad. It froths all over with protection hydrophobia. [Applause and laughter.] In fact, Mr. Chairman, the most decent thing about this bill, the only respectable thing about it, is its nominal author, who did not prepare it. [Laughter.]

It is conceived, proposed, and written just like every tariff bill that has been presented to the House in the last 50 years by the Republicans. There is not a Republican in this House, not even the chairman of the committee or the gentleman who on its face is designated as author of the bill, who understands or can analyze its provisions, as I shall show later. And why should the Republican Members of the committee or of the House know what is in the bill? Why should they understand the operation of its provisions? It is no concern of theirs to know or understand. They care only to know what rates and what provisions the manufacturers and producers want in the bill. [Applause on the Democratic side.]

The Republicans on the Ways and Means Committee may know the amount of the specific rates, because the beneficiaries of this bill told them what the rates in the bill should be. [Laughter.] Not one of them can tell you a line or word of evidence from anybody to show the cost of production at home or abroad of any article contained in this bill. I want to know how you can write an intelligent tariff bill from a Republican standpoint or from a Democratic standpoint without knowing something about the cost of producing the article here and the cost of producing the article abroad. Every Republican platform that has been made since the Civil War, every Republican speech on the tariff

made here and on the stump for the last half of a century, has declared that the Republican tariff principle and policy is to write such rates in a bill as will equalize the difference in the cost of production abroad and the cost of production at home. That is the Republican theory. As I said some days ago in discussing the chemical schedule, that has not been the practice, but that is their professed principle. Now, there is not a Republican on the Ways and Means Committee or a Republican in this House who can tell this House what is the cost of production of a ton of tungsten ore, or of a ton of tungsten or ferrotungsten even, here in this country.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. KITCHIN. Certainly.

Mr. TIMBERLAKE. I should like to say to the gentleman that I think it was thoroughly developed in the hearing that the cost of production was between \$17 and \$22 per unit, and that after the price reached \$17 a unit every mine in this country was closed down, showing that that was the lowest figure at which it could be sold without loss.

Mr. KITCHIN. That is not the evidence. The evidence on that point was that they could not produce and sell it at as much profit as they wanted for less than from \$17 to \$25. [Applause on the Democratic side.] There was not a line or word of evidence that it cost that to produce it. I again challenge any Republican on the committee or in the House to tell me what is the cost of production of a ton of tungsten ore or a ton of ferrotungsten in this country. I challenge them to point to the page in the hearings or in the Tariff Commission's report where such cost is shown or where foreign cost of production is stated. No answer. But Mr. Riddell, of the Tariff Commission, did read before us from a report of the commission that one company—

The Atofia Mining Co. alone could doubtless supply one-third of the total domestic output at a price of \$10 or less a unit and compete successfully in the American market with any important foreign producer even with tungsten ore on the free list.

This is not a "cost of production at from \$17 to \$22 per tons." Here is one corporation, the head and front of the "big four" monopoly, that can produce and sell at a profit ore for \$10 a unit in competition with the world—even if ore was on the free list—and yet this Republican bill gives to that corporation and to the three other corporations of the big four a tariff of \$10 a unit—an increase of 100 per cent on a profiting selling price! Was there ever such a monstrous proposition in a tariff bill? The Republican members of the committee did not read all the testimony. They did not read all the report of the Tariff Commission. They did not have to. They did not care to know the facts. They had no need for any knowledge except the knowledge of the desire and demand of these corporations. With such knowledge they felt they were armed with sufficient data and information to prepare and report a Republican tariff bill. And they were. And we have the pending bill. And it will pass this Republican House. But before I conclude I want to show to the House, and especially the new Republican Members, and to the country exactly how this bill and other tariff bills are framed and proposed by Republican committees—how rates are fixed and who fixes them.

Mr. VAILE. Mr. Chairman, I am one of these new Republicans that the gentleman is talking about—

Mr. KITCHIN. Oh, the gentleman does not look like one. He looks more sprightly than that. [Laughter.]

Mr. VAILE. I would like to ask the gentleman whether his strictures apply to tariff bills emanating from the other side of the Chamber, as, for instance, that coming from the gentleman from Alabama on amorphous graphite?

Mr. KITCHIN. We on this side do not write tariff bills in that way. We write tariff bills in the interest of the Government and of the people. [Applause on the Democratic side.]

Mr. VAILE. And of the particular community?

Mr. KITCHIN. While the gentleman's party writes bills solely in the interest of special manufacturing and producing corporations, who by such seek to get their hands into the pockets of all of the people for the purpose of filling their own pockets. [Applause and laughter on the Democratic side.]

I have said that no Republican here knows anything about the cost of production at home and abroad. Although in my friend Mr. TIMBERLAKE'S district and in my friend Mr. VAILE'S district they produce in large quantities this tungsten ore, they do not know anything more about the cost of it than the man in the moon. They and the Republican members of the committee know what tariff rate the manufacturers and producers told them they want. And this bill is exactly letter for letter and word for word what they said they wanted. [Applause on the Democratic side.] Let us see about the evidence as to the cost of production here and abroad. I do not believe any

Republican on that committee or in the House is any wiser as to such costs than Mr. Holmes, who is stockholder, secretary, and treasurer of one of the "big four" corporations, which corporations produce more than 75 per cent of the total production in this country. The real beneficiaries of the bill are these four companies. One of these companies is the Tungsten Products Co. This is Mr. Holmes's corporation. Of course, Mr. Holmes knew the cost of the product of his own company, but he kept it from these gentlemen, and especially from us Democratic members of the committee. He says in his testimony before the Committee on Ways and Means that it is impossible for him or anybody else to tell the cost of production even in this country. He could not or did not tell us even the cost in his own company. Here is his testimony. Remember, Mr. Holmes is the secretary and treasurer of one of the "big four" corporations that are going to monopolize all of the production of tungsten ore when this bill passes. The Tariff Commission shows that these four companies have now a practical monopoly in the ore production. Mr. Holmes was asked by Mr. GARNER:

What is the average cost of producing a ton of tungsten ore in this country?

Of course, Mr. Holmes knew, but he also knew that if he told the cost of production, even with his own company, the conscience of even so hardened a Republican protectionist as Mr. FORDNEY, the chairman of the committee, could not stand such an outrage as this bill. [Applause and laughter on the Democratic side.] Mr. Holmes said:

It varies so greatly that it would be utterly impossible to state or to estimate what the average cost would be.

Yet Mr. TIMBERLAKE and these gentlemen who are interested here said they could tell, but Holmes could not tell—and they have not told the House yet. The same thing was true of Mr. McKenna and other manufacturers and their representatives. Not one informed us of the cost, even in their own companies. They did tell the committee that they wanted \$10 tariff on a unit of tungsten ore, or \$600 a ton, and a tariff of \$1 a pound, or \$2,000 a ton, on tungsten or ferrotungsten. The Republican Members know, and know only, that because the representatives of these corporations had told them that so often that they have learned it by heart, and they can tell you right away what the specific rates in the bill are. [Laughter.] But the main thing, the very basis and foundation upon which a Republican tariff can be written, according to the Republican theory, the difference in the cost of production at home and abroad, not a Republican Member knows. No one told us of the cost of production at home. No one told us of the cost of production abroad. No Republican here can tell us now. How can you write an intelligent Republican tariff rate in a bill unless you know something about the cost of production at home and abroad? I repeat, there is not a word or line of evidence as to either.

But we do not need to leave the question of cost here and abroad to Mr. Holmes. Here is the report of the Tariff Commission. The manufacturers and producers would not or did not even tell the Tariff Commission what it cost them to produce the ore or the ferrotungsten from the ore. On page 30 of the Tariff Commission report, made to the Committee on Ways and Means on June 14, 1919, we find the following:

Any accurate estimate of the average cost of producing tungsten ore in this country is impossible.

Why? Because the experts of the Tariff Commission could not dig it out of these four or five big manufacturers and producers of tungsten ore and ferrotungsten and tungsten. They kept it from them. And the commission failed to send an expert accountant to look over their books. Its agents simply took their word for everything. It is impossible to find out, they say. Of course, no Republican over there knows the cost of production even at home. This is admitted. I have read you what the Tariff Commission said about the home cost. Here is what it says about the foreign cost:

Foreign costs are much more difficult to ascertain.

I do not see how foreign cost could be much more difficult to ascertain than the home cost, when it says that the home cost is utterly impossible to ascertain. [Laughter.]

I want to ask the gentlemen on the Republican side who reported out this bill to tell me and to tell their colleagues on the Republican side and tell the country what human being in this country came before the committee, either in person or by letter or by brief or by attorney, and asked for this bill except the representatives of these corporations, who will have, if this bill passes, an absolute monopoly on one of the essential war minerals. [Applause on the Democratic side.]

I pause for a reply. Mr. Chairman of the Committee, Mr. Author of the Bill, where is the evidence? Refer me to the page in either the hearings or the commission's report.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GREEN of Iowa. Will the gentleman tell what party objects to the bill?

Mr. KITCHIN. What party?

Mr. GREEN of Iowa. Yes.

Mr. KITCHIN. The greatest party in this country, the most patriotic party in this country, and the only party in this country that represents the general interests as against the special interests. [Applause.]

Mr. VAILE. And that is the only objection to it?

Mr. KITCHIN. A few weeks ago—on August 2—this House passed a bill placing a high and exorbitant tariff on chemical and optical glass, surgical and dental instruments. I reminded this House during its consideration that the tariff rate in that bill on chemical glass alone levied a tax of at least \$13.33 annually, not upon the colleges but upon each of the hard-working, struggling students taking a scientific or chemical course. [Applause on the Democratic side.] I showed, too, that the optical-glass tariff put an annual tax of \$300,000 upon the colleges and universities of this country. I further showed that by the surgical-dental instrument tariff in that bill the doctors, the surgeons, the dentists, the hospitals, private and charitable, in this country were taxed, not for the benefit of the Government but for the benefit of three or four surgical-instrument manufacturers, a yearly sum of \$5,000,000. [Applause on the Democratic side.] I asked the Republicans of the House then to tell me, tell the House, tell the country, what college or university, what student, what doctor, what dentist, what hospital representative, of this country came before our committee and asked that we put that burdensome tax upon them. Not one of them. [Applause on the Democratic side.]

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. KITCHIN. Wait one second. I said then with respect to that tariff, as I say now with respect to this, that the people who must bear the burden imposed by the bill were not and have not been heard, and the only representation the people who must pay these taxes and bear these burdens had or have on the Ways and Means Committee and in this House was and is the Democratic membership of the Ways and Means Committee and the Democratic Membership of this House. [Applause on the Democratic side.]

Mr. TIMBERLAKE. The gentleman stated that only certain interests appeared for this bill?

Mr. KITCHIN. Yes, sir; they and their representatives.

Mr. TIMBERLAKE. He also stated that the only objection appearing in the name of any party was the Democratic Party.

Mr. KITCHIN. I said the only patriotic party of this country, but that is the same thing. [Applause on the Democratic side.]

Mr. TIMBERLAKE. Is it not true that we should consider the Tariff Commission, and did it not appear—

Mr. KITCHIN. What?

Mr. TIMBERLAKE. The Tariff Commission.

Mr. KITCHIN. No, sir; not the Tariff Commission; no member of it.

Mr. TIMBERLAKE (continuing). That Mr. Riddell, a member of the Tariff Commission, in reply to a question by Mr. Copley, stated that in his judgment—he gave this as his own opinion—from his experience as an engineer and from investigations made by the Tariff Commission, which he accompanied to Colorado and California for that purpose, that it was his judgment—not speaking for the Tariff Commission, recognizing the Tariff Commission was not there for the purpose of discussing rates of tariff but to give the exact facts to the committee—his judgment as an engineer was that 100 per cent tariff was necessary in order to develop and stabilize the industry in this country?

Mr. KITCHIN. Yes, sir. I regret the gentleman has called attention to Mr. Riddell, expert metallurgist of the Tariff Commission but not a member of it. I would not have referred to him, but since the gentleman has, I will here make some observations about him and the Tariff Commission. At the time the bill creating a Tariff Commission was being considered in the House I said on the floor that it made no difference what class of men were appointed on a tariff commission, whether all protectionists or all absolute free traders, that it would sooner or later turn out to be an annex of a high protective tariff policy, and Mr. Riddell's testimony and his report to the commission illustrate it. I said then, and I repeat now, a tariff commission will prove, in the very nature of things, even starting out with free traders, an instrument or agency, whether so intended or not, in the hands of high protective tariff advocates. Why? The commission, its members, its experts, its agents, and clerks, and employees hear nothing except protection. Every lawyer who ap-

pears before the board represents a protectionist. Every claimant, every complainant, before the commission is a protectionist and asks for protection. Every witness who appears before it or before its agents is a protectionist. Every plant they go to investigate is a protective-tariff plant. Every expert that they send out to investigate a factory or an industry is a dyed-in-the-wool Republican protectionist. For day in and day out, year in and year out, the commission hears nothing but protection, it sees nothing but protection, it breathes nothing but protection. Who do you suppose recommends or gets others to recommend to the commission this man or that man or this professor or that one as an expert to make investigations into this or that industry? I would stake my last dollar that a diligent investigation would disclose that back behind—perhaps out of sight at the time—such recommendations stands some protective-tariff beneficiary or advocate. Let us see about this gentleman, Mr. Riddell.

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. Let me get through with this. Mr. Riddell did come before our committee, and said that while he prepared that report—that is, got up the data for the Tariff Commission—he did not speak for the Tariff Commission in an official capacity, because it was against its policy to suggest rates, but personally he was testifying, and that, in his opinion, the industry needed a tariff of \$10 a unit on tungsten ore and \$1 per pound on ferrotungsten in order to exist. Now, listen. Here is his testimony, on page 72 of the hearings, stating that these tungsten-ore producers could not produce tungsten ore unless they could get a selling price of from \$25 to \$30 a unit. To show you what a run-mad, hydrophobia tariff expert and advocate he is, he even makes it \$6.50 a unit or \$390 a ton more than the manufacturers and producers who came down here proposed to the committee. [Applause on the Democratic side.]

The manufacturers and producers themselves, on page 68 of the hearings, stated that they only needed a selling price of "between \$17 and \$25 a unit," but this "expert" of the Tariff Commission says they need a selling price of from \$25 to \$30 a unit. And to get this price he says they need a tariff of \$10 a unit! He wants them to get a price of \$390 a ton more than the producers were willing to take!

Mr. SNYDER. Will the gentleman yield now?

Mr. KITCHIN. No; I am going to get through with Mr. Riddell, and then I will yield to everybody.

He went before the committee. The Tariff Commission, through its members, could not appear, because they could not take any position on the rates. But Mr. Riddell, who prepared all the data for commission's report, could and did. Let me tell you about the data. He did not get any data by examining the plants, by examining the invested capital account, or by examining the cost accounts, or the depletion accounts, or the profit-and-loss accounts. Neither did he nor the commission have an expert accountant to examine the books of any of the producers. If so, it nowhere appears in the evidence. He simply took as facts—and it seems the commission did likewise—what the producers, the tariff beneficiaries, said as to capital and profits and costs of production whenever they would proffer such information and such other statements they would make as to their industry. Mr. Riddell did not know any more about the actual facts than the man in the moon. Nor did he adopt any proper method to find out. He took their word. The only thing he knows from personal investigation is what kind of a tariff and what rates the producers want—not what they need but what they want. And he comes before our committee and peddles off to us, as his personal opinion of the tariff, their wants.

When we come to the magnesite tariff bill I will show you that he went the magnesite producers—the beneficiaries of that bill—one better and declared for a higher tariff than they said they wanted. Is he an expert on tariff rates or cost accounts? No. He is an expert metallurgist. All he knows about the tariff is what the beneficiaries told him they wanted.

I would not be a bit surprised if it would not come to pass one of these days, if we may judge from the avarice of the proposed tariff beneficiaries, that the electric-light producers, the owners of the electric plants that furnish light for our cities and towns will ask the Republicans—and they will get it—to put a prohibitive protective tariff on moonshine and the twinkling of the stars. [Laughter.] They will first go to the Tariff Commission, as the beneficiaries of this and other bills before the House and the committee did; and I will bet my last dollar it will send Riddell out to make "investigation and report," and Riddell will go out and come back with a statement of facts from the owners of electric-light plants and tell the commission and the Republicans how to frame a tariff bill that will protect them against the competition of God's moonlight and

gleam of the stars. [Applause on the Democratic side.] Let me tell you—

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. Not right now.

Gentlemen, I am halfway serious about this. Riddell is not going to read what I say. He is too busy hearing and reading statements of what these tariff beneficiaries throughout the country want. [Laughter.] He will not catch on. See whether or not I am correct. Introduce a bill to protect the producers of electric light for the cities and towns, putting a high tariff on moonshine, and ask the Tariff Commission to send out an expert to make a report on it, and see if they do not send out Riddell, and see if he does not make a report favoring such a tariff or a higher one. [Laughter.]

Mr. SNYDER. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. SNYDER. A few moments ago the gentleman stated that the Tariff Commission said it was impossible to get information as to the cost of production of tungsten in this country and it was much more difficult to get it abroad; then he followed that up by saying that it was because the manufacturers would not give the information—

Mr. KITCHIN. The gentleman misunderstood. I did not say that. I said they did not give it.

Mr. SNYDER. I wanted to know whether that was the statement of the Tariff Commission or was his own observation?

Mr. KITCHIN. Oh, no. The Tariff Commission made no such statement. Neither the commission nor Riddell has ascertained the cost of production here or abroad, nor have the producers here given us the cost even in their own plants.

Mr. SNYDER. I happen to be a manufacturer myself—

Mr. KITCHIN. What? Are you a manufacturer of tungsten?

Mr. SNYDER. No; I am not.

Mr. KITCHIN. If you were, you would not stand such an unconscionable tariff as this? [Laughter.]

Mr. SNYDER. I am not saying about that, but I want to know whether the Tariff Commission stated they would not go because the manufacturers would not tell them.

Mr. KITCHIN. Oh, no.

Mr. BLANTON. Mr. Chairman, I want to suggest to the gentleman that in revising his remarks he use the term "moonlight" instead of "moonshine," so that it will not be misunderstood.

Mr. KITCHIN. I do not know but they would want to protect that "moonshine" if they could find a way to do it, and no doubt Mr. Riddell, the metallurgist, could go out and "report" a way. [Laughter.]

Mr. PLATT. Will the gentleman yield?

Mr. KITCHIN. I will yield.

Mr. PLATT. I wanted to ask the gentleman whether he did not vote to-day in favor of moonlight against daylight?

Mr. KITCHIN. No; I voted for God's daylight [applause on the Democratic side], not for this man-made statutory daylight. [Applause.]

Now, gentlemen, I have shown you that the Republicans on the committee did not know anything about the cost at home or abroad, but they did know what the manufacturers wanted; that this bill is not framed in accordance with the proposed tariff policy of the Republicans. I told you in the beginning that this bill was written in exact accordance with the demand of the four corporations that have a monopoly now and will have a complete fixed monopoly when this bill passes.

Do you gentlemen know of a man by the name of Roy C. McKenna? The Republicans on the committee may know him. He is president of the Vanadium Alloy Steel Co. in Pennsylvania. He has an interest in the production of tungsten ore, as well as in the manufacture of ferrotungsten. He was a star witness before a committee. It is very pitiable, gentlemen, to see how things happen there. [Laughter.] I have been on that committee with the Republicans in charge for a few months, since they got the House, and it is really pitiable to see one of these big, strapping, manufacturing tariff overlords take the stand before that committee and to see the Republicans begin to tremble. [Laughter and applause on the Democratic side.]

When one of these manufacturers appears before the committee, after throwing a few bouquets to the majority members, and begins argument for his demands, Mr. FORBNEY, our able chairman, begins to shake—he gets so nervous that he can not wait for him to state his demands, but breaks in and asks, "How much tariff do you want to protect your industry?" [Laughter on the Democratic side.] You see this is the main thing the chairman and the Republicans want to know. This is the essential in the preparation of a tariff bill. He is just "scared to death." [Laughter.] For instance, here is McKenna,

a big manufacturer, a star protection witness, and he asks him, "Mr. McKenna, how much do you want?" [Laughter.] Not how much do you need? I really did not know he had asked this question of this particular man, although I knew he had asked it of others, and I knew it was time that he would ask it again. [Laughter.] But here it is in the hearings, page 41. Let me read it to you:

The Chairman (Mr. FORDNEY) asked:

I do not quite understand that. How much duty do you want on tungsten ore?

[Laughter.]

Mr. McKenna, looking right square at Mr. FORDNEY, answered: We want, sir, a duty of \$10 a unit on tungsten ore.

[Applause on the Democratic side.]

And Mr. FORDNEY and his Republican colleagues straightway put into the bill a duty of \$10 a unit on tungsten ore. [Laughter and applause on the Democratic side.]

Now, Mr. McKenna was also a manufacturer of ferrotungsten, and they wanted to know how much duty he wanted on that. He answered:

The manufacturers of ferrotungsten want a duty of 15 per cent ad valorem, which is now the law, plus a duty of \$1 per pound on the tungsten contents of the refined products.

That is \$2,000 a ton on ferrotungsten, plus the present 15 per cent ad valorem. Before the war you could buy all you wanted for \$1,100 or \$1,200 a ton, but he wants a specific duty of \$2,000 a ton in addition to the existing ad valorem duty. The Republican members of the Committee on Ways and Means had been waiting almost all day to know what was wanted, and just as soon as this protective-tariff overlord walked in and looked them square in the face and told them, "We want \$10 a unit on tungsten ore; we want \$1 a pound, or \$2,000 a ton, on ferrotungsten or tungsten powder," and so forth, the Republicans straightway, over the protest of the Democrats, wrote into the bill their exact wants and demands. [Laughter and applause on the Democratic side.] Ten dollars a unit on tungsten ore and \$1 a pound on ferrotungsten, or \$2,000 a ton! This is the Republican ideal way of fixing rates in tariff bills.

They have reported this bill out for Republicans in the House to swallow, and you are going to gulp it down like a duck does a June bug. [Laughter.] But before you do swallow it I am going to let you know what it is. It increases the Payne-Aldrich tariff on tungsten ore 1,100 per cent! The Payne-Aldrich tariff on tungsten ore was 10 per cent, and at the import price then and at the import price that these producers and manufacturers say now prevails such a duty amounted to \$50 a ton. They write into this bill a tariff of \$600 a ton—twelve times as much as the Payne-Aldrich Act carried! It is adroitly written "\$10 a unit," but this amounts to \$600 a ton.

Mr. TIMBERLAKE. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Give me 10 minutes more.

Mr. TIMBERLAKE. I want to ask what the additional cost to the consumer is?

Mr. KITCHIN. I will not yield unless Mr. FORDNEY will give me five or ten minutes more.

Mr. FORDNEY. I can not do it.

Mr. KITCHIN. All right. Remember that the tariff they are putting on tungsten ore in this bill is twelve times higher than the protective tariff of the Payne-Aldrich Act, under which, and also under the Underwood Act, 75 per cent, according to the Tariff Commission's report, of all the tungsten ore we used in this country was produced in this country in competition with all the world. Yet, with those facts staring them in the face, these intelligent patriotic Republican members of the committee were shaken "out of their boots" by these tariff overlords and were forced by them to put in the bill the tariff and the rates they wanted—forced by them to increase that tariff to twelve times what it was under the Payne-Aldrich Act. They put the tariff up from \$50 a ton to \$600 a ton. Then, on ferrotungsten the duty is increased in this bill more than nine times over that of the Payne-Aldrich Act! The Payne-Aldrich Act had 20 per cent ad valorem; the existing tariff act has 15 per cent. This bill upon an ad valorem basis at normal prices is 196 per cent ad valorem! It is over nine times higher than the Payne-Aldrich Act and over thirteen times higher than the present Underwood Act!

Under each of those two acts we were producing 75 per cent of the ore that we were using in this country in competition with the world. Yet the Republicans are going to gulp this bill down because the masters of these industries want it and demand that this Republican House shall give them what they want.

I am going to expose now a joker in this bill that I know not a Republican on this committee or on this floor knew was in

it. The beneficiaries of the joker only knew it. I want to ask the chairman of the committee, and I want to ask the author of the bill, and I want to ask the gentleman from Iowa [Mr. GREEN], who is one of the most alert, intelligent, studious, and best informed Republican members of the committee—I want to ask any of them—how many pounds of 60 per cent tungsten ore will it take to make a ton of ferrotungsten or tungsten? If you will answer that, I will give you all my time. You do not know, not one of you. I want you all to pay attention to this. Their inability to answer shows how the manufacturers come down here and make this Republican committee do their bidding without question. Now, are you going to answer? I will wait.

Mr. TIMBERLAKE. What is the question? [Laughter.]

Mr. KITCHIN. The question is this. Before I ask that question I want to tell the clerk of the committee, who is one of the best clerks I ever saw, Mr. Camp, not to whisper to either one of them. [Laughter.] I asked how many pounds of 60 per cent tungsten ore does it take to make a ton of ferrotungsten, on which you put a duty of \$2,000? They do not know.

Mr. TIMBERLAKE. Is it 60 per cent ore?

Mr. KITCHIN. Yes. Now answer, if you can, how many pounds it will take to make a ton of ferrotungsten.

Mr. TIMBERLAKE. A ton of ore which is a 60 per cent concentrate means that it will take that amount in the preparation of a ton of finished product.

Mr. KITCHIN. Oh, no; that will make only 960 or 1,000 pounds. I will tell you, because not one of you know. It takes 4,000 pounds, or 2 tons, to make it. I asked that question in order to show that they do not know why they put that \$1 a pound duty on it, except that the manufacturers told them to do it. [Applause on the Democratic side.]

Mr. GREEN of Iowa rose.

Mr. KITCHIN. Now, sit down. [Laughter.] You would not answer me when I asked you. I will not yield now. I have not the time. I gave you a chance, and you do not know.

Mr. GREEN of Iowa. Are you afraid of my question?

Mr. KITCHIN. No; I am not, any more than I was afraid of your answer. [Laughter.]

Mr. GREEN of Iowa. Do you know that tungsten powder varies and that it depends entirely on the amount of tungsten in the powder?

Mr. KITCHIN. Your question is just as sensible as your implied answer. [Laughter.] When I said "60 per cent tungsten ore," why it could not have more or less than 60 per cent of tungsten. They do not know—not one of them—how much 60 per cent ore is required to make a ton of ferrotungsten, yet it is absolutely necessary to know this in order to explain or justify why \$1 a pound or \$2,000 a ton on ferro was put in the bill or how much per pound or ton should be put in.

Mr. McKenna, the manufacturers' star witness, says that this \$1 a pound, or \$2,000 a ton, is put in there as a compensatory duty in order to compensate the manufacturers of ferro and metallic tungsten for the duty levied in the bill on the ore. He testified that if no duty was levied on the ore no additional duty would be required on the ferro or metallic tungsten; that the 15 per cent ad valorem in the Underwood Act would be sufficient.

The bill levies \$600 a ton on tungsten ore. For the information of the House I will here state that the standard commercial ton of tungsten ore contains 1,200 pounds of tungsten or tungstic trioxide; that is, 60 per cent of the ton of ore is tungstic trioxide or tungsten. There are therefore 60 units in a ton of ore. At \$10 a unit tariff, the duty on a ton of ore would be \$600. It takes—what no Republican could tell—two tons of such ore, 60 per cent ore, to make a ton of ferrotungsten, so that on the two tons of ore that is required to make one ton of ferro the duty in the bill would amount to \$1,200. This is every dollar to which the manufacturers of ferro or metallic tungsten are entitled as compensatory duty under this bill. One thousand two hundred dollars a ton, or 60 cents a pound, is the exact compensatory duty for the duty of \$10 a unit, or \$600 a ton, levied in the bill on the ore. Yet these manufacturers have the Republicans to write in the bill \$1 a pound, or \$2,000 a ton. No bill ever contained a more infamous joker. By putting this across the Republicans on the committee, who will put it across the Republicans in the House, these manufacturers are given \$800 a ton protection more than they pretended to ask. This is a clear gratuity to them. That joker gives them \$800 more than any Republican on the committee intended to give them. In common honesty and decency the Republicans on the committee ought to move to strike it out. If not, I shall offer such an amendment, and give the Republicans on the committee and in the House a chance to do the honest thing. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CAMPBELL of Kansas. I have a distinct recollection—

Mr. KITCHIN. How much more time have I, Mr. Chairman? The CHAIRMAN. Two minutes.

Mr. KITCHIN. Oh, let me have two minutes more, so that I can answer the gentleman.

Mr. VAILE. I ask unanimous consent that the gentleman may have two minutes additional, not to be counted in the time of the gentleman from Michigan.

Mr. FORDNEY. Oh, the time is fixed and the gentleman has more time than I have. It is unreasonable to ask for any more time.

Mr. CAMPBELL of Kansas. I wanted to ask a question that the gentleman has not touched.

Mr. KITCHIN. I have only two minutes and I can not yield now. If as chairman of the Committee on Rules he will get the chairman of the Committee on Ways and Means—

Mr. CAMPBELL of Kansas. Oh, I learned as a member of the Rules Committee that we took about a million and a half out of the Treasury to develop tungsten—

Mr. KITCHIN. The gentleman learned no such a thing. Not a dollar was taken out or used by the Government to develop tungsten.

Mr. BLANTON. Mr. Chairman, I make the point of order. The gentleman from Kansas should obey the rules of the House.

Mr. KITCHIN. Oh, sit down! [Laughter.] In my two minutes I want to refer to one thing more. Dr. Hess, of the Geological Survey, testified that in New York there were three or four firms who had on hand and stored away 4,500 tons of tungsten ore imported from China and other foreign countries. If this bill passes it will increase the price or value of that ore \$600 a ton; that is, \$2,700,000 on the whole 4,500. He further testified that the producers have on hand and stored 1,500 tons.

If this bill passes it will put directly into the pockets of the producers, by increasing the price of the 1,500 tons held by them, \$900,000; that is, by this bill the people will have to pay an extra tribute on the ore now held and stored by these four importers and the producers of \$3,600,000. This bill is worth that much extra to them if they never import or produce another ton.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KITCHIN. Mr. Chairman, I ask for just one minute, to make a statement.

Mr. FORDNEY. I yield one minute to the gentleman, although I have less time than he.

Mr. KITCHIN. I regret that my time has expired. If gentlemen will be here when we reach the five-minute-rule debate I will enlighten the Republicans on many other phases of this bill and of the industry it seeks to protect. [Applause on the Democratic side.]

Mr. FORDNEY. Mr. Chairman, I want to ask the gentleman from North Carolina if during the war he had taken the position on this bill he now takes could he say to the country that he was sustaining his own Government? If he will answer that question, he will say no.

Mr. KITCHIN. If the gentleman wants an answer to it, I will say that last year the foreign importations for the calendar year were about 11,000 tons and the fiscal year over 10,000 tons, and that we produced 3,000 tons, and that we got along very well.

Mr. FORDNEY. That does not answer my question. The gentleman from North Carolina stated that this bill would give a monopoly to the producers of tungsten in this country. I ask him whether he would rather have a monopoly in a foreign country upon this important article or such a monopoly in this country? [Applause on the Republican side.]

Mr. KITCHIN. We would not have a monopoly of foreigners in this country.

Mr. FORDNEY. You did have it on dyestuff until the war came on, when our Government took over alien property, and you will have it again unless the Republicans save you from disgrace. [Applause on the Republican side.] The gentleman says that the manufacturers of this country came before the Ways and Means Committee and the Republicans yielded to their requests in fixing the import duties upon tungsten produced in this country. I call the gentleman's attention to the time when the Underwood tariff bill was being prepared. A committee came to this country from Bermuda, called upon the Committee on Ways and Means, and asked for a reduction of duty on farm products, and among other things on Bermuda onions. The duty on onions under the Payne law was 40 cents a bushel.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. In just a moment. The Democrats yielded to the request of the foreigners and reduced the duty on that important farm product to 20 cents per bushel. The Democrats listened to the foreigners and the importers and not to the American manufacturers, the farmers, and the American laborers. That is the difference between the Democrats and the Republicans in seeking tariff information. [Applause on the Republican side.]

When this war came on the Government appealed to American capital and American labor to produce tungsten in this country, because it could not be obtained from abroad and because it was one of the most important war essentials.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MADDEN. The gentleman from North Carolina made the statement before he closed his argument that upon tungsten in this country now imported from China and other places the present owners under the provisions of this bill would make about \$3,000,000. What truth is there in that statement?

Mr. FORDNEY. I will give the gentleman that information a little later.

I will state it now. Under the rates proposed in this bill, if the importation of tungsten continues in proportion to the importations of last year, import duties amounting to some \$3,000,000 per year would be collected on imported tungsten ores. Practically nothing was collected on any tungsten imported last year or since 1913, for there is no duty on the kind of tungsten that is imported, and my friend the gentleman from North Carolina knew that well when he just now made his grandstand play.

Mr. MADDEN. I thank the gentleman, but that is not quite an answer to the question I asked. The gentleman from North Carolina made the statement that the present owners of tungsten already imported and now in this country, under the provisions of this bill, will be given some \$3,000,000. What truth is there in that statement?

Mr. FORDNEY. I do not know and the gentleman from North Carolina does not know who imported, and can not say what tungsten came into the country last year, nor can he correctly state how much tungsten is now in store in the United States. I call attention to the fact that he did not say from whence this tungsten came and where it is now stored. But I have less time than the gentleman from North Carolina had, and I will ask the gentleman not to take up too much of my time.

Mr. KITCHIN. I merely want to set the gentleman right.

Mr. FORDNEY. I yield briefly to the gentleman.

Mr. KITCHIN. I said that Dr. Hess, of the Geological Survey, not a manufacturer, testified that 4,500 tons of tungsten ore imported from China and other places by four firms are now stored in New York; that the producers had on hand 1,500 tons, making 6,000 tons; that a duty of \$600 a ton—it bears no duty now—would make it the value of \$3,600,000, and that the fellows in New York would make a profit of \$2,700,000, because it could not come in competition until it paid that \$600.

Mr. FORDNEY. I will ask the gentleman not to take up all of my time; he is consuming too much of my time.

Mr. KITCHIN. Dr. Hess testified that.

Mr. FORDNEY. We will add a paragraph to this bill which we now have here that prevents any such profiteering. When the Democrats legislated in 1913, when you dealt a death blow to this institution, you had the votes and you had the power in the White House and in both branches of Congress. Did you ask American capital and American labor what effect the reduction you gave on tungsten would have upon American labor and American capital? No. You listened to the foreigner and the importer, sir, and you lent a deaf ear to your own people, who sent you here to legislate for Americans. [Applause on the Republican side.] You cared nothing about the difference in the cost here and abroad when you cut duties in half which were provided for in the Payne tariff law. You lent a deaf ear to that side of the question. You used your pruning knife, and you went as near free trade as you dared. You know under existing law the ad valorem rates collected on imports average about 5 per cent, the lowest in any tariff law ever written upon our statute books, and yet every time the Republicans suggest an increased duty of any kind on an imported article you have a pain. [Applause on the Republican side.]

The gentleman from North Carolina said that if we were to place a Democrat on the Tariff Commission, in a little while he would be a protectionist. Why, of course, every man who gives intelligent study to the question of protection to American labor becomes intelligent. [Applause on the Republican side.] He develops some common sense [applause on the Republican side] and goes to the Republican Party. Why, just recently a gentleman from North Carolina, the editor of a magazine, published, I believe, in the interest of the glassware industry

of this country, a lifelong Democrat, came before the Committee on Ways and Means and admitted in a most humble manner that in 1916, when he said an increased duty would injure the industry, he was in error. He wants the duty now put so high that no foreigner can bring anything into this country. [Applause on the Republican side.] That is what he said. [Laughter.]

Mr. KITCHIN. Name him. There is no Democrat in North Carolina who made such a fool statement. Name him. If there is one outside of an insane asylum, name him.

Mr. FORDNEY. The gentleman says only the producer of tungsten was heard by the Ways and Means Committee, that the people have not been heard from. Heavens above, man, can not you remember a few months back, when the people were heard from in November of last year [laughter and applause on the Republican side], and they put your party out and put the Republicans in power? Just as soon as we hear from the voters, after they study the question intelligently, why, of course, they vote right and act right. They become educated and well informed. I may say to the gentleman that the difference between your party, the Democrats, and the Republicans of this country is that you never have—you never will until you become better informed—listened to the American people in the fixing of a tariff rate on any article imported into this country. You know, and you know the people of this country know, that the United States always has prospered, sir, under a protective tariff, and you know that we had—putting it plainly—hard times under free trade. You know free trade increases imports to the detriment of American labor and American capital. The difference between your party and the Republican Party in this: In 1913, as shown by this book of hearings, foreigners came here and asked you to reduce, as I have stated, the duty on an important agricultural product, and you listened to them, and you cut the duty in two. This morning I received a letter through our Secretary of State from the Belgian Government to our Government asking the Government of the United States to reduce the duty on leather goods coming into this country from Belgium. That letter was transmitted by the American consul located in Belgium to our Secretary of State and was received by me from Mr. Lansing this morning. When that letter receives due consideration by the Ways and Means Committee, the Republicans on that committee will give earnest consideration to our people at home before we legislate for Belgium or any other foreign country. [Applause on the Republican side.]

The gentleman's argument on this bill is just about as elusive as the provision in the treaty of peace with reference to Shantung, China. [Applause on the Republican side.] According to the terms of that treaty as it is now written, we are evidently legislating for the Japanese and not dealing fair with the Chinamen or our own people.

Now, my friends, the gentleman spoke a little while ago about the cost of production of tungsten. Let me say to the gentlemen of the House that tungsten is a peculiar metal. It is used chiefly in the hardening of steel.

USES AND IMPORTANCE OF TUNGSTEN.

Ninety to ninety-five per cent of tungsten consumed in the United States is used to harden tool steel. The addition of tungsten to steel gives it the property of holding its temper at a much higher heat than that at which carbon steel becomes soft and worthless. This property of "red hardness," as it is called, is most important in cutting tools, as it allows speeding up the work to five or six times the cutting speed allowable with carbon-steel tools.

Probably the use of tungsten second in importance to its use in high-speed steel is in making tungsten wire for incandescent lamp filaments. The quantity used is negligible, but the product is of considerable importance.

A small amount of tungsten is used in electric contact points as a substitute for platinum, and steel containing 2 or 3 per cent of tungsten is in general use for saw blades.

Tungsten is an essential war metal. The use of tungsten steel for tools speeds up machine work to five or six times the output per man with the old-style carbon tool steel. Since most munitions and military supplies are dependent upon efficient and quick machine-shop work, the importance of tungsten as a war material is apparent. In the event of blockade, the domestic tungsten industry would be of inestimable value.

The following statement is contained in a report by the Tariff Commission recently printed for use of the Committee on Ways and Means:

No satisfactory substitute for tungsten has been found for alloying with steel for high-speed cutting tools.

And in the time of war, when it is necessary to speed up all industry in the manufacture of steel and iron of every description, tungsten is a most important alloy for making tool steel. Before this war we did not produce in this country

sufficient tungsten to supply our needs, and neither do we right now. But the industry is growing. The greatest production in this country is in southern California and in Colorado, and the ore is of the highest grade. Our importations to-day largely come from Chile and Peru. Last year we imported \$2,800,000 worth from those two Republics, while from China and Japan we imported \$1,800,000 worth, and the balance of our imports, which were about \$11,000,000 all told, came from various other countries of the world.

In China tungsten has been discovered by placer mining, as gold was discovered in this country years ago in the California gold fields out West; and it is gathered there largely from the surface. As yet they have not gone down into the earth for ore in China. We do. Our cost of production is greater than theirs. According to the common-sense view of any man who is familiar with the question, our cost of production is twice that of any foreign country. Such was the case before the war, and such must be the case after the war, when we settle down to normal conditions. In this very important mineral, so much needed in this country and used to a greater extent here than in any other country, this question arises right now since the industry is being developed in America. Is it possible that you are not going to encourage the industry here but encourage it abroad, so in the event of another Great War we must look to the foreigner for our supply? Oh, no. That is not what you advocated, my Democratic friends, during war time. You then recognized the value of home production.

Our Government appealed to men engaged in the industry to increase their output, and the sum of \$50,000,000 was appropriated to sustain those industries and guarantee to the owners no loss in their efforts. But the Secretary of the Interior refused to use any portion of that \$50,000,000 fund in sustaining the tungsten market, and not one penny of benefit from that \$50,000,000 was given the industry.

A gentleman calls my attention to the title of the act—

Mr. KITCHIN. We did not appropriate \$50,000,000 to that purpose.

Mr. FORDNEY. Well, the title of the act reads:

CHAP. 181. An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply.

That was the title of the act. What did it mean? It meant that our Government offered encouragement to the capital and labor engaged in the production of tungsten and other war minerals. Now the war is over, and do we want another war in order to beat into your heads that it is necessary to sustain that industry at home, so that in times of great peril, such as we have just gone through, we will not have to depend on the enemy for the supply of an article so necessary in time of war as tungsten?

Oh, the gentleman speaks about the duty being too high, and that nobody knows what it costs to produce tungsten here and abroad. I am not really particular as to just what it costs here and abroad so long as we give encouragement to the industry at home. I am looking to my people at home first, instead of the people abroad. [Applause on the Republican side.]

It is true, gentlemen, that members of the Tariff Commission came before the Ways and Means Committee and expressed in a personal opinion the necessity for increased duties upon those products in this country. They have a right when they are off duty to speak their minds, their actual opinions. While officiating as a member of the Tariff Commission, dominated by the administration, a free-trade body, of course that man dare not speak his candid opinion, his own mind. He would lose his job if he did. But you let one of those men have an opportunity and he will tell you what is right. He has studied the question and advocates protection. He has become well informed and knows what he is talking about, and then he talks protection to American capital and American labor. [Applause on the Republican side.]

Now, permit me to quote from a statement of importations of tungsten ores:

Importations of tungsten ores and value per ton (1910 to 1918).

	Fiscal year.	Long tons.	Value.	Value per ton.
10 per cent.....	1910		\$272,311.00	
10 per cent.....	1911		241,795.00	
10 per cent.....	1912	381	184,518.00	\$484.30
10 per cent.....	1913	766	386,629.00	504.50
	1914	238	129,291.00	542.86
Free.....	1915	439	215,132.02	490.10
Free.....	1916	3,012	5,453,632.00	1,810.30
Free.....	1917	3,733	4,999,498.00	1,339.30
Free.....	1918	5,471	5,880,473.00	1,074.30

Mr. SNYDER. Will the gentleman yield right there?

Mr. FORDNEY. Yes, sir.

Mr. SNYDER. Of course, the gentleman understands that during that period the price of tools in which the tungsten was used went up several hundred per cent?

Mr. FORDNEY. Oh, yes.

Mr. SNYDER. While the amount increased tremendously in dollars and cents, the number of pounds it brought in was not greatly in excess of the needs he spoke of?

Mr. FORDNEY. I want to say to the gentleman from North Carolina [Mr. KITCHIN] that tungsten paid 10 per cent ad valorem under the Payne tariff. Did the price go down in the United States because of the free-trade provision in the Underwood tariff law? No; but he will answer that war conditions prevailed, of course. Surely they did, but we must not forget that we depend upon foreign countries for much of our supply. From 95 to 96 per cent of our entire consumption in the United States is used for steel tools.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. REED of West Virginia. The distinguished leader on the Democratic side [Mr. KITCHIN] drew a dark picture of the burden that will be placed upon the American people, the consumers, by reason of the tariff proposed. Can the gentleman from Michigan tell me how much the average man—the farmer or business man or the man at home—will be required to pay on account of the duty on tungsten which enters into the things we use?

Mr. FORDNEY. Yes. Here is the testimony of a gentleman who appeared before our committee. It will be found in the hearings. He says it is variously estimated by the users of tungsten tool steel that approximately one-fifth of a pound of tungsten is used in the manufacture of 1 pound of high-grade tool steel. The duty provided for in this bill—\$10 per unit of 20 pounds of tungstic trioxid—if added to the price of tungsten metal, would amount to 74 cents per pound of the tungsten-metal powder. The duty on the tungsten in a pound of tool steel would be approximately 15 cents. On an average 1 pound of tungsten tool steel will be used in the manufacturing of 2,000 pounds of finished forms of manufactured steel, such as shells, crank shafts, and so forth. Even though the entire duty on tungsten is added to the price of tungsten steel the added cost of production in machine shops using high-speed tungsten tools would be infinitesimal. Extending this increased cost into finished steel we arrive at the ratio of 15 cents per ton, or seventy-five one-thousandths of 1 cent per pound of finished steel—a very, very expensive tariff on the people of the country; one-thousandth of 1 cent in a pound of steel! Oh, my, what an awful tax on the American people! [Laughter on the Republican side.] But that is about as near as my friend from North Carolina, Mr. KITCHIN, can come in illustrating to the people what an awful burden upon them a Republican protective tariff means. One-thousandth part of 1 cent per pound—nonsense!

Mr. SNYDER. Mr. Chairman, will the gentleman yield for a question?

Mr. FORDNEY. Yes.

Mr. SNYDER. The gentleman will also note, in regard to that 1 pound that produces the 2,000 pounds of steel, that without it, if we had to use a tool without the tungsten in it, instead of producing 2,000 pounds we would produce about 100 pounds, making just that ratio of difference in the cost of production between what 1 pound of tool steel would do without tungsten and what it would produce with tungsten in it.

Mr. FORDNEY. Yes. I received a circular—and I presume every other Member of the House has received a copy of it—which shows that a steel tool made with tungsten will do five times as much work as a tool for the same purpose made of high-grade carbon steel; and in time of war, when wages are high and laboring men are scarce, and when it is necessary to speed up to the extreme the production of all articles in use in time of war, I ask the gentleman, Can we afford to quibble over one-thousandth part of 1 cent per pound when by using tungsten high-speed steel the laboring man can do five times as much work as he can with a tool made from high-grade carbon steel, which was formerly used? Oh, it is so insignificant that the gentleman's whole argument goes by the way of the wind.

Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 10 minutes remaining.

Mr. FORDNEY. Does the gentleman from Iowa [Mr. GREEN] wish that I yield to him now?

Mr. GREEN of Iowa. No; I think the gentleman from Michigan had better finish.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. DAVIS of Tennessee. The gentleman a while ago was discussing the cost. I understand the gentleman's argument is that the tariff is justified because the burden falls upon all the people instead of a few. Is that correct?

Mr. FORDNEY. To be candid with the gentleman, I do not know just what proportion of the entire population that burden would fall upon. It falls on all the people when it comes down to war, because the tools in which it is used make an article of defense against the enemy so much needed by the American soldier. And, again, let me say to the gentleman that in the cost of production in this country if we can reduce the cost of production of an article by employing tungsten steel it means a lowering of the cost to the consumer; and when it is true that a workman can produce five times as much work with a steel tool made with tungsten as he can with a tool made with any other metal, we must admit that that helps to lower the cost of production.

And if in every article of use we could lower the cost of production in equal proportion, then, my friends, we would in a sensible way begin to realize that we can lower the cost of living. The cost of living is high, and it is attributable to many causes. Many things lead to the high cost of living, and we are not going to get away from it, no matter how much we talk through the press and to the galleries; we are not going to get away from the high cost of living for some time. The cost of production must come down before we can lower the cost of living. Let us be reasonable and sensible about that matter.

As to the production of this article, I will show you the amount that we produce in this country. I will show to the gentlemen of the House our production of tungsten in this country last year. In 1918 we produced 4,505 tons and imported 10,491 tons. We produced 30 per cent of our supply. Now that the war is over, the matter of consumption, perhaps, will not be as great this year as last year, but our percentage of production in this country will increase, and I am in favor, if it is possible without going to an extreme, of producing all the tungsten in this country we consume, so that we may keep that money at home and establish an industry of such great importance in time of war.

I will show the gentleman where tungsten came from last year, in 1918 and in 1917. We imported none from Germany; from Portugal, \$82,000 worth; from Canada, \$36,000 worth; from the Straits Settlements no figures are given; from Chile we imported \$1,364,000 worth; and from Peru, \$1,456,000 worth; but from Japan, \$1,157,000 worth; and from China, \$723,900 worth, or a total of \$5,993,000 from all countries. It is stated in the report, which I do not have the time to read, that the production in China is rapidly increasing, and the whole world knows that the cheapest labor in the world is found in China and Japan. We must guard against that foreign competition and protect our home institutions and our home capital against that cheapest labor in the world. That is where the major portion of our future imports will come from—

Mr. KEARNS. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Ohio.

Mr. KEARNS. If this mining industry were highly developed, how many men would be employed in the mining of tungsten?

Mr. FORDNEY. I have not those figures before me. I believe that was stated in the hearings, however.

Mr. KEARNS. I see it is stated here at from 3,000 to 5,000 men. Is that all who are employed in the United States? You say in the report that from 3,000 to 5,000 miners would be employed. Is that all that would be employed if this mineral should be protected?

Mr. FORDNEY. That is all that are being employed in our production of from 12 to 25 per cent of our consumption. But you must remember that this industry has sprung up since the war and will gradually increase if protected.

Mr. KEARNS. Suppose this should be protected and developed highly, so that it would get to the highest point in the development of tungsten mining in this country. How many miners would be employed?

Mr. FORDNEY. If 5,000 are employed now, at a reasonable estimate I would say from 20,000 to 25,000 would be employed, and each one represents something over 4 people. If 5,000 are employed and we produce 25 per cent of our consumption, multiply the number by 4 and it would give you 20,000 miners. Each laborer represents a little more than 4 people, or an average family.

Mr. KEARNS. Yes; I understand that.

Mr. FORDNEY. Therefore from 80,000 to 100,000 people would be sustained and get their bread and butter in this industry if we produce in this country all the tungsten that we consume.

Mr. KEARNS. Your report says that—

Domestic tungsten properly encouraged will furnish employment at fair wages to from 3,000 to 5,000 miners and homes for from 12,000 to 15,000 dependents.

Mr. FORDNEY. If the gentleman will permit me, I thought he stated that there were 5,000 miners employed now.

Mr. KEARNS. No.

Mr. FORDNEY. Then my calculation was erroneous. I based it upon 5,000 now employed. If the number is less than that, you can figure it out yourself. If we are producing 25 per cent of the tungsten that we use, multiply the number by 4, and it will give the number who would be required to produce all the tungsten we use.

Mr. KEARNS. I am only reading from the report.

Mr. FORDNEY. What report?

Mr. KEARNS. From your report filed here.

Mr. VAILE. But the industry is practically wiped out now, and there are no proper figures on which to base an estimate.

Mr. KEARNS. I am talking about the statement that if this business should be properly encouraged it would furnish employment to from 3,000 to 5,000 miners.

Mr. CURRY of California. Mr. Chairman, I suppose the gentleman understands that the number of men employed in this industry cuts very little figure. This is a key industry.

Mr. FORDNEY. Oh, yes.

Mr. CURRY of California. And it should be protected for the benefit of the United States. During the war it was found that Germany, on account, among other things, of having protected her key industries, had a wonderful manufacturing business and military organization, which made 65,000,000 people fit to cope with the world. That was due to her organization and to her protection to her key industries. Now, this tungsten is a key industry the same as dyestuffs. But very little is used in the production of a ton of steel. But the manufacturers of rifles and cannon and men-of-war and the merchant marine and the railroads depend upon the use of a small amount of tungsten in steel. It is for the protection of the American steel industry, which amounts to thousands of millions of dollars a year of steel and tools, that this industry should be protected. Although it is but a small industry, we ought not to depend upon foreign countries for our supply. The national defense requires the production of our supply of tungsten in our own country. I have received a number of letters from people at home asking me to vote against this bill because they are interested in a Mexican tungsten mine. They ought to invest their money in California, where there is plenty of tungsten to be mined, although it needs a protective tariff to make the mining of tungsten profitable in the United States.

Mr. FORDNEY. The gentleman is correct. I wish to read the following from the report:

The telegram is signed by 22 formerly producing companies (p. 10 of hearings) and sets forth that \$2,000,000 invested in tungsten mines and \$1,000,000 in 21 concentrating mills will be a total loss unless the market is protected against cheap ores. An average of 1,500 men have been employed, and 6,000 people are directly dependent upon the Colorado tungsten mines alone. In 1918 the average wage was \$4.85 per day.

However, the real importance of the tungsten industry to a nation is not in the number of wage earners directly employed. Tungsten is essential to the successful operation of the entire steel and iron industry in general, with its armies of employees. Tungsten is a key industry, and a dependable supply in a crisis would be of incalculable value. To me urgency of this legislation and its prime importance is not the labor directly employed, but the magnitude of the possibilities of its effect on the industrial dependence of the Nation.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired.

Mr. FORDNEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Good, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4437 and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, indefinite leave of absence was granted to Mr. CLASSON, on account of illness in his family, at the request of Mr. VOIGT.

EXTENSION OF REMARKS.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD upon this bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, I make the same request in respect to myself on the daylight-saving bill.

The SPEAKER. Is there objection?

There was no objection.

WITHDRAWAL OF A PETITION.

Mr. MASON. Mr. Speaker, I ask unanimous consent to withdraw from the files of the House a petition which I presented in regard to the withdrawal of our troops from Siberia.

The SPEAKER. The gentleman from Illinois asks unanimous consent to withdraw from the records of the House a petition which he presented in regard to the withdrawal of troops from Siberia. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. FORDNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Wednesday, August 20, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting supplemental estimate of appropriations required by the Department of Justice for the current fiscal year and the fiscal year ending June 30, 1919 (H. Doc. No. 193), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 6814) to provide revenue for the Government and promote the production of potato flour and potato starch in the United States, reported the same with amendment, accompanied by a report (No. 241), which said bill and report were 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, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 5345) for the relief of the Arundel Sand & Gravel Co., reported the same without amendment, accompanied by a report (No. 232), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1275) for the relief of W. L. Rose, reported the same without amendment, accompanied by a report (No. 233), which said bill and report were referred to the Private Calendar.

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 6773) for the relief of Albert C. Burgess, reported the same with amendment, accompanied by a report (No. 234), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1789) for the relief of Thomas P. Darr, reported the same without amendment, accompanied by a report (No. 235), which said bill and report were referred to the Private Calendar.

Mr. MACGREGOR, from the Committee on Claims, to which was referred the bill (H. R. 7900) for the relief of Rudolph L. Desdunes, reported the same without amendment, accompanied by a report (No. 236), which said bill and report were referred to the Private Calendar.

Mr. O'CONNOR, from the Committee on Claims, to which was referred the bill (H. R. 3210) for the relief of Joseph A. Prat, reported the same without amendment, accompanied by a report (No. 237), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6291) for the relief of E. Willard, reported the same with amendment, accompanied by a report (No. 238), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 577) for the relief of the Southern States Lumber Co., reported the same without amendment, accompanied by a report (No. 239), which said bill and report were referred to the Private Calendar.

Mr. FULLER of Illinois, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill H. R. 8536, accompanied by a report (No. 240), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2990) granting a pension to Charles T. Durand; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8468) for the relief of Otis C. Mooney; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 1808) granting an increase of pension to David Dixon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5886) granting an increase of pension to Jacob W. Cline; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7853) granting an increase of pension to Charles A. Bills; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2440) granting an increase of pension to James C. Burwell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4967) granting an increase of pension to John L. Dick; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7067) granting a pension to Marianne H. D'Arcy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2416) granting a pension to Peter C. Deardorff; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3570) granting an increase of pension to Henry Lang; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4904) granting a pension to Jacob Gish; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7848) granting a pension to William Seybold; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAMPERT: A bill (H. R. 8533) for the erection of a Federal building at Waupun, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8534) permitting all honorably discharged soldiers and sailors to purchase supplies from the commissary stores of the Army and Navy; to the Committee on Military Affairs.

Also, a bill (H. R. 8535) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein; to the Committee on the District of Columbia.

By Mr. FULLER of Illinois: A bill (H. R. 8536) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 8537) to provide increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. NEWTON of Missouri: A bill (H. R. 8538) to amend sections 4874 and 4875 of the Revised Statutes, to provide a compensation for superintendents of national cemeteries; to the Committee on Military Affairs.

By Mr. JONES of Texas: A bill (H. R. 8539) establishing a marketing system for the purpose of facilitating the distribution of farm products and the promoting of the economic distribution and sale of the same; to the Committee on Agriculture.

By Mr. CURRY of California: A bill (H. R. 8540) authorizing the Secretary of the Treasury to create an antidepreciation fund with which to purchase at par certain war loan or Liberty loan or Victory loan bonds that may be offered for sale below par, and to prohibit brokers or bankers from buying or offering to buy or from selling or offering to sell said war loan or Liberty

loan or Victory loan bonds at less than par, making such action a felony and providing punishment therefor; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 8541) relating to compensation and war-risk insurance for members of the Philippine Scouts under the provisions of "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 8542) providing for a site and public building for a post office at Daytona, Volusia County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8543) providing for a site and public building at Fort Pierce, St. Lucie County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8544) providing for a site and public building for a post office at West Palm Beach, Palm Beach County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8545) to provide for the disposition of abandoned lighthouse and life-saving stations; to the Committee on the Public Lands.

By Mr. DENISON: A bill (H. R. 8546) to amend section 1 of the act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes"; to the Committee on Flood Control.

By Mr. DYER: A bill (H. R. 8547) to punish thefts of motor vehicles, and for other purposes; to the Committee on the Judiciary.

By Mr. LAGUARDIA: Resolution (H. Res. 246) directing the Secretary of State to furnish information to the House of Representatives relative to affairs in Mexico; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. AYRES: A bill (H. R. 8548) granting a pension to Clarence E. West; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 8549) granting an increase of pension to Aaron Ready; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 8550) for the appointment of Lieut. R. Gordon Williams to the permanent Supply Corps of the Navy; to the Committee on Naval Affairs.

By Mr. COSTELLO: A bill (H. R. 8551) for the relief of Edward McDevitt; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 8552) granting a pension to Mary Jane Graham; to the Committee on Pensions.

Also, a bill (H. R. 8553) granting a pension to Mary M. Hancock; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 8554) granting an increase of pension to John B. Jeffery; to the Committee on Pensions.

By Mr. LITTLE: A bill (H. R. 8555) granting a pension to Mary E. Harding; to the Committee on Invalid Pensions.

By Mr. MACGREGOR: A bill (H. R. 8556) granting an increase of pension to William Speckhardt; to the Committee on Pensions.

Also, a bill (H. R. 8557) granting an increase of pension to Hattie A. Grant; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 8558) for the relief of Archibald Nurss; to the Committee on Military Affairs.

By Mr. McPHERSON: A bill (H. R. 8559) granting a pension to William Kelly; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 8560) for the relief of Lena Schneider; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 8561) granting an increase of pension to Joseph F. Stove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8562) granting a pension to William McKim; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8563) granting a pension to Michael W. Hurley; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 8564) granting an increase of pension to John R. Roe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8565) granting a pension to George Zederbaum; to the Committee on Pensions.

By Mr. THOMPSON of Ohio: A bill (H. R. 8566) for the relief of William L. Wiles; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 8567) for the relief of the heirs of Paul Noyes; to the Committee on War Claims.

By Mr. VOIGT: A bill (H. R. 8568) granting an increase of pension to Cyrus T. Reed; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 8569) granting a pension to Jacob Hicks; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 8570) granting a pension to Dow Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8571) granting a pension to Leroy Dunn; to the Committee on Pensions.

PETITIONS, ETC.

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

By Mr. BACHARACH: Petition of sundry citizens of Egg Harbor, N. J., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

Also, petition of city commission of Atlantic City, N. J., requesting the awarding of Fiume to Italy in the settlement of the peace treaty; to the Committee on Foreign Affairs.

By Mr. BROOKS of Pennsylvania: Petition of the Gettysburg Chamber of Commerce, Gettysburg, Pa., against the Sims bill for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: Petition of George A. Bowles, of Crosswell; Hartley Cansfield, of Mount Clemens; and George B. March, of Romeo, all in the State of Michigan; Mrs. Ellis A. Yost, of Washington, D. C.; Mrs. N. G. Moore, of Mellington, Mich.; G. E. Cooper and others, of Utica, Mich.; Mrs. Priscilla Reid, of Lum, Mich.; William Nelson and others; S. J. Osquith, of Memphis, Mich.; John Austin, of Michigan; C. J. Reid and others, of the seventh district of Michigan; Bertha Kilgore and others, of the seventh district of Michigan, all protesting against the repeal of the war-time prohibition law; to the Committee on the Judiciary.

Also, petition of postal employees of the Mount Clemens post office, of Mount Clemens, Mich., favoring an increase of \$500 per annum for each regular employee and an increase of 35 cents an hour for all temporary employees; to the Committee on the Post Office and Post Roads.

Also, petition of A. N. Hamlin and others, of Port Huron, Mich., favoring an increase in salary for post-office clerks; to the Committee on the Post Office and Post Roads.

Also, petition of Lapeer Commercial Club, of Lapeer, Mich., favoring a Federal highway commission to work in conjunction with the State highway department in pushing forward as fast as possible an adequate highway system; to the Committee on Roads.

Also, petition of Michigan State Grange, strongly objecting to any legislation presuming to remove the ban upon wine and beer until the national prohibition laws shall be made and are in effect; to the Committee on the Judiciary.

By Mr. FOSTER: Petition of the Chamber of Commerce of Athens, Ohio, entering vigorous protest against the so-called Plumb plan of ownership and operation of the railroads and against any similar plan that does not provide for the earliest possible return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the Chicago Railway Equipment Co., opposing the Kenyon bill (S. 2202) for Government control of the packing industry; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Graphite Co., of San Francisco, Calif., protesting against the enactment of the Heflin bill (H. R. 5941) levying a duty on Mexican graphite; to the Committee on Ways and Means.

Also, petition of the James B. McPherson Post, No. 87, Department of Kansas, Grand Army of the Republic, for increase of Civil War pensions; to the Committee on Invalid Pensions.

Also, petition of the Polish Publishing Co., of Chicago, Ill., opposing enactment of the bill (S. 1919) to prohibit admission to the mails of publications printed in a foreign language; to the Committee on the Post Office and Post Roads.

Also, petition of the Indianapolis Live Stock Exchange, opposing enactment of the Kenyon bill (S. 2202), the Kendrick bill (S. 2199), and the Lever bill (H. R. 5310); to the Committee on Agriculture.

Also, petition of the employees of the post office at Rockford, Ill., favoring reclassification of salaries of post office employees in three grades at \$1,800, \$2,000, and \$2,400, instead of the six grades as at present; to the Committee on the Post Office and Post Roads.

By Mr. HERNANDEZ: Petition of sundry grocery merchants, favoring passage of the Kenyon bill; to the Committee on Agriculture.

By Mr. HUDSPETH: Petition of Cattle Raisers' Association of Texas, urging both producers and consumers to unite in vigorous support of the prompt enactment of appropriate legislation

in line with the proposed Kendrick bill (S. 5305); to the Committee on Agriculture.

By Mr. LONERGAN: Petition of the White Eagle Club (Inc.) of Stamford, Conn., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. NEWTON of Missouri: Petition of Local No. 8 of the National Federation of Postal Employees, signed by over 400 postal employees at St. Louis, Mo., protesting against House bill 151, introduced by Mr. Madden of Illinois, and praying for an increase in wages of not less than 50 per cent; to the Committee on the Post Office and Post Roads.

By Mr. O'CONNELL: Petition of Greek community of Brooklyn, N. Y., concerning the question of Thrace; to the Committee on Foreign Affairs.

By Mr. SINCLAIR: Petition of the Dogden Journal, Dogden, N. Dak., opposing the repeal of the postal zone system; to the Committee on the Post Office and Post Roads.

By Mr. YATES: Petition of Air Reduction Sales Co., Chicago, Ill., by B. N. Law, urging the passage of House bills 5011 and 5012; to the Committee on Patents.

Also, petition of Dan A. Brown, Chicago, Ill., urging increase in postal employees' wages, Senate joint resolution 84; to the Committee on the Post Office and Post Roads.

Also, petition of J. Ira Boyd, Springfield, Ill., urging increase in salaries of postal employees, Senate joint resolution 84; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, August 20, 1919.

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, Thou King immortal, eternal, invisible, Thou Judge of all the earth, command upon us, we beseech Thee, this morning Thy holy spirit of wisdom, that with open eyes, seeing Thy love and knowing Thy law, with unselfish devotion, we may give ourselves to the tasks before us, that Thy righteousness may be exalted in the earth, that our Nation may be exalted and be made even stronger and greater in Thy righteous judgment. Command Thy blessing upon the President of the United States, upon all our soldiers and sailors wherever they are, upon every home of this land, that peace and righteousness may prevail, that Thy kingdom may come, and that Thy will may be done in the earth. This we ask for Jesus' sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the President of the United States having returned to the House of Representatives, in which it originated, the bill (H. R. 3854) for the repeal of the daylight-saving law, with his objections thereto, the House proceeded, in pursuance to the Constitution, to reconsider the same, and

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to the same.

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

H. R. 3175. An act authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation;

H. R. 7972. An act to improve the administration of the postal service of the Territory of Hawaii;

H. R. 8076. An act authorizing the county of Montgomery, Tenn., to construct a bridge across the Cumberland River within 7 miles of Clarksville, Tenn.; and

H. R. 8117. An act for the construction of a bridge across the Susquehanna River at or near Falls, Wyoming County, Pa.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 6323) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, and it was thereupon signed by the Vice President.