Mr. WATSON. I desire to ask unanimous consent, however——

The PRESIDING OFFICER. The Senator can not do that unless the order is vacated.

Mr. WATSON. I think anything can be done by unanimous consent.

Mr. COUZENS. Not unless the record is vacated.

The PRESIDING OFFICER. It will be necessary to vacate the record in order to do it by unanimous consent.

Mr. WATSON. I am exceedingly anxious——

Mr. McKELLAR. Why can we not adjourn?

Mr. WATSON. Because it will give a morning hour to-morrow.

Mr. McKELLAR. We ought to have a morning hour.

Mr. WATSON. The condition of the business of the Senate is such that we really ought to take a recess to-night until to-morrow. That is the fact about the matter.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the order be vacated directing the Sergeant at Arms to request the attendance of absent Senators.

Mr. BLACK. I object.

The PRESIDING OFFICER. Objection is made.

ADJOURNMENT

Mr. WATSON. Then, Mr. President, I move that the Senate adjourn until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 32 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 3, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, July 2, 1930

COLLECTOR OF CUSTOMS

A. Lincoln Acker, of Philadelphia, Pa., to be collector of customs for customs collection district No. 11, with headquarters at Philadelphia, Pa. Reappointment.

COAST GUARD

Ensign (Temporary) Kenneth S. Davis to be a lieutenant (junior grade) (temporary) in the Coast Guard of the United States, to take effect from date of oath.

PUBLIC HEALTH SERVICE

The following-named officers in the Public Health Service, to take effect from date of oath:

To be medical director

Senior Surg. James C. Perry.
Senior Surg. Samuel B. Grubbs.
Surg. Dana E. Robinson.
Surg. Louis P. H. Bahrenburg.
Surg. Holcombe McG. Robertson.
Surg. Ernest A. Sweet.

To be senior surgeon

Surg. Friench Simpson.
Surg. Robert Olesen.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *July 2, 1930*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, we come to Thee in name of Him whose name is above every name! We praise Him, for He is the sublimest figure in the annals of all time. O guard us against avarice and consuming ambition, and make us such a treasure to those who love us that when we pass it will be as if a star hath fallen out of the sky. Impress us that the things of earth are destined to be pulled down, but the unseen structures of thought and heart will abide. O Thou Savior of the world, stronger than any father, gentler than any parent, truer than any friend, we rejoice in Thy love and mercy and acknowledge our everlasting indebtedness to Thy redeeming power. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 8271. An act for the relief of Brewster Agee; and

H. R. 9347. An act for the relief of Sidney J. Lock.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 13174. An act to amend the World War veterans' act, 1924, as amended.

The message also announced that the Senate insists upon its amendments to said bill, requests a conference with the House thereon, and appoints Mr. WATSON, Mr. REED, Mr. SHORTRIDGE, Mr. GEORGE, and Mr. WALSH of Massachusetts to be the conferees on the part of the Senate.

H. R. 9985. An act to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON, Mr. JONES, and Mr. RANSDELL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, the bill H. R. 12996, entitled "An act to authorize appropriations for construction at military posts, and for other purposes," insists on its amendments to said bill, requests a conference with the House of Representatives thereon, and appoints Mr. REED, Mr. HATFIELD, and Mr. SHEPPARD to be the conferees on the part of the Senate.

WORLD WAR VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Would it be in order to move to concur in the Senate amendments to the World War veterans' bill?

The SPEAKER. It would not be in order.

DR. HARVEY W. WILEY

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution adopted by the Committee on Agriculture with reference to the life services of Doctor Wiley.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution is as follows:

A great pioneer and heroic soul hath gone to join the multitude of others who sought to serve their fellow men, in Dr. Harvey W. Wiley.

For many years Doctor Wiley was the champion and leader in the cause for higher standards in foods, and in that cause, as in many others, for the betterment of humankind. Doctor Wiley appeared before the Agricultural Committee of the House of Representatives many times, bringing to that committee a wealth of information and a viewpoint noble in every aspect.

We, therefore, the Agricultural Committee of the House of Representatives, are placing in the permanent records of the committee, in the CONGRESSIONAL RECORD, and sending Doctor Wiley's family a copy of this resolution of appreciation for a man who made his contribution, through many long years, always in behalf of the betterment of humankind and of pure foods as a contributing cause to that betterment.

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
By G. N. HAUGEN, *Chairman.*

WASHINGTON, D. C., *July 1, 1930.*

Approved by Congressmen ASWELL, KINCHELOE, BRIGHAM, HALL, ANDRESEN, MENGES, NELSON, JONES, and CLARKE of New York.

PALESTINE IMMIGRATION

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, when on November 2, 1917, in the midst of the World War we were startled with the announcement from Palestine known as the Balfour declaration and were informed of the fact that the British Government viewed with favor the establishment of a Jewish homeland in Palestine, nobody could suspect either the massacres of last summer or the announcement of the new policy of this summer.

It looked for a while as though a new area was dawning on the Jewish people of the world. Here was the Jewish race, harassed and persecuted as no other throughout the world with scant hope that this will ever cease, when the British Government announced that it would view favorably the establishment of a Jewish homeland. And all of us hoped, prayed, and ex-

pected that this will solve the vexed Jewish problem and bring peace and happiness to the Jewish race.

Since then and for eight years the land had rest. There were riots in 1921, but they did not do much mischief. Jews continued to build up the country peacefully, and the Arabs, as was said by Maurice Samuel, "made money selling vegetables and fruit to Jerusalem, Tel Aviv, and Haifa."

Jerusalem and Haifa have become big cities and Tel Aviv has taken on the aspect of a California town. Arabs who had land to sell in those cities became rich on such sales, and land values throughout the country rose in consequence.

The Arabs of Palestine were not averse to seeing an increase in the Jewish population of the country, and most of them had no interest in politics altogether. But for the massacres of last summer, the exact cause of which is still the subject of official investigations and on which I addressed this House last year, there would scarcely be any such thing as a Jewish-Arab problem to contend with. But even at that there is no reason for the new policy of the Government, which I shall discuss presently.

The problem of Palestine is not the problem of this country. Here in the United States the powers that be saw fit to embark on a policy of restricted immigration. While all of us may not agree with it, the country as a whole seems to be committed to it, and we feel that unless restriction of immigration is resorted to we will be unable to absorb into our national midst any more immigrants from other countries. But that can not possibly be the situation in Palestine.

In Palestine virgin soil awaits the plow of the husbandman; mountain thickets await the work of the surveyor; there are new roads to be built and there is plenty of work for all productive laborers in the world. Besides, where can the Jewish immigrant go to, now that we have seen fit to exclude him from this country, when his path is barred everywhere and when longingly he casts his eyes at the ancient home of his fathers? We must keep Palestine open for him.

And then, how can we speak of the establishment of a Jewish homeland when there is no home that he can find in Palestine or anywhere else in the world? Where can the Jewish wanderer lay his head? Is he not in the plight of the situation so aptly sung by Byron in his immortal poem?

> Oh, weep for those that wept by Babel's stream,
> Whose shrines are desolate, whose land a dream;
> Weep for the harp of Judah's broken shell;
> Mourn—where their God hath dwelt, the godless dwell.
>
> And where shall Israel lave her bleeding feet?
> And when shall Zion's songs again seem sweet?
> And Judah's melody once more rejoice
> The hearts that leap'd before the heavenly voice?
>
> Tribes of the wandering foot and weary breast,
> How shall ye flee away and be at rest!
> The wild dove hath her nest, the fox his cave,
> Mankind their country—Israel but the grave.

Yes, Israel has but the grave. The Balfour declaration is a mere "scrap of paper." If Jews can not freely emigrate to Palestine, then we may as well give up. Israel has but the grave.

> Tribes of the wandering foot and weary breast,
> How shall ye flee away and be at rest?

Will there ever be rest for the persecuted and foot-weary Jew?

The American people who have contributed such large sums of money and given such devoted attention to the upbuilding of Palestine, be they Jews or Gentiles, can not sit supinely by while this new anti-Jewish activity is taking place.

I appeal to the fairness of the American Congress to take immediate steps to urge the British Government in Palestine to rescind its decree limiting or curtailing the free immigration of Jews to Palestine. Let the Palestinian Government have no fear of economic consequences. Our people will not leave the Jewish immigrant to Palestine in the lurch.

Our public-spirited citizens will do their share; the Jewish immigrant will do his share; and when the years have passed you will see that Palestine will have a wonderful and glorious rebirth, and where one blade of grass grew there will be two at least when the Jew has made his mark on the country.

MY REPORT TO THE PEOPLE OF THE FORTY-SECOND CONGRESSIONAL DISTRICT OF NEW YORK

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MEAD. Mr. Speaker, with the close of this, the second session of the Seventy-first Congress, and in keeping with a practice started at the beginning of my election to Congress, and under the unanimous permission extended to me by my colleagues in the House, I have the honor of submitting this report to the electors of the forty-second congressional district concerning my activities with respect to important legislative matters considered during the life of this session. Reports such as this for the people back home arouse great interest, stimulate thought, create a deeper sense of responsibility concerning the duties of Congress, enable me to decide in what measure I have endeavored to carry out the wishes of my people, and it also enables us both to establish beneficial contacts with each other. The hearty cooperation and helpful advice which I have received from my constituents in the past as a result of these contacts prompts my sending this record of my work during the present Congress.

Convening on December 5, 1929, and adjourning on July 3, 1930, this session has considered a vast number of vital governmental problems, and as regards the most important of these questions I shall explain briefly my attitude and my position.

When one stops to consider the various problems, including prohibition, Muscle Shoals, aviation, tariff, border patrol, retirement, railroad consolidation, veteran and pension legislation, agriculture, unemployment, immigration, rivers and harbors improvements, postal legislation, Federal salary bills, and many other controversial subjects upon which I have taken a frank and definite position, you will realize that while we may not always agree, most helpful and wholesome results will accrue when the Congressman and his constituents understand one another in a clear and honest manner.

UNEMPLOYMENT

The most serious of all the problems of government at the present time resulting from the radical economic changes constantly taking place is the problem of unemployment, and throughout my service as a Member of Congress, and prior to that as a member of the Legislature in the State of New York, I gave particular attention to labor and welfare legislation and shall continue to do so during my career as a public official. During the present session of Congress I introduced three bills bearing directly on the question of unemployment. One provides for the establishment of a national employment system and for cooperation with the States in the promotion of such a free employment system. The second provides for the advanced planning and regulated construction of public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression. The third provides for the establishment within the Department of Labor of a bureau of labor statistics.

This bureau would collect, collate, report, and publish, at least once each month, full and complete statistics of the volume of and changes in employment, as indicated by the number of persons employed, the total wages paid, and the total hours of employment in the governmental service as well as in the following industries and their branches: (1) Manufacturing; (2) mining and crude petroleum production; (3) building construction; (4) agricultural and lumbering; (5) transportation, navigation, and other public utilities; (6) retail and wholesale trades; and such other industries as the Secretary of Labor may deem it in the public interest to include. I am certain that these unemployment bills will, when enacted into law, prove a valuable and substantial contribution to the happiness and welfare of the people of our country. Identical bills sponsored by Senator WAGNER passed the Senate, but unfortunately were modified by the Judiciary Committee of the House; and while some progress has been made during the present session in this direction, I trust the program will be completed before the end of the next session, which convenes in December. While on the subject of labor legislation, let me say that I sponsored a bill reducing the hours of service from 48 to 44 for employees in the Postal Service. This bill was approved by the committee and is now on the calendar of the House. In order that the workers may enjoy some of the benefits of this machine age the hours of employment must be reduced.

RAILROADS

I heartily supported the resolution introduced by Senator COUZENS preventing further consolidations and mergers of our railroads until such time as the Congress has had an opportunity to investigate the question and to define a specific policy for the protection of the employees and the public welfare. Already 50,000 miles of American railroads have been merged, 200,000 employees have been made jobless, and cities and towns have been wiped out by the removal of shops and terminals, which has resulted disastrously not only to the employees and towns affected but to the general prosperity of the entire country. Absorption of weak railroads by stronger ones, resulting

in better service, is bound to prove beneficial; but the merging of strong, competitive railroads, curtailing service, increasing unemployment, and injuring business, is of no value, except, perhaps, to the financial speculators interested in railroad securities.

BORDER PATROL

One of the bills sponsored by the advocates of prohibition was known as the border patrol bill and had for its purpose the creation of a unified border patrol to police the international boundaries to the north and south of the United States. This bill will create an armed force along the entire Canadian boundary from the Atlantic to the Pacific which will increase the burdens of Government to the extent of upwards of $4,000,000. The bill makes it a crime for millions of American citizens who now reside in the vicinity of the international borders to step across the boundary without first reporting at a recognized port of entry, although in some places these ports of entry are more than 200 miles apart. The bill also provides for the un-American practice of voluntary or compulsory registration of American citizens, many of whom live along the border. It hampers and restricts innocent travel between Canada and the United States, and will undoubtedly develop bad feeling with our friendly neighbors. The bill greatly extends the power of arrest of American citizens who by innocently stepping over the international boundary may become law violators and probably criminals. At the present time the boundary is amply protected by immigration officers, custom inspectors, Coast Guard patrol, navigation officers, and others who have, except for the prohibitionists, adequately and satisfactorily enforced existing laws. We now have too many laws and we have laws that make crimes of things that are not crimes, with the result that our prisons are filled to capacity and more are being constructed to house our ever-increasing prison population resulting from these bad laws.

GOOD ROADS

Congress passed and sent to the President a bill providing for the expenditure of $375,000,000 for the construction of good roads throughout the United States, and, as in the past, I supported this legislation because it is an indispensable aid to agriculture, promotes tourist travel within our own United States, provides employment to upwards of 100,000 men, and increases the Nation's business and adds to its national wealth.

RETIREMENT

Congress during this session considered the Dale-Lehlbach bill for the retirement of Federal employees who have upward of 30 years of service and who have reached the ages of 60, 63, 65, and 68, according to the particular class of work at which they are employed. The employees and the Federal Government contribute to the maintenance of this retirement system; and as it is in keeping with the demands of the times, and believing it to be the duty of public and private employers to provide adequate retirement for aged workers, I supported this measure and aided in its being enacted into law.

PENSION LEGISLATION

I supported the bill increasing the pensions of our Civil War veterans, a most deserving measure for this fading band of heroes who fought to maintain the Union in 1861–1865. I likewise supported the bill to increase the pension allowance in favor of our Spanish War veterans, whose services during the war with Spain and the Philippine insurrection have never been adequately compensated in the matter of pensions. I likewise supported the legislation broadening the scope of the compensation law as it pertains to the veterans of the World War, believing, as I do, that it is the duty of a grateful government to compensate or pension veterans who are disabled as the result of their services to the country.

PROHIBITION

During this session of Congress the prohibition question has come to the forefront more prominently and effectively than at any time since it became a law. Recent primary and election results, State referendums, and the Literary Digest poll, together with the revelations resulting from hearings and investigations conducted by House and Senate committees, have proved convincingly that our people favor repeal or modification of the existing dry laws. While serving as a member of the assembly in 1918 I opposed the ratification of the eighteenth amendment, and as a Member of Congress I voted against the adoption of the Volstead law.

In the closing days of the administration of President Coolidge I voted against the Jones law, which inflicts excessive fines and heavy penalties upon our people, and in the present session of Congress I opposed the program recommended by the Wickersham commission appointed by President Hoover; and, lastly, I opposed the border patrol act because it, too, is another dry law which, like all other dry laws, make crimes of things that are not crimes. As a pioneer opponent of prohibition, believing at the outset that it would fail of its purpose, I believe my stand has been vindicated in the light of experience and the events which have occurred since the adoption of national prohibition. During the present session I introduced several bills recommending the repeal of the prohibition law and spoke in favor of the repeal of the present system and advocated returning to the several States the right to regulate and control this question in accordance with the desires of the people. As I have stated in the past, I believe a plan patterned after the Quebec law would be best fitted for the State of New York and would result in sobriety, temperance, and the greater respect for law.

MUSCLE SHOALS

Again, the matter of the disposition of Muscle Shoals came up for disposition, and I supported the proposal advocated by Senator NORRIS calling for Government ownership and operation of this great power-development plant. The matter is still included in the unfinished business of Congress, because many Members are still anxious to turn this great utility over to private interests for control and operation. Muscle Shoals in operation would prove of immeasurable benefit to the general public in the development of electrical energy and would furnish, in addition to nitrate and fertilizer, light and power to a vast section of the country.

AVIATION

To provide for the development of commercial aviation the Post Office Department sponsored a bill enabling the Postmaster General to increase the number of existing air mail lines as well as to improve existing air mail facilities. This bill was referred to the Committee on the Post Office and Post Roads, of which I am a member, and I was pleased to support the measure after certain amendments in the public interest were written into the bill. All European countries are establishing commercial air mail lines in Central and South America, and to protect America's supremacy in this line this legislation was essential.

TARIFF

In the President's message to Congress, he stated that he was in favor of an effective tariff on agricultural products, and that he was also in favor of some limited changes in other tariff schedules where economic changes have taken place and where new industries have come into being in the last seven years.

The limited changes the President favored, it seems, were something over 1,200, of which 887 of them were advances, as the tariff bill, signed by the President, increased the tariff rates over the rates in the Fordney-McCumber tariff law passed in 1922 on 887 schedules, many of them containing over 100 commodities.

Economists, business men, newspapers, and farm organizations from all over the country have protested against the passage of the Hawley-Smoot tariff law, or as it has been called, and I think properly so, "The Grundy Monstrosity."

The leading economists of the country, 1,028 of them in number, coming as they do from 179 of our leading colleges, also from some of our largest banks and most important industries, set out 12 points as to why this bill should have never become a law.

They were as follows:

First. It will increase the general cost of living.

Second. It will subsidize industrial waste and inefficiency.

Third. It will inflate profits of the few at the expense of many.

Fourth. It will hit city workers hardest.

Fifth. It will rob the farmers it is supposed to help.

Sixth. It will cripple manufacturers through raw-material rates.

Seventh. It will lower the buying power of our foreign customers.

Eighth. It will provoke foreign retaliation against our exports.

Ninth. It will violate the resolution of the world economic conference.

Tenth. It will jeopardize payments from our foreign investments and debts.

Eleventh. It will increase unemployment.

Twelfth. It will poison world peace.

FARM RELIEF

The President called a special session of Congress shortly after his inauguration for the purpose of placing agriculture on a basis equal to industry and suggested the enactment of farm-relief legislation as well as a readjustment of tariff rates. While both these bills were passed by Congress and signed by the President they were highly unsatisfactory to agriculture, as indicated by the votes of Members representing purely rural districts and, what is more, the prices of farm products have declined since the passage of these bills.

So far as New York State is concerned these so-called farm relief bills only add to our taxes, offer no aid to our farmers, and increase very largely the cost of living to all our people.

IMMIGRATION

Further restriction of immigration to the United States is called for in bills presented by Representatives Box, of Texas, and WELCH of California. These bills are designed to restrict immigration from Mexico, Canada, and the Philippines. With the present unemployment conditions existing in this country, I shall support these measures when they come before the House in the next session of Congress.

TAXATION

Since the termination of the World War Congress has passed several bills effecting reductions in income-tax rates. These bills were passed in 1921, 1924, 1926, and in 1929, and in each instance I joined with those of my colleagues who were in favor of granting generous reductions to small income-tax payers, including the heads of families, the little business man, small merchants, and others upon whom the financial burdens of the Federal Government bear heavily.

These bills as originally introduced gave reductions principally to those of great wealth and large incomes, but in every instance were amended to provide reductions to heads of families, small business man, the little merchant, and others of limited incomes.

THE CAPPER-KELLY BILL

The Capper-Kelly fair trade or resale price bill, H. R. 11, has been considered during this Congress; but not having passed, it will again come before us in the session beginning December next. It is aimed at unfair price cutting and cut-throat competition. In commenting on such practices Justice Holmes stated:

I can not believe that in the long run the public will profit by this course, permitting knaves to cut reasonable prices for mere ulterior purposes of their own and thus to impair, if not to destroy, the production and sale of articles which it is assumed to be desirable the people should be able to get.

I shall be pleased to furnish copies of this bill and to receive such comment as you may wish to make concerning its aims and objects. I believe it to be a meritorious measure and worthy of our serious consideration.

NEW FEDERAL BUILDING FOR BUFFALO

As a result of a decision of the Federal Building Commission, Buffalo will be included in the next list of cities in which a new Federal building will be constructed. I supported the necessary appropriation and together with my colleagues from western New York called on the commission and pointed to the urgent need of such a building at Buffalo.

VETERANS' HOSPITAL FOR WESTERN NEW YORK

The United States Veterans' Bureau is to construct a large general hospital in our vicinity for the treatment of ex-service men in need of hospitalization. Heretofore these veterans were sent great distances away from home to receive treatment which will soon be provided for them in this new institution. I appeared before the veterans' committee of Congress, spoke in support of this splendid project in the House, and on several occasions called on the Director General of the United States Veterans' Bureau, explaining the great need of a hospital for veterans in our section of the country. I rejoice with the American Legion of Erie County, the city and county authorities, with my fellow Congressmen from western New York, and with all the rest of those who cooperated in this successful undertaking.

UNFINISHED BUSINESS

Among the bills not commented upon heretofore which can be listed as the unfinished business of the session, the following are the most important:

1. The Norris resolution which eliminates the so-called lame duck sessions of Congress, a resolution of great merit.

2. The Jones-Cooper maternity bill which provides Federal aid to States in caring for dependent mothers and infants. This bill was not reported out of committee.

3. The bill providing for a national department of education, which I oppose because education is a State function.

CONCLUSION

During the session I addressed a letter to the people of my district, calling attention to the particular services rendered through my office, and I am very happy to report that I received approximately 10,000 replies requesting information on pending legislation, or asking for Government pamphlets or publications, or permitting me to take up some matter of interest with one or the other of the various departments of the Government. Enumerating some of the cases which I took up for the people of the district were pensions, patents, compensation, insurance, immigration, passports, visas, re-entry permits, naturalization, citizenship, Civil Service Commission, military and naval enlistments and discharges. Every request which had to do with one or the other of the Federal departments, bureaus, or commissions was taken up immediately, and every effort was put forth by my office to have the matter settled as favorably and quickly as possible. I also received many requests respecting matters having to do with the city, county, and State officials and departments, and although I am not directly connected with any of them, I endeavored to be of service wherever it was possible for me to do so. As a result of the great number of men and women who are out of work I also received thousands of requests during the past year to find work for residents of our district. In some cases I was successful, but owing to the great number of requests received, and the great difficulty in finding work, as well as the demands on my time here at Washington, I found it quite impossible to do all that I would like to have done in this connection.

I have made it a point to be in constant attendance during the sessions of Congress, especially when important matters affecting the welfare of our people was being considered. My record of attendance, both at the sessions of Congress and at the meetings of the committees, of which I am a member, compares most favorably with the general membership of the House. I have always maintained my political independence, and while adhering to the tenets of my political faith, I have never been persuaded from my judgment by political domination, and have always been free to cast my vote and to express my attitude on important questions without restraint, having ever in mind the public welfare and the best interests of the people of our district.

My office here at Washington is open throughout the year, and I am always eager to hear from the people of the district and to be able to be of some service to them. Another office I maintain at my home, located at 79 Ideal Street, Buffalo, N. Y., where I can be reached during the recess of Congress. The telephone number at my Buffalo office is Jefferson 1095, and there my secretary or myself can be reached by anyone calling between the hours of 9 a. m. and 5 p. m. These two offices open 12 months in every year for the service of the people of our district, have enabled me to handle many thousand requests in the past, and I trust will permit me to be of further service in the future.

May I conclude by assuring you and your friends that I am profoundly grateful for the cooperation accorded me in the past, and likewise for the confidence you have reposed in me while serving as your Representative in Congress.

COUNT CASIMIR PULASKI

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SLOAN. Mr. Speaker, many times in the world's history men speaking from a narrow experience or covering a limited period of time utter proverbs which in a broader view covering the centuries are found to be unsound.

A century ago there was no more common politico-philosophic statement than that republics are ungrateful. The test of 150 years evidenced by American history flatly contradicts that statement.

We were a Nation in the making and many were American sons whose heroic lives and distinct service entitle them to material forms of memory, and they have almost invariably received them.

Nor has our Nation been unmindful of, or ungrateful to, the distinguished characters, who, in the stress of our Revolution, came with their zeal, valor, and fortunes and aided to bring about the independence of the Republic, which is unquestionably the largest and most commanding governmental fact registering the progress of the world in all history.

Almost equally well known with our Washington, Morgan, and Greene, were Lafayette and Rochambeau, the Frenchmen, Von Steuben, the German, and from that nation itself then soon to be dismembered came Kosciusko and Pulaski, the Poles. The first four are memorialized in imperishable bronze in Lafayette Square immediately in front of our Executive Mansion, known as the White House.

Down on the great Capital thoroughfare, known as Pennsylvania Avenue, midway between the Executive Mansion and the Capitol, on an elevated granite pedestal, stands the bronze equestrian statue of Count Casimir Pulaski.

Our Capital City is also our monumental city. Of the various statues and memorials standing throughout its area all are of interest either in historic suggestion or in quality of art exhibited in their workmanship. To me in many respects the most interesting monument or statue, excluding those of Washington and Lincoln, is the one last described. Students of history recall that in the dark days of the Revolution the German Von Steuben came to America and became the successful drill sergeant for our Revolutionary infantry. What Von Steuben did for the American infantry in its discipline, organization, morale, and victorious career, Pulaski, the Pole, accomplished in the cavalry.

At that time the two great arms of conflict were "the foot and horse"—infantry and cavalry—with the artillery as little more than an auxiliary.

A comparison of the Pulaski statue, both man and mount, with every other equestrian statue in Washington, or, for that matter, that I ever observed, shows the spirit of swift movement in man and mount. The sculptor in his vision evidently saw this brilliant, daring Pole with loose rein forward bent on horse who seemed "lithe in every limb."

The ambition of a portrait painter is to cause eyes to glance and lips to speak from the finished canvas. The ideal back of the hammer shaping this statue of bronze was not to create perfection of form in rest or repose, but to carry the suggestion of militant motion, sustained and clearly manifest. It was a vision taken from the plains of Poland in the swift, daring movements of the Polish cavalry of which Pulaski had been a brilliant leader in the wars for independence of his native land and from which he had fled in exile.

Like other venturesome spirits of Europe who came to America and joined in its Revolution, he traveled by way of France and met with America's first, and up to this good hour unequaled, diplomat, Benjamin Franklin. Franklin gave him a letter to Washington. Washington, upon his arrival, accepted his service and gave him assignments which brought him into the two battles in the region where my ancestors first moved, and some of whose descendants live to this day—Brandywine and Germantown.

Here the valor of Pulaski led several headlong charges. Although overpowering numbers warranted the British in claiming apparent success in those battles, yet the revived fighting spirit of the Americans were such that they had the ultimate effect of victories for the American arms.

Special reasons prompted Washington to grant Pulaski the right to organize a legion under his name, which from its organization until the count's glorious death in the battle of Savannah on October 13, 1779, gave an excellent account of itself, and reflects glory upon its famous leader.

Admiral d'Estaing in command of the French fleet of Savannah was wounded. Observed by General Pulaski, regardless of personal hazard, he hurried to his assistance, and the interposition of his body brought the fatal wound which caused his death a few days thereafter.

It was a dramatic occurrence and was one of the two tragedies which the world will not soon forget. Other great men who came to America's assistance lived their lives and died in peace. Pulaski, to whom great tribute was paid by all America in the one hundred and fiftieth anniversary of his death, died on the soil where he was aiding the establishment of a republic.

Kosciusko, his compatriot, in this to them a foreign war, returned to battle for his own land. There he fell. Poland's cause was for more than a century lost. So that Campbell wrote "Freedom shrieked when Kosciusko fell."

When he fell at Cracow admiring Poles have carried soil from the battlefields of his valor to build a monument 150 feet high.

Say no longer that republics are ungrateful. A great shaft stands to Pulaski's memory at Savannah where he fell. A worthy memorial was unveiled at North Hampton by former President Coolidge in his memory. Fourteen cities and four counties are named Pulaski. American babes of pioneer as well as foreign extraction bear in part his name. At the recent celebration throughout the Nation multiplied thousands gathered in public; there were prayers, song, and speech, all attesting the virtues of this American benefactor.

Nay, more, at the close of the World War, representatives of America did much to reestablish Poland as a constitutional republic.

That species of immortality based upon good and noble deeds belonged to Pulaski, the Pole. He lives in the hearts of those he left behind, in the country from which he was exiled, and the new country under a new flag for which he fought to maintain its early and precarious existence.

Many of his race are here in America, intelligent, law-abiding, and patriotic. They, with the rest of us, are the keepers of Pulaski's memory.

REPRESENTATIVE BRAND OF OHIO

Mr. MOUSER. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a statement with reference to the services of CHARLES BRAND, Representative in Congress from the seventh Ohio district, as a Member of the House of Representatives for the past eight years, and to incorporate a letter from Representative L. J. DICKINSON; also a letter from Representative RICHARD N. ELLIOTT.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MOUSER. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following statement with reference to the services of CHARLES BRAND, Representative in Congress from the seventh Ohio district as a Member of this House for the past eight years, and include therein a copy of a letter written to Mr. Harold W. Houston, living at Urbana, Ohio, by Representative L. J. DICKINSON of Iowa. Also a letter written by Representative RICHARD N. ELLIOTT of Indiana, chairman of the Public Buildings and Grounds Committee.

It is known to all the Members of the House that Mr. BRAND, during his eight years' service, has given particular attention to agricultural economics; that he has been consistently an advocate of equality for agriculture; that his activities are well known among the Members of this House and also among all the representatives of agricultural organizations having representatives in Washington, D. C.

Mr. BRAND'S activities have extended over the United States by reason of carrying on extensive speaking campaigns during many recesses of Congress, wherein he carried his message to the individual farmers themselves. I want to pay this tribute to the services of Mr. BRAND, in view of the fact that I consider him one of the most sincere friends of agriculture serving in this House, whose efforts have contributed to the momentum gained by the agricultural interests in the past eight years.

A copy of the above letter referred to is as follows:

JULY 1, 1930.

Mr. HAROLD W. HOUSTON,
Urbana, Ohio.

DEAR MR. HOUSTON: Yours received with reference to the services of the Hon. CHARLES BRAND as Repesentative in Congress from your district.

It has been my pleasure to be intimately associated with Mr. BRAND in practically every piece of legislation that has had to do with farm relief. He has been one of the outstanding spokesmen advocating farm-relief legislation. Mr. BRAND is a deep student of agricultural economics, and has made many contributions to the agricultural program in his addresses on the floor of the House and in his service among the Members.

It is my judgment that no one has been more faithful to the farm cause than Mr. BRAND. He ranks high in the confidence of everyone interested in the farm problem. I know of no vote cast by him that has not been consistent with the interests of the farm people. On account of his experience, his contacts, and his acquaintances, it is my opinion that it would be a distinct loss to have him displaced in the House by a new man.

In the program for the farm cause and the progress that has been made in the past six years, I know of no one who has given the program more sincere support than Mr. BRAND. No new man from your district could hope to obtain for at least several years as influential or as effective a position as Mr. BRAND is holding at the present time. As a friend of the farmer, persistent in my efforts for the farm cause, I would consider it a distinct loss if Mr. BRAND should retire from the House of Representatives.

Yours very truly,

L. J. DICKINSON.

JUNE 28, 1930.

Mr. HAROLD W. HOUSTON,
Urbana, Ohio.

DEAR MR. HOUSTON: I wish to advise you that Hon. CHARLES BRAND, Representative in Congress from your district, has been a member of the Committee on Public Buildings and Grounds of the House of Representatives for eight years. I have been intimately associated with him on this committee, and I also was associated with him while we were both members of Elections Committee No. 3. I have learned to like Mr. BRAND and appreciate his services very much. In the passage of the public-building legislation, which has been one of the most important things before Congress for some years, he has been a tower of strength and support to me at all times. He is able, efficient,

and industrious; and while I know nothing about the opponents of Mr. BRAND, I do know that his years of service here have fitted him to represent his district. A new man would have to be here several terms before he could be as useful and efficient as Mr. BRAND.

It was due to Mr. BRAND'S efforts that Springfield is getting a new Federal building at a cost of $740,000, that Urbana is getting a new building at a cost of $130,000, that Wilmington received a Federal building at a cost of $135,000; and he has succeeded in getting the cities of Marysville, Lebanon, and London into the list of contemplated places for buildings in the near future.

With kind regards and best wishes, I am, very truly yours,

RICHARD N. ELLIOTT,

Chairman Public Buildings and Grounds Committee.

BATTLE OF BRICE'S CROSS ROADS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech made by me some time ago on the Battle of Brice's Cross Roads.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, under the permission granted me I insert below a copy of that address as reproduced in the Confederate Veteran for the month of August, 1925, which reads as follows:

FORREST AT BRICE'S CROSS ROADS

(Address by Hon. JOHN E. RANKIN, Member of Congress from Mississippi, delivered on the battle field of Brice's Cross Roads, June 10, 1925)

Ladies and gentlemen, we are gathered to-day upon sacred ground. This hallowed spot was consecrated by the blood and sacrifices of the noblest army that ever followed a flag. To this historic place the eyes of the world will one day be turned, and upon it future history will forever pour its light. Here was won the most signal and complete victory of the War between the States by either side, and that, too, against the most overwhelming odds. Here 61 years ago to-day was one of the greatest demonstrations of military genius ever manifested, when Nathan Bedford Forrest, that untrained soldier of the South, rose to the emergency of the occasion and wrote his name among the immortals of the ages.

Critics of all countries agree that the greatest evidence of military genius is for a general to divide his army into two or more parts and then successfully concentrate them upon the field of battle. Napoleon did this at Austerlitz, and the sun of fortune rose upon the most brilliant military career in the history of all Europe. He tried it at Waterloo and failed, which terminated that career in ignominious defeat. The genius of Robert E. Lee, combined with that of Stonewall Jackson, astounded and thrilled the world by the execution of that great feat at the Second Battle of Bull Run, which resulted in one of the most glorious victories of all time.

But here in the darkest days of the dying Confederacy, this daring, brilliant soldier matched his genius against skill and numbers, and in the face of a well-fed, well-equipped army that outnumbered his more than 3 to 1 divided his small band of half-naked, half-starved veterans into three separate parts and so successfully concentrated them upon the field of battle as to sweep all before them in a wild riot of inglorious defeat. He killed and captured more men that his own army contained, an accomplishment that, I dare say, was never duplicated in any other pitched battle on American soil.

I stood some time ago upon the field of Manassas, where Stonewall Jackson received his baptism of fire in that conflict as well as his immortal name, and my heart swelled with pride as I looked upon the scene of those two marvelous victories won by the soldiers of the South. I recently surveyed the heights of Gettysburg and caught the thrill that must come to every unbiased soul that scans that sacred field, as I glanced back across the lapse of 60 years and saw with imagination's eye that thin gray line of Confederate veterans march across that open field and up that deadly slope in the face of the most withering fire that was ever concentrated upon the legions of men.

But there is no place on earth that more thoroughly challenges our admiration than the ground on which we now stand, not only for the valor and courage of our brave men who conquered here but for the matchless plan of their dauntless leader, as well as the precision and thoroughness of its terrible execution. They were our relatives, our neighbors, and our friends defending our homes. What could be more gratifying or more inspiring to the children of the Southland than to look upon this historic field and contemplate the glorious achievements here 61 years ago of those brave men we are so glad to call our own? I would rather have their record to my credit than all the monuments wealth could buy. Their monuments as well as their sacred memories are in our hearts. Let us cherish them as the most priceless treasures of our time and transmit them with renewed devotion to the generations yet to come.

But so far this great field is unmarked. If it were in Massachusetts or Pennsylvania, and the victory had gone to the other side, it would to-day be bristling with towering monuments and covered with markers to show where each and every detail of the fight occurred. Volumes would have been written in commendation of the valor here displayed, and its every detail would have been perpetuated in history, song, and story.

Let us neglect it no longer. We should organize a Brice's Crossroads Battle Field Association for the purpose of securing title to this ground, charting and mapping it off, and erecting hereon markers telling to the world the thrilling story of that great struggle. Let us place upon this eminence a monument to Forrest and his followers that will stand as a sentinel finger throughout the coming ages to guide the footsteps of future pilgrims to the ground upon which was achieved one of the most brilliant military accomplishments in the history of mankind, so that when the people of America come to realize the truth concerning the great cause for which those heroes fought and died, and when the world shall come to appreciate the great genius of the matchless leader who commanded here, they may come in humility and gratitude to scatter their flowers of admiration and affection and to draw an inspiration from the examples of valor and heroism enacted here by those men who wore the gray.

It seems to me that it would be quite improper to refer to you or to address you as veterans of the "lost cause." The cause for which you fought and sacrificed was not lost; it was the cause of civilization. It is as much alive to-day as it was in sixty-one, and it will live as long as our free American institutions shall endure. It will be lost only when the ideals of our race shall have vanished from the earth.

Slavery was not the cause that actuated the soldiers of the South in that dreadful conflict. We are all glad that human slavery has disappeared; but the dread of the horrible alternative which some of our opponents would have imposed—that of placing the negro upon terms of social and political equality with the white man—aroused the latent indignation of the Anglo-Saxon South and called forth from the deep wells of human nature the most powerful resentment that ever inspired a human soul to willing sacrifice or battered down the barriers of self-restraint.

Not only would they have placed the negroes on equality with the whites, but some would have placed them in control. To-day, the sons of those men who 60 years ago preached the doctrine of a black South, tell us that the South, with its pure American stock, its high ideals, and its inflexible fidelity to the great principles upon which our civilization rests, will some day be called upon to save this Republic.

Our people had before them at that time the horrible examples of negro insurrections in Haiti and Santo Domingo, where the blacks had revolted and put to death, in the most cruel and unspeakable manner, the white men, women, and children of those unfortunate provinces. Such wanton cruelty was applauded by the opposition and was cited as conclusive evidence of the negro's fitness for self-government. Some of them even proclaimed that he had proved himself superior to the white man. Sixty years have passed away, and the negroes of Haiti and Santo Domingo have lapsed into a barbarism that would shame the jungles of darkest Africa. With 300 years of training behind them; with a modern civilization thrust upon them; with a government already organized; with the sympathy and encouragement of the civilized nations of the earth; in a land extremely rich in climate, soil, and resources; with every possible advantage that could be laid at their feet—the negroes of Haiti have gradually drifted back into savagery, voodooism, and cannibalism, until to-day it requires the constant guard of American marines to save them from themselves and to protect them from one another.

Yet those misguided individuals who advocated a black South would have had the world believe that the Confederate soldiers, who were fighting against those and similar possibilities, were doing so merely to maintain the institution of slavery.

A lost cause! You have won the great cause of white supremacy, by which alone our civilization can hope to endure!

But some will tell you that you lost the cause of secession. It was not a cause; it was a means by which you attempted to maintain the cause of State rights, or local self-government. We all rejoice that the country is reunited; but the great cause of self-government was not lost. Even those who scorned it in those days are now invoking its salutary protection against the dangerous tendencies of the times.

As I look upon this small band of battle-scarred heroes of the Confederacy, I am reminded of the expressions of Daniel Webster as he stood before the veterans of Bunker Hill on that historic field just 50 years to a day after that battle, in which he said:

"Venerable men, you have come down to us from a former generation. Heaven has bounteously lengthened out your lives that you may behold this joyous day. You are now where you stood 50 years ago, this very hour, with your brothers and your neighbors, shoulder to shoulder, in the strife for your country. Behold, how altered! The same heavens are indeed over your heads; the same ocean rolls at your feet; but all else—how changed! You hear now no roar of hostile cannon, you see no mixed volumes of smoke and flame rising from burning Charlestown. The ground strewed with the dead and the dying; the impetuous charge; the steady and successful repulse; the loud call to repeated assault; the summoning of all that is manly to repeated resistance; a

thousand bosoms freely and fearlessly bared in an instant to whatever of terror there may be in war and death—all these you have witnessed, but you witness them no more. All is peace; and God has granted you this sight of your country's happiness ere you slumber in the grave."

We hail and congratulate you, veterans of the Confederacy, the thinning remnant of the greatest army, man for man, that ever wore a country's uniform. Divine Providence has also granted you this wonderful sight of your country's happiness ere you pass to your eternal rest.

On that fatal day, 61 years ago, the clouds hung low and dark above the horizon of the Confederacy. In front of you, deployed upon yonder slope, was a black mass of recently liberated slaves, members of a semi-savage race which our forefathers had elevated from the position of savage to that of servant and had shown the light of civilization for the first time through the unfortunate institution of slavery. All their bestial passions and instincts had been aroused. With badges bearing threats of violence as terrible as any ever perpetrated by the vicious members of their race upon the helpless women and children of Haiti and Santo Domingo, they were threatening the safety of every southern home, as well as the life of every woman and child. It was a test that tried men's souls. You rose to the occasion and gave to the world an exhibition of that courage and determination which carried the South through that terrible war and through those darker years of reconstruction that were yet to come.

Suppose you could have looked beyond those lowering clouds to behold this glorious day. What a consolation it would have been! God grant that the venerated shades of those departed heroes who fell at your sides may be granted a vision of our Southland to-day, that they may realize the blessing which their sacrifices have brought, and know that they did not die in vain.

You have lived to see the principles of self-government and white supremacy survive the wreck of war and the chaos of reconstruction. Instead of following in the wake of Haiti and Santo Domingo down into the implacable mire of mongrelism, degeneracy, and decay, the South has risen like a phœnix from the ashes of her destruction to assume the leadership in the onward march of the greatest civilization the world has yet known. Instead of the black South, which some of our critics predicted, Dixie has become the lasting abode of the purest Anglo-Saxon population to be found on American soil—the race that has built and maintained our modern civilization and upon which its future destiny depends.

You have not only lived to see the survival of those fundamental principles for which you fought, but you have seen the South gradually recover her lost prosperity, until to-day the eyes of the world are turned upon her. The cry used to be, "Young man, go West," but now the slogan is: "Young man, go South." It is the coming section of the world. As Henry Grady once said: "With a gentle climate above a fertile soil, she yields to the husbandman every product of the Temperate Zone." It is the most delightful and the most desirable portion of God's great commonwealth, and the world is to-day finding it out—as is evidenced by the continuous stream of people from other sections of the country hunting homes in that Southland which you have defended in time of war, protected in reconstruction, and preserved and improved in times of peace. It is filled with the happy homes of your children and your children's children, growing in wealth and prosperity, holding high the torch of civilization, and leading the way in the onward march of modern progress.

We congratulate you and congratulate ourselves that we are given this opportunity to lay at your feet the flowers of love and affection, and to manifest in our humble way a small portion of that boundless gratitude which we owe and feel for the great sacrifices you and your comrades made that our Anglo-Saxon civilization might not perish from the earth.

May you spend the remainder of the evening of your eventful careers in quiet and ideal peace. May you serenely rest in the loving care of those about you, mindful of your country's gratitude, conscious of a well-spent life, and confident of its good; and may you "greet the coming of another age of youth and usefulness in another radiant Easter beyond the gates of night."

REPUBLICAN LEGISLATION FOR AGRICULTURE

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STRONG of Kansas. Mr. Speaker, on March 4, 1921, three years after the war, when the Republican Party came into full governmental control of the Nation it was faced by deplorable conditions. Our Government debt was $26,000,000,000, the various departments of our Government had outstanding obligations running into many millions, and while there was no money in the Treasury, Government bonds were selling at 85 cents on the dollar; industry was paralyzed, labor without employment, and agriculture impoverished.

My purpose is to discuss only the condition of agriculture at the end of the Wilson administration and the legislation which under Republican administration has been enacted into law in an attempt to improve such conditions.

In the aftermath of the war agriculture suffered most, for the following reasons:

During the war a limitation was placed upon the price of the farmers' products without any restriction on the price of that which they had to buy.

They were urged to increase the production of food products to meet the need of our Nation, its army of 5,000,000 men and their allies, which caused them to go in debt.

After the war their credit was restricted and loans called.

Their markets were then flooded with the agricultural products of other countries that came in duty free under the Democratic tariff act of 1913.

Then came the deflation of 1920, during the last year of the Wilson administration, and more than a million farmers lost their farms, while millions more were impoverished.

As soon as the Republican Party came into full power in March, 1921, a special session was called and the "farmers' emergency tariff act" was promptly passed, which restricted the importations of milk, wheat, cheese, poultry, and cream from Canada; corn and beef from Argentina; wool and mutton from Australia; eggs from China; and butter from Norway, Sweden, and Denmark. This was followed by legislation for financial relief through the liberalization of the Federal farm loan act, the creation of the intermediate agricultural credit banks, the rehabilitation of the War Finance Corporation to assist in the exportation of agricultural products, amendments to the Federal reserve act in the interest of agriculture, the cooperative marketing act, and many other helpful laws, so that at the end of two years the Washington legislative representative of the American Farm Bureau Federation in his report to the executive committee under date of April 6, 1923, stated:

> It is not too much to say that the 26 laws passed by that (Sixty-seventh) Congress, which were initiated or supported by us, are of far more importance to agriculture than all legislation pertaining to agriculture passed since the adoption of the Constitution.

Since that date many other laws in the interest of agriculture have been passed; the butter standard act; the free milk act; an act creating a dairy bureau of the Department of Agriculture; the factories and stockyards act; an act to regulate all grain exchanges; the revised Federal highway act; the appropriation of $10,000,000 for purchases of American farm products to be sent to Russia; the rewriting of the farmers' emergency tariff rates in the tariff act of 1922; the establishment of a bureau to assist farmers in cooperative marketing in the Department of Agriculture; legislation providing for the canalization of the Missouri, Ohio, Illinois, and Mississippi Rivers to furnish cheap water transportation to the central agricultural States; and much other legislation to improve agricultural conditions.

The hardest problem to solve was that of the prevention of surplus agricultural products from depressing our American prices, because such surplus had to be sold abroad at the lower price in other countries.

The equalization-fee plan was proposed, the basis of which was that such surplus crops would be purchased at a fair price to American farmers, and the loss in marketing the same in other countries borne by a tax levied upon such products marketed in this country. This plan had the indorsement of the American Farm Bureau Federation, the Farmers' Union, and other farm organizations, but was opposed by the American Grange, who favored the debenture plan. The equalization-fee plan passed both Houses, but met with a veto by President Coolidge.

A plan to pay to exporters of agricultural products an amount equal to one-half of the tariff was also suggested. Objections were made, many holding that other nations would levy an import tax equal to the amount so paid our exporters, which would result in transferring the amount so paid from our Treasury to that of foreign governments without helping our producers. Some claimed that the amount paid the exporters would not be passed back to the producer, while others and a majority of the farm organizations opposed it on the ground that it was a subsidy. This was called the debenture plan, but it has never received sufficient votes to pass both Houses of Congress.

During two years of study of the proposition of "marketing surplus agricultural products" it was pointed out that agriculture was the only industry that had no part in the marketing of its products; that it had become very proficient in production, but had left the marketing to others, who set the price on its products. And it was believed that through farmer-owned and farmer-controlled cooperative marketing associations agriculture

would have that opportunity in establishing a price for its products to which it was entitled.

In the campaign of 1928 the pledge was made on behalf of the Republican Party to create a Federal agency to aid in the solution of farm problems and to revise the tariff in the interest of agriculture, including limited changes in industrial rates, and as soon as President Hoover was inaugurated he called Congress together in special session. The opening words of his message were:

I have called this special session of Congress to redeem two pledges made in the last election—farm relief and limited changes in the tariff.

In such special session a law was enacted creating the Federal Farm Board, with broad powers to assist agriculture, through farmer-owned and farmer-controlled cooperative marketing associations, in the marketing of its products, and providing a fund of five hundred million dollars to be loaned to such marketing associations at rates of interest as low as those which industry enjoyed.

SELFISH INTERESTS OPPOSE FEDERAL FARM BOARD

Unfortunately the grain exchanges at the terminal markets and exporters, through the fear that if a portion of agricultural products were marketed through farmer cooperative associations it would deprive them of commissions, started to oppose the Federal Farm Board and hindered and delayed the benefits hoped for, but it is generally acknowledged that had it not been for the action of the board the present depression from surplus farm products would have been more disastrous, and it is believed that if the farmers will cooperate with the Farm Board that great benefits to agriculture will result.

SELFISH INTERESTS MISREPRESENT TARIFF BILL

The preparation of the Hawley-Smoot tariff bill was undertaken with the usual opposition and untrue propaganda of foreign governments, importers, department stores and the newspapers they support, free-trade economists, American manufacturers who use their American-made money for establishing factories abroad, and the opposition party, all of whom have selfish interests to serve and who sought to mislead both industry and agriculture, but the bill was passed and has been signed by the President. According to the Tariff Commission, which is a nonpartisan body, it has left on the free list two-thirds in value of all our imports and has given to agriculture 68 per cent of the increased duties named in the bill. The American Farm Bureau Federation has announced "that the farm rates in the tariff bill are the highest ever enacted."

The bursting of the inflated Wall Street stock-market "bubble" at the beginning of the winter, the surplus of agricultural and industrial products, together with the importations of goods in the anticipation of advanced tariff rates all were of helpful assistance in causing the deflation for which the opponents of the tariff bill are largely responsible, but which I believe will pass away as soon as such surplus stocks are consumed and the benefits of the Farm Board and the tariff bill become effective.

But that no voter dependent on agriculture may be misled, I set forth the "deadly parallel" between the Democratic Underwood tariff bill of 1913, the Republican Fordney-McCumber Act of 1922, and the Republican Hawley-Smoot Tariff Act of 1930:

Comparison of tariff rates—Food products

Commodity	Underwood Act, 1913, Democratic	Fordney-McCumber Act, 1922, Republican	Hawley-Smoot Act, 1930, Republican
Cattle weighing less than 700 pounds.	Free	1½ cents under 1,050 pounds.	2½ cents per pound.
Cattle weighing more than 700 pounds.	Free	2 cents per pound over 1,050 pounds.	3 cents per pound.
Beef and veal	Free	3 cents per pound.	6 cents per pound.
Swine	Free	½ cent per pound.	2 cents per pound.
Pork	Free	¾ cent per pound.	2½ cents per pound.
Bacon, ham, and shoulders	Free	2 cents per pound.	3¼ cents per pound.
Lard	Free	1 cent per pound.	3 cents per pound.
Lard substitutes	Free	4 cents per pound.	5 cents per pound.
Sheep	Free	$2 per head	$3 per head.
Mutton	Free	2½ cents per pound.	5 cents per pound.
Wool, scoured	Free	31 cents per pound.	37 cents per pound.
Poultry, live	1 cent per pound.	3 cents per pound.	8 cents per pound.
Poultry, dressed	2 cents per pound.	6 cents per pound.	10 cents per pound.
Eggs, fresh	Free	8 cents per dozen.	11 cents per dozen.
Eggs, dried	10 cents per pound.	18 cents per pound.	18 cents per pound.
Butter	2½ cents per pound.	8 cents per pound	14 cents per pound.
Oleo and butter substitutes	2½ cents per pound.	8 cents per pound.	14 cents per pound.
Cream	Free	20 cents per gallon.	56.6 cents per gallon.
Milk	Free	2½ cents per gallon.	6½ cents per gallon.
Cheese and substitutes	20 per cent	5 cents per pound	7 cents per pound.
Honey	10 cents per gallon.	3 cents per pound	3 cents per pound.
Potatoes	Free	50 cents per 100 pounds.	75 cents per 100 pounds.
Wheat	Free	30 cents per bushel.	42 cents per bushel.
Corn	Free	15 cents per bushel.	25 cents per bushel.
Oats	6 cents per bushel.	15 cents per bushel.	16 cents per bushel.
Rye	Free	15 cents per bushel.	15 cents per bushel.
Flaxseed	20 cents per bushel.	40 cents per bushel.	65 cents per bushel.
Buckwheat	Free	10 cents per 100 pounds.	25 cents per 100 pounds.
Alfalfa seed	Free	4 cents per pound.	8 cents per pound.
Sweet-clover seed	Free	2 cents per pound.	4 cents per pound.
Red-clover seed	Free	4 cents per pound.	8 cents per pound.

Under the flexible provisions of the 1922 act, President Coolidge, by proclamation, increased the duty on wheat from 30 to 42 cents per bushel; butter and butter substitutes from 8 to 12 cents per pound; cream from 20 to 30 cents per gallon. Flax was increased from 40 to 56 cents per bushel by President Hoover in May, 1929.

FREE LIST, 1930

ARTICLES AND MATERIALS USED BY THE FARMER OR ENTERING INTO THE PRODUCTION OF SUCH ARTICLES AND MATERIALS FOR THE BENEFIT OF THE FARMER IN THE PRODUCTION OF CROPS, LIVESTOCK, ETC., WHICH ARE FREE UNDER THE 1930 ACT

Agricultural implements: Clover-seed scarifiers, corn knives, cream separators valued at over $50 each, cultivators, drills, farm tools, forks, grape-picking knives, harrows, tooth and disk, harverters, hayforks, headers, horse rakes, machetes, mowers, except lawn mowers, planters, plows, reapers, tar and oil spreading machines, threshing machines, tractors and parts, trowels, wagons and parts, and other agricultural implements and machinery.

Animals and poultry for breeding purposes; antitoxins, vaccines, serums; arsenic, white, and arsenious acid; asbestos and stucco; barbed wire; binding twine; calcium—chloride, cyanamide, and nitrate (countervailing duty provision); coal—anthracite, bituminous, slack; coke; briquets; and other fuel compositions principally of coal or coal dust (countervailing duty provision); creosote oil; cyanide (fumigation); fertilizer materials—guano, basic slag, manure, dried blood, bones, bone dust, bone meat, animal carbon (suitable only for fertilizer), horns and hoofs, kelp, moss, crude seaweed; gunpowder and other explosives (countervailing duty provision); hones, whetstones, scythe stones; jute; manila fiber; oils—cod-liver, gasoline, kerosene, petroleum, fuel oil, and lubricating oils and greases; phosphates, crude; pitch; potassium—chloride, nitrate, sulphate; wood ashes; rennet; seeds—sugar-beet, cowpeas; sheep dip; sisal fiber; sodium nitrate, or saltpeter; sulphur; tar; wood—firewood, handle bolts, laths, pickets, poles, posts, logs, rough lumber, shingles; ammonium sulphate (fertilizer material); burrstones, manufactured; calcium arsenate; grindstones; Paris green and London purple; santonin (hog medicine); tankage—fish scrap and fish meal; various fertilizer materials.

ARTICLES OF GENERAL CONSUMPTION AND USE ON THE FARM AND ELSEWHERE WHICH ARE FREE OF DUTY UNDER THE 1930 BILL

Bananas; borax, crude; bread; coffee; palm-leaf fans; ice; lumber, softwood, rough or planed on one side only (from contiguous countries); mineral salt (natural evaporated); needles (hand-sewing and darning); quinine sulphate; sago, crude, and sago flour; shellfish, not specially provided for; tapioca; tea; turmeric; citrons (dried); baking soda (bicarbonate of soda); plaintains; spices, unground.

In the attempt to belittle the benefits of such rates for agriculture, the opposition have circulated much untrue propaganda, and their favorite method is to misrepresent what increased rates on industry will cost the individual, but every farmer knows that he purchases of industry only in small quantities to meet the needs of his family and farm, and many articles so purchased last for many years, whereas he produces in large quantities the products he has to sell, and sells them every year, sometimes every month and every week.

Of course, the duty is often not reflected in the price of either what we buy or sell, since the greater part of both are not imported and competition may make the tariff only partially effective; but the purpose of our tariff law, which has now been approved by both party platforms, is to give our own people the advantage in our own markets over those of other countries.

Kansas secures the most benefit from the wheat tariff, since our State produces most of the high-protein wheat, of which there is not a surplus; hence we receive 10 to 15 cents above the market, since Canadian protein wheat can not come into our markets over the 42-cents-a-bushel tariff.

In the face of this record of legislation for agriculture, no one dependent upon agriculture should have any doubt as to which party should have his support.

FEDERAL FARM-LOAN SYSTEM LEGISLATION

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McFADDEN. Mr. Speaker, I think I would be derelict in my duty as chairman of the Banking and Currency Committee of this House if I allowed this session of Congress to come to a close without challenging some of the statements with regard to the Federal farm-loan system that are to be found in the address of the gentleman from Illinois [Mr. RAINEY], which was printed in the CONGRESSIONAL RECORD under date of June 21, 1930.

Among other things the gentleman stated:

Mr. Speaker, the Sixty-seventh Congress was overwhelmingly Republican—I had been retired from Congress for two years together with scores of others of my Democratic colleagues in the House. The Harding administration, with all its graft and corruption, was in full swing. Any Member of Congress, if he had been advised as to what the farm-land bank bill of that Congress contained, could have stopped the commission of the crime to which I am about to call attention. There were few Democrats in the Sixty-seventh Congress. No Member of the House had an opportunity to read the clause in the agricultural credits act of 1923 to which I am about to call attention before it was adopted. A mere statement on the floor of either House as to what this clause accomplished in the matter of taking away the control of the Federal land banks from the farmer would have defeated the proposition—neither branch of the Congress would have dared to vote for such a proposition if it had been understood. I make no charge that any Member of either branch of the Congress is responsible for what happened; apparently none of them knew it was there.

If no Member of either branch of the Congress is responsible for the insertion of the particular amendment, how, then, did it come to be included in the rural credits act of 1923?

What is the nature of the amendment about which he speaks so feelingly? I will use his own words to explain it:

Mr. RAINEY. The matter inserted at the request of President Harding provided for 7 directors of each Federal farm bank—3 of them to be selected by the stockholders to represent the stockholder borrowers of the system, 3 to be selected by the Federal Farm Loan Board to represent the public, and the farmer stockholder borrowers were authorized to vote for a fourth member, to be called a director at large. The names of the three candidates for director at large receiving the highest number of votes were to be forwarded to the Federal Farm Loan Board and from these three names the Federal Farm Loan Board was authorized to select the seventh member.

The gentleman from Illinois [Mr. RAINEY] says first that no Member of either branch of Congress knew it was included in the rural credits act of 1923. What are the facts? Substantially the same amendment was first brought to the attention of Congress as a part of a bill (H. R. 13125) introduced by Representative STRONG of Kansas on December 4, 1922, at which time it was referred to the Committee on Banking and Currency, of which he was a member, for consideration. The bill was printed and made available to the Members of both Houses. On December 31, 1922, the committee, of which I had recently been made chairman, commenced its hearings on the bill. During the course of these hearings the following Members of Congress appeared before the committee and were given a hearing: Hon. Horace N. Towner, of Iowa; Hon. Melvin O. McLaughlin, of Nebraska; Hon. Harry E. Hull, of Iowa; and Hon. Nicholas J. Sinnott, of Oregon. Many others appeared before the committee in regard to this bill, including Robert A. Cooper, former Democratic member of the Federal Farm Loan Board, who subsequently occupied the important position of farm-loan commissioner. During the course of his remarks, Mr. Cooper stated:

I want to submit to the committee the letter which has been referred to, but which I believe has not been included in the proceedings as yet. When this bill was introduced I got copies of it and sent a copy to each secretary-treasurer in the United States, along with this letter, asking his criticism of the bill.

The letter in full is as follows:

TREASURY DEPARTMENT,
FEDERAL FARM LOAN BUREAU,
Washington, December 9, 1922.

To All Secretary-Treasurers:

For your information there is inclosed herewith a copy of House bill 13125 amending six different sections of the Federal farm loan act.

This measure, the first in the nature of a general revision which has been presented to Congress in the last three years, was introduced in the House of Representatives by Congressman STRONG, a member of the so-called "farm bloc" of the House, having been placed in his hands by the legislative agents of the Federation of Farm Bureaus, whose approval it has. A tentative draft of it was fully discussed at a recent meeting of the presidents of the Federal land banks and approved by all of them except President O'Shea, of the twelfth district, who was absent on account of illness. The Farm Loan Board is inclined to approve the measure in its entirety, although in doing so it is obliged to compromise its views as to some of its provisions, which is always necessary in securing legislation as to which different views exist. * * * You will notice under section 2 that the plan for permanent organization differs from the original act in several respects. The board of directors is reduced from nine to seven. Under the provisions of this bill three will be chosen by associations, three appointed by the Government and those six will annually select a director and chairman of the board for one year, who must be actually engaged in agricultural pursuits at the time of his selection. In event of a tie vote on the selection of this seventh director the farm-loan commissioner is authorized to cast the deciding vote. * * * The board will be pleased to have a specific expression from you concerning these provisions, with any other comment you may wish to make on these or other provisions of the bill.

According to Mr. Cooper's testimony before the committee, the letter from which I have just quoted was sent to the secretary-treasurer of every one of the 4,400 national farm-loan associations then in the system. We see, therefore, that not only did Members of Congress know of the existence of the proposed legislation before it was adopted but the associations, which it is claimed by Mr. RAINEY are so vitally affected, were sent copies of the bill with a request for an expression of their views regarding its provisions.

At the conclusion of extensive hearings by the committee, this bill, with some changes, was incorporated in extenso by the committee as an amendment to Senate bill 4280. This amended bill was reported to the House with the approval of the committee.

The gentleman from Illinois [Mr. RAINEY] says that the committee amendment—

Was an administration amendment—a request for it came from the White House—In order to develop the possibilities for graft in the Federal land-bank system, it was necessary for the "Ohio gang" to steal the banks from the farmers and they did it.

What does the legislative history of the bill show? Let us refer to no less an authority than the gentleman from Arkansas [Mr. WINGO], the ranking Democratic member of the Banking and Currency Committee, who made the following statement on the floor of the House prior to the passage of the rural credits act, which contained the amendment to which the gentleman from Illinois refers:

Mr. STEAGALL. Mr. Chairman, I desire to call the gentleman's attention to the fact in that connection that the Democrats of the Committee on Banking and Currency have furnished the quorum.

Mr. WINGO. The truth of the business is that you would not have had this bill out if it had not been for the Democrats, but that is another story that I will tell you about at another time. (CONGRESSIONAL RECORD, vol. 64, pt. 5, p. 4893.)

The gentleman from Illinois [Mr. RAINEY] states that the bill in question was debated and read in extenso on February 28, 1923. His remarks indicate that he was present when the bill was debated and read. The RECORD shows that he voted for it. The statement of Mr. WINGO to which I have just referred is to be found in the CONGRESSIONAL RECORD of the same date. According to Mr. WINGO, the Democratic members of the committee furnished the quorum that made the passage of the bill possible.

Among the witnesses who appeared in support of the amendment which has ostensibly evoked the last tirade from Mr. RAINEY the committee heard at some length one of his former Democratic colleagues in the House, the Hon. Asbury F. Lever,

who was then president of a joint-stock land bank. Mr. Lever informed the committee at that time:

The proposition contained in the bill before you proposes that the permanent organization shall consist of 7 directors in these various banks, 3 of whom shall be elected by the various farm-loan associations in the respective districts, 3 to be appointed by the Farm Loan Board, and the seventh man to be selected by the 6. * * * Mr. Chairman, I was a member of the Farm Loan Board at the time this recommendation was sent to Congress. All the provisions of this bill have been recommended in the annual report of the Farm Loan Board as providing such legislation as will certainly provide for the future successful operation of the farm-loan system.

I understand the gentleman from Illinois invested in the stock of the joint-stock land bank of which Mr. Lever was president. Upon inquiry I am informed that, according to the books of the bank, he is still a stockholder of record, although I understand he has stated recently that he has disposed of his stock. I may add in this connection that section 16 of the farm loan act provides that the stockholders of every joint-stock land bank shall be liable equally and ratably and not one for the other for all contracts, debts, and engagements of such bank to the extent of the amount of the stock owned by them at the par value thereof in addition to the amount paid in and represented by their shares.

Let me comment briefly on the amendment to which the gentleman refers. Under the amendment which is the present law, the board of directors of each Federal land bank consists of 7 members, 3 of whom are elected by the national farm-loan associations of the district in which the bank is located and are known as local directors; 3 are appointed by the Farm Loan Board to represent the public interest, and are known as district directors; and 1 is selected by the board from the 3 persons receiving the highest number of votes of all the associations in the district, and is known as the director at large. Under this plan the national farm-loan associations, which are composed entirely of farmer borrowers, elect three of the seven directors and make nominations from which the Farm Loan Board must select the fourth. The other three, or district directors, are, as previously stated, appointed by the board to represent the public interest. The law provides that all directors shall have been for at least two years residents of the district for which they are appointed or elected, and local directors shall be residents of the divisions of the district in which they are elected.

Under the law the farmer-borrowers may select directors who are representative of the agricultural industry in the respective districts and familiar with its credit needs. In appointing district directors, the Farm Loan Board is exercising care to obtain the services of the best men available who are fully informed of agricultural and credit conditions and qualified to participate as directors in the determination of the policies of the banks. Congress provided that the public interest should be represented on the boards of directors of the Federal land banks as a means of inspiring and maintaining the confidence of investors in the farm loan bonds issued by the banks and from the sale of which the banks obtain most of their loan funds. Clearly the Congress adopted the right course in making such provision.

The farm-loan system is divided into three major divisions: (1) The governmental body represented by the Federal Farm Loan Board which is charged with the supervision of all of the banks and associations located throughout the United States, (2) the Federal land bank system composed of 12 Federal land banks which make loans to the farmer members of national farm-loan associations chartered by the Farm Loan Board and authorized to do business in their respective land-bank districts, and (3) the joint-stock land banks that make loans directly to individual farmers residing in the States in which they are permitted under their respective charters to operate.

Federal land banks are cooperative institutions whose stock is owned almost entirely by the national farm-loan associations through which they make their loans. Each bank is primarily liable for the bonds issued by it and, in addition, is liable, under the conditions stated in the farm loan act for the principal and interest of the bonds of all the other Federal land banks. The joint-stock land banks are not owned by farmer borrowers, and no joint liability exists among them. They are owned by private investors and should not be confused with the Federal land banks which, as I have indicated, constitute a cooperative enterprise of farmer borrowers. With those essential differences in mind, let us consider some of the provisions of the bill which the gentleman from Illinois has proposed as a panacea for the ills of the farm-loan system.

On December 9, 1929, he introduced a bill to amend the farm loan act (H. R. 6983), which reads, in part, as follows:

Any joint-stock land bank organized and doing business under the provisions of this act may surrender its charter, suspend its operations, and turn over all of its assets to the Federal Farm Loan Board provided such suspension has been duly authorized by a vote of the holders of at least two-thirds of the shares of said joint-stock land bank at a regular meeting or at a special meeting called for that purpose, of which at least 10 days' notice in writing shall have been given to shareholders.

Whenever said suspension has been determined upon the Farm Loan Board shall thereupon take over all the assets of said bank and assume all the liabilities of said bank, and shall deliver to all the bondholders of said bank and to all the shareholders of said bank consolidated bonds issued under section 21 of this act, as amended, as hereinafter provided, said consolidated bonds to be denominated merger bonds and to bear the rates of interest provided for other consolidated bonds issued under this act. Said consolidated bonds shall be divided as equally as may be among all the Federal lank banks and be assigned as equally as may be to all the Federal land banks.

Under the procedure outlined in the section just above quoted any joint-stock land bank might, by a two-thirds vote of its shareholders, decide to go into liquidation and thereupon require the 12 Federal land banks to assume its obligations and pay its shareholders in merger bonds the amount invested by them in their respective shares. Aside from the apparent unconstitutionality of such a provision, it is sufficient to say that if the farmers of this country are brought to an understanding of the real effect of this bill they would never permit the Federal land banks which they own to assume the obligations of every joint-stock land bank that might be in difficulty and thus relieve the stockholders—private investors—from further personal liability on account of the stock which they own.

In other words, if the proposed bill should ever become a law, it would be possible for private investors who have organized a joint-stock land bank for profit, operated it for several years, and received substantial dividends, to cast their burden upon the farmer borrowers of the Federal land banks when the bank sustains losses through distressed loans and mismanagement. In fact, the burden would ultimately fall upon approximately 450,000 American farmers who, to all intents and purposes, own the Federal land banks, and require them to shoulder the load and pay the retiring stockholders in so-called merger bonds the amount which they had invested in their shares. Stated in another way, the Rainey bill would permit the stockholders and bondholders of a joint-stock land bank, who purchased their securities as an investment, to pass their losses, or the burden of discharging their obligations, over to the farmer borrowers of the Federal land banks who are in no wise responsible for them.

What do the farmers of this country say about this proposed legislation? In one breath its proponent commiserates with them on account of the losses which they have sustained during the last years of agricultural depression; he tells them that a scheming Government has defrauded them out of their birthright; and in the next breath tells them that he has introduced a bill for their good.

I happen to have before me a resolution adopted by the Champaign County (Ill.) Farm Bureau, an organization which is in no wise connected with the Federal land banks. It reads in part as follows:

Whereas our attention has been called to H. R. 6983, a bill to amend certain sections of the Federal farm loan act as approved July 17, 1916, and to the remarks of Representative in Congress HENRY T. RAINEY, of Carrollton, Ill., who introduced said bill on December 10, 1929, said remarks appearing on pages 591, 592, 593, and 594 of CONGRESSIONAL RECORD, Appendix, dated Thursday, December 12, 1929, volume 72, No. 10 [permanent RECORD, Dec. 10, 1929, pp. 423–427]; and

Whereas said bill seeks, among other things, "to permit any joint-stock land bank to surrender its charter upon a vote of two-thirds of its stockholders; said stockholders and bondholders to receive Federal land-bank merger consolidated bonds in lieu of their stock and bonds."

In his remarks preceding said bill Representative RAINEY states: "My bill provides for an issue of Federal land bank merger consolidated bonds. Each stockholder and each bondholder to receive in exchange for his stocks and bonds Federal land-bank merger consolidated bonds to the amount he really invested in the stock and bonds, not to exceed the par value of the stock and bonds.

"The Federal land-bank merger consolidated bonds are issued in such a way that all 12 Federal land banks are liable for their payment. My bill will cancel the present receiverships (of joint-stock land banks) and the Federal land-bank system will administer upon the assets and assume the liabilities" (of said joint-stock land banks).

Also, to the remarks of Representative RAINEY on page 592 of CONGRESSIONAL RECORD, Appendix, dated December 12, 1929 [permanent RECORD, Dec. 10, 1929, p. 424], under heading "Control by Federal Farm Board no remedy," wherein Mr. RAINEY states: "The entire system at the present time is being efficiently administered by Mr. Bestor, recently appointed farm-loan commissioner, and his assistants."

Whereas our attention has been called to a newspaper story appearing in the Metropolitan press over the signature of Representative RAINEY, under dates of May 1 and 2, one of said stories appearing in a certain Springfield, Ill., newspaper on Tuesday, May 2, 1930, bearing the headlines, as follows:

"Representative RAINEY, Carrollton, Ill., says United States heeds giant land-bank swindle." The said signed story continues with the statement, "The Federal land-bank system is on the verge of collapse and ruin. The failure and pending collapse can be charged directly to the methods of the Federal Farm Loan Board."

We have also had our attention called to bill H. R. 7133, which provides the transfer of all functions of the Federal Farm Loan Board to the Federal Farm Board and to abolish the Federal Farm Loan Board, and for other purposes: Now, therefore be it

Resolved, That the resolutions committee of the executive committee of the Champaign County Farm Bureau hereby declare themselves opposed to the general provisions of said H. R. 6983 and H. R. 7133, and hereby express their disapproval of any legislation that will impair the usefulness of the Federal land-bank system or cause any undue burden to be put upon its stockholders.

On March 17, 1930, the gentleman from Illinois [Mr. RAINEY] introduced another bill [H. R. 10830] with almost identically the same provisions except that it provided for a Federal merger land bank which would have to take over any joint-stock land bank that might desire to liquidate, and also that—

Said Federal merger land bank, in administering upon any farms so turned over to it, may hold out of production such farms as it may designate for such period of time as it may designate under regulations to be made by the Federal Farm Board. Said farms so held out of production to be used only for grazing purposes and to be planted in legumes or in such grasses as may add to the fertility of said lands, and said Federal merger land bank shall place on the market and sell such of said farms as it may designate under regulations to be made by the Federal Farm Board upon such terms and at such times and in such manner as it may designate.

The bill provides that the merger bank shall be organized by the Federal Farm Board, but it does not provide how the bank is to be operated or who will be its officers; nor does it take in account the inherent difficulties and complications that would arise if one institution should undertake to sell farms situated all over the country or to collect amortization payments from borrowers residing in every State of the Union. These more or less necessary details have been left to the imagination of the reader.

Subsequently, on June 20, 1930, a third bill was introduced by him which for the first time provides for the liquidation of Federal land banks as well as joint-stock land banks. Why this sudden interest in the farmer owners of these great cooperative institutions?

Let me quote some of the provisions of this bill:

Be it enacted, etc., That any Federal land bank organized and doing business under the provisions of the act of July 17, 1916, as amended, may surrender its charter, suspend its operations, and turn over all of its assets to the Federal merger land bank hereinafter provided for, provided such suspension has been duly authorized by a vote of a majority of the shares held by the stockholders in said Federal land bank.

Whenever said suspension has been determined upon said Federal merger land bank shall thereupon take over all the stock of said bank and all of the assets of said bank and assume all the liabilities of said bank, and said Federal merger land bank shall credit each stockholder in said Federal land bank on his note and mortgage to said Federal land bank with the full amount of stock issued to him and all unpaid accrued dividends thereon, and each of said stockholders shall thereupon be released from all obligations under his mortgage contract with his Federal land bank except his amortization payments.

SEC. 4. (a) That the Secretary of the Treasury, with the approval of the President, is hereby authorized to borrow, from time to time, on the credit of the United States for the purposes of this act such amounts as may be necessary to carry out the purposes of this act and to issue therefor bonds of the United States.

Under this new scheme the financial obligations of any or all of the banks in the system could be transferred to the Treasury of the United States. When the farmers of this country understand, however, the effect and scope of the proposed measure they will certainly want to know more of the details about how they are to obtain further credit if the Federal land banks are liquidated in accordance with this proposal. Some private investors in joint-stock land-bank securities may wish to liquidate the institutions in which they have an interest so that they may place their funds elsewhere; but the farmers of the country will not want to tear down the credit structure which they have built up merely for the purpose of evading possible liability on account of the shares which they own in their respective associations. Let us see how one association has faced this problem. I quote from a statement made in the thirteenth annual report of the Federal Farm Loan Board:

The story of how one association recognized its responsibilities in connection with its indorsement on mortgages on a number of farms which had gone to foreclosure and the titles to which had been acquired by the Federal land bank is worthy of mention. These farms, some of which had been owned by the bank for three years or more, were located in an area where economic conditions had changed materially since the loans were made and where there had been considerable abandonment of farm land and the properties were rapidly deteriorating in value. After canvassing the situation fully the directors of the association felt that the properties should be disposed of in order to save both the bank and the association from further losses which, in their opinion, inevitably would occur if the bank continued to hold them. Accordingly, they requested the bank to make the necessary arrangements for the sale of the farms at auction, and this was done. Subsequently, on January 14, 1930, the members of the association assembled at their annual meeting, and after discussing the affairs of the association, including the losses sustained in connection with the sale of the farms, adopted by unanimous vote of those present a resolution requesting their board of directors to levy a 100 per cent assessment against all stockholders. The assessment was made by the directors, the obligation being divided into 10 equal parts, payable each six months for the next five years.

The particular aspect of the matter to which attention is here directed is the attitude of the association. This is fundamental. It displayed a fine spirit of cooperation with the bank that is worthy of emulation. The association fully realized its obligations and took steps faithfully to discharge them. The incident serves also to illustrate forcibly the desirability of associations building up a surplus in addition to the minimum reserve required by law so as to be in a position to meet unforeseen losses and contingencies.

I am proud to state, Mr. Speaker, that the association just referred to is located in my own county in the State of Pennsylvania. The farmer members of that association did not come to me demanding that they be relieved of their burden through legislative measures. They met the situation like men. They did not try to tear down the whole credit structure in an effort to avoid their obligations.

The statements made by the gentleman from Illinois in his remarks and newspaper articles regarding conditions in the farm-loan system are evidently based upon a lack of knowledge of the facts. During the present session of this Congress the Committee on Banking and Currency spent many days in hearing various witnesses from all parts of the country regarding the system, and their testimony was most encouraging. It was evident from the statements of some who were present that the activities of the present Farm Loan Board were in a large measure responsible for having successfully guided the operations of the banks of the system through many of their difficulties. There are only three joint-stock land banks in receivership at the present time and I am reliably informed that at least one of these institutions will in all probability be reorganized.

Even to the casual observer a glance at the consolidated statement of condition of the Federal land banks as of December 31, 1929, compiled from reports to the Federal Farm Loan Board and published in its thirteenth annual report will convince him of the fundamental soundness of these banks as a whole. Let me quote from the board's report regarding the condition of these banks:

The consolidated balance sheet given in Table 1 of the appendix to this report reflects the condition of the Federal land banks as a whole. As indicated in the table on page 9, the banks' reported investment in real estate owned outright on December 31 was approximately $23,287,462. Such real estate is carried on the balance sheet at $16,687,945, the difference of over $6,500,000 representing charge offs made in accordance with section 16 of the rules and regulations, amounting to approximately 28 per cent of the investment. * * *

In addition to the charge offs made under this section, the banks have set up special reserves for real estate, which, on December 31, aggregated $8,283,508; so that the net amount included in the banks' assets was $8,404,436.49, which amounted to 36 per cent of the total investment and constituted only six-tenths of 1 per cent of the total assets of the banks remaining after deducting all amounts covered by special reserves.

Sheriffs' certificates, judgments, etc., usually are carried as the bank's investment until title is acquired, when the real estate becomes subject to the regulation mentioned above. The total of these items was $6,229,-

904.74 and represented five-tenths of 1 per cent of the banks' total assets.

If sheriffs' certificates, judgments, etc., are combined with the real estate owned by the banks, the net amount of all real estate included in assets, totaling $14,634,341.23, was only 49.6 per cent of the total investment of the banks in all real estate owned either outright or otherwise, while the net carrying value constituted only 1.1 per cent of the total assets of the banks.

On December 31 the notes, purchase money, first and second mortgages, and real-estate sales contracts carried by the banks aggregated $15,438,587.58, against which the banks had set up reserves amounting to nearly $3,000,000. The net amount of $12,516,003.21 included in the assets constituted 81.1 per cent of the total face amount of these notes and represented 1 per cent of the banks' total assets. In addition to the special reserves set up against these notes the banks carried under "deferred income," in liabilities, unrealized profits on real-estate sales amounting to $1,383,220.83. This income was deferred in accordance with the amendment to section 16 of the rules and regulations adopted by the board on July 10, 1929, and discussed earlier in this report.

Delinquent amortization installments on December 31, after deducting partial payments, amounted to $4,664,511. Reserves had been set up for such installments in an amount of $1,940,485, so that the net amount of such installments carried in the assets was $2,724,026, or 55.4 per cent of the total installments delinquent. The net amount made up two-tenths of 1 per cent of the total assets of the banks.

The Spokane participation certificates, which represent the obligation of the Spokane bank to the other 11 banks for advances which they made to it, are not included in the assets, since all of the contributing banks have set up full reserves covering these obligations. The obligation of the Spokane bank, however, is shown as a liability of that bank, as well as on the consolidated statement. In addition, the Spokane bank has set up as a liability the interest accrued on these certificates, and this interest, which amounts to over $440,000, appears as a liability on the consolidated balance sheet. The 11 creditor banks, however, do not include such interest in their assets.

The total of the special reserves set up against the items just enumerated was $15,946,428, so that the amount included in the consolidated resources of the banks was only $29,874,371, or 2.3 per cent of the total assets of the 12 banks.

In addition, the banks had legal reserves amounting to nearly $13,000,000 and undivided profits of over $5,000,000. Capital stock totaled $65,735,453. The capital stock, legal reserves, and undivided profits of the 12 banks aggregated $84,119,313.

The total net mortgage loans, not including those delinquent 90 days and over, together with the United States Government securities owned, exceeded by approximately $5,000,000 the net amount of bonds outstanding on December 31, 1929.

The above statement does not presage the ruin of the Federal land bank system, as stated by the gentleman from Illinois in one of his published articles. On the contrary, it clearly indicates continued stability and usefulness.

Now, let us turn to other portions of the same report and see what the board has to say about the system as a whole. On page 4 the following statement is found under the caption "The Future":

The effects of the reorganization, it is believed, will be of enduring benefit and will tend to assure the strength and stability of the system in the future. The errors and omissions of the past must serve as guides for the years to come, and, in the light of experience, there should be no recurrence of the conditions that existed prior to the reorganization. It is essential that the organization of the Farm Loan Bureau be maintained on an adequate basis and that it be kept continuously abreast of the progress of the system, in order that it may serve as an effective instrument to the Farm Loan Board in its important work of supervision, which must continue to be close and constant. The board's vigilance can never be relaxed if the system is to grow in strength and usefulness and public confidence inspired and maintained.

It is reassuring to be able to say that while some of the banks, as previously indicated, are faced with difficult problems most of them are in sound condition and competently managed. The system has weathered trials that have tested its strength, and its achievements and service have demonstrated its fundamental soundness and usefulness.

The board is fully aware of the difficulties that have confronted and still confront agriculture, particularly as a result of the inevitable adjustments that followed the war and the inequalities that arose from disparities between farm prices and agricultural costs. The fundamental problems of this great industry are varied and complex and are rightly matters of national concern, because the public has a vital interest in the promotion and perpetuation of sound and stable agriculture. On the other hand, constant and sweeping declarations of pessimism and despair during the past several years have tended to convey the impression that all farmers are insolvent, which is far from the truth. Such unqualified statements create the wrong psychology and are bound to be harmful to the credit of farmers. The great body of farmers of this country are upstanding citizens, who meet their obligations, as is demonstrated by the experience of the banks of this system. * * *

Taking all factors into consideration, it would seem that faith in the country, faith in the fundamental soundness of the farm-loan system, and faith in the farmers of the Nation would justify confidence in the future growth and progress of the system. The Farm Loan Board shares that confidence.

In referring to the condition of the joint-stock land banks, the board makes the following statement, which appears on page 67:

The condition of each joint-stock land bank as of December 31, 1929, according to the reports of the banks to the Farm Loan Board, is reflected in detail in the statements given in Table 4 in the appendix to this report. Similar statements are published quarterly by the board. As stated before, every effort is being made to insure the correctness and completeness of these reports and statements, and it is believed that they reflect the condition of the banks more accurately than ever before. Investors sometimes are more apprehensive about what a statement of condition might not contain than they are about the features disclosed. There is perhaps nothing that will inspire and maintain public confidence more than the realization that every effort is being made to see that these statements of condition accurately reflect the true picture with respect to each bank.

As there is no joint liability among joint-stock land banks, each institution being responsible only for its own obligations, the consolidated statement of condition in Table 3 in the Appendix represents merely a summation of similar items in the 49 statements. In considering the condition of the banks, therefore, it is necessary to study carefully each individual statement. Such a scrutiny will show that, while some of the banks are confronted with difficult problems most of them are in sound condition and should be in a position to market their bonds when conditions become favorable.

One important factor in the condition of these banks is the amount of real estate held and the proportion of their total assets consisting of acquired farm lands. It will be noted from the accompanying table that 10 of the banks included no real estate in their assets, having disposed of or charged off all that was acquired. Thirty-three of the banks, or over two-thirds, either carried no real estate in their assets or included real estate amounting to less than 2 per cent of their total assets. The consolidated balance sheet shows that for the 49 banks as a whole, real estate owned either outright or subject to redemption constituted 2.9 per cent of the total assets of the banks.

It will be observed that the board states that special attention has been given to the preparation of these published statements of condition, with the end in view of having them reflect as accurately as possible the condition of the banks. If any citizen of this country wishes to review these statements personally, he has only to write to the Federal Farm Loan Board in Washington and request a copy of the thirteenth annual report. I commend this report to your careful attention. The information which it contains is carefully segregated and conveniently arranged. The language is clear and simple and easy to understand.

During his appearance before the Banking and Currency Committee of the House on February 21 of this year, the gentleman from Illinois [Mr. RAINEY] stated that "the members of the Federal Farm Loan Board have been of the very highest character and the highest type of gentlemen."

In the extension of his remarks, which appeared on page 424 of the CONGRESSIONAL RECORD of December 10, 1929, he said:

The entire system at the present time is being efficiently administered by Mr. Bestor, recently appointed farm-loan commissioner, and his assistants.

In his remarks of June 21, 1930, however, he refers to the same board as follows:

The same board which is now operating in such an inefficient and incompetent way, therefore this graft can be charged also to the Federal Farm Loan Board.

There is no political plum tree more attractive than this—meaning the Federal farm-loan system. It corresponds in its opportunities for political graft with nothing I can think of in American public life except the Chicago Sanitary District.

The officers of each Federal land bank are authorized to employ as many officers as they please and to fix their salaries, but even this provision, bad as it is in that it deprives the farmer borrowers of any voice in the matter is made worse by the fact that this right to employ officers and fix their salaries is subject to the approval of the Federal Farm Loan Board. The Federal Farm Loan Board is authorized to appoint as many appraisers, inspectors, registrars, deputy registrars, and examiners as it may deem necessary, and it fixes their salaries.

Certainly both statements can not be correct. A board can not be composed of gentlemen "of the very highest character" and at the same time be guilty of fostering crime and graft which he alleges is rampant throughout the system because of

political patronage. Let us see what the board itself says about the way in which the personnel of the system is chosen. On page 5 of its twelfth annual report the board said:

The farm loan act provides that not more than three of the six appointive members of the Farm Loan Board shall be chosen from one political party. It was evidently the intention of the Congress that the system, which is a great business undertaking, should be administered in a nonpartisan manner and entirely free of politics. It is apparent that in some instances in the past political considerations were taken into account in making appointments of directors of Federal land banks and of the personnel of the bureau. It is the view of the present Farm Loan Board that partisan political policies should have no place in the administration or the operation of the banking institutions that compose this system or the bureau that supervises it. It is the aim of the board to place the organization in a state of the highest efficiency in order that it may render to agriculture the largest service possible in accordance with the purpose of the act. This can be accomplished only by making appointments solely on the basis of character, efficiency, and demonstrated ability, regardless of every other consideration. That has been the policy of the reorganized board. * * * * * * In the search for competent appointive directors, the board, when occasion required, has sent a representative into the district concerned to locate and enlist the services of qualified men of outstanding ability. The results have been gratifying and the program has received the hearty cooperation and indorsement of the banks involved.

Just as no one has been appointed in the bureau on account of politics since the reorganization of the board, so no one has been released on account of any political consideration. Merit alone has been the basis of retention, as well as appointment, in the service. This policy has had a salutary effect upon the morale of the bureau. The staff of officials and employees generally has displayed a noteworthy interest in the work, devoting many hours of overtime to the service in a fine spirit of loyalty without additional compensation. To them the board desires to acknowledge its grateful appreciation.

Again, in its thirteenth annual report, it states:

The extensive changes that have been made in the personnel have been based alone upon the needs of the bureau and the fitness of the individual for the work. Every consideration other than merit has been eliminated in replacing employees who were not qualified to fill the positions assigned them and in making additions to the force. This is particularly important because the farm-loan system is a great business institution and its supervision should be conducted in accordance with the principles of sound business administration. In filling positions in the bureau, particularly those requiring special training and experience in the examination, appraisal, and legal divisions, the board has searched for the best men obtainable at the compensation available.

As strange as it may seem in the light of the statement quoted above, let me call attention for a moment to bill H. R. 10830, introduced by the gentleman from Illinois on March 17, 1930. On page 4, line 11, the bill provides for the appointment by the Farm Loan Board of "Federal farm advisers." What are farm advisers? No one had ever heard of them prior to the introduction of the first Rainey bill.

In December, 1929, and March, 1930, he introduces bills creating a brand-new office in the farm-loan system; in June he raises his voice in this House in protest against the number of employees appointed by the banks and by the Federal Farm Loan Board. If there were too many employees in the system in June, why did he introduce bills in December and March which would make it possible to increase the number of employees about which he so bitterly complains in June. Up to the present time I have not been able to find anyone who could explain the necessity for farm advisers or how they would fit into the system as it is now being operated.

It will be interesting to note what the farmer owners of the Federal land bank system seem to think about the way in which the present board is performing its duties. The following is a copy of a resolution unanimously adopted at the convention of secretary-treasurers and directors of national farm-loan associations in the State of Texas, held in Dallas May 23, 1930:

Whereas in a system of cooperative credit such as the Federal farm-loan system capable, vigorous, and rigid supervision by the Federal Farm Loan Board is no less essential than the same character of management by the banks and of the associations; and

Whereas the present Farm Loan Board is giving the system such supervision and the Land Bank of Houston is giving similar management: Be it

Resolved, That we do hereby thus formally express our approval of the policies of said board and bank, and our confidence in the ability and purpose of the members of both branches of the system, and pledge anew our hearty and faithful cooperation.

I should explain that the directors of national farm-loan associations are elected by the farmer members and are charged with the administration of the affairs of the respective associations which they represent.

The gentleman from Illinois claims, however, that he is not able to obtain the information which he desires in regard to the activities of the various parts of the system. In this connection he says:

Before the reorganization of the Federal Farm Loan Board it was possible for Members of Congress to obtain the names of stockholder borrowers in the Federal land-bank system. This information was always cheerfully furnished, but this system is now in trouble and it becomes important to chloroform in some way the farmer borrowers and to keep from them information as to what is happening to them.

The particular information which the gentleman from Illinois seems to desire is the names of the farmer borrowers. Can it be possible that he, who professes to be so conversant with the various provisions of the Federal farm loan act, is not familiar with one of its penal provisions, which provides that no examiner, public or private, shall disclose the names of borrowers to other than the proper officers of a national farm-loan association or land bank without first receiving permission in writing from the farm-loan commissioner to do so.

This section also provides that any person violating any of its provisions shall be punished by a fine of not exceeding $5,000 or by imprisonment not exceeding one year, or both. The section provides further that, when occasion demands it, and in obedience to an order by a court of competent jurisdiction, or by direction of the Congress of the United States, or either House thereof, or any committee of Congress or of either House duly authorized, the names of the borrowers may be made available. It was clearly the intent of Congress that the names of the borrowers of the system should not be given out promiscuously and that they should be protected from exploitation and annoyance. Certainly the officers of commercial banks would not feel that they would be justified in furnishing the names of their borrowers to any person who might be inclined to seek the information. One secretary-treasurer of a national farm-loan association, in commenting on the matter, said:

I do not wonder at the secretary-treasurers refusing to give you a list of their borrowers. It would not be sound public policy; the borrowers themselves would not wish to be published; no loyal secretary-treasurer would wish his members deluged with a lot of misleading propaganda, and with all due deference to your honesty of purpose, that is what I must consider many of your statements.

The gentleman from Illinois charges that the secretary-treasurers of the 4,659 associations throughout the system are the "key men through whom Members of Congress are threatened and made subservient to land-bank presidents," who in turn block the passage of legislation "which might correct glaring abuses." These secretary-treasurers, as some of you may know, are elected and continued in office only at the will and pleasure of the farmer borrowers whom they represent.

The gentleman gives as his authority for his charges an excerpt from an article which appeared in the New Republic written by a Miss Shelby, who, Mr. RAINEY says, "is an expert on the subject." He says also that he has been threatened by these same "key men." I judge, however, from the copies of the letters that I have seen which have been sent to him that they are not in the nature of threats but are more like the sentiments expressed in the resolution that was adopted by the Champaign County Farm Bureau—

We furthermore desire to express our disapproval of the misleading statements of Representative RAINEY in the above-mentioned newspaper story and believe that the confidence of investors in Federal land-bank bonds is undermined by these misleading statements.

It will be surprising to my colleagues on the Banking and Currency Committee, as it was to me, to read the following extract from a letter written by the gentleman from Illinois to a secretary-treasurer in the State of Illinois. He wrote, in part, as follows:

You will be glad to know that a part of my original bill has now been enacted into law and that the banks in both systems have been relieved entirely of the expenses of supervision, and in this particular all provisions of the original act of 1916 are now in force. This will relieve the banks of both systems of the payment of the expenses of examinations, amounting in all to the sum of $1,500,000 a year. Inasmuch as I started the fight and have been carrying it on to the very best of my ability, I feel that I should have the credit for this legislation.

The bill which the gentleman evidently has in mind is S. 4028, which was introduced by Senator SHEPPARD of Texas, on March 28, 1930. This bill took the place of S. 3013, introduced

by Senator SHEPPARD on January 8, 1930, which provided for the payment by the Government of all the expenses of the Federal Farm Loan Bureau. The farm loan act, as originally passed, provided that the salaries and expenses of the Federal Farm Loan Board should be paid by the United States, and remained in this form until 1923. The law was amended on March 4, 1923, so as to require that after June 30, 1923, all salaries and expenses incurred by the board be assessed against the Federal land banks, joint-stock land banks, and Federal intermediate credit banks, and the act of March 4, 1925, amended the law so as to provide that—

The salaries and expenses of the Federal Farm Loan Board, its officers and employees, farm-loan registrars, deputy registrars, examiners, and reviewing appraisers authorized under this act, or any subsequent amendments thereto, shall be paid by the Federal land banks, joint-stock land banks, and the Federal intermediate credit banks—

by assessments made on such equitable basis as the Federal Farm Loan Board shall determine, giving due consideration to time and expense necessarily incident to the supervision of the operations of each type of bank.

The bill S. 3013 was referred to the Senate Committee on Banking and Currency, and by it referred to the Secretary of the Treasury for report. The Secretary of the Treasury, in a letter to the chairman of the Senate Committee on Banking and Currency, dated March 17, 1930, expressed the view that it would be reasonable, in the public interest, to limit the assessments made against the banks under the act to the salaries and expenses of employees of the Farm Loan Bureau engaged in the work of its division of examinations, and recommended such action. Thereupon, Senator SHEPPARD introduced a new bill—S. 4028—in conformity with the recommendation of the Secretary of the Treasury. A hearing was held on this bill and others by a subcommittee of the Senate Committee on Banking and Currency on April 8, 1930. According to the transcript of the hearing, the gentleman from Illinois was not among those appearing before the committee when the bill was being considered.

I introduced a bill, H. R. 11972, which was identical with Senate bill 4028. The latter was passed by the Senate on May 12, 1930, and referred to the House Committee on Banking and Currency. The committee after giving the matter careful consideration favorably reported the Senate bill on June 12, 1930, and this bill was passed by the House without amendment on June 24, 1930, and signed by the President on June 26, 1930. It was approved, I may add, not only by the Secretary of the Treasury but by the Farm Loan Board, the National Grange, the American Farm Bureau Federation, the Farmers Union, and others, and so far as I know there was no opposition to it.

The bill, S. 4028, does not relieve the banks entirely of the expenses of supervision, but restricts assessments against them to the salaries and expenses of the employees of the Federal Farm Loan Bureau engaged in the work of its division of examinations. The salaries and expenses of the division of examinations of the bureau constitute about 42 per cent of the total. The 1931 appropriation for all the expenses of the Federal Farm Loan Bureau aggregates $1,020,000. Of this amount, approximately 58 per cent, or around $595,000, will be paid by the Government and the remainder, approximately $425,000, will be assessed against the banks of the farm-loan system. In other words, for the fiscal year 1931 the banks will be relieved of approximately $595,000, instead of $1,500,000, as stated by the gentleman from Illinois.

The gentleman from Illinois also made the following statement in the letter to which I have referred:

You will also be glad to know that I have succeeded in defeating for this session at least the Letts bill, which attempted to override the recent decision of the Supreme Court, and which had for its purpose the conferring on the Federal Farm Loan Board of the power to arbitrarily impose a double liability upon stockholder-borrowers in the Federal system and on stockholders in the joint land-bank system; this has been my fight up to the present time, and I have been able to defeat this very bad legislation, for this session at least.

This statement will likewise be very interesting, I am sure, to my colleagues of the Committee on Banking and Currency. I will not undertake to comment on it further, except to say that after extended hearings the Letts bill, H. R. 9433, was favorably reported on April 29, 1930, by the House Committee on Banking and Currency with an amendment, and that a similar bill, S. 3444, without the amendment, was favorably reported by the Senate Committee on Banking and Currency on June 9, 1930, and passed by the Senate on June 24, 1930.

In the same letter the gentleman from Illinois said also:

You will also be glad to know, as a result of my fight legislation has now passed Congress which will permit to a certain degree the consolidation of joint-stock land banks.

I am also being given credit for rendering very material assistance in the advancement of the proposition to reorganize the Kansas City Land Bank and to start it to functioning again. This will be accomplished in the near future.

So far as I know, no "legislation has now passed Congress which will permit to a certain degree the consolidation of joint-stock land banks." Perhaps the gentleman has in mind the bill H. R. 12063, which I introduced on May 1, 1930. This bill was carefully considered by the House Committee on Banking and Currency, and was favorably reported by the committee on June 13, 1930, with amendment. It was passed by the House on June 24, 1930, in the form recommended by the committee, and during the course of the debate on the bill I made the following statement:

I will say in explanation that you all are aware that the Kansas Joint Stock Land Bank has been in the hands of a receiver for three years. The stockholders and the Federal Farm Loan Board and the bondholders have been trying to bring about a settlement of this matter. The bill is the direct result of an agreement which has been arrived at between all the interested parties. It is my understanding that an agreement has been consented to by all parties, and the bank is about to be reorganized. This bill comes as a direct result of the negotiations which are on. This is what is to happen:

The Joint Stock Land Bank of California is to take over the Kansas City Joint Land Bank on a basis which apparently is agreeable to all the parties concerned. If they take the bank over, they want the right to continue its operation in the territory where it has already operated. In addition to that I have been informed that if they succeed in reorganizing and taking over the Kansas City bank it will probably mean the taking over of the other two failed joint-stock land banks now in receivership.

After the passage of this bill by the House it was sent to the Senate and referred to the Senate Committee on Banking and Currency. So far as I am aware, no action has been taken on the bill by that committee and it has not become law. As I stated on the floor of the House, bondholders, stockholders, and others, as well as the Federal Farm Loan Board, have been endeavoring to bring about a satisfactory solution of the Kansas City receivership. Those gentlemen who have worked so long and earnestly to develop a feasible arrangement for the reorganization of the Kansas City Joint Stock Land Bank will, no doubt, be greatly surprised, as I am confident the members of the Committee on Banking and Currency will be, to learn that Mr. RAINEY feels that he should receive credit for whatever may be accomplished in this direction.

From what I have said it is apparent that the farm-loan system is not imperiled unless it be on account of those who undertake to speak about its operations without having first properly informed themselves regarding the situation. Furthermore, the board charged with the supervision of its affairs is performing its duty in a conscientious and proper manner. The system has delivered the farmers of this country out of the hands of the "Shylocks" of the farm-mortgage business and has created wholesome competition among the old-line companies that conduct their businesses properly. Billions of dollars have been lent to farmers by the Federal and joint-stock land banks and these institutions must be protected from unjustifiable attacks. It has taken more than a decade to build up these necessary elements of our credit structure. It will take far less to tear them down. The circulation of erroneous and misleading statements based upon lack of knowledge will do incalculable harm to a worthy enterprise which merits the public confidence that is so necessary to its very existence.

A SCIENTIFIC AND ECONOMIC METHOD OF FLOOD CONTROL

Mr. GARBER of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks and to incorporate therein a radio address by Congressman U. S. STONE, of Oklahoma.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr GARBER of Oklahoma. Mr. Speaker, Members of the House, experience has demonstrated the inadequacy and inefficiency of the levee system of flood control. It has been a costly lesson—at a tremendous loss of life and property—a lesson that can not be regarded but as a danger signal if we persist in pursuing this unscientific, uneconomic plan for the regulation and control of our flood waters.

On April 9, 1930, I discussed the problem on the floor of the House, calling attention to the significance of our past experience and emphasizing the practicality of the reservoir system, a plan calling for navigation improvement as well as for subjugation of the waters. In that connection I suggested and urged the extension of the Federal-aid principle to the control of the flood waters of the tributary streams, stating as follows:

* * * We believe that supplemental legislation authorizing the extension of Federal aid to the several States contributing their share for the prosecution of the work is imperatively necessary to project the policy now in formation for the economic utilization of the waters for all purposes. Our present and rapidly developing system of Federal highways evidences the excellent satisfactory results of such cooperation. That cooperation has been on the arbitrary basis of an equal amount of funds furnished by the States and Federal Government. This cooperation on the part of the Federal Government is carried on under the commerce clause of the Constitution and with equal force the Federal Government has jurisdiction of the development and maintenance of interstate navigability of our streams.

The several States are demanding protection from the ravages of floods which incur an estimated annual loss of $450,000,000. The reservoir system for the withholding of waters at their source would contribute to flood control and stabilize necessary channels in the rivers for navigation. Both Federal and State purposes would be promoted by such work. The withholding of such waters, therefore, should be a joint undertaking in which both parties are equally interested. The benefits should be fairly evaluated and the costs apportioned accordingly.

The navigability of the Mississippi and its five great tributaries for cheaper transportation, adequate flood control for the protection of lives and property, and the stabilization of channels for navigation through the reservoir system are so closely related to one another that they must be carried forward together as the composite economic policy for the control and utilization of the waters of the Nation.

On June 30, 1930, my esteemed colleague, the Hon. U. S. STONE, delivered an address over the radio on the subject of the reservoir system of flood prevention, fully corroborating my position and dealing with the question in some detail. It contains such pertinent and valuable information that I ask leave to incorporate it in full in the RECORD, where it may be available for reference in connection with the study of this great problem.

The address is as follows:

A RESERVOIR SYSTEM FOR PREVENTION OF FLOODS

The prevention of destructive floods is a national problem and affects every section of the country. The present plan, known as the Jadwin plan, unless altered, will continue floods and not prevent them. There is general dissatisfaction with the system, and unless a definite change is made there will be a billion dollars wasted and the Mississippi Valley will continue to be visited by the annual destructive floods that have ravished it for 200 years.

The Government should adopt a definite comprehensive plan of flood prevention, one that will guarantee some measure of safety to its citizens and prevent the recurrence of destructive floods.

Our greatest problem is the Mississippi, draining a vast territory equal in area to one-third of the entire United States, and its floods inundating 30,000 square miles of the richest valley land in America. The valley on each bank of this great river extends from Cairo to the Gulf, a distance of 600 miles, but the slow-moving water of this stream travels 1,700 miles over its tortuous course, and with a fall of a few inches to the mile.

The rapid-flowing waters rush down from the tributaries and cause enormous floods in this flat valley, where the slow-flowing Mississippi is unable to carry the surplus waters on to the Gulf, thus forming a great reservoir in the alluvial valley, destroying the levees and endangering the lives and property of the people. The breaking of a levee on a city water front would cause the loss of hundreds of lives and millions in property damage.

It is conceded by the most eminent engineers that the final solution of the flood problem is at its source. By the erection of reservoirs on the contributing streams to catch and store the surplus run-off water where it falls, and by holding it in storage allowing the slow water of the main stream to empty before the surplus water is released, thus maintaining a steady flow which will insure navigation and benefit commerce.

The reservoir system will be a great blessing to all the people. The water can be used for many purposes. It is generally acknowledged that the initial cost of the reservoirs would be repaid to those contributing to their erection from the various uses of the water, and would be a permanent asset to the Government.

Chairman REID, of the Flood Control Committee, appointed a subcommittee to make a report on the reservoir system as a means of flood control, consisting of Mr. SEARS, of Nebraska, Mr. SINCLAIR, of North Dakota, and myself; after a careful study of the problem, the committee made a lengthy report, recommending the adoption of a nation-wide plan of reservoirs to store the run-off water, and suggesting its adoption. I have made a careful study of the question, and prepared and introduced a bill for the purpose of erecting reservoirs and regulating the water impounded therein, H. R. 11723, a description of which I will give you at this time, and will ask that the full text of the bill be printed in the RECORD at the end of my address.

The bill provides for a board of six members with power to carry out the plan of reservoir construction for flood prevention, with authority to build reservoirs for the Government, and to furnish one-half of the funds for the erection of reservoirs for flood-control purposes, to landowners or organizations.

There is ample money provided to carry out the plan, and with the amount contributed by the local individuals and organizations, will insure the erection of sufficient storage of the run-off water to prevent the recurrence of destructive floods for all time.

Legislation for the prevention of floods should apply to the entire Nation, and not to certain districts, as long as control of floods is restricted to the main streams the problem will never be solved. The great flood of 1927 which took a toll of 200 lives and caused a property loss of millions of dollars might have been prevented had the water of the upper stream been held in reservoirs and allowed to gradually flow down to the Mississippi. This is not a theory but an engineering fact, and is now used in other countries to control the flood water and conserve the national resources.

GENERAL LYTLE BROWN, CHIEF OF THE ARMY ENGINEERS, GOES ON RECORD IN FAVOR OF RESERVOIRS

The Committee on Flood Control, of which I am a member, has just completed hearings on the various flood problems in the United States. Appearing before the committee was the Chief of the Army Engineers, Gen. Lytle Brown, in charge of flood-control work under the direction of the Secretary of War, Patrick J. Hurley. General Brown went on record in favor of the reservoir system as an aid in flood control, and his definite stand for the reservoir system has more weight, and influence with Congress than all the paid lobbyists that have appeared before the Committee on Flood Control since it was organized. The fact is the paid lobbyists sent to Washington have injured the cause. I would suggest that the State of Oklahoma send business men to appear before the Committee on Flood Control whose influence would be beneficial, instead of sending paid lobbyists who injure the cause by their cheap propaganda.

COST AND PROBABLE BENEFIT FROM THE ERECTION OF RESERVOIRS

The argument has been used that the cost of erecting reservoirs is prohibitive, under a plan whereby the United States Government cooperating with other organizations erect the reservoirs the cost can be spread over a great territory, and the benefits derived shared by all sections of the Nation.

The amount of money involved in the construction of a system of reservoirs would be insignificant compared to the benefits that would accrue to the people.

First. They will prevent floods on the tributary streams as well as on the main river.

Second. They will prevent the fast moving water from carrying off the top soil which impoverish the land and is carried down the main stream to build up the lower delta.

There is only one real plan of flood control, and that is to store the surplus water in the ground and in reservoirs at its source.

With the reservoiring of the flood waters siltage in the rivers will cease, the water courses will attain greater stability, and by constant deepening of the channel give greater capacity to carry off the water.

Our run-off water is our greatest national resource and should be conserved and put to beneficial uses.

Without the conservation of water by reason of reservoiring the minor flood areas and soil storage, the floods of the valley will increase, lands will be devastated, cities and villages inundated with loss of life and property, and vast sums of money expended to throw this wonderful resource into the Gulf.

RESERVOIRS A BENEFIT TO THE MINOR FLOODS AREAS

The reservoiring of the minor flood areas of the valley would be the greatest internal improvement ever undertaken by our Government. The improvement of the Mississippi River alone benefiting one-half of our people.

The original Jadwin plan was not intended to control the floods, but to continue them. Not to reservoir the waters in the minor floods areas where they originate and use them for beneficial purposes, for real flood prevention, for aid to navigation, for benefit of the farm and city; but on the contrary to continue the destructive floods that destroy life and property.

There is but one plan that has ever been devised whereby floods can be prevented, and that is by reservoiring the minor flood areas.

A great deal of study has been made in my own State, on the North and South Canadian Rivers, and on the Arkansas and Red Rivers. The

waters of these rivers and their tributaries can be reservoired so as to give absolute freedom from floods.

FROM REPORT OF SPECIAL HEARINGS JUNE 5, 1930, BEFORE THE COMMITTEE ON FLOOD CONTROL

General Lytle Brown, Chief Engineer of the United States Army in charge of flood control appeared before the committee and I had opportunity to ask him the following questions:

"Mr. STONE. In regard to the reservoir system—I live in Oklahoma, at the upper end of these streams, and we have great floods on our streams out there—would the reservoir system be an aid in the minor flood area on these upper streams, and would it prevent floods on these streams, as well as in the lower valley of the Mississippi?

"General BROWN. Yes, sir. I think that is a very important consideration. I wish to say that we have at this time an engineer in charge, who is in sympathy with the reservoir plan."

At this time I wish to say that the statement just made by General Lytle Brown, Chief of the Army Engineers is very significant as it is the first definite stand ever taken by a representative of the Government for the reservoir plan. Congress should give serious consideration to his statement. Delay is dangerous.

I earnestly ask that the facts presented by the eminent scientist which I will submit for your consideration be treated seriously, and that some action be taken by Congress to avoid a repetition of this great disturbance in the Mississippi Valley.

Science deals with actual cause and probable effect. The facts I am about to set out are positive and conclusive and must be respected.

EROSION OF SOIL AND ITS RELATION TO CAUSE OF EARTHQUAKES IN THE MISSISSIPPI VALLEY

Another great problem that must be solved is the prevention of the enormous loss of national wealth by the erosion of the soil, this will impoverish the great plains country if some action is not taken to prevent it. The rich loam soil is washed down with the great floods and carried to the lower valley, forming the delta of the Mississippi.

This movement has been going on for hundreds of years, and will continue unless the great floods are prevented by the storage of the run off water at its source, and by keeping the eroded soil out of the main stream. It is a geological theory that the Gulf of Mexico was in the past up to Cairo, Ill., and that the deposit of soil brought down by the yearly floods have gradually built up the valley of the Mississippi.

The great volume of earth now being carried down the main river and deposited in the Gulf of Mexico, amounts to about 400,000,000 cubic yards each year, or a quantity equal to the total excavation for the Panama Canal; this vast deposit through the centuries has built up the valley of the Mississippi, to a width of 50 miles, to an unknown depth, and for over 600 miles in length. This deposit of earth at the mouth of the Mississippi River is extending the delta out into the Gulf of Mexico at the rate of 1 mile each 20 years, and if allowed to continue will cause an overbalance of the earth structure, affecting the lower strata and another earthquake can be expected.

The building of reservoirs will prevent the movement of this vast quantity of earth, and the holding back of the water will guarantee a steady flow to the main channel, thus preventing the large destructive floods that do so much damage and carry in solution this great volume of earth to be deposited in the lower Delta.

You may consider this alarming, but if you study the question you will find the Mississippi Valley is constantly threatened with a real danger, one that demands serious consideration. The recurrence of another earthquake is not only possible but very probable, and may occur at any time.

Any plan of flood control that fails to take into consideration the laws of nature will be a failure; the money spent in levees and other construction work in the valley of the Mississippi will be wasted, and the people will continue to be at the mercy of the floods. It is a known fact that the sunk lands along the Mississippi were caused by earthquakes, and are not the result of floods, as generally believed. The fissures caused by previous earthquakes which are now filled with sand deposit, make the erection of levees and other works a serious problem. At this time I would like to call attention to the latest scientific authority on the cause and probable recurrence of earthquakes, and especially with reference to the Mississippi Valley.

The following quotations are from the most eminent scientist on the subject.

[From Popular Science Monthly. By Myron L. Fuller, of the United States Geological Survey]

"In the New Madrid country (southeast Missouri) the quaking has continued for several hundred years at least. Both the Charleston and New Madrid earthquakes occurred in regions where the earth's crust is being overloaded in the one instance by the sediments brought down by streams from the Appalachian Mountains, and in the other by the floods of the Mississippi, and the fracturing is believed to have resulted from the readjustment of the harder rocks to the increased load."

Quotations from letter dated May 23, 1930, by F. W. Sohon, S. J.

"GEORGETOWN UNIVERSITY SEISMOLOGICAL OBSERVATORY,
"*West Washington, District of Columbia.*

"With regard to the probability of another earthquake similar to that of 1811, seismologists regard it as an axiom that where there has been an earthquake there will surely be another. It is true that an earthquake relieves a strained condition that has been a long time in forming. But the area of the New Madrid earthquake of 1811 was visited by an earthquake of similar intensity a hundred years earlier, so that another hundred years having elapsed, another visitation may be in order.

"The relation of eroded material to earthquakes is probably one of direct causality in the long run, for the denuded areas become lighter and must be pushed up, while the areas receiving the additional load, by becoming heavier must be expected to sink."

Quotations from letter dated May 28, 1930, signed by J. A. Joliat, S. J., associate professor, department of geophysics.

"ST. LOUIS UNIVERSITY,
"DEPARTMENT OF GEOPHYSICS,
"*St. Louis, Mo.*

"In regard to the recurrence of major earthquakes within this valley in the future we can say practically nothing except that as they have occurred in the past they will most likely continue to occur at intervals in the future. We know that at least three world-shaking earthquakes occurred in the New Madrid region (southeast Missouri) in December, 1811, and January and February, 1812. Smaller shocks were felt more or less in the same region 1843, 1857, 1865, 1883, 1891, 1895. The latter was felt in 17 States. These are only the chief ones which caused damage over a considerable area. Many others have caused damage locally such as that of May 7, 1927, at Jonesboro, Ark.

"The deposit of earth brought down by floods or otherwise must have a bearing on the displacement of strata. The effect is gradual but cumulative; still an earthquake need not result, if the rate of accumulation is not greater than the rate of readjustment and relief of stress by plastic flow of the rock. However, there are other causes of stress in the earth's crust, and a redistribution of the surface load might readily become a contributing factor in a resulting earthquake."

From letter signed by George Otis Smith, May 27, 1930.

"UNITED STATES DEPARTMENT OF THE INTERIOR,
"GEOLOGICAL SURVEY,
"*Washington, D. C.*

"Such deep-seated disturbances doubtless have occurred at intervals for many thousands of years in the past, and may account for the low swells and intermediate depressions, in the St. Francis Basin and in the vicinity of New Madrid and Reelfoot Lake, the poorly consolidated Tertiary strata under those parts of the valley having been compressed by lateral forces into gentle wave-like folds. If that interpretation is sound—and if there is nothing in the data now at hand to refute it—then it follows that the New Madrid area is a region of recurring seismic activity in which quakes are likely to occur again in the future."

Quoting from the United States Geological Survey Bulletin 494:

"We have also subsequent to the shock of 1811 records of a long line of minor disturbances continuing to the present time, showing that the crust is even now in unstable equilibrium. In other words, the 1811 earthquake was simply one of a series, and further disturbances are still to be expected. Shaler, writing in 1869, said: 'Analogies indicate the probability of its recurrence within a century, since in all those countries which have been visited by great convulsions, where observation has extended over a great length of time, it has been found that their visits may be expected as often as once in a hundred years.'"

Quotations from Prof. William H. Hobbs, University of Michigan:

"The districts of the national domain which are especially likely to be disturbed by earthquakes are the central Mississippi Valley.

"The after shocks of the New Madrid earthquake were of very frequent occurrence throughout many years, and may be said to have continued to the present day. Scarcely a year passes without these subterranean rumblings.

"The zone of greatest interest and importance is that which follows the course of the river itself between the cities of Cairo and Memphis."

Quoting from the United States Geological Survey Bulletin 494, Hon. George Otis Smith, director:

"That the shock known as the New Madrid earthquake was not the first felt in the region is shown by written records, by Indian traditions, and by geologic evidence.

"There are many conspicuous and unquestionable geologic evidences of earlier disturbances.

"The New Madrid earthquake was but one of a series that is still unfinished, indicating that in all probability it resulted from causes that are still active."

Quotation from Popular Science Monthly by Myron L. Fuller, United States Geological Survey:

"OUR GREATEST EARTHQUAKE

"Probably few people are aware that the greatest earthquake our country has experienced since its settlement was not the destructive

shock at Charleston in 1886, or even the recent terrifying manifestation at San Francisco, but was, on the contrary, the now almost forgotten earthquake of New Madrid, the first tremors of which took place on the 16th of December, 1811. Strange is that trait of human nature by which even the most appalling of nature's manifestations slip rapidly from the memory, so that only a hundred years later little but tradition remains of the earthquake which changed the configuration of extensive areas of the Mississippi Valley, raising some portions, depressing others, shifting the course of streams, draining old swamps at one point, and forming the successive vibrations which shook the New Madrid region almost continuously for a period of many months in 1811 and 1812."

VAST TERRITORY COVERED BY EARTHQUAKE OF 1811

Some idea of the vast extent of territory affected by the great earthquake of 1811 may be judged by the following statement of the United States Geological Survey Bulletin 494:

"A total area of over 1,000,000 square miles, or over half of the entire United States, was so disturbed that the vibrations could be felt without the aid of instruments."

There were very few people living in the United States at the time of this disturbance, and especially the section visited. The entire population of the United States in 1811 was only 7,000,000, and the Central West had only a few thousand inhabitants. This accounts for the small loss of life. To-day, millions reside in this district and would be directly affected should a similar disturbance visit the Mississippi Valley. The loss of life and property damage would be appalling.

Quotation from Popular Science Monthly, by Myron L. Fuller, of United States Geological Survey:

"If there have been two or more strong shocks with an intensity far greater than the Charleston quake, and if the readjustment is not completed as is positively indicated by the recent shocks, then there is every reason to believe that disturbances of equal severity may occur in the future. Such quakes, it goes without saying, would be disastrous to such towns as Hickman, in Kentucky, Caruthersville, New Madrid, Campbell, and others in Missouri, all of which are in the area of disturbance. The larger cities of Cairo and Memphis, although outside the main area, would also probably suffer severely, as they are built on soft deposits overlooking the Mississippi in situations favoring easy slipping toward the streams. Such spots were often severely fissured by the early quake, large masses slipping into the river, and what has occurred once may occur again. St. Louis would also probably be severely shaken."

THE ERECTION OF RESERVOIRS FOR THE STORING OF FLOOD WATERS WOULD HELP MATERIALLY IN PREVENTING ANOTHER GREAT EARTHQUAKE

The statements made by the eminent scientists just quoted confirm the well-established theory that the deposit of vast quantities of earth at the mouth of the Mississippi River is the cause of earth disturbances, and if allowed to continue will surely result in another great earthquake.

My reason for calling attention of Congress to this matter is the fact that scientists generally agree that another great earthquake is not only likely to occur in the Mississippi Valley but is overdue at this time.

Will Congress ignore the statements of these eminent authorities and make no effort to safeguard the lives and property of the people? Or will it take some definite action to solve the flood problem, and thus insure to those vitally interested some measure of protection?

SCIENTISTS ARE WATCHING VERY CLOSELY AT THIS TIME FOR SIGNS OF ANY DISTURBANCE

Quoting from a letter dated May 26, 1930, from St. Louis University, St. Louis, Mo., department of geophysics, signed by J. S. Joliat, S. J., associate professor of geophysics:

"This department of St. Louis University has undertaken an intensive study of the earthquakes of the New Madrid region. Within the last three years up-to-date seismograph vaults have been constructed here in the city and outside (near Florissant), which are equipped with the best of modern instruments. An expansion of this program has become possible owing to an appropriation made by the National Research Council. This has enabled us to purchase two sets of instruments specially designed to record earth tremors at close range. One set of these instruments is soon to be installed at Little Rock College, where the authorities have assumed the burden of building the vault and providing for the continuous operation of the instruments. The other set will be placed to the east of New Madrid wherever it may be possible to find a suitable location, so that this unstable region will be surrounded by three sets of very sensitive instruments. I should mention the fact also that St. Xavier College to the northeast of Cincinnati is operating a pair of sensitive seismographs. In this way we hope to find out something of the nature of this instability and whether there is any reason for apprehending disaster in the future."

The statement of this eminent scientist certainly is of such a nature to demand serious consideration. Those who wish further information on the New Madrid district (southeast Missouri) should read the report of the United States Geological Survey, Bulletin 494. I would also recommend such eminent scientists and students as John James Audubon (the great naturalist), Lewis Cable Beck, G. C. Broadhead, Lucien Carr, Lorenzo Dow, Daniel Drake, Timothy Flint, Myron E. Fuller, Murat Halstead, Samuel Prescott Hildreth, Alexander von Humbolt, Sir Charles Lyell, Samuel Latham Mitchell, Nathanial Southgate Shaler, and numerous other noted scientists and students, who all agree on the serious conditions existing in the Mississippi Valley.

AN EARTHQUAKE IN THE LOWER VALLEY OF THE MISSISSIPPI WOULD BE VERY DESTRUCTIVE

In a letter received from the United States Department of the Interior Geological Survey, dated May 27, 1930, signed by George Otis Smith, director, he uses the words "In the vicinity of the Gulf coast," which would mean at the mouth of the Mississippi, as a probable spot that might be visited by an earthquake. Should this lower Delta country be visited by an earthquake the result might be compared to the great Lisbon disaster, "which threw down the principal part of the city; the sea retired, and instantly returned in a wave 40 feet high, engulfing the great marble quay. In the space of six minutes 50,000 persons perished."

Other great earthquakes have visited the earth, but few have compared with the great earthquake of 1811. Some idea of what may result should another occur with the dense population now occupying the Mississippi Valley can be judged from the following:

Location	Loss of life	Property damaged
China	500,000	Not known.
Sicily	100,000	Not known.
Yeddo	190,000	Not known.
India	150,000	Not known.
Italy	164,000	Not known.
San Francisco	[1] 452 / [2] 1,500	$350,000,000
Kansu	200,000	Not known.
Japan	120,000	932,500,000

[1] Killed. [2] Injured

I have gone in detail with reference to this question in order that Congress may have before it the cold figures and facts from the greatest living scientists showing the actual existing conditions in the Mississippi Valley at this time. If some action is not taken to prevent another great catastrophe those who are obstructing legislation should be held responsible. The laws of nature work slow but certain. Will it require a great tragedy in order that Congress and the administration be aroused to the necessity for immediate and substantial action?

On April 17, 1930, Mr. STONE introduced H. R. 11723, which was referred to the Committee on Flood Control and ordered to be printed:

A bill to establish a Federal flood-control board

Be it enacted, etc., That there is hereby created a Federal flood-control board, which shall consist of six members to be appointed by the President, by and with the advice and consent of the Senate, and of the Secretary of War, ex officio. Two members shall be from civil life and not of the engineering profession; two members shall be of the engineering profession from civil life; and two members may be selected from the Army engineers. Each appointed member shall receive a salary of $12,000 per year, together with the necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, within the limitation prescribed by law, while away from his official station upon official business. The President shall at the time of making such nominations designate a term for which each is to serve. Two members shall be appointed for a term of two years, two members for a term of four years, and two members for a term of six years. A successor to an appointed member of the board shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed, except that any person appointed to fill a vacancy in the board prior to the expiration of the term for which his predecessor was appointed, shall be appointed, for the remainder of such term. One of the appointed members shall be designated by the President as chairman of the board, and be the principal executive officer thereof. The board shall select a vice chairman, who shall act as chairman in case of the absence or disability of the chairman. The board may function notwithstanding vacancies, and the majority of the appointed members in office shall constitute a quorum. Each appointed member shall be a citizen of the United States and shall not actively engage in any other business, vocation, or employment than that of serving as a member of the board. The board shall maintain its principal office in Washington, D. C., and such other offices in the United States as in its judgment are necessary; shall have an official seal which shall be judicially noticed. The board shall make an annual report to Congress upon the administration of this act, and any other matters relating to flood control.

SEC. 2. The board may make such regulations as are necessary to execute the functions vested in it by this act; may appoint and fix the salaries of engineers, secretaries, experts, and other officers and

employees as are necessary to perform all duties imposed by this act; may make such expenditures as are necessary to execute and carry out the functions of the board, and all itemized vouchers allowed by the board shall be approved by the chairman before payment is made. The board shall meet at the call of the chairman, the Secretary of War, or a majority of its members.

SEC. 3. (a) The board is authorized and directed, and shall have the power to construct, maintain, and operate all projects for the storing of the run-off waters as an aid to flood control, navigation, agriculture, and commerce: *Provided*, That plans and specifications with estimates of the storage capacity of the project, together with a complete estimate of the total cost of the works to be constructed at each site surveyed, shall first be prepared by engineers of the board, reviewed and adopted by the board, and approved by the Secretary of War before any actual construction work shall be started on the project so surveyed.

(b) The board shall have the authority to construct, or contract for the construction of, any works authorized; to purchase any and all equipment, supplies, and other things necessary in the construction of any project it shall undertake; to employ skilled and unskilled labor and fix their compensation.

(c) All contracts for construction work under this act shall be let on a competitive basis.

SEC. 4. The board is authorized to acquire by negotiation, purchase, by eminent-domain proceedings, or by gift any and all such lands and rights necessary for the construction and the operation of any project to be constructed under this act.

SEC. 5. The board is authorized, after a careful survey and proper estimate, to assist a State, district, county, municipality, corporation, or an individual to the amount of 50 per cent in the construction of any works for the purpose of flood control: *Provided*, That all expense of maintenance of a work so constructed shall be borne by the State, district, county, municipality, corporation, or individual when completed, but subject to such rules and regulations for its operation as ordered by the board.

SEC. 6. The board shall have full control over all waters impounded under the act.

SEC. 7. The board shall have authority to regulate and control all activities, concessions, and contracts covering or in anywise connected with any project under its jurisdiction.

SEC. 8. There is hereby authorized to be appropriated from the Treasury of the United States, from money not otherwise appropriated, for the carrying out of this act, the sum of $50,000,000 for the current year ending June 30, 1931, and $50,000,000 per year thereafter up to June 30, 1941.

THE NEW FLEXIBLE-TARIFF PROVISION

Mr. COLTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the flexible provisions of the tariff bill recently passed, and to incorporate therein in parallel columns the provisions of the bill of 1930 and the act of 1922.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. COLTON. Mr. Speaker, the strenuous and arduous work on the part of Congress in connection with the tariff act of 1930 has just been completed. It is the best tariff act that has been passed by Congress. The passage of that act means the continuation of our high standards of living and the prosperity of the 120,000,000 American producers and consumers.

The new tariff act is well balanced. Under it agriculture is given the best protection that it has ever received in any tariff law. The farmers' products have been granted protective rates and the domestic market conserved for domestic producers to the limit of their ability to supply it. The wages of industrial and farm labor have been protected through assurance of continued employment by the tariff rates on industrial products. American capital invested in domestic industries is encouraged to continue to operate the great industrial enterprises of this country. Under the new law prosperity is bound to return and remain, and thus prove again the effectiveness of the protective tariff.

The tariff act of 1922 was a splendid tariff law. Under it the country prospered. Our domestic and foreign trade expanded miraculously. The magic of prosperity in the United States stimulated production and consumption of goods. Not only did consumers purchase more of domestic-made articles but more imported articles. Instead of wages being decreased, as was forecast would be necessary, since 1922 wages in this country have increased. The depression that followed the war is now a matter of history. During the past eight years industry and agriculture have been revolutionized. Many changes have taken place, both in the kind and quality of articles produced and in the manner of their production. The flexible tariff of the act of 1922 proved to be a practical device for adjusting a good many tariff rates to meet these changed conditions of industry.

In 1922 the flexible tariff provisions offered an entirely new method of adjusting tariff rates. Since that time a staff of tariff experts has been developed in the United States Tariff Commission. Methods of procedure have been tried out, short cuts have been devised, many legal disputes settled by court decisions, and the flexible tariff itself has been declared constitutional by the Supreme Court.

The new flexible tariff provision has quite different prospects than the old flexible tariff provision as a device for adjusting tariff rates had at the beginning. The act of 1930 makes it possible to meet the numerous and frequent changes in the agricultural and industrial development here and abroad that are bound to come in the next decade. While the rates in the act of 1930 are generally satisfactory, there are undoubtedly some that are too high and others that are too low. Some rates that are proper for the present will undoubtedly be found to be either too high or too low as conditions may change in the future, bringing about new differences in costs of production. This flexible provision of the new law is one of the most desirable features of it.

These provisions as set forth in the new act are as follows:

SEC. 336. EQUALIZATION OF COSTS OF PRODUCTION

(a) Change of classification or duties: In order to put into force and effect the policy of Congress by this act intended, the commission (1) upon request of the President, or (2) upon resolution of either or both Houses of Congress, or (3) upon its own motion, or (4) when in the judgment of the commission there is good and sufficient reason therefor, upon application of any interested party, shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article. In the course of the investigation the commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings. The commission is authorized to adopt such reasonable procedure and rules and regulations as it deems necessary to execute its functions under this section. The commission shall report to the President the results of the investigation and its findings with respect to such differences in costs of production. If the commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in the principal competing country, the commission shall specify in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize such differences. In no case shall the total increase or decrease of such rates of duty exceed 50 per cent of the rates expressly fixed by statute.

(b) Change to American selling price: If the commission finds upon any such investigation that such differences can not be equalized by proceeding as hereinbefore provided, it shall so state in its report to the President and shall specify therein such ad valorem rates of duty based upon the American selling price (as defined in section 402 (g)) of the domestic article, as it finds shown by the investigation to be necessary to equalize such differences. In no case shall the total decrease of such rates of duty exceed 50 per cent of the rates expressly fixed by statute, and no such rate shall be increased.

(c) Proclamation by the President: The President shall by proclamation approve the rates of duty and changes in classification and in basis of value specified in any report of the commission under this section, if in his judgment such rates of duty and changes are shown by such investigation of the commission to be necessary to equalize such differences in costs of production.

(d) Effective date of rates and changes: Commencing 30 days after the date of any presidential proclamation of approval the increased or decreased rates of duty and changes in classification or in basis of value specified in the report of the commission shall take effect.

(e) Ascertainment of differences in costs of production: In ascertaining under this section the differences in costs of production, the commission shall take into consideration, in so far as it finds it practicable:

(1) In the case of a domestic article: (A) The cost of production as hereinafter in this section defined; (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; and (C) other relevant factors that constitute an advantage or disadvantage in competition.

(2) In the case of a foreign article: (A) The cost of production as hereinafter in this section defined, or, if the commission finds that such cost is not readily ascertainable, the commission may accept as evidence thereof, or as supplemental thereto, the weighted average of the invoice prices or values for a representative period and/or the average wholesale selling price for a representative period (which price shall be that at which the article is freely offered for sale to all purchasers in the principal market or markets of the principal competing country or countries in the ordinary course of trade and in the usual wholesale quantities in such market or markets; (B) transportation costs and

other costs incident to delivery to the principal market or markets of the United States for the article; (C) other relevant factors that constitute an advantage or disadvantage in competition, including advantages granted to the foreign producers by a government, person, partnership, corporation, or association in a foreign country.

(f) Modification of changes in duty: Any increased or decreased rate of duty or change in classification or in basis of value which has taken effect as above provided may be modified or terminated in the same manner and subject to the same conditions and limitations (including time of taking effect) as is provided in this section in the case of original increases, decreases, or changes.

(g) Prohibition against transfers from the free list to the dutiable list or from the dutiable list to the free list: Nothing in this section shall be construed to authorize a transfer of an article from the dutiable list to the free list or from the free list to the dutiable list, nor a change in form of duty. Whenever it is provided in any paragraph of Title I of this act, or in any amendatory act, that the duty or duties shall not exceed a specified ad valorem rate upon the articles provided for in such paragraph, no rate determined under the provisions of this section upon such articles shall exceed the maximum ad valorem rate so specified.

(h) Definitions: For the purpose of this section—(1) The term "domestic article" means an article wholly or in part the growth or product of the United States; and the term "foreign article" means an article wholly or in part the growth or product of a foreign country.

(2) The term "United States" includes the several States and Territories and the District of Columbia.

(3) The term "foreign country" means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions).

(4) The term "cost of production," when applied with respect to either a domestic article or a foreign article, includes, for a period which is representative of conditions in production of the article: (A) The price or cost of materials, labor costs, and other direct charges incurred in the production of the article and in the processes or methods employed in its production; (B) the usual general expenses, including charges for depreciation or depletion which are representative of the equipment and property employed in the production of the article and charges for rent or interest which are representative of the cost of obtaining capital or instruments of production; and (C) the cost of containers and coverings of whatever nature, and other costs, charges, and expenses incident to placing the article in condition packed ready for delivery.

(i) Rules and regulations of President: The President is authorized to make all needful rules and regulations for carrying out his functions under the provisions of this section.

(j) Rules and regulations of Secretary of Treasury: The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of foreign articles of the class or kind of articles with respect to which a change in basis of value has been made under the provisions of subdivision (b) of this section, and for the form of invoice required at time of entry.

(k) Investigations prior to enactment of act: All uncompleted investigations instituted prior to the approval of this act under the provisions of section 315 of the tariff act of 1922, including investigations in which the President has not proclaimed changes in classification or in basis of value or increases or decreases in rates of duty, shall be dismissed without prejudice; but the information and evidence secured by the commission in any such investigation may be given due consideration in any investigation instituted under the provisions of this section.

I should like to insert in the RECORD, also, a tabulation showing in parallel columns a summary of the various provisions of section 315 of the act of 1922 and of section 336 of the act of 1930:

UNITED STATES TARIFF COMMISSION,
Washington.

COMPARISON OF THE FLEXIBLE PROVISIONS OF THE TARIFF

(Section 336, tariff act of 1930; section 315, tariff act of 1922)

SECTION 336, TARIFF ACT OF 1930	SECTION 315, TARIFF ACT OF 1922
Equalization of costs of production	
(a) Change of classification or duties.—In order to put into force and effect the policy of Congress by this act intended,	(a) That in order to regulate the foreign commerce of the United States and to put into force and effect the policy of the Congress by this act intended,
the commission,	whenever the President,
(1) upon request of the President, or (2) upon the resolution of either or both Houses of Congress, or (3) upon its own motion, or (4) when in the judgment of the commission there is good and sufficient reason therefor, upon application of any interested party,	upon investigation of the differences in costs of production of articles wholly or in part the growth or product of the United States and of like or similar articles wholly or in part the growth or product of competing foreign countries,
shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article.	(c) * * * Investigations to assist the President in ascertaining differences in costs of production under this section shall be made by the United States Tariff Commission, and no proclamation shall be issued under this section until such investigation shall have been made.
In the course of the investigation the commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings.	The commission shall give reasonable public notice of its hearings and shall give reasonable opportunity to parties interested to be present, to produce evidence, and to be heard.
The commission is authorized to adopt such reasonable procedure and rules and regulations as it deems necessary to execute its functions under this section.	The commission is authorized to adopt such reasonable procedure, rules, and regulations as it may deem necessary.
The commission shall report to the President the results of the investigation and its findings with respect to such differences in costs of production.	
If the commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in the principal competing country,	(a) * * * shall find it thereby shown that the duties fixed in this act do not equalize the said differences in costs of production in the United States and the principal competing country
the commission shall specify in its report such	he shall, by such investigation, ascertain said differences and determine and proclaim the
increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification)	increases or decreases in any rate of duty provided in this act changes in classifications or
as it finds shown by the investigation to be necessary to equalize such differences.	shown by said ascertained differences in such costs of production necessary to equalize the same.
In no case shall the total increase or decrease of such rates of duty exceed 50 per cent of the rates expressly fixed by statute.	*Provided*, That the total increase or decrease of such rates of duty shall not exceed 50 per cent of the rates specified in Title I of this act, or in any amendatory act.
	(b) That in order to regulate the foreign commerce of the United States and to put into force and effect the policy of the Congress by this act intended,
(b) Change to American selling price. If the commission	whenever the President,
	upon investigation of the differences in costs of production of articles provided for in Title I of this act, wholly or in part the growth or product of the United States and of like or similar articles wholly or in part the growth or product of competing foreign countries, shall find it thereby shown that the duties prescribed in this act do not equalize said differences,
finds upon any such investigation that such differences can not be equalized by proceeding as hereinbefore provided,	and shall further find it thereby shown that the said differences in costs of production in the United States and the principal competing country can not be equalized by proceeding under the provisions of subdivision (a) of this section,

SECTION 336, TARIFF ACT OF 1930

it shall so state in its report to the President and shall specify therein such ad valorem rates of duty based upon the American selling price (as defined in section 402 (g)) of the domestic article, as it finds shown by the investigation to be necessary to equalize such differences.

In no case shall the total decrease of such rates of duty exceed 50 per cent of the rates expressly fixed by statute, and no such rate shall be increased.

(c) Proclamation by the President.—The President shall by proclamation approve the rates of duty and changes in classification and in basis of value specified in any report of the commission under this section, if in his judgment such rates of duty and changes are shown by such investigation of the commission to be necessary to equalize such differences in costs of production.

(d) Effective date of rates and changes.—Commencing 30 days after the date of any presidential proclamation of approval the increased or decreased rates of duty and changes in classification or in basis of value specified in the report of the commission shall take effect.

SECTION 315, TARIFF ACT OF 1922

he shall make such findings public, together with a description of the articles to which they apply, in such detail as may be necessary for the guidance of appraising officers. In such cases and upon the proclamation by the President becoming effective the ad valorem duty or duty based in whole or in part upon the value of the imported article in the country of exportation shall thereafter be based upon the American selling price, as defined in subdivision (f) of section 402 of this act, of any similar competitive article manufactured or produced in the United States embraced within the class or kind of imported articles upon which the President has made a proclamation under subdivision (b) of this section.

The ad valorm rate or rates of duty based upon such American selling price shall be the rate found, upon said investigation by the President, to be shown by the said differences in costs of production necessary to equalize such differences,

but no such rate shall be decreased more than 50 per cent of the rate specified in Title I of this act upon such articles, nor shall any such rate be increased.

If there is any imported article within the class or kind of articles, upon which the President has made public a finding, for which there is no similar competitive article manufactured or produced in the United States, the value of such imported article shall be determined under the provisions of paragraphs (1), (2), and (3) of subdivision (a) of section 402 of this act.

(a) * * * Thirty days after the date of such proclamation or proclamations such changes in classification shall take effect, and such increased or decreased duties shall be levied, collected, and paid on such articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila):

(b) * * * Such rate or rates of duty shall become effective 15 days after the date of the said proclamation of the President, whereupon the duties so estimated and provided shall be levied, collected, and paid on such articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila).

SECTION 336, TARIFF ACT OF 1930

(c) That in ascertaining the differences in costs of production, under the provisions of subdivisions (a) and (b) of this section, the President, in so far as he finds it practicable, shall take into consideration (1) the differences in conditions in production, including wages, costs of material, and other items in costs of production of such or similar articles in the United States and in competing foreign countries; (2) the differences in the wholesale selling prices of domestic and foreign articles in the principal markets of the United States; (3) advantages granted to a foreign producer by a foreign government, or by a person, partnership, corporation, or association in a foreign country; and (4) any other advantages or disadvantages in competition.

(f) Modification of changes in duty: Any increased or decreased rate of duty or change in classification or in basis of value which has taken effect as above provided may be modified or terminated in the same manner and subject to the same conditions and limitations (including time of taking effect) as is provided in this section in the case of original increases, decreases, or changes.

(g) Prohibition against transfers from the free list to the dutiable list or from the dutiable list to the free list: Northing in this section shall be construed to authorize a transfer of an article from the dutiable list to the free list or from the free list to the dutiable list, nor a change in form of duty. Whenever it is provided in any paragraph of Title I of this act, or in any amendatory act, that the duty or duties shall not exceed a specified ad valorem rate upon the articles provided for in such paragraph, no rate determined under the provisions of this section upon such articles shall exceed the maximum ad valorem rate so specified.

(h) Definitions: For the purpose of this section—

SECTION 315, TARIFF ACT OF 1922

(e) Ascertainment of differences in costs of production: In ascertaining under this section the differences in costs of production, the commission shall take into consideration, in so far as it finds it practicable:

(1) In the case of a domestic article: (A) The cost of production as hereinafter in this section defined; (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; and (C) other relevant factors that constitute an advantage or disadvantage in competition.

(2) In the case of a foreign article: (A) The cost of production as hereinafter in this section defined, or, if the commission finds that such cost is not readily ascertainable, the commission may accept as evidence thereof, or as supplemental thereto, the weighted average of the invoice prices or values for a representative period and/or the average wholesale selling price for a representative period (which price shall be that at which the article is freely offered for sale to all purchasers in the principal market or markets of the principal competing country or countries in the ordinary course of trade and in the usual wholesale quantities in such market or markets); (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; (C) other relevant factors that constitute an advantage or disadvantage in competition, including advantages granted to the foreign producers by a government, person, partnership, corporation, or association in a foreign country.

The President, proceeding as hereinbefore provided for in proclaiming rates of duty, shall, when he determines that it is shown that the differences in costs of production have changed or no longer exist which led to such proclamation, accordingly as so shown, modify or terminate the same.

Nothing in this section shall be construed to authorize a transfer of an article from the dutiable list to the free list or from the free list to the dutiable list, nor a change in form of duty. Whenever it is provided in any paragraph of Title I of this act that the duty or duties shall not exceed a specified ad valorem rate upon the articles provided for in such paragraph, no rate determined under the provision of this section upon such articles shall exceed the maximum ad valorem rate so specified.

(d) For the purposes of this section any coal-tar product provided

SECTION 336, TARIFF ACT OF 1930	SECTION 315, TARIFF ACT OF 1922
(1) The term "domestic article" means an article wholly or in part the growth or product of the United States; and the term "foreign article" means an article wholly or in part the growth or product of a foreign country.	for in paragraphs 27 or 28 of Title I of this act shall be considered similar to or competitive with any imported coal-tar product which accomplishes results substantially equal to those accomplished by the domestic product when used in substantially the same manner.
(2) The term "United States" includes the several States and Territories and the District of Columbia.	
(3) The term "foreign country" means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions).	
(4) The term "cost of production," when applied with respect to either a domestic article or a foreign article, includes, for a period which is representative of conditions in production of the article: (A) The price or cost of materials, labor costs, and other direct charges incurred in the production of the article and in the processes or methods employed in its production; (B) the usual general expenses, including charges for depreciation or depletion which are representative of the equipment and property employed in the production of the article and charges for rent or interest which are representative of the cost of obtaining capital or instruments of production; and (C) the cost of containers and coverings of whatever nature, and other costs, charges, and expenses incident to placing the article in condition packed ready for delivery.	
(i) Rules and Regulations of President.—The President is authorized to make all needful rules and regulations for carrying out his functions under the provisions of this section.	(e) The President is authorized to make all needful rules and regulations for carrying out the provisions of this section.
(j) Rules and Regulations of Secretary of Treasury.—The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of foreign articles of the class or kind of articles with respect to which a change in basis of value has been made under the provisions of subdivision (b) of this section, and for the form of invoice required at time of entry.	(f) The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of imported articles of the class or kind of articles upon which the President has made a proclamation under the provisions of subdivision (b) of this section and for the form of invoice required at time of entry.
(k) Investigations prior to enactment of act.—All uncompleted investigations instituted prior to the approval of this act under the provisions of section 315 of the tariff act of 1922, including investigations in which the President has not proclaimed changes in classification or in basis of value or increases or decreases in rates of duty, shall be dismissed without prejudice; but the information and evidence secured by the commission in any such investigation may be given due consideration in any investigation instituted under the provisions of this section.	

Discussion of some of the changes made in the flexible provision of the new law compared with those in the act of 1922 shows important improvements. An examination of the material just submitted shows the differences in the provisions of the two acts.

It is important to note that the basis for tariff adjustments under the new bill is the same as that under the old bill—the equalization of costs of production, which basis has been declared constitutional by the Supreme Court. The question of the constitutionality of the new flexible provision, therefore, seems on the basis of the Supreme Court ruling to be no longer in doubt. For surely by any fair interpretation the Supreme Court ruling states that the Tariff Commission may be given power by Congress to make recommendation as to the rates found necessary to equalize differences in costs of production. And since the Supreme Court has already ruled that it is legal for the President to adjust rates upon the basis of reports of the Tariff Commission, the question of constitutionality will probably never be raised again.

In effect this new provision makes the United States Tariff Commission a fact-finding tariff-rate-making body similar to the Interstate Commerce Commission, the only difference being that the United States Tariff Commission makes recommendations to the President, who has the power of approval or veto of the finding of the Tariff Commission, while the Interstate Commerce Commission makes the final decision with respect to transportation rates. It is expected that this new provision will extend the period between general tariff revisions by Congress and it may, if properly administered, take the tariff question more or less out of politics, so that it may be treated as the economic question that it is.

What can be fairer to foreign countries and to domestic consumers of products, and at the same time insure for domestic producers the opportunity of selling their products in the United States, than to adjust tariff rates to equalize differences in costs of production in the United States and in the principal competing foreign countries? This basis will not exclude foreign imports. It will not create domestic monopolies. Prohibitive duties can not be maintained. It will mean fair and equal treatment to all concerned, and at the same time it assures and must insure that domestic producers, whether agricultural or industrial, will be protected in this their own market. The Republican Party is to be congratulated on this splendid feature of the new tariff bill.

It would have been much stronger and much more effectively administered had the provision in the House bill been carried out with respect to the number of tariff commissioners. The bill as it passed the House provided for a nonpartisan commission of seven members, thus making a natural majority on the commission. The bill as finally passed provides for a bipartisan Tariff Commission of six members, not more than three of whom may be of any one political party.

The bill as framed now requires the commission to make a finding and to report such finding to the President, together with the recommendation of the commission. It is to be hoped that the President will be able to select members for the commission who will make findings and who are desirous of operating the flexible provision as intended by Congress and thus avoid deadlocks and split reports. It would be unfortunate, indeed, if the new flexible provision should fail of accomplishing its purpose by the commission dividing three to three in its reports to the President.

I believe the President will be able to get men to serve on the commission who will find and report the facts as they are without reference to any political interpretation of those facts. If he is able to do this and does do it, which I think he will, this new flexible provision will go a long way toward placing the tariff upon a fact-finding, scientific adjustment basis, which has been demanded by labor, industry, and agriculture, as well as the consumers of this country, for the past 25 years.

Thus, for the first time in the history of this country the Republican Party has now placed the adjustment of tariff rates in the hands of technically trained men to work out the facts with respect to each article and to adjust the duty on such article upon the basis of those facts, so that the rate will equal the difference in costs of production.

This is one of the most progressive steps in tariff making that has ever been taken in the United States, and is undoubtedly as fair a basis for tariff adjustments as found in any country of the world. I know of no country, in fact, which adjusts its tariff rates on any similar basis. What country permits foreign interests to attend open, public tariff hearings and present their tariff cases before an impartial, unbiased body like the Tariff Commission, and expends large sums of money in an effort to ascertain costs of production for the purpose of being perfectly fair to all interested in the adjusted tariff rates. You may search the whole category of nations from A to Z and you will not find a single country adjusting its tariff rates on such a fair and liberal basis.

Critics of the new tariff law who try to make it appear unfair to foreign importers and to foreign producers will have to dis-

tort and misrepresent the facts to make anything even appear unfair in the flexible tariff. It is to be hoped that foreign countries, when they adjust their tariff rates, will be as liberal as the United States has been in the flexible tariff provision of the tariff act of 1930.

If our Democratic friends are able to stir up enough foreign animosity over this tariff so that some foreign countries may increase their tariff rates in retaliation for the present tariff revision, we hope they will also stir up enough interest on the part of those foreign countries so that they will adopt a flexible tariff provision similar to the one provided for in the tariff act of 1930, just passed by the Congress of the United States, in order that American industries may present their tariff facts before an impartial, unbiased tariff commission of France, Germany, Canada, Argentina, England, Italy, Japan, and so on, throughout the world.

If other countries will follow the example of the United States, and if they are willing to abide by the decisions of a fact-finding body like the United States Tariff Commission, let them set up such a body for the purpose of receiving information from all interested parties—domestic and foreign—in order to ascertain what the real facts are with respect to needs for adjustment of tariff rates. And eventually there will be developed in each country a wholesome respect for the needs of every other country, so that tariff rates may be more sanely and effectively adjusted to meet the conditions found in each country, and such adjustments will be more thoroughly understood by the rest of the world. That is one of the best ways that I know of to promote the peace of the world at the present time. There is nothing as wholesome as education on the subject for dispelling fear and distrust, which are the roots of international ill will. The flexible tariff provision offers an opportunity for the development of friendly relations with foreign countries, and, in my judgment, it will prove to be a very useful method of promoting such friendly international relations.

If anyone has a grievance against any tariff rate and can prove beyond a reasonable doubt that the present tariff rates are too high or too low to equalize the costs of production of their products in the United States and in the principal competing foreign country, and is willing to make application to the Tariff Commission, they may rest assured that the commission will undertake to investigate conditions and make a report and recommendation to the President thereon.

The commission may undertake such investigations (1) upon request of the President, (2) upon resolution by either or both Houses of Congress, (3) upon its own motion, or (4) when in the judgment of the commission there is good and sufficient reason therefor, upon application of any interested party.

As in the act of 1922, so in the present law, in no case shall the total increase or decrease of rates of duty exceed 50 per cent of the rates expressly fixed by statute. This applies particularly to specific rates of duty. In special cases, ad valorem rates may be increased more than the 50 per cent of the rates expressly fixed in the act. In cases where a 50 per cent increase is not sufficient to equalize costs of production, and the rate is on an ad valorem basis, such ad valorem rate of duty may be based upon the American selling price of the domestic article. In no such case, however, shall such rate be increased, nor shall it be decreased more than 50 per cent.

As in the present law, the new act provides that changes in rates of duty shall become effective 30 days after the date of any presidential proclamation of approval of increased or decreased rates.

Another provision of the new and old laws that has not been changed is that which prohibits the Tariff Commission or the President from transferring from the free list articles on the dutiable list or from transferring articles on the dutiable list to the free list. This involves a question of tariff policy which Congress has deemed should be kept in the hands of the lawmaking body.

By this flexible tariff provision the Republican Party has made a progressive move, one which was advocated as early as 1905 by former President Theodore Roosevelt. It is this forward-looking open-mindedness of the party leaders and the President which has characterized the entire consideration of this tariff legislation during the past 15 months.

UNFAIR METHODS OF COMPETITION

Another very important part of this new tariff law is section 337, which makes unlawful unfair methods of competition in the import trade. This provision is drawn for the purpose of protecting domestic interests from unscrupulous importers and others who, though it happens but rarely and may never happen in the future, have a few times in the past taken advantage of loopholes in the law to perpetrate unfair practices in the importation of goods into this country to be sold in competition with goods produced in this country. This section is similar to section 316 of the tariff act of 1922. Like section 315, it has also been held to be constitutional and the views of the majority of the Tariff Commission have been upheld in a decision of the United States Court of Customs and Patent Appeals.

FOREIGN DISCRIMINATION AGAINST UNITED STATES COMMERCE

A third and last provision is that for the adjustment of duties on a scientific basis for the purpose of preventing discrimination by foreign countries against the foreign commerce of the United States, which is provided in section 338 of the tariff act of 1930. Under this provision the President, when he finds that the public interest will be served thereby, may either proclaim new or additional duties on or exclude from entry articles of a foreign country that discriminates unfairly against the commerce of the United States, either directly or indirectly. This is a defensive provision. It may never be invoked against a foreign country. I hope that it may never be necessary. But if foreign countries do discriminate against the commerce of the United States this provision is absolutely necessary for the protection of domestic producers and will prove of great value.

There can be no possible objection to this provision by those countries who give the commerce of the United States most-favored-nation treatment. The United States gives to all countries most-favored-nation treatment when such treatment is reciprocally obtained. We discriminate against none and are fair to all. We have one list of duties which are minimum tariffs in comparison with other countries which have bargaining tariffs. The rates of duty fixed in the act of 1930 give to all other countries alike the same opportunity to export products to the United States. The same rate applies to all goods of like or similar kind and quality irrespective of the country of origin. Exceptions to this rule are Cuba and the Philippine Islands. Imports from Cuba enjoy a 20 per cent preferential rate, and imports from the Philippine Islands enter free of duty. For all other countries the rates are the same.

Section 338 is recognized as an important feature of the new tariff bill that will wield a great influence in obtaining for the exports of the United States respectful treatment by foreign countries.

INTERFERENCE WITH FUNCTIONS OF COMMISSION

Furthermore, the new tariff act makes it unlawful for any person—

> To prevent or attempt to prevent, by force, intimidation, threat, or in any other manner, any member or employee of the commission from exercising the functions imposed upon the commission by this title, or (2) to induce, or attempt to induce, by like means any such member or employee to make any decision or order, or to take any action, with respect to any matter within the authority of the commission.

The penalty for violation of this provision, upon conviction thereof, is fixed at not more than $1,000 or imprisonment for not more than one year, or both. This provision makes the commission more independent than any such body has ever heretofore been and protects the commission from the usual lobbyist methods of force, threat, or intimidation.

CONCLUSION

On the flexible tariff issue as well as these other special provisions and the rates included in the act, the Republican Party is anxious to go to the polls this fall for reelection. We gladly accept the tariff act of 1930 as the campaign issue of 1930 and hope that we may keep that issue before the public from now until election day so that the people of the country may be informed as to what the act does and does not do, and we have no fear at all of the outcome of the election.

Our Democratic friends are not going to be permitted to befog the issue by partial half truths and glittering generalities. They will have to face the facts before this campaign is over, and neither the farmers, wage earners, or employers of labor are going to be deceived by their loose propaganda.

There is nothing more potent than facts, and the Republican Party has the facts on its side. Consequently we go into the congressional campaign this year with light hearts and a vigorous attack. We shall carry the fight to the foe on the tariff act of 1930. Every time the tariff has been the issue in a campaign the Republicans have won the election, and we will do so again this year.

ADDRESS BY SECRETARY OF AGRICULTURE ARTHUR M. HYDE

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a radio address delivered to-day by the Secretary of Agriculture with regard to the benefit of the tariff to agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. LEAVITT. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following radio talk given July 2, 1930, by Secretary of Agriculture Arthur M. Hyde:

AGRICULTURE AND THE TARIFF

For agriculture the tariff act of 1930 will be a distinct gain. Actually and potentially it increases tariff protection for American farmers. Many of its rates, such as those on wool, eggs, long-staple cotton, and dairy products, will be generally beneficial. Others will be of maximum assistance in border markets and under favorable market conditions. All will serve to hold the home market for the American producer, and add to the economic urge to agriculture to balance its production against the market demand.

The new tariff act provides increased duties upon agricultural products of which we imported in 1928, $287,000,000 in their raw state. Of the same products we imported $333,800,000 in their first processed form. For practical purposes, therefore, the new tariff act is applicable to imports having a value of more than $620,000,000. The increased rates will encourage the production of some crops, such as soybeans and sugar beets; will add to the value of such by-products as casein and vegetable oils and offer many opportunities for diversification through crops which are now offered a stronger market.

The new bill reduces, even though it may not entirely eliminate, the disparity in tariff protection which has heretofore existed between agricultural products and industrial products. The statisticians of the American Farm Bureau estimate that if raw agricultural products alone be considered against industrial products there is an advantage in favor of industry, but that if first processed forms of agricultural products (such as butter and meats) be considered, there is an advantage in favor of agriculture. It can safely be said that the new act takes a long step toward parity in tariff protection for agriculture, and that it affords to agriculture, so far as a law can do so, a high degree of protection.

On an equivalent ad valorem basis the percentage of increase on agricultural products (Schedule 7) is more than twice as large as the increase upon other schedules in the bill. This increase was 54.43 per cent. Since the increase on all items covered in the bill is only 6.17 per cent, the increase of 54.43 per cent on agricultural products is significant.

The next largest increase is 22.17 per cent over the act of 1922. This is on spirits and fruit syrups. These products are almost wholly of agricultural origin.

Third in percentage of increase is Schedule 1 covering chemicals, oils, and paint. Such important agricultural products as casein, wool grease, olive oil, some tropical oils, soybean oil, potato starch and other starches are included in the schedule.

The fourth highest percentage of increase is on Schedule 11, which covers wool and its manufactures. Here the increase is 20.77 per cent over the act of 1922. The tariff increase on the various classes of unmanufactured wool runs from 3 cents to 13 cents per pound. The duty now varies from 22 cents to 27 cents per pound.

Important agricultural products upon which the rate of duty has been raised are cattle, meats and meat products, hides, wool, long-staple cotton, flaxseed, soybeans, butter and cheese, milk and cream, casein, eggs and egg products, a large variety of fresh fruits and fresh vegetables, and sugar.

The duty on wheat was not increased above the rate established by the President under the flexible provision of the act of 1922. Establishing this rate of 42 cents in the 1930 act, however, makes possible such changes in rates as later investigation may show to be required. Despite the surplus in production, the duty on wheat is partially effective. It is most effective in protecting the hard spring-wheat growers in seasons of short crops, but it benefits other classes of wheat by creating a stronger market.

Visualize the condition which would exist if no tariff whatever existed. Absent any tariff, our markets in the Northwest and on our seaboards would be open to both North and South American competition at a lower freight rate than is enjoyed by our own growers, and at a smaller cost for hauling than the present charge from the producing country to Liverpool. This competition would soon operate to pile up our surplus wheat at inland points, and to lower prices. Despite the fact that the surplus American wheat prevents full protection from the tariff, it is none the less true that such tariff does hold the American market for the American farmer. The degree of its effectiveness varies with market conditions.

The tariff bill provides a duty of 7 cents per pound upon cotton having a staple of 1⅛ inches or longer. Since it is long-staple cotton which the United States imports, for special purposes, this duty will therefore be largely effective upon this class of cotton.

One of the major problems facing American cotton growers is the increasing production of short lengths and of untenderable grades of cotton. The tariff duty will put a premium upon the production of the longer staples of cotton. This should result in a great improvement in the quality of the crop and increase both demand and price.

Increases in duties on livestock and poultry will be effective particularly in border markets and at some phases of the production cycles. The increase in duty on live cattle, weighing less than 700 pounds, from 1½ to 2½ cents per pound, and upon the heavier animals from 2 to 3 cents will tend to strengthen the market for stocker and feeder cattle. Likewise, the increase in duty on hogs from one-half to 2 cents per pound will tend to strengthen the hog market, particularly when our own supplies are relatively small. The increase in the duty on live poultry from 3 to 8 cents will be effective in some markets. Increasing the duty on eggs in the shell from 8 cents to 10 cents will afford protection in border markets which should reflect back to the interior. The increase in the duty on frozen eggs from 6 to 11 cents will be effective to meet competition from China.

The duties on all meats and meat products were raised. In some cases, especially the fresh meats and poultry, the increase in duties will have some effect in local markets, particularly when supplies in the United States are moderate. The great benefit arises from the fact that it protects the American market from the threat of gluts created by foreign producers.

Of great significance are the increases in duties on dairy products. The duty on fresh milk was raised from 2½ to 6½ cents per gallon; on cream from 20 to 56.6 cents per gallon; on condensed milk, unsweetened, from 1 to 1.8 cents, and sweetened from 1½ to 2¾ cents per pound; on cheese from 5 to 8 cents per pound; casein from 2½ to 5½ cents per pound; and on butter from 12 to 14 cents per pound. The increases are substantial, and since the production of many of the dairy items is not sufficient for domestic requirements, a duty on these items will be largely effective. The extent of effectiveness of the duty on butter will depend largely upon the extent to which this country holds production in check so that supplies may not exceed requirements.

The duty on flaxseed was raised from 40 to 65 cents per bushel, and on linseed oil from 3.3 to 4½ cents per pound. Since flaxseed production of the United States is not equal to domestic requirements, this increase in duty will be greatly effective.

Sheep raisers will profit by the increase in the duties on wool. The duty on scoured wool, not finer than 44's, is increased from 31 to 32 cents per pound, and the duty on wool finer than 44's to 37 cents per pound. The duty on unscoured wool is raised to 25 cents per pound.

An increase in the duty on wrapper tobacco, stemmed, from 2.75 to 2.92 cents per pound, and corresponding increases on some other types will increase the protection of certain types of tobacco produced in this country.

An increase in the duty on onions from 1 to 2½ cents per pound, on dried beans from 1¾ to 3 cents, on shelled peanuts from 4 to 5 cents, and on many other vegetables and nuts will be effective to a large extent. The volume of imports of these products is a little over $38,000,000 annually.

The duty on sugar will be effective to aid the beet-sugar growers of the country.

It has been claimed that the benefits which the bill extends to agriculture are nullified by increased rates upon nonagricultural products which the farmer must buy. While specific items might be selected upon which a plausible argument might be based, the following facts will show its fallacy:

The average farm family's annual budget amounts to $1,159. In order to test the effect of the tariff upon this budget the new rates have been applied to it. The rate on each item was then weighted by the expenditure for that item to get a weighted average tariff rate. We find, then, that the weighted average tariff rate on commodities purchased by farmers was 16 per cent by the tariff act of 1922 and is 20.2 per cent by the tariff act of 1930. The maximum possible increase in the farmer's budget appears, therefore, to be about 4 per cent, or about $48 per year.

A large part of this increase, however, is on commodities which the American farmer produces, or which are manufactured from raw materials produced by American agriculture. These articles comprise 50 per cent of the farmers' purchases. It is this 50 per cent which bears the highest rates and on which the increases have been the greatest. If we eliminate the items which farmers as a whole may be said to buy from themselves or from the manufacturers of their products, we find that for the remaining dutiable items the tariff rates average 34 per cent by the act of 1922 and 38 per cent by the present act. It may be said, therefore, that the average American farm family's budget may be as much as $6 a year greater under the new act on items in which the farmer is not interested as a producer.

Examining further, we find that the term "high agricultural rates" applies only to commodities produced by American agriculture. Coffee, on which the average farm family spends $16.54 per year; tea, on which they spend $4.96 per year; bananas, on which they spend $4.36; many spices and crude rubber are agricultural products not grown in the United States and which bear no duties.

There is a large free list, which includes many of the commodities purchased by farmers. Fuels, gasoline, and lubricating oils, of which the average farmer buys $95.32, and fertilizer and materials used for fertilizers are entirely free of duties. Over 87 per cent of the farmers' expenditures for tools and machinery is for items on the free list, and incidentally a large part of the remaining expenditures is for items such as automobiles, on which the tariff is clearly ineffective. Over 60 per

cent of the farmers' expenditures for building materials and over 22 per cent of their expenditures for equipment and miscellaneous supplies are for items on the free list. In all, about 39 per cent of the farmers' expenditures goes for items on which there are no tariff rates in the tariff act of 1930.

To summarize, then, 50 per cent of the American farmer's purchases is for commodities produced by American agriculture. About 39 per cent of his expenditures is for commodities on the free list. This leaves only 11 per cent of his expenditures for commodities which have a tariff and in which he is not interested as a producer.

Stated in round numbers and assuming that the rate increases on agricultural commodities were entirely effective, the average income per farm on the basis of 1928 production and prices would be increased by about $150. The average expenditures per farm would be increased about $48 by increases in duties on commodities purchased. The net balance in change of duties, therefore, would be about $102 per farm in favor of the farmer.

Of course, tariff duties are seldom, if ever, fully effective in correspondingly raising prices. The tariff on steel is less effective than the tariff on hogs and lard. The tariff on automobiles is less effective than the tariff on wheat or on corn. Neither the increases on the commodities the farmer buys nor on those he sells will be fully effective. But the foregoing analysis is sufficient to demonstrate that so far as tariff protection can go, the farmer is in a stronger position by virtue of the 1930 act.

One great source of potential benefit to agriculture lies in the possibilities which the bill opens up for better-balanced production. Undoubtedly the act offers a larger market for many products. Our net imports for the years 1926–1928 of commodities upon which duties were raised, and which can be produced in this country, give a rough measure of the possibilities of shifting production so as to achieve a better balance. For instance, we import vegetables which require 388,000 acres to produce. Our imports of soybean oil require 160,000 acres; of corn, 84,000 acres; of peanuts, 67,000 acres; of figs, 62,000 acres; of meats and meat products, 341,000 acres; of dairy products and by-products, 450,000 acres; of cattle, hogs, and sheep, 818,000 acres, etc. On the basis of recent volume of domestic flax consumption and production the increased rates of flax, flaxseed, and linseed oil, make possible a substitution of 2,300,000 acres of flax for hard red spring wheat. The total shift in acreage from crops of which we now produce too great a surplus to crops to which increased tariff protection now offers a better market could run as high as 10,000,000 acres.

It is not probable that the entire theoretical shift can be realized; nevertheless, the tariff act does offer an opportunity for more profitable diversification and better balance in agriculture which has not heretofore existed.

President Hoover in 1928 said "An adequate tariff is the foundation of farm relief." The new tariff act provides this foundation. It will be largely operative in many agricultural commodities. It will be partially effective on nearly all agricultural commodities covered. It will be of maximum benefit to all agricultural commodities if agriculture can meet the plain economic conditions necessary to receive the full benefits. In any event the foundation of an adequate tariff has been laid.

The act adds to the potentialities of the program of the Federal Farm Board. It affords the farmer of America adequate breastworks behind which he may, if he will bring his production within the operation of the law, find profitable protection. More than this no law can do. It now lies in the power of agriculture to take the final step toward achieving economic equality.

BOND ISSUE, KETCHIKAN, ALASKA

Mr. GIBSON. Mr. Speaker, by direction of the Committee on the Territories I ask unanimous consent to take from the Speaker's table the bill (H. R. 9707) to authorize the incorporated town of Ketchikan, Alaska, to issue bonds in any sum not to exceed $1,000,000 for the purpose of acquiring public-utility properties, and for other purposes, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 5, strike out "50" and insert "30."

Page 2, line 21, strike out "a majority" and insert "not less than 65 per cent."

Page 3, line 5, strike out "50" and insert "30."

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

Mr. GARNER. Reserving the right to object, has the matter been referred to the gentleman's committee and has the committee taken action?

Mr. GIBSON. It has; and I have authority from the committee to ask that the bill be taken up by unanimous consent and the amendments concurred in. I have referred the matter to the gentleman from Mississippi [Mr. RANKIN], one of the leading members of the committee, and it meets with his approval.

Mr. GARNER. But there was no committee action?

Mr. GIBSON. Yes. There was action by the committee this morning.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman a question. Has there been any attempt on the part of another body to browbeat or coerce the gentleman's committee into agreeing to the Senate amendments?

Mr. GIBSON. None at all.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The Senate amendments were concurred in.

IMPORTANT AGRICULTURAL LEGISLATION APPROVED BY CONGRESS

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my remarks by summarizing important legislation passed during the present session of Congress with relation to agriculture, and also on the subject of chain stores and mergers.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANDRESEN. Mr. Speaker, for the information of the Members of the House I am herewith summarizing important agricultural legislation approved by Congress during the present session.

H. R. 1. An act to establish a Federal Farm Board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce and to place agriculture on a basis of economic equality with other industries.

This bill proposed to do for the farmers what was done for other industries by the enactment of the Federal reserve act, the Adamson Act, the restricted immigration act, and the many acts extending aid to numerous other activities.

H. R. 2152. To promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes.

This bill is a helpful step toward more uniform and better administration in that it places a proposed staff of the Department of Agriculture on a comparable footing with the Foreign Commerce Service as defined in the Hoch Act of March 3, 1927. It is believed to fill the need, to a great extent, of a unified world service for American agriculture.

S. 108. To suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce.

This bill is to safeguard producers and retailers of fresh fruits and vegetables against unfair practices on the part of irresponsible commission merchants, dealers, and brokers who make a practice of rejecting purchases of such commodities on a declining market, subjecting shippers to an unnecessary marketing hazard, retarding distribution, interrupting and restricting the flow of commerce and impairing the confidence that should prevail in the marketing of products of such importance to the entire country.

S. 3531. Authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests, and for other purposes.

This bill provides for the establishment of forest tree nurseries and a policy for the scale on which tree planting on national forests should be carried out. It would facilitate the work of caring for plantations and would enable the Forest Service to obtain the planting of some timber-sale areas on which conditions make it best to clear, cut, and replant. Also, it would provide for the furnishing of seedlings and/or young trees for replanting of burned-over areas in any national park.

S. J. Res. 117. For the relief of farmers in the storm, flood, and/or drought-stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri.

This bill authorizes an appropriation of $7,000,000 to make advances or loans to farmers in the storm, flood, and/or drought-stricken areas of the several States named, where it is found that an emergency for such assistance exists for the purchase of seed, feed, and fertilizer.

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

The authorization for appropriations under our present reforestation purchase program expires with the end of the fiscal year 1931. This bill authorizes not to exceed $3,000,000 for each of the two succeeding years.

S. 3487. To provide for the acceptance of a donation of land and the construction thereon of suitable buildings and appurtenances for the Forest Products Laboratory, and for other purposes.

This bill provides for the acceptance of land by the United States from the regents of the University of Wisconsin for a site for the Forest Products Laboratory of the Forest Service and authorizes an appropriation of $900,000 for the construction thereon of a suitable building or buildings for the Forest Products Laboratory.

H. R. 10173. To authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

The bill authorizes the Secretary of Agriculture to investigate the ginning of cotton, to establish and maintain ginning plants and laboratories, to make tests, and to conduct experiments and demonstrations, with a view to developing improved ginning equipment and encouraging the use of improved methods in cooperation with any department or agency of the Government, or any State or political subdivision thereof, or any person or agency that he shall find to be necessary. The Secretary of Agriculture has estimated that the total ginning damage to the cotton crop, because of inefficient ginning, ranges from $30,000,000 to $60,000,000 a year.

H. J. Res. 232. To amend the joint resolution entitled "Joint resolution to provide for eradication of pink bollworm and authorizing an appropriation therefor," approved May 21, 1928.

This bill amends the act of May 21, 1928, to apply to the crop of 1930. It reduces the appropriation from $5,000,000 to $2,500,000. It provides that full compensation shall be paid for actual and necessary losses sustained to the crop of 1930 only on condition that satisfactory guaranties shall have first been made that one-half of the Federal expenditures shall be repaid into the Federal Treasury, and so forth.

H. R. 6. To amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended.

This bill amends the definition of oleomargarine to bring within the jurisdiction of the general oleomargarine law the so-called yellow cooking compounds, which have been sold as a butter substitute for the past half dozen years without any control or any tax. These cooking compounds or shortening compounds or table-fat compounds, containing more than 1 per cent of moisture—the kind of fat compounds which have been on the market in quarter-pound and pound packages, sold and used as and in place of butter, must hereafter be marked "oleomargarine," and sold only in strict compliance with the oleomargarine law.

H. R. 730. A bill to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended.

This bill amends the general food laws only to the extent of granting to the Secretary of Agriculture the authority to require, in the interest of the consuming public, distinctive and informative labeling of canned foods of grades below certain standards to be established minimum requirements.

While consumers' protection is the main objective of the proposed amendment it is believed that it will encourage the growth and expansion of the canning industry, which is one of the most important means of enabling the farmer to move his perishable products profitably.

PRESERVATION OF INDEPENDENT RETAIL MERCHANT AND SMALL MANUFACTURER

Mr. ANDRESEN. Mr. Speaker, ladies and gentlemen of the House, I favor passage of the Capper-Kelly bill because it is a measure which has for its purpose the preservation of the small retail merchant. The bill proposes to give the independent dealer an opportunity to honestly compete with the chain-store combination, which has rapidly spread through the country during the past 10 years. He is entitled to protection, as the small merchant is virtually the backbone of every community.

The American consuming public should wake up to the fact that they are about to be controlled by centralized capital through this chain store and merger proposition.

I say, America, wake up! You are about to have your backbone of individual initiative painfully extracted from your system, to be replaced with the mechanical tentacles of a gigantic and artificially created octopus. This legalized creature, conceived by man, made possible by enormous wealth, strikes with cold-blooded indifference and uncanny accuracy into the heart of America in its effort to undermine our individual economic independence.

Since the days of the Pilgrims we have prided ourselves on the fact that America's greatness has been builded upon the solid foundation of individual initiative. Peoples from all the countries of the world have been attracted to our shores during the past generations to share in the individual, social, and economic expression of "equal opportunity for all and special privileges for none."

The farms of America have been developed to their high state of production by individual effort—toil and sweat of the brow.

The thousands of small cities and villages scattered throughout this country, together with their small factories and retail institutions, have been builded by individual efforts of patriotic citizens. As a general rule, the entire population of these small communities is dependent upon the success of individual effort in locally controlled business.

The local merchants and manufacturers take a great pride in their community. They, together with other home owners, are the taxpayers. They are the contributors of time and money in their effort to make their city or village the best place in the world in which to live.

For more than 150 years the farmer, the small-community laborer, the independent merchant and manufacturer have been the real backbone of stability in this country. Their united effort in each community has builded our civic pride and made possible that great spirit of America which makes our country the leading nation of the world.

Then, like a bolt of lightning out of a clear sky, the scene changes. The farmer, the independent merchant and manufacturer, the life of the small cities and villages is being threatened. We are about to destroy our community spirit, and legislation should be enacted in Congress and in the various State legislatures to protect the effort of individual initiative against the encroachment of chain stores, chain banks, and undesirable mergers of every character.

I say that it is time for America to wake up and for Congress and the administration to use every legal and necessary means to protect the independence and stability of individual initiative from the encroachment of unsympathetic monopolies and capital.

INVESTIGATION OF HOLDING COMPANIES OF COMMON CARRIERS

Mr. PERKINS. Mr. Speaker, I call up the resolution (H. Res. 274) relating to the investigation of holding companies of common carriers, a privileged resolution from the Committee on Accounts.

The Clerk read the resolution as follows:

House Resolution 274

Resolved, That there shall be paid out of the contingent fund of the House an additional sum not to exceed $25,000 in carrying out the provisions of H. Res. 114.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PARKER].

Mr. PARKER. Mr. Speaker, the investigation of holding companies under the authority of House Resolution 114 is being pressed with vigor. Experienced investigators have gone to the offices and have personally examined the books, files, and records of 22 holding companies which are known or believed to own voting stocks of railroads for purposes of control. Among these are the Pennsylvania Co., the Allegheny Co., and the Pennroad Corporation. Seven hundred investment trusts and holding companies have been called by questionnaire and have disclosed to what extent they deal in the voting stocks of railroads. Every Class I railroad has carefully filled out an elaborate questionnaire, and the answers to the questions disclose, on the one hand, what holding companies are stockholders of the railroads and, on the other hand, in what holding companies the railroads themselves are stockholders.

The investigation is being managed by special counsel, Dr. Walter M. W. Splawn, former president of the University of Texas, and at the time retained by the committee, referee under the settlement of war claims act of 1928. Through cooperation of the Interstate Commerce Commission a number of experienced field workers have been made available, in addition to trained statisticians and competent accountants. A group of economists, under direction of counsel and including Prof. James C. Bonbright, of Columbia University, has been set to studying the genesis, the development, and history of the holding companies, with a view to determining how they function, and showing their place in American business, together with their advantages and disadvantages. There are a number of difficult constitutional and legal questions connected with this

investigation. Counsel has added to the staff M. S. Breckenridge, professor of constitutional law, University of North Carolina, to assist with the legal studies.

There are five lines of major inquiry: First of railroads; second of investment trusts; third of holding companies; fourth, a historical study of the development and functioning of holding companies; and fifth, an examination of the legal questions. The purpose is to complete these studies, if humanly possible, by the time Congress reassembles in December. When the results are brought together the Committee on Interstate and Foreign Commerce and the Members of the House will have the facts called for by the House resolution and the information which will serve as a basis for legislation.

Twenty-five thousand dollars additional is needed to complete the investigation. This will be sufficient unless litigation should develop somewhere in the course of the inquiries.

In the extension of remarks are included the questionnaires and a detailed statement of the progress of each line of inquiry.

In its annual report issued December, 1929, the Interstate Commerce Commission recommended that the Congress give thorough consideration to a possible extension of the jurisdiction of the Interstate Commerce Commission to cover activities which, though not now under their jurisdiction, result in bringing about the unification of railroads. The commission pointed out that in section 5 of the interstate commerce act the Congress manifested a clear intent to subject the unification of carriers by railroad, one with another, to the orderly processes of a carefully planned scheme of public regulation.

To quote the commission's language:

> There are, however, means whereby unification of carriers can be brought about without consolidation into one corporation for ownership, management, and operation and without, strictly speaking, the acquisition of control of one carrier by another. To illustrate this, it developed in stock of Denver & Rio Grande Western Railroad (70 I. C. C. 102) that the Western Pacific Railroad Corporation, a holding company, which owned all of the stock of the Western Pacific Railroad Co., an operating carrier, was proposing to acquire all of the stock of the Denver & Rio Grande Western Railroad Co., another operating carrier, thus unifying these two carriers as effectually under common control as if one had directly acquired the stock of the other. We found, however, that the "proposed acquisition of applicant's stock by the holding company does not constitute a consolidation of the property of two or more carriers by railroad subject to the act into one corporation for the ownership, management, and operation of properties theretofore in separate ownership, management, and operation within the meaning of paragraph (6) of section 5 of the act." And we further found that "inasmuch as the holding company is not a carrier engaged in the transportation of passengers or property subject to the act, the acquisition of control of the applicant by the holding company is not within the scope of paragraph (2) of section 5."

The commission further pointed out that there are means of unifying carriers through common control or affiliation which may not be reached by the existing antitrust laws. This method utilizes the mechanism of holding companies but in a somewhat different way than that illustrated in Denver & Rio Grande Western. For example, a holding company may not own the physical property of a railroad and may own nothing but the stocks or securities of other companies. Such a company may not be controlled by any railroad but may be controlled by the same interests which in turn control one or more railroads. Common control can be effected by a chain, one vital length of which is made up of the control exercised, directly or indirectly, of two or more corporations by individuals.

Further, to quote the commission:

> The process may, of course, be facilitated by reducing the control of the holding company or one or all of the carriers involved to a relatively small if not insignificant financial interest through various devices, such as limitation of the voting power of certain classes of stocks, the superimposing or pyramiding of one holding company on top of another, and the like.

The commission then went on to say:

> Where parallel or competing carriers are involved, we are not prepared to say that a process of virtual unification so brought about is not amenable to the provisions of section 7 of the Clayton Antitrust Act. These provisions are couched in very broad language, and it will eventually be for the courts to determine how inclusive and effectual they are. Where no competition is involved, however, it is obvious that if our decision in stock of Denver & Rio Grande Western Railroad was right, such unifications may be brought about without authority from or regulation of this commission. Certainly if common control of two railroad companies by a single holding company is neither a consolidation under section 5 (6) of the interstate commerce act nor an acquisition of control under section 5 (2), as we found in that case, the same conclusion may be reached as to common control brought about by utilizing a holding company in combination with powers of control possessed by certain individuals. Plainly, also, if this be the situation, the subjection of the unification of carriers by railroads to the orderly process of a carefully planned scheme of public regulation, which section 5 was designed to accomplish, is very likely to be partially or even wholly defeated, subject to the possibility that the Clayton Antitrust Act may in some measure, after protracted litigation, enable control over the situation to be maintained.

This is a statement in the commission's own words of its fears and misgivings. After setting forth the situation, the commission then made a ringing appeal for a most thorough investigation. They said:

> We call this matter to the attention of the Congress because we believe that it deserves thorough investigation and serious consideration. What the appropriate remedy may be we do not undertake for the present to say. Difficult legal and perhaps constitutional questions are involved, and to some extent the remedy must be shaped by the facts which thorough investigation may disclose.

After reading this request for a thorough investigation, the Committee on Interstate and Foreign Commerce submitted to the House of Representatives House Resolution 114, which the House passed by an overwhelming majority. That resolution authorizes the Committee on Interstate and Foreign Commerce to investigate ownership and control or capital interest in any common carriers where such control or capital interest is held by holding companies, investment trusts, corporations, associations, and trusts, with a view to determine the effect of such ownership and control on interstate and foreign commerce.

It was foreseen that an investigation of such scope and importance would consume both time and money. As soon as the committee was clothed with the necessary authority it first called the chairman of the legislative committee of the Interstate Commerce Commission in order to find just why the commission has the misgivings which prompted its request for an extension of its jurisdiction. For three days the chairman of the legislative committee of the commission testified before the Committee on Interstate and Foreign Commerce. His statements were sufficient to justify the misgivings expressed by the Interstate Commerce Commission in its last annual report and to justify the House of Representatives in calling for a searching investigation of the methods of control of railroads which may lead to possible unifications of separate properties without the approval of the Interstate Commerce Commission.

The testimony from the commission also discloses the necessity for getting at the facts. The commission frankly reveals that it had in its possession only fragments of evidence. Legislation has been requested to extend the jurisdiction of the commission to include activities of companies which are in a large measure financial or of such character that it may be contended that they are not engaged in interstate commerce. It is obvious that such legislation should not be framed in the absence of complete knowledge of all the facts. Without such knowledge the very purpose of the Congress in passing the requested statute might be defeated. Moreover, untold and unforeseen harm might follow an effort to legislate in this new field without the exact knowledge which can be had only as a result of the most searching inquiry. The committee is convinced that the commission did well to ask for a careful and searching investigation. Before the Congress can reach out and place such activities as above mentioned within the jurisdiction of the commission it should be fully advised as to all the possible results that might follow, and that the proposed legislation would reach the evil of which complaint has been made. Moreover, it should know just how much of evil is inherent in the situation to which the attention of the Congress has been called.

Realizing the responsibility carried by the mandate and authority under Resolution 114, the Committee on Interstate and Foreign Commerce came to the House of Representatives and asked for an appropriation to defray expenses of the investigation. After due consideration it was decided to ask for only $25,000 to initiate the investigation. At that time it was explained to the House that further appropriations would be necessary and at the proper time would be requested. It now appears that an additional $25,000 should be appropriated so as to enable the committee to conclude the investigations now under way. At the conclusion of the investigations now being prosecuted by authority of the committee, the committee will then, in the light of the information obtained, make such recommendations to the House as in its judgment will conserve and promote the general welfare.

In connection with this request for further appropriations for $25,000 the Committee on Interstate and Foreign Commerce

wishes to disclose to the House just how it is using the funds which have been made available. The committee employed counsel to assist it in directing the investigation. Counsel was authorized to organize such a staff as was necessary to make the desired studies and researches. Counsel immediately set about outlining the work and providing a personnel to do it and organized a small staff. A much larger staff would have been necessary but for an arrangement with the Interstate Commerce Commission, whereby it made available to counsel, such expert statisticians and accountants as might be required. This arrangement had several distinct advantages: First, it brought to the investigation men highly competent and experienced in the type of investigations which is being pursued. Second, it saved the committee what otherwise would have been a very large expenditure, if it had been compelled to make contracts with firms of public accountants and statistical organizations as would otherwise have been necessary. For several weeks 10 of these trained experts in the commission have been giving practically all of their time to this investigation. From time to time several others have worked as required. Without this cooperation the committee would have had to make contracts with firms of public accountants and statisticians. These men would have cost the committee from $35 to $50 a day each if contracts had been made with commercial organizations. This cooperation of the commission with the counsel for the committee in furnishing a part of the staff has saved and is saving an appreciable sum. As the investigation has unfolded counsel has found it necessary to supplement and to furnish assistance to the talent made available by the commission. For example it was found that the division of statistics of the commission needed in this work a junior economist which it did not have on its staff.

The House may be interested to know the progress of the investigation up to the present time. I will here make a summary of a report made by counsel to the committee:

In accordance with the provisions of House Resolution 114, adopted by the House of Representatives, the investigation is:

First. To obtain information.

Second. Such information is to be gathered as may be necessary as a basis for legislation.

Third. The information is to be concerning the ownership and the control of common carriers.

Fourth. The information as to the ownership and control of common carriers called for is that which shows how and to what extent interstate common carriers are owned and controlled by holding companies, investment trusts, and the like.

Fifth. The information is also to reveal how holding companies and investment trusts which own and control interstate common carriers are themselves controlled.

In order to find out how holding companies, investment trusts, and the like own and control railroads, and how such holding companies are themselves controlled, it was necessary first to make inquiry of the railroads. The resolution specifically directs that an investigation may be made of the common carriers engaged in interstate commerce to the extent necessary to determine the effect of their being owned and controlled where such ownership and control is shown to be by holding companies, investment trusts, and the like.

Obviously, the carriers themselves could reveal much concerning their ownership and control. To call each one of 175 Class I railroads before the committee would have required an investigation almost interminable in length. In order to conserve time and get the desired information speedily and with as little expense as possible to the Congress, counsel prepared a questionnaire to be sent to each Class I railroad, as follows:

QUESTIONNAIRE NO. 1

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D. C., April 15, 1930.

To 175 Class I Steam Railroads:

On January 24, 1930, the House of Representatives adopted H. Res. 114, reading as follows:

"*Resolved*, That for the purpose of obtaining information necessary as a basis for legislation the Committee on Interstate and Foreign Commerce, as a whole or by subcommittee, is authorized to investigate the ownership and the control, direct or indirect (through stock ownership or control or otherwise), of stock, securities, or capital interests in any common carrier engaged in the transportation of persons or property in interstate commerce by holding companies, investment trust, individuals, partnerships, corporations, associations, and trusts, and the organization, financing, development, management, operation, and control of such holding companies, investment trusts, partnerships, corporations, associations, and trusts, with a view to determining the effect of such ownership and control on interstate and foreign commerce and, to the extent necessary to determine the effect of such ownership and control, to make like investigation of common carriers so engaged."

The committee shall report to the House the results of its investigation, including such recommendations for legislation as it deems advisable.

For such purposes the committee, or any subcommittee thereof, is authorized to sit and act at such times and places in the District of Columbia or elsewhere, whether or not the House is in session, to hold such hearings, to employ such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary.

Pursuant to the authority given in the aforesaid resolution, the respondent is required on or before June 1, 1930, to file with the Committee on Interstate and Foreign Commerce specific and complete answers to the following questions. Unless otherwise directed, make all replies as of December 31, 1929, and indicate by footnote any significant changes subsequent thereto. Extra sheets may be added where necessary for complete answers.

I. Name of respondent carrier (give correct corporate name):

_____

II. Name, title, and address of respondent's official to whom correspondence regarding this return should be addressed:

_____
_____
_____

III. Capital stock:

(a) Common—
1. Par value per share _____
2. Total par value authorized _____
3. Total par value [1] actually outstanding (total actually issued less that held by respondent) _____
4. Has each share the right to 1 vote? _____
If not, give full particulars:
5. Are voting rights proportional to holdings? _____
If not, state relation between holdings and corresponding voting rights:

(b) First preferred—
1. Par value per share _____
2. Description (dividend rate, cumulative or noncumulative, etc.) _____
3. Total par value authorized _____
4. Total par value [1] actually outstanding (total actually issued less that held by respondent) _____
5. Has each share the right to 1 vote? _____
If not, give full particulars:
6. Are voting rights proportional to holdings? _____
If not, state relations between holdings and corresponding voting rights:

(c) Second preferred—
1. Par value per share _____
2. Description (dividend rate, cumulative or noncumulative, etc.) _____
3. Total par value authorized _____
4. Total par value actually outstanding (total actually issued less than held by respondent) _____
5. Has each share the right to one vote? _____
If not, give full particulars:
6. Are voting rights proportioned to holdings? _____
If not, state relation between holdings and corresponding voting rights:

(d) Other stock—
1. Description _____
2. Par value per share _____
3. Total par value authorized _____
4. Total par value actually outstanding (total actually issued less that held by respondent) _____
5. Has each share the right to one vote? _____
If not, give full particulars:
6. Are voting rights proportional to holdings? _____
If not, state relation between holdings and corresponding voting rights:

IV. Are voting rights attached to any securities other than stock? _____

If so, name and give amount of each class of security other than stock to which voting rights are attached, and state in detail the relation between holdings and corresponding voting rights, stating whether voting rights are actual or contingent, and if contingent, showing the contingency.

V. Has any class or issue of securities any special privileges, contingent or other, in the election of officers, directors, trustees, or managers, or in the determination of corporate action by any method? _____

If so, describe fully each such class or issue and give a succinct statement showing clearly the character and extent of such privileges.

VI. Date of latest closing of stock book prior to the actual filing of this return _____
Purpose of such closing _____
Date of latest compilation of list of stockholders _____

VII. Number and voting power of security holders as of December 31, 1929, and as of any subsequent date of closing stock book or compilation of list of stockholders:

---

[1] Includes stocks without par value on the basis of cash value of consideration received at issue, indicating by footnote the number of shares. If more than one issue of no-par stock has been made, indicate in footnote the number of shares and consideration received at each issue.

Class of security	Dec. 31, 1929		———, 1930	
	Number of owners	Total voting power	Number of owners	Total voting power
Common stock				
First preferred stock				
Second preferred stock				
Other stock [1]				
Securities other than stock having voting rights [2]				
Total				

[1] Include stocks without par value on the basis of cash value of consideration received at issue, indicating by footnote the number of shares. If more than one issue of no-par stock has been made, indicate in footnote the number of shares and considerations received at each issue.

[2] Specify kind.

VIII. Control of respondent:

(a) Is respondent controlled by any individual, corporation, association of individuals or corporations, or other agency? ———

1. By whom controlled: ———
2. Manner of control: [3]
3. Extent of control ———
4. If entry under 1 is an intermediate holding or investment company or an inactive or lessor railroad company, indicate where the immediate and/or ultimate control of such company is vested:

(b) Is respondent jointly controlled [3] by any individuals, corporations, associations of individuals or corporations, or other agencies? ———

1. By whom controlled: ———
2. Manner of control: [4]
3. Extent of control ———
4. If entries under 1 are intermediate holding or investment companies or inactive or lessor railroad companies, indicate where the immediate and/or ultimate control of such companies is vested:

IX. Give the information indicated below for the 30 security holders of respondent who, as to each class of security shown, had the highest voting powers on December 31, 1929.[5] If not shown elsewhere, give in footnote the holdings, of any party listed, of other stock or rights in stock (or other securities having voting rights) of respondent. Indicate by footnote significant changes since December 31, 1929.

(a) Common stock

Name of security holder [1]	Office address (street and city)	Number of votes to which entitled

[1] If stock is held in trust, give the particulars of the trust.

(b) First preferred stock

Name of security holder [1]	Office address (street and city)	Number of votes to which entitled

[1] If stock is held in trust, give the particulars of the trust.

(c) Second preferred stock

Name of security holder [6]	Office address (street and city)	Number of votes to which entitled

[6] If stock is held in trust, give the particulars of the trust.

[3] If other than through title to stock, explain fully. Indicate clearly the nature of any voting trust or similar arrangement.

[3] "Joint control is that which rests in 2 or more persons, corporations, or other associations and which was acquired through the same act or transaction or series of acts or transactions, or in pursuance of an agreement or arrangement between the controlling parties." (Interstate Commerce Commission, Annual Report Form A.)

[4] If other than through title to stock, explain fully. Indicate clearly the nature of any voting trust or similar arrangement.

[5] Indicate also any holders of options or other contractual rights in respondent's securities who by the exercise of such rights would have been included among the 30 having the highest voting powers on Dec. 31, 1929.

(d) Other stock [1]

Name of security holder [2]	Office address (street and city)	Number of votes to which entitled

[1] Specify kind.

[2] If stock is held in trust, give the particulars of the trust.

(e) Securities other than stock having voting rights [1]

Name of security holder	Office address (street and city)	Number of votes to which entitled

[1] Specify kind.

[2] If stock is held in trust, give the particulars of the trust.

X. Furnish the following information as to each member of respondent's board of directors:

Name	Office address (street and city)	Other business enterprises of which an officer or director [1]

[1] Exclude lessors of respondent and jointly controlled switching and terminal companies.

XI. Furnish the following information as to each of respondent's general officers, i. e., president, vice president, secretary, treasurer, and general counsel, if not included in answer to question No. X.

Name	Title	Office address (street and city)	Other business enterprises of which an officer or director [1]

[1] Exclude lessors of respondent and jointly controlled switching and terminal companies.

XII. Respondent's holding of or contractual rights in stocks (or other securities having voting rights) of common carriers engaged in interstate commerce.[6] Answer as of December 31, 1929, and indicate by footnote significant changes thereafter.

Issuing company	Description of stock [1]	Respondent's holding (or interest)			Voting rights (full particulars)	Others with whom control is jointly held [2]
		Number of shares	Par value	Ratio to total issue		
AFFILIATED						
NONAFFILIATED						

[1] Describe any security other than stock to which voting rights attach.

[2] For definition of joint control, see question No. VIII.

XIII. Common carriers engaged in interstate commerce controlled by respondent otherwise than through voting or contractual rights in stock or other securities having voting rights.[7]

Name of company	Manner of control	Extent of control	If control is indirect, names of intermediaries	Others with whom control is jointly held [6]

[6] For definition of joint control, see question No. VIII.

[6] Holdings of securities of jointly controlled switching and terminal companies and of corporations empowered to engage in common-carrier operations, but not so engaged, such as lessor companies, should not be included.

XIV. Respondent's holdings, not covered by answer to question No. XII, of or contractual rights in stocks (or other securities having voting rights) of any corporation, holding company, investment trust, or other organization or agency which holds or deals in, or is authorized to hold or deal in, the stocks or other securities of common carriers in interstate commerce. In clude holdings in such inactive or lessor corporations as in turn hold securities of active corporations. Answer as of December 31, 1929, adn indicate by footnote significant changes thereafter.

Issuing company	Description of stock [1]	Respondent's holding (or interest)			Voting rights (full particulars)	Others with whom control is jointly held [2]
		Number of shares	Par value	Ratio to total issue		

[1] Describe any security other than stock to which voting rights attach.
[2] For definition of joint control, see question No. VIII.

XV. Respondent's holdings of or contractual rights in stocks (or other securities having voting rights) of any corporation other than those listed in response to questions XII–XIV.[8]

Issuing company	Nature of business	Description of stock [1]	Respondent's holding (or interest)			Voting rights (full particulars)	Others with whom control is jointly held [2]
			Number of shares	Par value	Ratio to total issue		
AFFILIATED							
NONAFFILIATED							

[1] Describe any security other than stock to which voting rights attach.
[2] For definition of joint control, see question No. VIII.

XVI. If respondent has an interest in any company listed under questions XIV and XV amounting to 10 per cent in voting power, state the nature and extent of the interest of each such corporation, holding company, investment trust, or other organization or agency.[9]

(a) In the stocks or other securities of respondent and any other common carrier or carriers engaged in interstate commerce:

Issuing company	Description of stock [1]	Holding or interest			Voting rights (full particulars)	Others with whom control is jointly held [2]
		Number of shares	Par value	Ratio to total issue		
OWNING COMPANY						

[1] Describe any security other than stock to which voting rights attach.
[2] For definition of joint control, see question No. VIII.

(b) In the stocks or other securities of any other corporation, holding company, investment trust, or other organization or agency similarly authorized to hold or deal in securities of common carriers engaged in interstate commerce.

Issuing company	Description of stock [a]	Holding or interest			Voting rights (full particulars)	Others with whom control is jointly held [b]
		Number of shares	Par value	Ratio to total issue		
OWNING COMPANY						

[a] Describe any security other than stock to which voting rights attach.
[b] For definition of joint control, see question No. VIII.

[7] Do not include lessor companies.
[8] Securities of nonprofit organizations and holdings the par value of which is not in excess of $10,000 may be omitted.
[9] Answer as of Dec. 31, 1929, and indicate by footnotes significant changes thereafter.

(c) In securities of other corporations, of whatsoever nature:

Issuing company	Description of stock [1]	Holding or interest			Voting rights (full particulars)	Others with whom control is jointly held [2]
		Number of shares	Par value	Ratio to total issue		
OWNING COMPANY						

[1] Describe any security other than stock to which voting rights attach.
[2] For definition of joint control, see question No. VIII.

(d) State whether any such corporation (included among those listed under question No. XIV), in addition to holding securities of other companies, owns tangible property and/or engages in any form of business activity. If so, state the general nature of any such business and list any such tangible property the fair commercial value of which exceeds the sum of approximately $250,000.

Company	Business or property [1]

[1] A general description will suffice.

An original and four copies of this return shall be mailed or delivered to the chairman of the Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D. C., on or before June 1, 1930. The original shall be accompanied by the usual form of affidavit signifying that, so far as based on information within the command of respondent, the return is correct to the best of respondent's knowledge, information, and belief; shall be signed by an executive officer of the respondent having knowledge of the matters therein set forth; and shall show, among other things, that such officer is duly authorized to file the return. Each copy shall bear the date and signatures that appear in the original and shall be complete in itself. The signatures in the copies may be stamped or typed and the affidavit may be omitted.

The questionnaire calls for a revelation of all outstanding stock and classes of securities having voting rights, for the number and voting power of the security holders, for a statement by whom the respondent railroad is controlled and the manner and extent of the control, for a list of the 30 largest security holders with the number of votes to which each is entitled, for the names and addresses of officers and directors with a statement of the other business enterprises in which each officer or director of the railroad is a director, for a revelation of the holdings of respondent railroads in stocks or other securities, having voting rights, of common carriers engaged in interstate commerce, for a further revelation of each respondent railroad's holdings in any corporation, holding company, investment trust, or other organization or agency which holds or deals in the securities of common carriers, and finally for the respondent's holdings of any stock of any corporation whatsoever. In the event that the respondent railroad holds 10 per cent of the voting stock of a corporation, the carrier was required to reveal the extent of the holdings of such company or companies in any and every railroad and to describe the nature of the business in which such corporation is engaged.

The questionnaire was so comprehensive and searching that some members of the committee privately expressed the opinion that the carriers would resist filling it out, and that the committee might have to resort to the courts to compel answers. Considering the amount of information called for and the amount of correspondence involved within each corporation, the questionnaires were made returnable as of June 1, 1930. Four or five roads found it quite difficult to assemble the data within the limit set and upon a showing were granted a reasonable extension of time. With those exceptions all the questionnaires were returned by or before the date set, and the few which found it necessary to ask for more time have completed the work of filling in answers to the questions and have sent in the questionnaires, so that now returns are in from all the companies.

In looking through these questionnaires it is found that the carriers have been painstaking in trying to set forth in detail the information called for. Each and every officer and director of each railroad company revealed the companies of whatsoever

character in which he is an officer or director. Each railroad set down the companies owned and controlled by other corporations in which the respondent railroad itself owns as much as 10 per cent of the voting stock. These answers were made under oath by an official of the company who was familiar with the facts and could vouch for their correctness. These returned questionnaires constitute a most comprehensive record and are a most valuable part of the record which will be made in the course of this investigation.

The searching character of the questions and the cooperation and understanding shown by the carriers in responding to the questionnaire make the returns a rich storehouse of information as to where and by what means, direct or indirect, the control of many of our railroads is held. In so far as control rests in other carriers or their subsidiaries, the returns of the various railroads are supplementary and a check on one another. They therefore afford exceptional means of relating interests or controls in whichever direction they may run.

In addition to the inquiry directed to the railroads themselves with a view to determining the significance of ownership and control of railroads by holding companies and investment trusts, it was necessary to go to the investment trusts and holding companies direct. Counsel set about inquiring as to what investment trusts might be interested in railroad securities. There was no way to ascertain that except by calling the companies themselves. The companies could not be called without knowing their corporate names and locations. After considerable inquiry through all the agencies possible, including the finance and investment division of the Bureau of Foreign and Domestic Commerce, counsel prepared what is the most complete list of investment trusts which has been made in this country. In that list were the names of 700 companies. For the same reason that it was impracticable to call each of 175 railroads for personal testimony by its officers, it was likewise impracticable to call several hundred investment trusts. Counsel prepared a questionnaire which was sent to each of these companies.

QUESTIONNAIRE NO. 2

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D. C., April 15, 1930.

To 700 Investment Trusts and Holding Companies:

On January 24, 1930, the House of Representatives adopted H. Res. 114, reading as follows:

"*Resolved*, That for the purpose of obtaining information necessary as a basis for legislation, the Committee on Interstate and Foreign Commerce, as a whole or by subcommittee, is authorized to investigate the ownership and the control, direct or indirect (through stock ownership or control or otherwise), of stock, securities, or capital interests in any common carrier engaged in the transportation of persons or property in interstate commerce by holding companies, investment trusts, individuals, partnerships, corporations, associations, and trusts, and the organization, financing, development, management, operation, and control of such holding companies, investment trusts, partnerships, corporations, associations, and trusts, with a view to determining the effect of such ownership and control on interstate and foreign commerce, and, to the extent necessary, to determine the effect of such ownership and control, to make like investigation of common carriers so engaged."

The committee shall report to the House the results of its investigation, including such recommendations for legislation as it deems advisable.

For such purposes the committee, or any subcommittee thereof, is authorized to sit and act at such times and places in the District of Columbia or elsewhere, whether or not the House is in session, to hold such hearings, to employ such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary.

Pursuant to the authority given in the aforesaid resolution, the respondent is required on or before May 10, 1930, to file with the Committee on Interstate and Foreign Commerce specific and complete answers to the following questions. Since it is the desire of the committee to concentrate its attention on such organizations as exercise or participate in control of common carriers engaged in interstate commerce, clear, complete, and prompt answers to this questionnaire will enable the committee to determine which of respondents may properly be eliminated from further consideration.

Answer all questions as of March 31, 1930. Extra sheets may be added where necessary for complete answers.

I. Name of respondent (give correct corporate name):

II. Date and State of incorporation:

III. Name, title, and address of respondent's official to whom correspondence regarding this return should be addressed:

IV. Character of business: Investment trusts and allied organizations are classified below. Indicate by check to which type under each class your operations most nearly conform. If none of the types apply, explain clearly the nature of your business. Where respondent acts in relation of depositor or manager to nonreporting investment trusts, answer the questions on the basis of the general practice of such trusts and note any significant departures from such general practice:

A. Classification by management of portfolio—
- 1. General management type [1] _____
  - (a) Trading company type [1] _____
- 2. Bankers shares or fixed trust type [1] _____
- 3. Semifixed trust type [1] _____
- 4. Holding, investing, or financing company [1] _____
- 5. Other (explain fully) _____

B. Classification by character of portfolio—
- 1. Regional distribution—
  - (a) Confined to securities of domestic (i. e., United States) corporations or governments _____
  - (b) Confined to securities of foreign corporations or governments _____
  - (c) Mixed domestic and foreign investments _____
  - (d) Confined to securities of corporations serving one section of United States _____
    Specify section:
- 2. Distribution by industries—
  - (a) Confined to securities of one industry (such as banks, petroleum companies, etc.) _____
    Specify industry:
  - (b) Confined mainly to securities of one industry _____
    Specify industry:
  - (c) Investments made in a diversity of industries _____
- 3. Distribution by class of security—
  - (a) Confined to one type of security _____
    - (1) Common stock _____
    - (2) Preferred stock _____
    - (3) Common and preferred stock _____
    - (4) Bonds and other obligations _____
    - (5) Other _____
      Specify kind:
  - (b) Not confined to any one type of security _____
    Distribution of holdings—

	Per cent
Common stock	
Preferred stock	
Bonds	
Cash, and call loans	
Other (specify kind)	

C. Classification by extend of diversification—
- 1. Indicate charter or other restrictions, or the practice of respondent, as to percentage of capital or investment found which may be placed in—
  - (a) Securities of corporations (or governments) of—
    - (1) United States _____
    - (2) Dominion of Canada _____
    - (3) Great Britain _____
    - (4) Other (specify) _____
  - (b) Securities of any one class of industry (as railroads, industrials, etc.)—

  - (c) Securities of one issuing company _____ (If distinction is made between voting and other securities, specify percentage for each.)
- 2. Maximum percentage of stock and/or other voting securities of any company which it is the policy of respondent to hold _____
- 3. Amount, in dollars, available for investment in the stock and/or other voting securities of any one domestic corporation [2] _____

D. Classification by practice as to voting holdings—
- 1. Are holdings regularly voted? _____
- 2. If not, under what conditions would they be voted [3] _____
- 3. When stock is not voted, are proxies furnished? _____

V. Holdings on March 31, 1930:
- A. Number of different issuing companies whose securities are held _____
- B. Number of different issuing companies whose voting securities are held _____

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[1] Defined on p. 12330.

[2] For example, if total capital or investment fund is $1,000,000 and not more than 5 per cent (without distinction between stocks and bonds) may be invested in the securities of any one corporation, the entry would be $50,000.

[3] Do not include cases where voting rights are contingent only.

V. Holdings on March 31, 1930—Continued.
C. Holdings of securities of corporations engaged in interstate commerce—
1. Number of different companies whose securities are held_____
2. Number of different companies whose voting securities are held_____
3. Approximate percentage of total capital invested in stocks and/or other voting securities of such corporations_____
VI. Name and business address of each officer, director, trustee, or respondent_____
VII. Furnish four copies of latest annual report.

TYPES OF INVESTMENT TRUST

General management type: Managers of trust fund are permitted and expected to make, at their discretion (within any charter or other restrictions), substitutions in securities held in portfolio. The purpose of such substitutions is primarily the maintenance and improvement of the investment fund rather than the realization of profits from changes in market values of securities.

Trading company type: Distinguished from preceding type in that substitutions are made primarily for the purpose of realizing on changes in market prices of securities.

Bankers shares or fixed trust type: No substitutions made in group of securities making up the "unit" against which trustees' shares or certificates of ownership are issued, except to the minor extent that companies whose securities are held are reorganized or go out of existence.

Semifixed type: Distinguished from preceding type in that substitutions are permitted, sometimes from an approved list of securities.

HOLDING, INVESTING, OR FINANCING COMPANIES

Distinguished from investment trusts by reason of owning a relatively large or controlling interest in companies whose securities are held and of participating in their direction. In some cases a considerable diversification of holdings is possible, and there may be additional funds employed in a diversity of small holdings.

An original and three copies of this return shall be mailed or delivered to the chairman of the Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D. C., on or before May 10, 1930. The original shall be accompanied by the usual form of affidavit signifying that the return is correct to the best of respondent's knowledge, information, and belief; shall be signed by an executive officer of the respondent having knowledge of the matters therein set forth; and shall show, among other things, that such officer is duly authorized to file the return. Each copy shall bear the date and signatures that appear in the original and shall be complete in itself. The signatures in the copies may be stamped or typed and the affidavit may be omitted.

———— ————,

This questionnaire asked, among other things, for a report on investment practices—that is, the kinds of securities held, the degree of diversification, the maximum percentage of any company's voting securities which it is their policy to acquire, and so forth. The number of holdings on March 31, 1930, classified as between voting and other securities and between the securities of common carriers and of other corporations, were also to be reported.

This questionnaire called for a classification of each company and a revelation of its character. Each investment trust was required to disclose:

First. The number of railroad companies whose securities are held.

Second. The number of different companies whose securities are held.

Third. The approximate percentage of total capital invested in the securities of each such corporation.

Each investment trust was further required to furnish the names of its officers, directors, or trustees and copies of its latest annual report.

A full response has been made to this questionnaire and a considerable part of the analysis of the returns has been completed. This analysis has brought out that investment trusts, as such, because of the diversification practiced and the small size of the individual holdings, are not commonly instruments of control. This conclusion is applicable even in the case of the majority of those investment trusts, few in number, which concentrate on railroad securities.

However, after this process of elimination, there are left a group of companies which merit further inquiry. Some fall into this group because of their large size; others because along with a considerable diversification of holdings generally goes an appreciably large holding of the securities of railroads or railroad holding companies; others because they are in fact holding or investing companies though investment trust in name; and others because of certain definitive information in the returns. In such cases the control exercised over and by such companies and their affiliations with one another and with other financial institutions are subjects requiring attention.

In this connection it is important to note that, owing to the recency of their development and to the unusual financial conditions of the past two years or more, many investment trusts have not yet found themselves and at present lack a clear course for the future. Also, far fewer investment trusts have set up restrictions on their investment practices than previous analyses have indicated. This flexibility or breadth of powers are factors which must be carefully weighed in passing upon the potentialities of investment trusts as instruments of railroad control.

Of the holding companies to which questionnaires were sent a majority have been eliminated from further consideration, owing to the fact that their holdings are limited to defined fields (public utilities, aviation companies, etc.). Others are not of sufficient magnitude to require further attention. The remaining returns from holding companies are being analyzed and additional information will be sought before final disposition of them is made. Coordination of these returns with those made by the railroads in response to the questionnaire sent to them will call for further inquiry.

Since there are so many investment trusts and since only a few of them participate in controlling common carriers, it was practical to call them by questionnaire. Counsel decided that so far as the holding companies themselves were concerned, those the character of whose activities are unknown might first be called by questionnaire.

The holding companies believed to control railroads are being investigated by sending expert accountants to examine their books and files. Time may not permit to investigate every such holding company, but a sufficient number can be examined by sending investigators to them directly that the results will enlighten the House of Representatives as to the typical performances of such companies. Already, for several weeks counsel has had from 8 to 10 experts at work in the offices of holding companies. They have gone through the minutes of meetings of directors and the accounts, records, and other files, so as to get correct information of the ownership and control of stock, of other securities or interest in any common carrier by such holding companies, and so as to determine the effect of such ownership and control on interstate or foreign commerce. Twenty-two holding companies have already been so examined and are in the process of being examined. A number of others are yet to be examined.

The holding company is not a new device. One of the most important holding companies in the railroad field (the Pennsylvania Co.) was organized in 1870. Holding companies have been very active in industrial corporations and in the field of public utilities other than railroads.

What was the genesis of the holding company? Why was it first used? How did it develop after it began to be used? What is the source of its popularity? How has it been made to function? What is its history? What attempts have been made to regulate it by States? How has it been modified by such attempts at regulation? How has it been used in the field of industry in order to achieve control? How has it been used among utilities other than railroads in order to achieve control? How has it been used in the railroad field in order to achieve control?

The answers to such questions as these will be of great assistance to the Committee on Interstate and Foreign Commerce and to the Members of the House of Representatives when they finally come to consider the recommendations of the committee. The answers to most such questions are to be found in the decisions of State courts and in a literature which is widely scattered. The answers to such questions would enable Members of Congress to judge the possible trend of holding-company development and activity in the field of common carriers engaged in interstate commerce. To dig out the answers to such questions will require the labor of competent economists. Counsel has worked out plans for such a study and has employed such economists and assistants as are necessary to enable him to bring the study to a conclusion within the allotted time. It will include such topics as:

I. The historical sketch of the development of the holding company:
A. In Europe.
B. In the United States—
1. Some early examples of holding-company development prior to the amendment to the New Jersey corporation law in 1889.
2. The development of holding companies as a device for industrial consolidation around 1900.

I. The historical sketch of the development of the holding company—Continued.
B. In the United States—Continued.
3. The extension of the holding company in the local public-utility field—
(a) The development of public-utility holding companies.
(b) The extent of control of public utilities by holding companies at the present time.
(c) Some recent changes and the probable future course in holding-company development.
(d) Control and attempts at control of holding companies by public-service commissions.
(e) The advantages and disadvantages to the public resulting from holding companies.
4. Railroad holding companies—
(a) How the railroad holding company development has differed from the public-utility holding-company development.
(b) To what extent is it likely that the evils associated with uncontrolled public-utility holding companies will develop in the railroad field?
5. A summary of the extent to which all types of corporations in America are to-day under holding-company control.
II. Different types of holding companies:
A. The pure holding company versus the combined operating and holding company.
B. The investment trust type.
C. The control company—
1. Companies having full legal control.
2. Companies exercising mere influence.
D. The finance company (that is, a company which assumes mere temporary control during the early period in order to build up an enterprise financially).
III. The purpose of holding companies (from the point of view of their organizers):
A. To combine with the independent companies under uniform control and/or management.
B. To finance weak companies until they have been brought up to financial independence.
C. To recapitalize the enterprise.
IV. Why the holding company is used in preference to other possible means of combination:
A. A brief sketch of what different devices there are for securing a combination—
1. Pool.
2. Express trusts.
3. Merger.
4. Amalgamation or consolidation.
5. Outright purchase of assets.
6. Lease.
7. Community of interests.
B. Advantages of the holding company from the viewpoint of its promoters (especially by contrast to merger or consolidation)—
1. Absence of legal difficulties.
2. Does not require assent of minority interests. It can sometimes be set up by mere minority control.
3. The advantages of maintaining distinct corporate entities.
4. Advantages in some cases in taxes.
C. Disadvantages of the holding company from the viewpoint of its promoters.
1. Trouble with minority stockholders.
2. Cumbersomeness and expense of separate organization.
3. The greater liability of the holding company to dissolution by antitrust procedures.
4. A completely consolidated property can sometimes be more easily financed than separate properties bound merely by stock control.

As soon as the committee undertakes to draw a bill it will confront some very difficult legal questions. For example, such questions as:

Can the Congress go further in regulating holding companies than it has gone in existing antitrust legislation?

Is the regulation of the purchase, ownership, holding, and control of securities of a railroad corporation, created by a State, engaged in interstate commerce, by individuals or State corporations, within the power of Congress under the "commerce" or "necessary and proper" clauses of the Constitution, and/or is it an invasion of State rights under the tenth amendment and/or a taking of property without due process of law under the fifth amendment?

This will involve the investigation of the following more specific problems, among others:

I. Is the sale and/or ownership of securities in common-carrier corporations engaged in interstate commerce itself interstate commerce so as to give Congress power of regulation; and if so, to what extent may such regulation be exercised?

II. Is control of any interstate carrier through stock ownership sufficiently direct in its bearing upon interstate commerce to warrant Congress in restricting such stock control to cases which it or the Interstate Commerce Commission considers to be in the public interest?

III. What interest is sufficient to constitute control, or should this be left for determination as a question of fact in each case?

IV. Should Congress desire to prescribe certain tests for determining whether stock control of any carrier is in the public interest (as, for example, effect upon competition, labor, etc.), and how could this be done, or what constitutional limitations or prohibitions would have to be avoided?

V. Can the Interstate Commerce Commission under proper legislative authority from Congress—
A. Require from holding companies, investment trusts, etc., organized under State laws, regular reports concerning their interest in interstate carriers?
B. Regulate the use of such stock ownership as by prohibiting the exercise of voting rights where such exercise would be harmful to the public interest?
C. Prohibit the acquisition of additional stock in any interstate carrier?
D. Require the disposition of any stock held contrary to the public interest?

VI. May like regulations be imposed upon individuals who own or control securities of common carriers engaged in interstate commerce?

Counsel has retained a constitutional lawyer to assist in studying some of these questions?

There are five major lines of investigation which are being pursued:

I. That of the railroad companies, which is mainly by questionnaire and which is to elicit who owns and controls each railroad and what other railroads or companies interested in railroads are in turn owned or controlled by each railroad.

II. The second major line of investigation is that of financial institutions, also by questionnaire, with a view to determining whether or not they participate to an appreciable extent in the ownership and/or control of a railroad, and if so to what extent, if any, any railroad owns or controls the financial institution.

III. The third line of investigation is primarily of holding companies and is by field workers who through examination of books and records are gathering the facts which would show to what extent each such a holding company is owned or controlled by a railroad and in turn itself participates in the ownership and control of railroads.

IV. The fourth line of investigation is a comprehensive study of the holding company, beginning with its genesis and tracing its history and showing its advantages and disadvantages.

V. The fifth line of inquiry is directed to the legal questions involved in an attempt to extend the jurisdiction of the Interstate Commerce Commission.

The results from any one of these lines of inquiry will tell only a part of the story. A complete presentation of the real situation can be had only after the results from each of these five inquiries are brought together. This completed picture will show, on the one hand, the ownership and the control of stock, securities, or capital interests in any common carrier by holding companies, investment trusts, individuals, partnerships, corporations, associations, and trusts, and, on the other hand, will show the ownership and control by the carriers themselves of such holding companies and the like which participate in the control of railroads, and will enable the Congress to determine the effect of such ownership and control on interstate and foreign commerce. With this information properly summarized from these five lines of investigation and research, it is believed the House will have the information necessary as a basis for legislation.

A subcommittee will supervise the investigation during the summer and the fall. It is hoped that the committee will be able to present a report as soon as Congress convenes. The expenditures of the committee up to June 1 have been as follows:

Pay roll	$6,475.99
Travel expenses	120.60
Supplies	300.30
Total	6,896.89

Further obligations have already been contracted for, beginning June 1 to December 31 of $22,365 for personnel, making a total for expenditures and obligations of $29,261.89 up to December 31, 1930.

While a relatively small amount has been spent during the initial stages of the investigation, that has been due to the fact that considerable time was required in the preparation of the questionnaires and in getting them sent out, answered, and

returned. Now that all the initial work has been done, the work of digesting, collating, and analyzing will be pushed with vigor and as much speed as possible. The investigations in the field will be carried forward with a view to gathering any necessary information in as short a time as possible. The amount already contracted for does not represent the total necessary expenses between now and the time that Congress reconvenes. It is necessary to have adequate funds at the disposal of the committee so as to care for any emergencies that may arise and so as to complete the work as it unfolds.

In the event that the committee should meet with reluctance to make disclosures and have to issue subpœnas and perhaps resort to the courts, it is difficult to estimate what the expense would be. It is believed that the amount requested will be sufficient to carry the investigation through to a successful conclusion, including expenses incident to the hearing which it may be necessary to hold next winter. The committee will be as careful as possible of the funds made available, with the hope of turning back to the Treasury an appreciable sum.

Mr. BLANTON. Will the gentleman yield?

Mr. PARKER. Yes.

Mr. BLANTON. Is there any danger of the President interfering with this investigation?

Mr. PARKER. I do not see how he can. It is a House investigation.

Mr. BLANTON. The gentleman has noticed the press reports this morning to the effect that the President called certain Senators down to the White House and called off the proposed investigation of the stock market in Wall Street.

Mr. PARKER. I had not seen that.

Mr. BLANTON. That is in the press to-day. I was afraid that possibly after this investigation got under way he might call this one off.

Mr. PARKER. It is under way.

Mr. MEAD. Will the gentleman yield?

Mr. PARKER. Yes.

Mr. MEAD. In view of the fact that the activities of holding companies, investment trusts, and other devices will constantly go on and continue to increase during the recess of Congress, does not the chairman of the Committee on Interstate and Foreign Commerce of the House believe that we ought to pass a resolution similar to the Couzens resolution in order to simplify this work?

Mr. PARKER. In answer to the gentleman, I will state that I expect to call up a substitute resolution before Congress adjourns.

Mr. PERKINS. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. CHALMERS].

Mr. CHALMERS. Mr. Speaker, this morning I received a petition from the bakers of my home city on this subject of combinations and how they are suffering from the Baking Trust and the chain stores. I ask unanimous consent to extend my remarks by including that petition.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHALMERS. I am going to take this up with the Department of Justice and see if we can not save the situation in Toledo and other places where these combinations exist.

I am asking the Department of Justice to investigate and report to me whether or not the Pie Makers of America, a nationally incorporated trust, with plants in New York, Philadelphia, Detroit, Chicago, and St. Louis, is not breaking the anti-trust law and others laws protecting legitimate trade.

I am submitting a resolution which has just come to me from Toledo, Ohio, from the Northwestern Bakers' Association and signed by its president, Mr. Edward M. Balduf. This petition sets up the fact that the Baking Trust of America is giving away pies for an indefinite period in Toledo, Ohio, and is thereby interfering with the natural patronage of the bakers of that city. They are doing this, calling it furnishing samples of new goods. The petitioners set up the protest that they continue this free sampling until they drive all of the independent bakers into bankruptcy and then the supposition is that prices will be raised and the market curtailed.

It seems to me that my constituents have a real grievance, and should be protected in their legitimate business. These independent bakers were born and raised in Toledo. They have established homes there and are raising and educating their families. It is a serious matter at their time in life to be driven from their trade or avocation and compelled to seek employment in other channels.

I hope that a speedy investigation of this complaint may be made, and that the injustice to my people may be rectified at an early date.

The petition referred to follows:

TOLEDO, OHIO, *July 1, 1930.*

Mr. W. W. CHALMERS,
Congressman, Washington, D. C.

DEAR MR. CHALMERS: This petition is from the Northwestern Ohio Bakers' Association and is an appeal to you to fairly present their grievances to our National Government.

We do not know how to do it otherwise. Being little fellows, modest in business and political diplomacy, unschooled in large affairs, and not having an attorney to represent us, our only recourse is to present our case in a crude way to our Representative.

Knowing from experience he will do his best, do his utmost to bring this to the attention of our President and to Government factors, in the hopes they will see the matter as we do and that it will appeal.

Our association fairly represents a very large percentage of the population of this country, the vast average percentage.

If we reason correctly, and we should be in a position to do this, there must be a radical change in the absorption of business by trusts and combinations and those now in must be good.

It is time for our Government to take a holiday in creating any more trusts and gently curb chain-store activities.

If we are wrong, if it is good business for all business to be controlled by condensed capital, if they are to make all the money, they just naturally will have to support the 90 per cent of all the people.

In the absence of this, there will be red flags plenty and bring about conditions which will make those responsible wish they did not have children.

And this is our emergency, trust methods.

Toledo is an average town of 300,000 people, of all religions, of all nationalities, of all political parties, and has always responded to our country's emergencies—the kind of people that make a country strong, a community of independent self-supporting people, and from this independence answer to all worthy calls, worthy enterprises, generous and broad.

We have in Toledo four pie manufacturers, not country-wide concerns but substantial in their way, nice wages paid, and steady employment given to help. In addition to this all bakers bake pies, not in large quantities but it brings them additional income; the competition is active, so our people are not overcharged.

In Detroit, 60 miles distant, there is a national incorporated concern, styled "Pie Makers of America," with plants in New York, Philadelphia, Detroit, Chicago, St. Louis, and all executive work handled from New York. Greedy and grasping, this concern destroyed the business of three bakers in three neighboring towns that did a nice local business, and the concern has now turned its attention to Toledo.

The financial control from New York makes it possible to keep up any policy it may adopt, no matter how long it may continue.

The policy they adopted here, as elsewhere, is to give away pies for an indefinite period, and, naturally, the dealer will take pies for nothing rather than pay. They term it sampling.

It is the policy of absent landlordism; all responsibility evaded. An outside banker pulls the strings, the sorrow and misery caused to many families is of no consequence to this stranger, and his reward possibly a steam yacht for his shrewdness; the victims, modest, independent business men, healthy factors in our town affairs, driven into bankruptcy, not because they have been sloppy or negligent, but, rather, our Government has failed to appreciate the value of the average man and by indifference operating for the few.

Now, Mr. CHALMERS, present these facts; these conditions are country wide, and some time, it seems to us, will have to have action. Washington had better do it before it is too late.

You have mixed enough with the masses to know they are entitled to fair play; in fact, must have it; and they should not be juggled out of rights which are theirs, belong to them, by a very small group which does not realize the harm done to a patriotic, intelligent people.

They do not ask for subsidies, they do not want to be coddled, and they positively will not be made the goats for a favored few.

Yours truly,

EDW. M. BALDUF,
President Northwestern Ohio Bakers' Association.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CONSIDERATION OF REPORTS OF COMMITTEE OF CONFERENCE

Mr. PURNELL. Mr. Speaker, I call up House Resolution 287.

The SPEAKER. The gentleman from Indiana calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 287

Resolved, That after the adoption of this resolution it shall be in order to consider reports from the Committee on Rules whenever presented in accordance with the provision of clause 45 of Rule XI applicable during the last three days of a session.

Resolved further, That after the adoption of this resolution it shall be in order to consider reports of Committee of Conference whenever presented in accordance with the provision of clause 2 of Rule XXVIII applicable during the last six days preceding the end of a session.

Mr. PURNELL. Mr. Speaker, this is the usual resolution that is presented to the House for the purpose of expediting business. Under existing rules, if the date of adjournment were definitely fixed, we could, within the last three days, bring in reports from the Committee on Rules and consider them on the same day they are presented. Within the last six days of a session it would be in order to consider conference reports in the same way, without the necessity of having the same printed in the RECORD.

In the hope and belief that we may be within six days, and perhaps within three days, of adjournment, we present this resolution for the consideration of the House.

Does the gentlemen from North Carolina [Mr. POU] wish any time?

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

Mr. PURNELL. I yield.

Mr. GARNER. If we had passed a resolution providing for adjournment it would not be necessary to have this resolution?

Mr. PURNELL. That is right.

Mr. GARNER. Does that mean you are going to adjourn within the time prescribed by the general rules of the House?

Mr. PURNELL. Of course, nobody knows that.

Mr. GARNER. But the gentleman is bringing in an unnecessary rule here if the House is going to adjourn within the week.

Mr. PURNELL. I will say to the gentleman the purpose is to expedite the business of the House so we may adjourn.

Mr. GARNER. I understand; but that does not answer the question. Suppose we stayed in session two months. Does the gentleman think it fair to the minority, if Congress is to be in session from now until, say, the first day of August, to take up a rule with five minutes' notice to the House and have it considered? This reform in the rules, in my opinion, was brought about for the purpose of protecting the minority against the majority bringing in a rule without notice to the minority. You are proposing to make it so that within 30 minutes from now you may bring in a rule for some particular activity of the House and the minority may not know anything about it. I wonder if the gentleman has anything of that character in mind now.

Mr. PURNELL. The only thing we have in mind is to expedite the business of the House so we may adjourn.

Mr. GARNER. That is a general statement that does not mean anything.

Mr. PURNELL. The gentleman does not expect me to tell him now when we will adjourn, when I do not know.

Mr. GARNER. Does the gentleman have an idea he is going to take advantage of this particular rule to-day or to-morrow for the consideration of any specific public business?

Mr. PURNELL. Such business as may be necessary to hasten adjournment and the passage of proper legislation.

Mr. GARNER. I asked the gentleman if he has in mind any rule that he is going to bring in for the purpose of expediting any particular business?

Mr. PURNELL. Only such business as may be necessary to be transacted, I will say to the gentleman. [Laughter and applause.]

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. PURNELL. I shall move the previous question if the gentleman from North Carolina does not wish any time.

Mr. O'CONNOR of New York. Will the gentleman yield me a moment?

Mr. PURNELL. Does the gentleman from New York wish some time?

Mr. O'CONNOR of New York. Just a minute.

Mr. PURNELL. I yield the gentleman one minute.

Mr. O'CONNOR of New York. When rules come from the Rules Committee hereafter I suggest the use of a printed form to be used in connection with the calling up of each one of them, stating that it is the usual procedure, that it is to expedite business, and it is not directed to any specific legislation, that it is innocent and harmless. Of course, if this is said often enough, some one may believe it is true.

The naked truth is, gentlemen, that this rule is not the usual procedure, its purpose is not to expedite the business of the House. Its sole and only purpose is to jam through this House the veterans' bill within a few minutes after the adoption of the rule, and to prevent by gag rule any expression of the will of this House on the amendments adopted by the Senate. That is how innocent and harmless it is. Let us face the truth and vote down the rule.

Mr. PURNELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

INVESTIGATION OF LAW ENFORCEMENT

Mr. PURNELL. Mr. Speaker, I call up House Resolution 286.

The Clerk read the resolution, as follows:

House Resolution 286 (Rept. No. 2052)

Resolved, That it shall be in order, all rules of the House to the contrary notwithstanding, for the gentleman from Indiana [Mr. WOOD] to move to concur in Senate amendment No. 12 to the bill H. R. 12902, with the following amendment:

Strike out all the language of the Senate amendment and insert in lieu thereof the following:

"EXECUTIVE

"Investigation of enforcement of prohibition and other laws.—For continuing the inquiry into the problem of the enforcement of the prohibition laws of the United States, together with enforcement of other laws, pursuant to the provisions therefor contained in the first deficiency act, fiscal year 1929, to be available for each and every object of expenditure connected with such purposes, notwithstanding the provisions of any other act, and to be expended under the authority and by the direction of the President of the United States, who shall report the results of such investigation to Congress, together with his recommendations with respect thereto, fiscal year 1931, $250,000, together with the unexpended balance of the appropriation for these purposes contained in the first deficiency act, fiscal year 1929, which shall remain available until June 30, 1931."

Mr. PURNELL. Mr. Speaker, this resolution speaks for itself. If it is adopted, it will be in order for the chairman of the Committee on Appropriations to move to concur in Senate amendment No. 12 to H. R. 12902, the second deficiency bill, with an amendment.

The purpose of the amendment is to broaden the scope of the so-called Wickersham commission so as to provide for an investigation of enforcement of other laws in addition to prohibition laws. The amendment also provides for an appropriation of $250,000 and the unexpended balance of the appropriation contained in the first deficiency act, fiscal year 1929, which, as I understand it, is something like $85,000.

Mr. O'CONNOR of New York and Mr. RANKIN rose.

Mr. PURNELL. I yield to the gentleman from New York, a member of the Committee on Rules. Does the gentleman desire to use some time?

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

Mr. PURNELL. I yield 10 minutes to the gentleman from New York.

Mr. O'CONNOR of New York. I yield for a question.

Mr. RANKIN. I want to ask the gentleman from Indiana a question.

Mr. O'CONNOR of New York. The gentleman may use some of my time to ask the question.

Mr. RANKIN. I want to ask the gentleman from Indiana if we are going to have an opportunity to vote to concur in the other Senate amendments to the deficiency bill? As I understand, this rule applies to only one amendment. I wonder if we are going to have an opportunity to vote to concur in the other amendments to the deficiency bill that were put on in the Senate?

Mr. PURNELL. I will say to the gentleman that the other amendments will be handled in conference without a rule. A rule is not necessary for them. A rule is necessary to make this amendment in order.

Mr. RANKIN. I may be misinformed, but I understood there were some amendments they had passed over and they were going to bring them back to the House to vote on.

Mr. PURNELL. I yield to the gentleman from Michigan to answer the gentleman's question.

Mr. CRAMTON. If the gentleman will state the item he has in mind, I can perhaps give him information about it.

Mr. RANKIN. I have in mind the amendment with reference to a road in the Shiloh National Military Park.

Mr. CRAMTON. There are about a dozen items that are in actual disagreement where the committee expects to ask the House to further insist on its disagreement, and I think that is one of the items in disagreement.

Mr. RANKIN. I want to ask the gentleman from Michigan if we will be permitted to vote on that item separately?

Mr. CRAMTON. That is a matter to be determined later. The committee had hoped to save the time of the House by treating a number of these together.

Mr. MICHENER. This rule has no reference to that.

Mr. RANKIN. I am aware of that, but I am trying to get some information. I understand that with reference to several of the amendments you are going to ask the House to vote on them. One of them is with reference to the construction of improvements of the roads in the Shiloh Military Park. I want to know if we are going to vote on that separately?

Mr. WOOD. There are a number of items about which there is still disagreement, and in order to save time I intended to ask the House to consider them en bloc, and among them is the Shiloh item. This Shiloh appropriation was considered by the proper committee having charge of the War Department appropriation bill. At that time the evidence was so conclusive as to the character of road needed that $100,000 was thought sufficient and was authorized for resurfacing, of which $50,000 was appropriated this year. The Senate amendment increases the amount required to $306,000.

Mr. RANKIN. Let me say that the Senate agreed to that, and besides there is another element entering into it, which amounts to an agreement on the part of the State of Tennesse, which I will not go into for lack of time, but what I want to ask the gentleman is to give us a separate vote on that item. I do not think that is an unreasonable request.

Mr. WOOD. I have no objection to it, but I can not conceive that the House would adopt that proposal.

Mr. RANKIN. That may be so, but I would like to have a vote on it.

Mr. O'CONNOR of New York. Mr. Speaker, in reference to this resolution that has come from the Rules Committee it is difficult to apply either reason or logic in support of the action taken by the Senate to reduce the appropriation for the "crime commission" to $50,000, or in support of the action about to be taken by the House to increase that appropriation to $250,000. Because the subject involved is prohibition is the only reason for the extraordinary procedure of bringing in the rule to set aside the rules of this House.

If there were a real need to investigate crimes of all kinds from a national standpoint, there would be no opposition to such a proposal, but if prohibition were not involved in this proposal there would never have been any national commission to investigate crime, because there never was any need for such a body. The States have been investigating the crime situation. There has been a national committee investigating it for years.

Bar associations have been investigating it. Recently Johns Hopkins University started a far-reaching investigation of the subject. Only by throwing in prohibition have the persons interested been able to sufficiently feature the proposition so as to call for a Federal appropriation. What I particularly object to is the deceit behind it all. In 1928 when Mr. Hoover was campaigning for the presidency he promised to investigate the abuses of prohibition. The people were definitely given to understand he would try to find out if the prohibition law should be modified. Instead of keeping faith with his promise he appointed a commission to investigate all crimes and their enforcement, and undoubtedly hog tied that body to look only casually into prohibition and only into its enforcement. The commission, therefore, at the dictates of the President, refused to consider any question of modification, but spent less than 10 per cent of its time inquiring into the enforcement of the prohibition law. That is the deceit I object to. Why, the Congress would not appropriate $1 to investigate crime if prohibition were not involved.

This commission, I understand, will continue for another year. There are some distinguished men on it. One of them, however, is not distinguished, but should be extinguished if he is properly quoted in the New York Times of yesterday. Therein it is stated that he publicly made certain remarks in reference to the effect that the Italians and the Jews constituted the criminal element of this country. Such a statement is a diabolical libel against two of our peoples, who are as law abiding and as moral and as God-fearing as any of our racial strains. If the member of the commission did make such remarks he is not only unfit to sit on that commission but is unfit to be an inhabitant of this land of ours.

So that the outrageous remarks of this man, this un-American, this unscrupulous individual, unfit to associate with any red-blooded American may properly be presented to the House, I yield three minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, ladies and gentlemen of the House, I very seldom take up much of the time of the House, and I have always tried to expedite the business of the House during the closing hours of the session; but after reading an article in the New York Times and other newspapers published throughout the country, I feel it my duty to inform the Members of the House of the fact that one of the members of this Wickersham Commission, Mr. Loesch, residing in Chicago, has openly and publicly made a charge against two races of people in this country which I think wholly uncalled for and unjustifiable. He charged that the Italian race in this country and certain Jews were the chief bootleggers, and he exonerates the American people as a whole, saying that they are in no way connected with bootlegging.

So far as I know I am prepared to vote to oust from this country any undesirable alien who commits a crime, but it seems to me that a man occupying the high position this gentleman does, being a member of the Wickersham Commission, appointed by the President of the United States, has no right before the final investigation is made to make such a statement unless he has positive evidence of that fact, and I challenge him to show that he has. There is no doubt but that bootlegging is a crime prevalent in this country, due to the indifferent manner in which the people of the United States have taken the enforcement of our prohibition law. These laws have never been popular. Public opinion has always been against it. There has been no attempt by the public to assist in the enforcement of these laws, and because of that disrespect for the law has been growing apace. To single out two races in the United States and say that they—that is, the Italians and the Jews—are the only ones responsible for the violation of the prohibition laws is so palpably ridiculous as to excite only scorn and derision. If the gentleman who has made these remarks had not been a member of the Wickersham Commission, I would not dignify him with a challenge of the statement, but because he is now occupying a position of responsibility and because his words have been broadcast throughout the length and breadth of the United States and read by everybody who had access to our newspapers, I challenge him to show that any one of these foreign elements in the United States are violators of the law more particularly than anyone else. If he wants proof, I shall be very glad to give him proof that the bulk of the bootleggers to-day are native Americans and not foreigners.

It is about time that this "immigrant baiting" should stop. Charges sent broadcast throughout the land serve no useful purpose, and it is about time that this body take a decided stand against this irresponsible casting of aspersion on the good name of our citizens of whatever nationality they may be.

Mr. POU. May I ask the gentleman who it is that made that statement?

Mr. DICKSTEIN. Mr. Loesch, a member of the Wickersham Commission; and he asserts now in this newspaper article that prohibition can not be enforced, and that unless the Department of Justice takes some action to solve this liquor problem he will support modification, and on top of that he makes the charge against two outstanding races in the country that they are the worst violators of the prohibition law.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the article published by the New York Times on July 1, which is the complete article about Mr. Loesch, this member of the Wickersham Commission.

The SPEAKER. Is there objection?

Mr. SPROUL of Illinois. Mr. Speaker, I object.

Mr. O'CONNOR of New York. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. BLACK].

Mr. BLACK. Mr. Speaker, this Wickersham Commission, if it means to do business, can accomplish something in the public service, and I can give them a couple of valuable leads. I suggest they go into the graft and corruption in the narcotic service in New York City. Let them find out why a reputable narcotic agent was forced out of the service after he tried to arrest the Republican boss of Atlantic City, and after he refused to make a contribution to a Republican boss in New York City. Let them also study the course of the 5-cent subway litigation that has congested our Federal courts. Serious charges were made here on the floor of the House against a judge in that litigation. Let them find out just how big business is congesting the courts and manipulating them, and they will accomplish something.

Mr. PURNELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MINIMIZING PROFITS OF WAR

The SPEAKER. Under authority of Public Resolution 98, approved June 27, 1930, the Chair appoints as members of the commission authorized by that resolution the following Members.

The Clerk read as follows:

Hon. LINDLEY H. HADLEY, of Washington; Hon. WILLIAM P. HOLADAY, of Illinois, Hon. ROSS A. COLLINS, of Mississippi; and Hon. JOHN J. McSWAIN, of South Carolina.

SECOND DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. WOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Indiana calls up the conference report upon the second deficiency appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the conferees.

The conference report and accompanying statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 10, 15, 17, 28, 29, 57, 67, 68, and 69.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 6, 7, 8, 18, 19, 20, 23, 24, 25, 26, 32, 34, 35, 36, 37, 38, 40, 41, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 61, 62, 63, 64, 65, 66, 71, 72, 73, 75, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: After the matter inserted by said amendment insert ", or so much thereof as may be necessary"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment strike out the word "building" and insert in lieu thereof the word "buildings"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows:

Restore the matter stricken out by said amendment, amended to read as follows:

"NATIONAL CAPITAL PARK AND PLANNING COMMISSION

"For each and every purpose requisite for an incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the act entitled 'An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital,' approved May 29, 1930; personal services in the District of Columbia and elsewhere, including real-estate and other technical services at rates of pay to be fixed by the commission and not exceeding those usual for similar services and without reference to civil-service rules and the classification act of 1923, as amended; travel expenses; per diem in lieu of subsistence for members of field parties; purchase of two passenger-carrying automobiles at not to exceed $1,000 each and the operation and maintenance thereof; survey, searching of titles, purchase of options, and all other costs incident to the acquisition of land, reimbursements to be made as prescribed in such act, $1,000,000, to remain available until expended: *Provided*, That the reimbursement to be made to the United States by the District of Columbia for advances under section 4 of such act of May 29, 1930, shall commence on June 30, 1932, instead of on June 30, 1931, as provided in such section."

And the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 10 of the matter inserted by said amendment, strike out the numerals "26" and insert in lieu thereof "27"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: After the sum of $281,305 named in said amendment insert the following: ", to be expended subject to the provisions of section 2 of the act entitled 'An act to authorize an appropriation for the purchase of land adjoining Fort Bliss, Tex.,' approved June 17, 1930"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For payment of the judgment, including costs of suit, rendered against the United States by the United States District Court for the Eastern District of New York under the provisions of the act of May 1, 1926 (44 Stat. pt. 3, p. 1465), certified to the Seventy-first Congress in Senate Document Numbered 206, as follows: Under the War Department, $43,652.13."

And the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 3, 11, 12, 13, 21, 22, 27, 30, 31, 33, 39, 42, 43, 47, 70, and 76.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
EDWARD T. TAYLOR,
W. A. AYRES,
Managers on the part of the House.

W. L. JONES,
FREDERICK HALE,
LAWRENCE C. PHIPPS,
LEE S. OVERMAN,
CARTER GLASS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12902) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1930, and June 30, 1931, and for other purposes, submit the following statement explaining the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On Nos. 1, 2, 4, and 5, relating to the Senate: Appropriates $600 for payment to William A. Folger and $30,000 for contingent expenses of the Senate, as proposed by the Senate, and strikes out the proposal of the Senate for the use of not to exceed $750 from the contingent fund of the Senate, fiscal year 1931, for supplies for the emergency room and attending physician.

On No. 6: Appropriates $7,535.15 for contingent expenses, House of Representatives, fiscal year 1930, as proposed by the Senate, instead of $5,035.15, as proposed by the House.

On Nos. 7 and 8, relating to the Architect of the Capitol: Makes provision for payment for architectural services of Pierson & Wilson, as proposed by the Senate, and corrects the subhead of the appropriation proposed by the House for the Capitol power plant.

On No. 9: Appropriates $404,190.68 for enlargement and relocation of the Botanic Garden, as proposed by the Senate, instead of $341,378.68, as proposed by the House, amended by indicating that only so much as is necessary shall be available.

On No. 10: Strikes out the appropriation of $50,000 proposed by the Senate for revising and extending an index to the Federal statutes.

On No. 14: Appropriates an additional sum of $111,920 for the Federal Power Commission, fiscal year 1931, as proposed by the Senate.

On No. 15: Strikes out the appropriation of $25,000 proposed by the Senate for the investigation and audit of transactions of the Indians of the State of New York.

On No. 16: Restores the appropriation of $1,000,000, proposed by the House, on account of the George Washington Memorial Parkway, amended with respect to the employment and expenses of personnel and to provide for the purchase of options.

On No. 17: Restores the proposal of the House in connection with the appropriation for Porto Rican relief to require that disbursements shall be subject to the approval of the Governor of Porto Rico.

On No. 18: Continues available during 1931 the unexpended balances of certain appropriations of the Tariff Commission for the fiscal year 1930, as proposed by the Senate.

On No. 19: Appropriates $8,000 for participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis, as proposed by the Senate.

On Nos. 20, 23, 24, 25, 26, and 28, relating to the District of Columbia: Continues available during the fiscal year 1931 the unexpended balances of appropriations for school buildings and playground sites for the fiscal years 1929 and 1930, as proposed by the Senate; appropriates $53,680, as proposed by the Senate, for salaries and other court expenses attendant upon the provision of two additional associate justices of the supreme court; appropriates $40,220, as proposed by the Senate, for salaries and other court expenses attendant upon the provision of two additional justices of the court of appeals and strikes out the appropriation of $250,000, proposed by the Senate, for the elimination of a railroad grade crossing at or near Fern Street.

On Nos. 29 and 32, relating to the Department of Agriculture: Strikes out the appropriation of $80,000, proposed by the Senate, for phony peach eradication and appropriates $50,000, as proposed by the Senate, for carrying into effect the perishable agricultural commodities act.

On Nos. 34 to 38, inclusive, and 40, relating to the Department of Commerce: Appropriates $400,000 for enlargement of the grounds of the Bureau of Standards, as proposed by the Senate; appropriates an additional amount of $70,000 for enlarging the site of the lighthouse depot at Chelsea, Mass., as proposed by the Senate; appropriates additional amounts for the fiscal year 1931 under the Bureau of Fisheries, as proposed by the Senate, as follows: Propagation of food fishes, $25,000; inquiry respecting food fishes, $42,000; and fishery industries, $24,000; and continues available during the fiscal year 1931 the appropriation of $40,000, proposed by the House, for photolithographing expenses, Patent Office, as proposed by the Senate.

On Nos. 41, 44, 45, and 46, relating to the Interior Department: Appropriates an additional sum of $5,000 for the fiscal year 1931 for contingent expenses of the Bureau of Pensions; appropriates an additional sum of $38,000 for a central heating plant at the Tacoma (Wash.) Indian hospital; and appropriates an additional sum of $128,000 for the fiscal year 1931 under the Bureau of Pensions, of which $100,000 is on account of recent pension legislation and $28,000 is on account of the employees' retirement act, all as proposed by the Senate.

On No. 48: Makes that part of the appropriation for the fiscal year 1931 for enforcement of narcotic and national prohibition acts which is transferred to the Bureau of Prohibition in the Department of Justice available for rent in the District of Columbia, as proposed by the Senate.

On Nos. 49 and 50, relating to the Court of Customs and Patent Appeals: Appropriates an additional amount of $2,000 for salaries, fiscal year 1931, and appropriates $3,500 and otherwise makes available $3,100 for printing and binding, all as proposed by the Senate.

On No. 51: Continues available during the fiscal year 1931 certain unexpended balances of 1930 appropriations for salaries and miscellaneous expenses, Bureau of Labor Statistics, as proposed by the Senate.

On Nos. 52 to 57, inclusive, relating to the Navy Department: Appropriates an additional amount of $295.30 for claims for damages by naval vessels; makes the appropriation for operation and conservation of the naval petroleum reserves, fiscal year 1931, available for personal services; appropriates $1,200 for purchase of a bronze bust of Lieut. James Melville Gillis, United States Navy, to be presented to the Chilean National Observatory; makes the appropriation proposed by the House for the rifle range at Guantanamo, Cuba, available until expended, all as proposed by the Senate; and strikes out the appropriation of $50,000 proposed by the Senate for the acquisition of additional land for the naval air station, Seattle, Wash.

On Nos. 58 to 66, inclusive, relating to the Department of State: Appropriates an additional amount of $50,000 for contingent expenses of foreign missions, fiscal year 1931; makes the appropriations for the fiscal year 1931 for contingent expenses of foreign missions and United States consulates available for quarters, heat, and light for civilian officers and employees stationed in foreign countries as provided by recent law; appropriates $130,631.80 for relief of certain officers and employees of the Foreign Service, in accordance with the act approved June 27, 1930; appropriates $22,500 for the share of the United States in the joint investigation of the fisheries of Passamaquoddy and Cobscook Bays by the United States and Canada; appropriates $13,000 for expenses of participation by the Government of the United States in the Sixth Pan American Child Congress, Lima, Peru; appropriates an additional amount of $30,000 for the fiscal year 1931 for the expenses of the sixth session of the Permanent International Association of Road Congresses; appropriates $250,000 for the expenses of participation by the United States in an International Exposition of Colonial and Overseas Countries, Paris, France; appropriates $5,000 for the expenses of participation by the United States in the International Hygiene Exhibition at Dresden, Germany; and appropriates $20 and reappropriates $30, making a total of $50, for the share of the United States of the expenses of the Central Bureau of the International Map of the World, all as proposed by the Senate.

On Nos. 67, 68, 69, 71, 72, and 73, relating to the Treasury Department: Strikes out the appropriation of $35,000 proposed by the Senate for the construction and equipment of a Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis.; strikes out the additional appropriation of $130,500 for the fiscal year 1931, proposed by the Senate, for studies in rural sanitation; strikes out the appropriation of $100,000 proposed by the Senate for a survey in connection with the control of cancer; provides $300,000 for the construction of a post office, courthouse, etc., at Las Vegas, Nev., as proposed by the Senate, so as to provide accommodation for the courts, instead of $200,000, as proposed by the House, which did not contemplate court accommodation; corrects the text, and modifies the alternate provisions contained in the act of March 4, 1929, with respect to a site for a building for post office and other Government offices in New York City, and authorizes the procurement by contract of preliminary sketches of a courthouse proposed to be erected on the property so acquired.

On Nos. 74, 75, 77, 78, 79, and 80, relating to the War Department: Appropriates $281,305 for the acquisition of land, Fort Bliss, Tex.; $25,000 for the construction of a revetment wall at Fort Moultrie, S. C.; $200,000 for the acquisition of land at Maxwell Field, Ala.; $4,400 for study, investigation, and survey of the battle field of Saratoga, N. Y.; appropriates an additional amount of $13,500 for the fiscal year 1931 for Guilford Courthouse National Military Park; $15,000 for Fredericksburg and Spotsylvania County Battle Fields Memorial, fiscal year 1931; all as proposed by the Senate.

On Nos. 81 to 88, inclusive, relating to damage claims: Appropriates $26,028.31, as proposed by the Senate, instead of $19,547.17, as proposed by the House.

On Nos. 89 to 95, inclusive, relating to judgments, United States courts: Appropriates $169,016.65, as proposed by the Senate, instead of $11,731.73, as proposed by the House, and appropriates whatever is needed for payment of interest on a judgment in favor of Henri Gutmann Silks Corporation, as proposed by the Senate.

On Nos. 96 to 100, inclusive, relating to judgments, Court of Claims: Appropriates $1,007,397.11, as proposed by the Senate, instead of $80,629.24, as proposed by the House.

On No. 101: Appropriates $86,050 for payment of audited claims, as proposed by the Senate.

On Nos. 102 to 105, inclusive: Appropriates $16,820.98 for payment of sundry claims allowed by the General Accounting Office, as proposed by the Senate, instead of $6,350.72, as proposed by the House.

On No. 106: Corrects a section number of the bill.

AMENDMENTS IN DISAGREEMENT

The managers on the part of the House have agreed to recommend that the House concur in the following amendments of the Senate with amendments where indicated:

On No. 13: Relating to deductions from salaries of employees on account of the civil-service retirement and disability fund, with an amendment correcting the text.

On No. 31: Relating to the Cheyenne Bottoms migratory-bird refuge, with an amendment clarifying the language.

On No. 39: Relating to the construction of Bureau of Fisheries stations.

The conference committee report a general disagreement upon the following Senate amendments:

On No. 3: Relating to a payment to Henry M. Barry, an employee of the Senate.

On No. 11: Relating to the Vollbehr collection of incunabula.

On No. 12: Relating to an additional appropriation for continuing an investigation of the problem of enforcement of prohibition laws.

On No. 21: Relating to an appropriation for care of free patients in the isolating wards of Garfield Memorial Hospital, Washington, D. C.

On No. 22: Relating to an appropriation for care of free patients in the isolating wards of Providence Hospital, Washington, D. C.

On No. 27: Relating to an appropriation for repairs and improvements to the Columbia Hospital for Women and Lying-in Asylum, Washington, D. C.

On No. 30: Relating to an appropriation for the purchase of a collection of moths and butterflies, etc., for the Department of Agriculture.

On No. 33: Relating to an appropriation for a market news service in respect of cottonseed and cottonseed products.

On No. 42: Relating to an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians.

On No. 43: Relating to an appropriation for the construction of a fish ladder, Wapato irrigation project, Yakima Reservation, Wash.

On No. 47: Relating to an appropriation for use in determining the lands in the State of Arizona that should be embraced within the Parker-Gila Valley reclamation project.

On No. 70: Relating to the Helena (Mont.) Federal office building.

On No. 76: Relating to an appropriation for a road from the Shiloh National Military Park to the Corinth National Cemetery Road.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
EDWARD T. TAYLOR,
W. A. AYRES,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. WOOD. Mr. Speaker, there are 16 amendments still in disagreement. On four of these amendments—Nos. 12, 13, 31, and 39—the House managers expect to ask for action by the House, either to concur in the Senate amendments or to recedde and concur in the amendments with an amendment. On amendment numbered 76, which is the one the gentleman from Mississippi [Mr. RANKIN] asked a separate vote on, a motion to insist will be made. On the remaining 11 amendments I ask unanimous consent that amendments numbered 3, 11, 21, 22, 27, 30, 33, 42, 43, 47, and 70 may be considered en bloc, and that the House further insist on its disagreement to them.

The SPEAKER. The gentleman from Indiana asks unanimous consent that amendments numbered 3, 11, 21, 22, 27, 30, 33, 42, 43, 47, and 70 may be considered en bloc, the House further insisting upon its disagreement to the Senate amendments. Is there objection?

Mr. DOUGLAS of Arizona. Mr. Speaker, reserving the right to object, is this a unanimous consent to consider all of these amendments en bloc, or is it a unanimous-consent request to consider them en bloc and the conferees to be instructed to disagree? In other words, is there a twofold request or a single request?

Mr. WOOD. The ones designated I ask be considered en bloc and that the House insist further on its disagreement to these Senate amendments.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. CHINDBLOM. With reference to these amendments, it is not to be considered that this is anything more than a formal disagreement? We are not seeking out these amendments particularly to show any greater objection to them on the part of the House than usually exists in a case where matters are sent to conference.

Mr. WOOD. That is correct; yes.

Mr. CHINDBLOM. The purpose is to continue the conference?

Mr. WOOD. That is the purpose of it.

The SPEAKER. Is there objection?

Mr. TAYLOR of Colorado. Reserving the right to object, does that include all of the amendments now in disagreement?

Mr. WOOD. It includes them all except five. Nos. 12, 13, 31, 39, and 76 are not included in this request.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Without objection, the House further insists on its disagreement to the amendments named in the request.

There was no objection.

The SPEAKER. The Clerk will report the other amendments in disagreement.

The Clerk read as follows:

Senate amendment No. 12: After line 13, page 7, insert:

"EXECUTIVE

"Investigation of enforcement of prohibition laws: For the exclusive purpose of continuing the inquiry into the problem of the enforcement of the prohibition laws of the United States, pursuant to that particular provision of the first deficiency act, fiscal year 1929, to be available for such inquiry only, notwithstanding the provisions of any other act, and to be expended under the authority and by the direction of the President of the United States, who shall report the results of such investigation to Congress, together with his recommendations with respect thereto, fiscal year 1931, $50,000, together with the unexpended balance of the appropriation for this purpose as contained in the first deficiency act, fiscal year 1929, which shall remain available until June 30, 1931."

Mr. WOOD. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 12 and agree to the same with the following amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Indiana moves to concur in the Senate amendment numbered 12 with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WOOD moves that the House recede from its disagreement to the amendment of the Senate No. 12, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said Senate amendment and insert in lieu thereof the following:

"EXECUTIVE

"Investigation of enforcement of prohibition and other laws: For continuing the inquiry into the problem of the enforcement of the prohibition laws of the United States, together with enforcement of other laws, pursuant to the provisions therefor contained in the first deficiency act, fiscal year 1929, to be available for each and every object of expenditure connected with such purposes notwithstanding the provisions of any other act, and to be expended under the authority and by the direction of the President of the United States, who shall report the results of such investigation to Congress, together with his recommendations with respect thereto, fiscal year 1931, $250,000, together with the unexpended balance of the appropriation for these purposes contained in the first deficiency act, fiscal year 1929, which shall remain available until June 30, 1931."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana.

Mr. CRAMTON. Mr. Speaker, I ask for a division on this vote.

The SPEAKER. A division is demanded. The question is on agreeing to the motion of the gentleman from Indiana.

The House divided; and there were—ayes 110, noes 16.

Mr. LINTHICUM. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The Clerk will call the roll.

The question was taken; and there were—yeas 273, nays 41, not voting 113, as follows:

[Roll No. 82]

YEAS—273

Abernethy	Collier	Garrett	Johnson, Wash.
Ackerman	Collins	Gasque	Jonas, N. C.
Adkins	Colton	Gibson	Jones, Tex.
Allen	Cooper, Ohio	Glover	Kahn
Allgood	Cooper, Tenn.	Goodwin	Kearns
Almon	Cox	Graham	Kelly
Andresen	Coyle	Granfield	Kendall, Ky.
Arnold	Craddock	Green	Kendall, Pa.
Aswell	Cramton	Greenwood	Ketcham
Ayres	Cross	Gregory	Kiess
Bachmann	Crowther	Guyer	Kincheloe
Bacon	Culkin	Hadley	Kinzer
Baird	Dallinger	Hale	Knutson
Barbour	Darrow	Hall, Ill.	Kopp
Beedy	Davis	Hall, Ind.	Korell
Beers	Denison	Hall, Miss.	Kurtz
Bell	Dickinson	Hall, N. Dak.	Kvale
Blackburn	Dominick	Halsey	Lambertson
Bland	Doughton	Hammer	Langley
Blanton	Douglas, Ariz.	Hancock	Lanham
Bolton	Dowell	Hardy	Lankford, Ga.
Bowman	Doxey	Hare	Lankford, Va.
Box	Drane	Hastings	Larsen
Brand, Ohio	Driver	Haugen	Lea
Briggs	Dunbar	Hawley	Leavitt
Brigham	Dyer	Hess	Leech
Browne	Eaton, Colo.	Hickey	Lehlbach
Browning	Eaton, N. J.	Hill, Ala.	Letts
Buckbee	Elliott	Hill, Wash.	Lozier
Burdick	Ellis	Hoch	Ludlow
Busby	Englebright	Hogg	McClintic, Okla.
Butler	Eslick	Holaday	McClintock, Ohio
Campbell, Iowa	Estep	Hooper	McCormick, Ill.
Canfield	Esterly	Hope	McDuffie
Cannon	Evans, Calif.	Hopkins	McFadden
Carter, Calif.	Fenn	Houston, Del.	McLaughlin
Carter, Wyo.	Fish	Howard	McLeod
Cartwright	Fisher	Huddleston	McMillan
Chindblom	Fitzgerald	Hull, William E.	McSwain
Christgau	Foss	Hull, Wis.	Magrady
Christopherson	Frear	Jeffers	Manlove
Clague	Freeman	Jenkins	Mapes
Clark, Md.	French	Johnson, Ind.	Martin
Clarke, N. Y.	Garber, Okla.	Johnson, Okla.	Menges
Cole	Garber, Va.	Johnson, Tex	Merritt

Michener	Quin	Simms	Thurston
Miller	Ragon	Sloan	Tilson
Milligan	Rainey, Henry T.	Smith, Idaho	Timberlake
Montague	Ramey, Frank M.	Snow	Underwood
Moore, Ohio	Ramseyer	Sparks	Vestal
Morgan	Rankin	Speaks	Vincent, Mich.
Mouser	Ransley	Sproul, Ill.	Wason
Nelson, Me.	Rayburn	Stafford	Watres
Nelson, Mo.	Reed, N. Y.	Stone	White
Newhall	Reid, Ill.	Strong, Kans.	Whittington
Niedringhaus	Robinson	Strong, Pa.	Wigglesworth
Nolan	Rogers	Sullivan, Pa.	Wilson
O'Connor, Okla.	Rowbottom	Summers, Wash	Wolfenden
Oldfield	Rutherford	Sumners, Tex.	Wolverton, N. J.
Oliver, Ala.	Sanders, Tex.	Swanson	Wolverton, W. Va.
Palmer	Sandlin	Swick	Wood
Parker	Schafer, Wis.	Swing	Woodruff
Parks	Sears	Taber	Woodrum
Patman	Seiberling	Tarver	Wyant
Patterson	Shaffer, Va.	Taylor, Colo.	Yates
Pittenger	Short, Mo.	Taylor, Tenn.	Yon
Pou	Shott, W. Va.	Temple	
Pritchard	Shreve	Thatcher	
Purnell	Simmons	Thompson	

NAYS—41

Auf der Heide	Cullen	Lampert	O'Connor, La.
Black	Dickstein	Lindsay	O'Connor, N. Y.
Boylan	Douglass, Mass.	Linthicum	Palmisano
Britten	Evans, Mont.	McCormack, Mass.	Prall
Brunner	Fitzpatrick	McKeown	Schneider
Chalmers	Gambrill	Maas	Tinkham
Clancy	Garner	Mead	Tucker
Cochran, Mo.	Gavagan	Montet	Welch, Calif.
Connery	Griffin	Mooney	
Connolly	Hartley	Moore, Va.	
Crosser	Irwin	O'Connell	

NOT VOTING—113

Aldrich	DeRouen	Kunz	Somers, N. Y.
Andrew	Doutrich	LaGuardia	Spearing
Arentz	Doyle	Luce	Sproul, Kans.
Bacharach	Drewry	McReynolds	Stalker
Bankhead	Edwards	Mansfield	Steagall
Beck	Finley	Michaelson	Stedman
Bloom	Fort	Moore, Ky.	Stevenson
Bohn	Free	Morehead	Stobbs
Brand, Ga.	Fuller	Murphy	Sullivan, N. Y.
Brumm	Fulmer	Nelson, Wis.	Treadway
Buchanan	Gifford	Norton	Turpin
Burtness	Golder	Oliver, N. Y.	Underhill
Byrns	Goldsborough	Owen	Vinson, Ga.
Cable	Hoffman	Peavey	Wainwright
Campbell, Pa.	Hudson	Perkins	Walker
Carley	Hudspeth	Pratt, Harcourt J.	Warren
Celler	Hull, Morton D.	Pratt, Ruth	Watson
Chase	Hull, Tenn.	Quayle	Welsh, Pa.
Clark, N. C.	Igoe	Ramspeck	Whitehead
Cochran, Pa.	James	Reece	Whitley
Cooke	Johnson, Ill.	Romjue	Williams
Cooper, Wis.	Johnson, Nebr.	Sabath	Williamson
Corning	Johnson, S. Dak.	Sanders, N. Y.	Wingo
Crail	Johnston, Mo.	Seger	Wright
Crisp	Kading	Selvig	Wurzbach
Curry	Kemp	Sinclair	Zihlman
Davenport	Kennedy	Sirovich	
Dempsey	Kerr	Smith, W. Va.	
De Priest	Kiefner	Snell	

So the motion to recede and concur in the Senate amendment, with an amendment, was agreed to.

The Clerk announced the following pairs:

Mr. Free (for) with Mr. Igoe (against).
Mr. Bankhead (for) with Mr. LaGuardia (against).
Mr. Campbell of Pennsylvania (for) with Mr. Celler (against).
Mr. Crail (for) with Mrs. Norton (against).
Mr. Fort (for) with Mr. Oliver of New York (against).
Mr. Gifford (for) with Mr. Corning (against).
Mr. Hudson (for) with Mr. Sirovich (against).
Mr. Johnston of Missouri (for) with Mr. Somers of New York (against).
Mr. Luce (for) with Mr. Quayle (against).
Mr. Kiefner (for) with Mr. Sullivan of New York (against).
Mr. Murphy (for) with Mr. Carley (against).
Mr. Harcourt J. Pratt (for) with Mr. Kennedy (against).

General pairs until further notice:

Mr. Perkins with Mr. Byrnes.
Mr. Treadway with Mr. Edwards.
Mr. Doutrich with Mr. Warren.
Mr. Johnson of South Dakota with Mr. Moore of Kentucky.
Mr. Golden with Mr. Ramspeck.
Mr. Zihlman with Mr. Buchanan.
Mr. Seger with Mr. Smith of West Virginia.
Mr. Brumm with Mr. Drury.
Mrs. Ruth Pratt with Mr. Fulmer.
Mr. Bacharach with Mr. Hull of Tennessee.
Mr. Underhill with Mr. McReynolds.
Mr. Beck with Mr. Wingo.
Mr. Aldrich with Mr. Morehead.
Mr. Reece with Mr. Steagall.
Mr. Snell with Mr. Brand.
Mr. Bohn with Mr. Romjue.
Mr. Nelson of Wisconsin with Mr. Crisp.
Mr. Andrew with Mrs. Owen.
Mr. Turpin with Mr. Bloom.
Mr. Michaelson with Mr. Clark of North Carolina.
Mr. Walsh of Pennsylvania with Mr. Spearing.
Mr. Davenport with Mr. Kemp.
Mr. Sinclair with Mr. Wright.
Mr. Watson with Mr. Mansfield.
Mr. Dempsey with Mr. Kunz.
Mr. Chase with Mr. Fuller.
Mr. Sproul of Kansas with Mr. Kerr.
Mr. James with Mr. Williams of Texas.
Mr. Cochran of Pennsylvania with Mr. Goldsborough.
Mr. Arentz with Mr. Doyle.
Mr. Wainwright with Mr. Whitehead.
Mr. Cooper of Wisconsin with Mr. DeRouen.
Mr. Stobbs with Mr. Sabath.
Mr. Wurzbach with Mr. Stedman.
Mr. Cable with Mr. Vinson of Georgia.
Mr. Selvig with Mr. Hudspeth.
Mr. Sanders of New York with Mr. Stevenson.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 9, line 10, insert the following:

"Individual records, civil service retirement and disability fund: For the preparation and maintenance by the departments and independent establishments of the individual record of deductions made from the salary of each employee for credit to the civil service retirement and disability fund required by section 12 (a) of the act approved May 29, 1930, fiscal year 1931, $150,000: *Provided*, That the President, in his discretion, is authorized to allocate such portions of this amount as he may deem to be necessary to any executive department or independent establishment for credit to appropriations available for personal services in the District of Columbia, printing and binding, and the procurement of mechanical equipment: *Provided further*, That a report of the amount so allocated shall be made in the Budget for the fiscal year 1932."

Mr. WOOD. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. WOOD moves that the House recede from its disagreement to the amendment of the Senate No. 13, and agree to the same with an amendment as follows: In line 14 of the matter inserted by such amendment strike out the word "amount" and insert the word "amounts."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

On page 30 of the bill, line 20, insert:

"Cheyenne Bottoms Migratory Bird Refuge: To enable the Secretary of Agriculture to carry into effect the provisions of the act entitled 'An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans.,' approved June 12, 1930, including not to exceed $4,220 for personal services in the District of Columbia, fiscal year 1931, $50,000, which sum is a part of $250,000 authorized to be appropriated by section 3 of act: *Provided*, That the Secretary of Agriculture may incur obligations and enter into contracts for the acquisition of lands in connection with this project to an amount which, inclusive of amounts that may be expended hereunder, shall not exceed a total of $250,000, and such contracts shall be deemed contractual obligations of the Federal Government."

Mr. WOOD. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. WOOD moves that the House recede from its disagreement to the amendment of the Senate No. 31, and agree to the same with the following amendments:

In line 8 of the matter inserted by said amendment, after the word "of," insert the word "such."

In line 12 of the matter inserted by said amendment strike out the following: "amounts that may be expended hereunder" and insert in lieu thereof the words "this appropriation."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

On page 39 of the bill, line 5, insert the following:

"Construction of stations: To establish, or to commence the establishment, of Bureau of Fisheries stations as follows, authorized by the act entitled 'An act to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries,' approved May 21, 1930, at not to exceed the costs therein specified: A fish-cultural station in each of the States of New Mexico, Louisiana, and Idaho; a fish-cultural substation in each of the States of Wisconsin, Montana, Colorado, and New Hampshire; a fishery laboratory in the State of Washington, including architectural services, by contract or otherwise, at a fee not exceeding that usual for such service, without regard to civil service laws, rules, and regulations, or to the classification act of 1923, as amended, or to section 3709 of the Revised Statutes of the United States; and an experimental bass and trout station in the State of Maryland or West Virginia; including the acquisition of land, construction of buildings and

ponds, water supply, improvements to grounds, purchase of equipment, power lines, and all necessary expenses connected with construction and installation of fixed equipment, $265,000, to remain available until June 30, 1932."

Mr. WOOD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 129 of the bill, after line 5, insert:

"Shiloh National Military Park and Corinth National Cemetery Road: Toward rebuilding and resurfacing with concrete the road situated in Shiloh National Military Park in Tennessee from the original boundaries of the park to the Corinth National Cemetery at Corinth, Miss., at a total limit of cost of $306,000, there is hereby reappropriated the sum of $50,000 already appropriated in the military affairs appropriation act approved May 28, 1930, to be expended under the direction of the Secretary of War under the terms of this act instead of under the terms of said act of May 28, 1930: *Provided*, That the State of Tennessee will build a like concrete road from the boundaries of Shiloh National Park northward to connect with Tennessee State Highway No. 15, a distance of about 5 miles, such road to be built prior to the completion of the road provided for herein."

Mr. WOOD. Mr. Speaker, I move that the House further insist on its disagreement to this amendment.

Mr. RANKIN. Mr. Speaker, I have a preferential motion. I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Mississippi moves that the House recede and concur in the Senate amendment.

Mr. RANKIN. Will the gentleman from Indiana yield me some time?

Mr. WOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Mississippi.

Mr. RANKIN. Mr. Speaker, this amendment was placed in the bill by the Senate. It does not add to the appropriation for this year, but it does add to the general appropriation for the construction of this road in the Shiloh National Park over a term of years. It is the only hope to get a highway in that park.

Mr. MOORE of Virginia. How much is involved?

Mr. RANKIN. $306,000.

The representatives of the War Department stated before the Senate committee that this would be cheaper than building the kind of roads that are built in the Gettysburg National Park. It will last longer, and it is the cheapest highway in the long run that can be built.

As I have stated before on this floor, for all these years we have not had a decent highway for the people of the United States to enter Shiloh National Park, that great battle field once wet with the best blood of America; a battle field in which all Americans are interested.

The Senate has placed this amendment in the bill to construct a concrete highway, and it is the only way to get it.

Mr. TAYLOR of Tennessee. How many Union soldiers are buried in the cemetery at Shiloh?

Mr. RANKIN. All who were killed there.

Mr. TAYLOR of Tennessee. How many were there?

Mr. RANKIN. I do not know how many.

Mr. TAYLOR of Tennessee. Several thousand?

Mr. RANKIN. Oh, yes; there is a large cemetery there.

Mr. TAYLOR of Tennessee. The State of Tennessee agrees that if the Government will make this appropriation it will construct a highway to connect the battle field with Highway No. 15 in the State of Tennessee.

Mr. RANKIN. Yes.

Mr. BARBOUR. What will the State of Mississippi do?

Mr. RANKIN. While the State of Mississippi has not been as rich as some other States, her people have taxed themselves to the limit to build highways, and just as fast as we can build them, we will do it. The Lee Highway, which begins down here at the zero point and goes through the gentleman's town, passes right through Corinth, and would connect with this road. Hundreds of thousands of people visit Shiloh every year, to look over that great battle field, one of the greatest battle fields in the world, and in my humble opinion, the most beautiful and most attractive battle field on the American Continent.

There pass over this road every year between a quarter of a million and a half million people from your States, from your district, and from mine, and from every other district in the United States.

This is not a personal matter with me. We are going to get this road some time. We are going to continue this battle, and these old Federal soldiers and these old Confederate soldiers and their children and relatives are going to continue this fight until they get the proper kind of highway in this park.

But we want it now. Nine years from to-day we are told the old veterans will all be dead. Let us do this while they are yet alive.

I appeal to you to vote for this amendment, which the Senate has adopted and which, in my opinion, is nothing but just. I sincerely trust you will vote for the motion to concur. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BROWNING].

Mr. BROWNING. Mr. Speaker and gentlemen of the House, this amendment simply changes the ultimate amount that is planned in this bill from $100,000 to $306,000 and appropriates $50,000, the same amount which is already provided to be used this year. The change in plan we consider necessary because we had hoped that the road from this splendid Shiloh Park, which is in my district, leading to the Corinth Cemetery, we could construct as a permanent road. I do not know of another national military park in America that does not have permanent road construction in the park and leading to the park. This is the only one. It is one of the most beautiful parks in America, and ultimately a concrete road will be built because it is the economic road to build. The tarred-surface road which has been planned for this park is purely temporary, and no one would contend that it is anything but a temporary road.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. BROWNING. Yes.

Mr. JOHNSON of Oklahoma. Will the gentleman tell us whether or not this road is all in the park and all owned by the Government?

Mr. BROWNING. Every bit of it is on Government park land, and it connects the Shiloh National Park with the Corinth National Cemetery. It is a road over which a half million people travel each year in visiting this park. It goes through sparsely settled country for which no State would appropriate enough money to build that kind of a road. It is purely a park road.

From a statement which the chairman made a while ago I take it he was under the impression that this concrete road would not be of the same nature as the permanent road system of that part of the country. I say to you frankly that our roads are being constructed almost entirely of concrete, and State Highway No. 15, running between Memphis and Chattanooga, is within 5 miles of the park. It is a concrete-surface road all the way, and under this amendment the State is to build the 5 miles of road which will connect this concrete road with the park. When that is done we will have a complete system of concrete roads, and it would have to be a concrete road in order to be in keeping with the State system.

Mr. MANLOVE. Will the gentleman yield?

Mr. BROWNING. Yes.

Mr. MANLOVE. The gentleman spoke about the tourists. This road would be more for the accommodation of the people throughout the whole United States than for the people in that immediate community.

Mr. BROWNING. Yes; that is true. It is a road that is primarily for the accommodation of people who visit that park. Every State which had troops in that battle has a very splendid monument erected in the park in memory of the soldiers who fell there. As I remember, the State of Michigan has a splendid monument, one of the best in the park, and the State of Illinois, and all of the States which had troops in that great and decisive battle have erected monuments in that park.

The construction of a permanent road in this park will not cost as much as the roads in the Gettysburg National Park or even at Vicksburg, or any of the other great national military parks. Therefore we feel that to begin this properly we should have a permanent-surface road, and I am insisting that the House, not authorizing any more than the amount that has already been authorized for this year, would be justified in providing the construction of a permanent highway instead of a temporary highway, which will have to be replaced in a few years.

This road is 21 miles long and a concrete surface can be put on it for $306,000. That is the cheapest concrete construction in America. The reason is that we have all the sand and all the gravel needed, which the Government procured when it took over this road. That sand and gravel is available and by utilizing it you can place a first-class 18-foot concrete road over this whole distance at a cost of $12,000 or $15,000 a mile. I am hoping the House will authorize that since it does not increase the appropriation. I had hoped the committee might accede to this amendment, because the Senate has placed it

in the bill twice overwhelmingly, and when the bill has gone to conference the Senate has insisted on the amendment both times and will insist again. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. BUSBY].

Mr. BUSBY. Mr. Speaker and Members of the House, I grew up in the community adjoining the Shiloh National Park. When I was a boy I visited there very often, and when I read the names of Federal soldiers on the tombstones I found acres and acres of monuments from almost all of the Northern and Eastern States which had soldiers in the Federal Army.

I was always pleased to go to Shiloh Park and go among the wonderful monuments that have been placed there by States that furnished Union soldiers. Perhaps you do not know it, but there are more than 20,000 Union soldiers buried in this burial ground, and the tablets that are scattered about the field of battle give you a history of this most extraordinary engagement, an engagement by which General Grant dated the turning of the tide during the Civil War.

I want to tell you that until the last few years there was no road of approach to this most extensive battle field. Somebody built a cheap toll road and put a little gravel on top of it and it was very narrow and very dangerous. Three or four years ago the Federal Government took over this road.

Every year people who have relatives buried in this battle ground and people who are interested in the history of the Civil War return to Shiloh, and the amazing thing to many of them is that there is no adequate or suitable road over which they can travel to this wonderful battle ground. I have gone there on the 5th and 6th of April, and each year at that time many of the old soldiers come there, wearing their uniforms of blue, to look at the various places and spots where they stood during the battle.

I can not go any farther on the line, but I want to suggest that Mississippi is providing about $80,000,000 with which to build nothing but concrete roads. Tennessee is stringing concrete highways all about the Shiloh National Park, while we propose to put down a gravel road and put tar or some oil surfacing on it. It is not adequate, it is only temporary, and is a waste of money and out of line with the other roads that are being built all about that section of the country.

I hope we will not take this course but will concur in the Senate amendment and go ahead with the work in an appropriate way and not waste time and money with a temporary expedient which does not meet the situation.

I do not live near this place now, but I did feel like giving you this first-hand information, because I grew up there, and on each Decoration Day, the 30th of May, I was one of the faithful attendants there to mix with the other people who came to do honor to the great work of the patriots who fell there. [Applause.]

Mr. WOOD. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker and gentlemen, this road would have been completed long ago, and should have been completed long ago, if there had been as much sentiment for good roads in those days as there is now.

This is not a local road. The great Lee Highway, extending from New York City on to the Pacific coast, goes near this park, where there were more Federal soldiers and more Confederate soldiers killed than at almost any other place in the United States.

Let us build this road and get through with it, and quit quibbling about $200,000 or $300,000. There are thousands and tens of thousands of tourists coming through this country every year, and to come down there and then not be able to get out to this Shiloh Park over a decent and respectable road would be a reflection upon the Congress.

We are building roads in that country just as fast as we can, and they are good roads, macadamized roads, and we need this money in order to complete this highway into this great national military park.

Let us do this and get through with it and stop quibbling about the little sum of money involved. It will be money well invested, because when Uncle Sam builds a road you may always count on its being a good road.

If we will do this, it will be a credit to the Congress. Everyone who has not seen this great Shiloh battle field ought to go there, and you can go there in comfort when this road is completed. [Applause.]

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. BARBOUR].

Mr. BARBOUR. The gentleman from Mississippi is always appealing, but I think sometimes he is more convincing when he appeals than he is when he flourishes the big stick and tells us we are going to get this road eventually, whether we want it now or not.

The gentleman referred to the Lee Highway that went through my home city, as I understand. If it does, that is the first intimation I ever had that any road goes through my city or anywhere near my city that the people of my county and my State have not paid for themselves.

Mr. RANKIN. Will the gentleman yield?

Mr. BARBOUR. In just a minute.

Mr. RANKIN. I did not intimate that the gentleman's town and State had not paid their part of it.

Mr. BARBOUR. However, I want to say this: If this road was being entirely neglected, if it was being neglected at all, then there might be some reason for voting for this amendment.

This amendment was offered in the Senate when the War Department appropriation bill was before that body. It went to conference, and, after careful consideration, the Senate and House conferees agreed upon an oil-surfaced road that would cost $100,000, $50,000 during the year 1931 and $50,000 to follow, probably in the appropriation bill for the fiscal year 1932. This was agreed upon by the conferees, and, upon the conference report being presented in both bodies, was agreed to by both the Senate and the House.

We are now taking ample care of this road. The Quartermaster Corps tells us that the money carried in the War Department bill will build as good or a better road than any road in that vicinity to-day. It will be a well-built, oil-surfaced road, so that the tourists and the people who visit this park will go in over a perfectly good road and in absolute comfort.

There is no Budget estimate supporting this amendment. The Bureau of the Budget has never recommended this appropriation. It has not even recommended the $100,000 we have in the War Department bill. So we have been generous, in my opinion, with the people of this vicinity in providing for this road.

When the Secretary of War reported to the deficiency appropriations subcommittee on this matter he recommended that one-half of the cost of construction of this road be paid by the States of Tennessee and Mississippi, and that not a dollar be expended until that money was put up, and not a dollar be expended until these States had entered into a binding agreement to take over the road and maintain it for all time.

There has been no agreement of that kind, although I understand that Tennessee is willing to build its 5 miles.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. LINTHICUM. Coming from a State where they build many miles of good roads, does not the gentleman think it is an absolute waste of money to build gravel roads?

Mr. BARBOUR. No; we are building miles of them and they are good roads—these dirt and gravel roads, oiled. They are comfortable roads to ride on and inexpensive.

Mr. LINTHICUM. We think it is a waste of money to build them.

Mr. BARBOUR. It might possibly be a waste of money in Maryland, but we find that it is not a waste of money elsewhere and that we get first-class roads when we build these gravel roads.

Mr. WOODRUFF. Will the gentleman yield?

Mr. BARBOUR. I yield.

Mr. WOODRUFF. In connection with the building of gravel roads on heavily traveled roads I would like to say something about the experience Michigan has had. That State started in with the construction of limestone macadam roads. A few years' experience with these roads taught us that they would not stand up under heavy traffic. We then spent millions of dollars on gravel roads, with the same result. Now, all the trunk lines in Michigan either have been or are to be rebuilt of concrete or some hard-surfaced material. It seems to me a road such as the one under consideration leading into a national park should be of something more substantial than gravel, which is not satisfactory for heavy traffic.

The SPEAKER. The time of the gentleman from California has expired.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. CLAGUE].

Mr. CLAGUE. Mr. Speaker and gentlemen, I think there is some misapprehension here as to this road which is to be constructed being wholly within the park. As a matter of fact the 17 miles of this road runs from Shiloh Park to Corinth, and is wholly outside of the part used for park purposes.

Mr. RANKIN. Will the gentleman yield?

Mr. CLAGUE. Yes.

Mr. RANKIN. As a matter of fact the park extends from the old battle field's property and Corinth—Shiloh Cemetery—and that road is all in Shiloh Park.

Mr. CLAGUE. That is a legal fiction as far as this road is concerned. Now, I want to call the attention of the gentleman from Michigan that this road is not a road where there is going to be general, heavy traffic. It is as has been stated by the gentleman from Mississippi, this is used largely for tourists visiting these parks. There are no heavy trucks used on this road.

When the war appropiration bill was taken up by the subcommittee the matter of improving this road was fully investigated. It was stated by the officer of the War Department having charge of this road that it could be placed in fine condition for travel for less than $6,000 per mile. We have already appropriated $51,000 for this highway, and it is expected that $50,000 will be appropriated next session.

Something has been said about Gettysburg Park. The States of Pennsylvania and Maryland built roads leading to that park. I do not know of any national park in the United States but what the State built the roads which lead to the park.

This is a road that is used not only by tourists but also by local people. It does not come within the class mentioned by the gentleman from Michigan [Mr. WOODRUFF]. No heavy traffic goes over that road.

Mr. WOODRUFF. Heavy traffic does not necessarily mean trucks heavily loaded passing over a road. And I say to my friend from Minnesota that the Michigan roads that bear the heaviest traffic are those roads over which the tourists are traveling into and through Michigan.

Mr. CLAGUE. I do not know what kind of cars they drive in Michigan, probably very expensive ones, but we have thousands of miles of fine roads in Minnesota, and some of the finest are gravel roads.

Mr. WOODRUFF. That is not the sort of road that the committee is proposing to build?

Mr. CLAGUE. We are building a better road than that. We are giving them $3,000 a mile at this time and expect to give $3,000 or more per mile next session.

Mr. WOODRUFF. What are they going to do with the road to make it permanent or semipermanent?

Mr. CLAGUE. First, there is a crushed-stone subsurface, fine gravel, and then rolled and oiled.

Mr. WOODRUFF. We have been doing that with gravel roads for many years in Michigan and we have been compelled to abandon such construction because of the heavy cost of upkeep.

Mr. CLAGUE. And we have been doing it for years in my State, and we have more good roads in my State than the gentleman has in his State.

Mr. WOODRUFF. Oh, I think the gentleman is entirely mistaken.

Mr. CLAGUE. And we build those roads ourselves. I want to see a fine road down there. We have ex-service men who are buried there. We want to do the fair thing, and we think we have done more than the fair thing. There has been no Budget estimate of this. Let us be fair about it. We have given them more than we should, I think, but we want to give them probably more than what is reasonable. This $51,000 should not be increased this year.

Mr. WOOD. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, in this particular case the Government of the United States has been more than fair with the people down there and with this park. Several years ago, back probably before 1900, this was taken over as a national military park. Five or six years ago there was a toll road leading from Corinth up to the park for 17 miles, and the Government of the United States was so liberal that it bought this toll road for $28,000. They then came before us this year and asked us for a concrete road of 17 miles, costing $306,000, to go from this park to Corinth. We thought that it was unnecessary. We found out that what they call a chert road, with oil on it, would cost $3,000 a mile, or $51,000. When we came to go into conference to try to work out this situation the two committees of conference from the House and the Senate, we found that a first-class stone road properly oiled so that it would hold together in that locality, and be sufficient to take care of the traffic demands could be put in in good shape for $100,000. We appropriated $50,000 toward it this year, and we expect to have to appropriate $50,000 next year. There is not any fair, honest, legitimate excuse for increasing that amount above $100,000. It is enough to build as good a road as there is in any military park in the United States, and we should not be foolish and get extravagant along this line.

Mr. WOOD. Mr. Speaker and gentlemen of the House, my objection to this amendment is not based solely upon the amount that is involved. I object to the manner in which it is attempted to fasten this proposal on this bill. This matter was presented to the Subcommittee on Appropriations having in charge the War Department appropriation bill. It was rejected by the House committee. It was put on by amendment in the Senate. It came before the committee of conference on that bill and they agreed on $100,000 for the road—$50,000 this year and $50,000 next year. Now they try it again on this bill as an appeal, if you please, from the conference committee that had jurisdiction of it before. There was not a single iota of new evidence heard concerning it. The amendment was placed in the bill on the floor upon motion of Senator MCKELLAR. There was no argument. There has been no Budget estimate and I think it is time that one of the bodies of this Congress should awaken to the fact that we have a Budget. More than $2,000,000 was put on this bill in the other body without any hearing, and without any Budget estimate.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Not until I get through with this statement. The War Department has these various military parks in charge. They are trying the best they can to treat them all alike. They are trying as best they can, within their means, to provide adequately for their upkeep. All of the States throughout the North that have parks of this character build their own roads, and if gentlemen will compare the estimates that have been made and the appropriations that have been made, I think gentlemen from the South will have no reason to complain.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. RANKIN. The gentleman said a while ago that there were no hearings on this bill. That is a mistake.

When this matter was up in the discussion of the Army appropriation bill they had hearings before the Senate committee, and representatives of the War Department came and testified that it would be cheaper to build this concrete road——

Mr. TABER. No such testimony was offered by a representative of the War Department.

Mr. WOOD. Mr. Speaker, I do not yield any further.

Mr. RANKIN. Such a statement was made by a representative of the War Department.

Mr. WOOD. Colonel Gibson said this was the character of road that should be built, and he is the man directly in charge. The gentleman from Mississippi would have you believe we are appropriating nothing for this road. We have appropriated $50,000 in a bill this session, the War Department appropriation bill, and will appropriate $50,000 more next year to complete it. They are not satisfied with that. I spoke about there being no hearings. There were no hearings on this bill, and there was no estimate from the President. Unless we wish entirely to break down the Budget, unless we wish entirely to be guided by those who are supposed to know with reference to what should be done on this sort of proposition—the War Department, the Navy Department, or some other—and upon a simple motion either in this House or the other, without any consideration, to increase these appropriation bills, it is time that we were knowing it and the public was knowing it.

Mr. BUSBY. In regard to the people building their own roads, Shiloh National Park is not connected with any town or near any town. It lies out on the beautiful bank of the Tennessee River. No business is permitted in the park grounds, and there is no incentive for a community to build roads to it.

Mr. WOOD. There is none going out to the park at Gettysburg; yet the State of Pennsylvania did not ask any appropriation of this Congress.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. CRAMTON. The policy in connection with national parks is to require the States to provide the approach road. We have never entered upon a policy of building approach roads to reach our national parks. There is no more reason for building a road to reach a national military park than for the Federal Government to build a road to reach Crater Lake or Yellowstone or any of those national parks.

Mr. BROWNING. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BROWNING. I do not want the House to get the impression that this is an approach road. It is a part of the park. Every foot of it belongs to the Government as a part of the park, and when it was purchased, Mr. TILSON, who was in the chair, ruled we could extend the park by the purchase of this road, and every foot of it belongs to the Federal Government,

and not one inch of it belongs to the State of Tennessee or the State of Mississippi.

Mr. CRAMTON. Is it in the park?

Mr. BROWNING. It is a part of the park itself.

Mr. CRAMTON. Is it in the park?

Mr. BROWNING. Yes. It is in the park itself.

Mr. CRAMTON. Oh, no. It is an approach road.

Mr. WOOD. It is made a part of the park by reason of the fact that you asked the Government to take it over and make it a part of the park; but it is an approach road.

Mr. BUSBY. The battle of Shiloh waged from the river front all along this road to Corinth, where there was an important battle fought; and there is at that point another important national cemetery, covering acres and acres of ground. If it is not literally in the park, it is literally in the battle ground, and the National Park of Shiloh lies off to itself over there; and who in the local community could put up thousands of dollars to build a road there just for the visitors from the Northern States to reach that spot on Decoration Day or on the 5th or 6th of April?

Mr. BARBOUR. I just want to read a statement by the Secretary of War, which appears on pages 149 to 151 in the hearings, where he states:

> This road is the only means of reaching the Shiloh National Park from the south, and is the principal approach to the park. It is also a main traveled road used by the business men of Tennessee and Mississippi who live in that vicinity, and the travel over it is very largely by civilians who are in no way connected with the Shiloh National Park or the national cemetery at Corinth, Miss.

Mr. WOOD. That states the whole truth about it. I have as much respect as anybody for the burial places of our patriotic dead. I allow no one to go farther than I will to protect them, to honor them, and to revere them. But I think it is unfair for the State of Mississippi or the State of Alabama or any other State, through its representatives, under the guise of asking us to make improvements for a national cemetery where these dead repose, to urge that we improve the roads that are not distinctively park roads and which they themselves do not improve.

Mr. WOODRUFF. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. WOODRUFF. I have no knowledge whatsoever as to what conditions have been down there or what the conditions are now. All I know is what has been stated by the gentleman himself and by other members of the committee, to the effect that there is something like $100,000 being appropriated for this road. Having in mind the fact that gravel roads do not stand up under heavy traffic it seems to me important that if the Government is to build this road, it should be built of something more permanent in character than gravel.

The SPEAKER. The question is on the motion of the gentleman from Mississippi to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes, 76, noes 145.

So the motion was rejected.

The SPEAKER. The rejection of the motion is tantamount to concurring in the motion of the gentleman from Indiana to further insist.

Mr. WOOD. Mr. Speaker, I ask for a further conference and the appointment of conferees.

The SPEAKER. Without objection, a further conference will be requested with the Senate.

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. WOOD, CRAMTON, WASON, TAYLOR of Colorado, and AYRES.

REPORTS FROM THE COMMITTEE ON RULES AND CONFERENCE COMMITTEES

Mr. PURNELL. Mr. Speaker, I ask unanimous consent that the provisions of the resolution (H. Res. 287) be limited to the present session of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. RANKIN. Reserving the right to object——

Mr. PURNELL. By way of explanation, I may state that since the adoption of the resolution, H. Res. 287, it has been suggested by some that it might be regarded as a permanent rule. It was not the intention of the Rules Committee and certainly not the intention of the House that it be so regarded. Of course, it should be limited to this session of the Congress and was so intended.

Mr. RANKIN. Reserving the right to object, why not limit it to three days or five days? Why not put a limit of days on it? I have not any desire to hamper the House in the consideration of bills that are necessary, but I think the gentleman from Indiana should put a time limit on this, and then if we do not adjourn by that time, another resolution can easily be passed.

Mr. PURNELL. The resolution has already been adopted. I am simply asking to modify it to conform to the known wishes of the House.

Mr. RANKIN. I understand. It should not have been adopted without a time limit on it. I think the gentleman from Indiana or whoever is in charge of the resolution, should put a time limit on it of, say 4 or 5 or 6 days.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

WORLD WAR VETERANS' LEGISLATION

Mr. PURNELL. Mr. Speaker, I submit a privileged resolution from the Committee on Rules (H. Res. 288), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 288 (Rept. No. 2056)

Resolved, That immediately upon the adoption of this order the bill (H. R. 13174) entitled "An act to amend the World War veterans' act, 1924, as amended," together with the amendments of the Senate thereto, be taken from the Speaker's table, that the amendments of the Senate thereto be disagreed to in gross, that the conference asked by the Senate be agreed to, and that the Speaker, without intervening motion, appoint managers on the part of the House.

Mr. POU. Mr. Speaker, may we have some agreement with the gentleman from Indiana as to time to be allotted on our side?

Mr. PURNELL. How much time does the gentleman desire?

Mr. POU. We should like to have 30 minutes.

Mr. PURNELL. Can the gentleman not get along with a little less? We are anxious to proceed with this important matter.

Mr. POU. There have been four or five requests for time on this side. This is one of the most important matters that has been or will be considered.

Mr. PURNELL. If the gentleman insists I shall yield him 30 minutes. I hope he can get along with less.

Mr. POU. I am in a position where I must insist.

Mr. PURNELL. Then I yield 30 minutes to the gentleman. I have no requests for time on this side, and I do not care to make any lengthy statement myself.

The resolution is very brief, and I think it explains itself. The purpose of the resolution is to get the veterans' bill quickly to conference with the hope that as a result of that conference a bill may be agreed upon quickly that will not only meet Executive approval but will be satisfactory to the soldiers whom we are trying to serve.

I may add further that while it is not a prime consideration in the matter, it is also hoped it will expedite adjournment. [Applause.]

I yield 30 minutes to the gentleman from North Carolina [Mr. POU].

Mr. GARNER. Will the gentleman from North Carolina yield me one minute?

Mr. POU. Mr. Speaker, I yield one minute to the gentleman from Texas.

Mr. GARNER. Mr. Speaker, in order to accommodate the House and do what the gentleman wants to do, and that is to facilitate this bill going to conference, I am going to ask unanimous consent that the House disagree to the Senate amendments and agree to the conference asked by the Senate, so as to cut out an hour's debate and give the gentleman an opportunity to send the bill to conference at once. [Applause.]

Mr. TILSON. Will the gentleman add one clause, which is in the rule?

Mr. KVALE. I object.

Mr. GARNER. I wanted to know who would object. We would have an opportunity under those conditions, Mr. Speaker, to vote on each amendment.

Mr. PURNELL. Will the gentleman incorporate in his unanimous-consent request that the Speaker may appoint the managers on the part of the House without intervening motion?

Mr. GARNER. Oh, no. [Laughter.] I make my own request. I request that we disagree to the Senate amendments and agree to the conference asked by the Senate, and that the Speaker appoint the conferees at the proper time.

Mr. PURNELL. I merely wanted to be helpful to the gentleman.

Mr. GARNER. I do want an opportunity to vote on these amendments, and I think the gentleman and the other Members

of the House ought to have an opportunity to express themselves on these amendments. This rule prevents the House of Representatives from expressing itself, but the House would have an opportunity under my unanimous-consent request to vote on some of these amendments and instruct the conferees. It would give the House an opportunity to consider these amendments, and I think the House should have an opportunity to consider them. [Applause.] Yet you undertake by a rule to gag the House of Representatives and give it no opportunity to vote on these amendments.

Mr. PURNELL. The gentleman knows that two-thirds of the Members on that side are perfectly willing to be gagged.

Mr. RANKIN. That statement is not correct.

Mr. PURNELL. At some time during the consideration of this matter it might be well in the interest of our World War veterans to eliminate all question of politics.

Mr. RANKIN. Then why not do it? That is what you are doing now, making it a political issue.

Mr. PURNELL. Mr. Speaker, I yield 30 minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, we are going to ask you to vote down the previous question on this rule. A vote for the previous question on this rule means a vote against veterans' relief. Do not misunderstand that. A vote for the previous question means to send the bill to conference where they will cut down these compensation rates.

The compensation of a totally disabled veteran will be cut down from $60 to $40 a month; the compensation of a man 75 per cent disabled will be cut down to $24, and that of a man less than 75 per cent disabled, even though he be 70 per cent disabled, will be cut down to $18 a month.

Now, if we vote down the previous question on this rule we have a motion to offer—to concur in the Senate amendments. We are not asking you to vote for them en bloc. We will take them one at a time, but we do want to have an opportunity to vote on these amendments, because you know that when you send them to conference you already have a majority of your conferees fixed.

You know they are opposed to these rates; you know they are opposed to liberalizing the relief for these uncompensated disabled veterans of the World War. They are for the pauper rates in the Johnson bill.

Thousands of these men have been suffering for years. Thousands of men came out of the service with disabilities. Many of them did not know they had the right to apply for compensation. Many of them, through patriotic impulses, refused to apply until after 1925, and then when they finally broke down, they were told by the Veterans' Bureau that they were too late. Now you propose to shut them off. You propose to shut them off with the measly sum of $40 a month for the totally and permanently disabled.

I see before me the gentleman from Pennsylvania [Mr. SWICK]. He advocated these rates in the committee. Other gentlemen in the committee advocated these rates as they have in the House. But when the time comes that you think you have your gag rules working, so that you can shut off any relief to amount to anything for these disabled men, you attempt to force this rule through and send the bill to conference when a majority of your conferees have already decided what they are going to do, and that is to take the humanity out of this bill that was put in by the Senate on yesterday, reduce the compensation of these men to a small pittance that is insufficient to relieve their suffering.

Ah, gentlemen, are you the same men who voted for the veterans' bill on the 24th of April by a majority of 6 to 1? If so, what has come over you? Are you the same men who voted to override the President's veto on the Spanish-American War veterans' bill? Then why do you refuse to give these men justice?

There are 72 men on the Republican side of the House who voted to sustain that veto the other day, who voted to override Mr. Coolidge's veto of the emergency officers' retirement bill, which gives some of those men as much as $350 or $400 a month as a pension for life, no matter whether they recover from their disabilities or not. Are you the same men? If so, then why deny these disabled enlisted men relief?

I appeal to you to-day to vote down the previous question, in order that we may move to concur, at least, in the principal Senate amendments to liberalize this bill and give these men some decent measure of that relief, to which they are entitled, and which nearly every one of you have promised them over your own signatures.

I hope you will vote down the previous question. [Applause.]

The SPEAKER pro tempore (Mr. CHINDBLOM). The time of the gentleman from Mississippi has expired.

Mr. POU. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, we should be more interested, in my opinion, in providing proper legislation for the disabled World War veterans than we are in the adjournment of this session of the Congress. [Applause.]

We are here to attend to the business of the people, and it is our duty to legislate in the interest of the veteran.

The distinguished gentleman from Indiana said, "Adopt this rule and pursue this course and give the veterans what they want." I will tell you what they want. If you want to give the veterans what they desire you would concur in the Senate amendments.

I have never had anyone give me a reason why a veteran of the World War, with the same degree of disability as a Spanish-American War veteran, should not have the same amount of pension or the same allowance, and I challenge any man here to say that a World War veteran with a 50 per cent disability is not entitled to as much pension as a Spanish-American War veteran with a 50 per cent disability. You have not answered that question, and you can not answer it. One of the main amendments of the Senate provides for this being done, and if you want to do equal justice to both the Spanish-American War veterans and the World War veterans, you should adopt the amendments of the Senate, and we could do that in five minutes' time if we had the opportunity, and we would in this way obviate all necessity for this rule. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. POU. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, all that the minority can accomplish in the face of an overwhelming majority is to see that the differences in issue are properly stated.

The Congress has been dealing with veterans' legislation for quite a while. This House, by an overwhelming vote, declared that the measure amended by the Senate is utterly unsatisfactory. The other body, by a vote of 10 to 1, in effect declared that legislation you are proposing to pass by this gag rule is utterly unsatisfactory.

If the heart of this House could speak, if the heart of the membership of this House could find expression, no such legislation as the administration measure would stand any chance whatsoever to become the law of the land.

The so-called Rankin bill was sent to the White House, was promptly vetoed, and the House and the Senate received a severe castigation from the President of the United States. No schoolboy ever received a more severe tongue lashing than the Members who voted for that legislation here. Now, it is proposed to supinely submit to the dictation of the President and accept not what we think is best, but what the President of the United States thinks is best. Under this rule there can be no vote upon any of the Senate amendments if the House orders the previous question. Therefore, the only way by which the House can express itself upon the Senate amendments to the veterans bill is to vote down the previous question, but that you will probably not do. Since the recent spanking the President has administered to Congress, the majority in power will do just what you are ordered to do. During my service in this House I have wondered why the House is so often spoken of with ridicule and sometimes with contempt. On the railroad trains, in the hotel lobbies, almost invariably whenever you hear the House of Representatives mentioned, somebody is ready to throw off with some remark of ridicule or contempt. I think it is because we do just such things as you are going to do to-day, and as long as we surrender our own honest convictions to the declaration of any man, even though he is the President of the United States, people will continue to speak of us with contempt and regard us with contempt. A majority of the House in your hearts do not believe that $40 a month for complete disability is sufficient, and I would like to have an opportunity to vote up or down on the Senate amendments. Three hundred and twenty-odd members here against 49 said that it was not enough. When you passed the Spanish War veterans' bill over the veto of the President you said it was insufficient to care for the totally disabled. In another body 66 against 6 said $40 per month was inadequate, and as highly as I respect the President of the United States, I refuse to be governed by his tongue lashing, but I know that nothing that can be said here to-day will avail. All that we can do is to see that the record is properly made up, and I think we have succeeded in doing that. [Applause.]

I yield five minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker, ladies and gentlemen of the House, in view of the statement made by the gentleman from Indiana [Mr. PURNELL] I want the RECORD to be perfectly clear, that there are not two-thirds over here on the Democratic side who are against the Senate amendments to this veterans' bill. I firmly believe that every man on the Democratic side of this House is for the bill with the Senate amendments. [Applause.] There are only two Democratic members of the Rules Committee here to-day and both of them are protesting against this gag rule, and I want the country to know the attitude of the Democrats toward this legislation.

I desire also to call to the attention of the House an exceptional situation that has developed in the Seventy-first Congress. The Republican leader of this House some time ago took the floor and asked this House to vote against its better judgment because the Executive intended to veto a certain bill. The President is not the legislative branch of this Government. That is the peculiar situation we face to-day, and it is one of the most dangerous that this country has faced in a long time—the relinquishment of its prerogatives by the legislative branch to the Executive.

Heretofore Executives have often vetoed measures, but for the first time—mark you, gentlemen, for the first time—the Executive in vetoing the Rankin bill entered into an agreement with the Republican legislative leaders to sign another bill. He, therefore, wrote the legislation. If it were not satisfactory to him he would not have entered into the agreement, and if he had not entered into the agreement and promised to sign the new bill his veto would have been overridden. In such days are we living.

The whole country has shown an interest in this unusual situation, and the leading editorials have commented that never before in the history of politics have they seen a legislative body sit down with the Executive and say "We will sustain your veto if you will agree in advance to approve a bill we show you." Of course, he would not approve it if it did not meet with his wishes. The new bill was presented at the Republican caucus. The Executive, therefore, wrote the bill and took the position that it was the only bill he would approve.

Why, ladies and gentlemen, if that is what is going to happen from now on to the established institutions and governmental system of this country we might as well adjourn now, close up the legislature, and send all bills to the White House. Let the President call his own House of Representatives, let him call his own Senate, and let him exercise the functions of both branches of our Government. [Applause.]

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker, ladies and gentlemen of the House, the Rankin bill is now past history. I am not going to tell you anything about it or talk about the Rankin bill or the amendment which I offered, which superseded both the Rankin and Johnson bills, and which you passed in the House.

You remember that I told you at that time that I was not worrying about two hundred millions or three hundred millions of dollars cost, that that would be cut down by the time it came back to the House. It was cut considerably, as you know.

You remember that I further told you not to worry about the prophecy of Secretary Mellon that we would have a deficit, I declared that when July 1 came around we would undoubtedly have a surplus of $200,000,000 or $300,000,000 in the Treasury, and yesterday morning's paper told you that we had $200,000,000 surplus in the Treasury.

But here is what I would like to bring home to you to-day.

This bill, which was passed by the Senate yesterday, is a good bill. It brings the rates up to the rates of the Spanish-American War veterans, taking out the misconduct clause for the man who got venereal disease during his time of service, not since, and making the disability 10 per cent in place of 25 per cent. It is a good bill. It will take care of thousands of service men in the United States who can not be cared for under the present provisions of the veterans' laws. I am in favor of this bill. To my mind this is not a partisan issue at all, and if you gentlemen desire to do justice to service men of the United States you will vote against the previous question, thus giving an opportunity to vote to concur in the Senate amendments.

There are men with whom I served in the Argonne, at Chateau-Thierry and San Mihiel, and different places in France, men who were in the battle line. These men were in combat units, whether in ROYAL JOHNSON'S unit or the Twenty-sixth or Forty-second or the First or the Second or the Third or other combat units, and the wagons which carried their records were often ditched or shot up and the records completely lost, while the men who went to Camp Devens or Camp Meade and who did not get abroad, have their records intact. The man who served with ROYAL JOHNSON or with Mr. MILLIGAN or with Mr. BROWNING or any of these men who served overseas may have lost his records. He can not come in for compensation under the Veterans' Bureau, because he can not prove service, and thus we have penalized many of the best soldiers of the war.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. JOHNSON of South Dakota. I notice the gentleman has not much time, and if I take up any of his time and he wants more I shall ask this side to give him some. The gentleman from Massachusetts has brought up a very pertinent question and he states something that I know to be absolutely true, because some of the records were lost by shell fire. Does he not think the provision of the present law, which was inserted on the House side and which he and I favor, providing for the consideration of lay testimony will obviate some of the difficulty that he has in mind? Also, does he not believe that if these records were blown up and lost, one of the soldiers who served with the particular man who wants relief could come in and show that fact?

Mr. CONNERY. Yes. And I say that I think that is one of the most important amendments put on the bill. The gentleman also knows that there are many men in the United States who are not getting compensation, who were the very best kind of soldiers, who would not leave the line, who were gassed and would not go to the hospital, and, therefore, there is no hospital record, and to-day these men are dying and are uncompensated because they can not prove service connection.

Mr. RANKIN. Is it not a fact that the Veterans' Bureau is the only tribunal on earth as to which you had to pass a law to make it take lay testimony?

Mr. CONNERY. Yes.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. PURNELL. Mr. Speaker, I yield the gentleman two minutes.

Mr. CONNERY. Mr. Speaker, this is a good bill which has been passed by the Senate, especially with that misconduct clause taken out and with the Spanish War rates. I listened to all of the debates in the Senate. They discussed this matter thoroughly. Some said, Why give the World War veteran these rates to-day, 10 or 12 years after the war, which the Spanish War veterans had to wait 23 or 25 years to get? All I can say in reference to that is this: Every Member who was present on the floor of this House when the Spanish War bill was passed raising the rates said, "At last we are doing justice to them, giving them something they should have gotten 25 years ago." Let us not start off with a policy now of keeping the World War veterans down to the rate which the Spanish War veterans obtained 25 years ago. Give them a decent rate now, and you will be doing justice. I do not think they will be dissatisfied if you pass the bill with the Senate amendments, but just as sure as I am standing here, if you do not do it, if you give them a piecemeal bit of legislation, give them $12 a month in place of the Senate rates, then the American Legion and the Veterans of Foreign Wars and Disabled American Veterans and other service organizations in the United States are going to come in next December and say, "All right, now give us what you should have given us before, give us the Spanish War rate." Do it now, gentlemen. [Applause.]

Mr. POU. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, the motion for the previous question is one of the most useful tools in the parliamentary chest. But, like most other valuable agencies, it is capable of grave abuse. Where used legitimately, the previous question is utilized for two purposes only—to close dilatory debate and to prevent filibustering. It is used improperly when employed to preclude the consideration of reasonable amendments and to prevent the House from expressing its will and recording its vote on material questions at issue.

The previous question as presented to-day in the pending motion falls within the latter category. Obviously there has been no attempt to filibuster. Certainly there is no disposition to unduly prolong discussion. Our only purpose here—as clearly explained by the gentleman from Mississippi [Mr. RANKIN]—is to give the House an opportunity to vote on agreeing to the Senate amendments. In brief, our purpose is to expedite the enactment of this legislation by accepting the amendments of the Senate and sending the bill to the President this afternoon instead of sending it to conference for the mutilation or elimination of the Senate amendments. Members

should themselves vote on the Senate amendments instead of turning them over to the tender mercies of conferees who are known to be opposed to them.

So when you vote on ordering the previous question on this resolution here is what you are voting for: If you vote for the previous question, you are voting to gag yourself. You are voting to turn this legislation over to two men who are opposed to increasing the rates in the bill; to delegate to them the power that you should exercise yourselves. On the other hand, if you vote down the previous question, you are voting to decide this matter here in the House this afternoon. You are voting for the opportunity to agree to the Senate amendments now and pass the bill without further ceremony. I trust the House will vote down the previous question and give the gentleman from Mississippi an opportunity to offer his motion; give the House an opportunity to accept the Senate amendments; and give the ex-service men the same consideration the Government has given every other American veteran. [Applause.]

Mr. PURNELL. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. The gentleman who has preceded me [Mr. CANNON], whose knowledge of parliamentary practice is not surpassed in this House, is well aware of the fact that there is grave doubt as to whether under any circumstances instructions should be given to conferees; at any rate, at the first conference. He is aware of the fact that the other branch of the Congress has consistently refused to interfere with free conferences, and I am sure his acquaintance with the purposes of parliamentary law would lead him, upon mature reflection, to conclude that the intent of a conference is interfered with by instructions prior to the first meeting of the conferees.

Mr. CANNON. Mr. Speaker, will the gentleman yield there?

Mr. LUCE. Certainly.

Mr. CANNON. Would the objection that the gentleman has just voiced apply to the motion to which the gentleman has just agreed respecting the Senate amendment?

Mr. LUCE. The House has already expressed itself on the bill in a certain form. The House has not voted to reconsider. The House has taken a position, and it is the intent of the conferees representing this branch to lay before the conferees of the other branch the position which this House has already taken. A motion to reconsider might be a useful thing, but the House has determined for the time being what it desires to be done. If the House conferees bring back a report according with the view the House has already taken, and the House, changing its mind in this or that particular, wishes to yield to the Senate in relation thereto, it can reject the conference report, send the matter to a second conference, and with more propriety than now give instructions to the conferees.

But at this time the very purposes of the conference demand that the conferees shall go to it with free hands, unshackled, to represent the views of the House as hitherto expressed.

A word about the drafting of this bill. The gentleman has said that it was written at the White House by the President of the United States. I deny that with all the power at my command. This bill in the form in which it left the House was prepared by members of the Committee on World War Veterans' Legislation. It embodied nearly all the proposals that had been passed upon by the committee and approved by the House. The sentiments of the President on some phases of the subject had been expressed, formally and constitutionally, in a veto that he sent here on another measure, and other of his opinions had come to public knowledge through the columns of the press. As practical men of affairs, as legislators desirous of achieving results, rather than make false plays to the veterans, we felt we should submit something that could become law. We rewrote the objectionable sections of the bill accordingly.

What else could we do? Would you have had us draft a bill that the President would veto? Would you have had us put in provisions that we knew would prevent enactment?

Men right before me to-day would vote for instructions to the conferees that, if carried out, would prevent enactment. Is that fair to the Nation or to the veterans themselves? Is it honest and sincere, when we know what would happen?

Mr. PURNELL. Mr. Speaker, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON].

The SPEAKER pro tempore. The gentleman from South Dakota is recognized for five minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker and Members of the House, there have been two arguments presented to the House to-day by the gentleman from Massachusetts [Mr. CONNERY] which deserve discussion. They were presented by a man who knows what this soldier business is all about, from a practical viewpoint, and who really desires that relief shall be extended to the ex-service men.

As he stated, the records of some of these ex-service men were lost and some of the records of the American Expeditionary Forces were destroyed by shell fire. Some were destroyed in the camps by fire and some were destroyed by accident. To prove the cases of men whose records have been destroyed further evidence, therefore, is necessary. When therefore the bill came to us in its last form, in the bill passed by the House under suspension of the rules, there was a provision inserted that lay testimony—nonmedical testimony—could be considered. Now, if a man's records are lost he can still prove his case. In addition, we know that scattered all over the world, in many countries, there were 15,000,000 pieces of paper affecting men's records, and we have inserted a provision to collect these pieces of paper so that a man can have his record where it can be found, so that it is not necessary for the record to prove the presumption of service connection, because that can be done by the real record.

He urged that the present rates be made the same as the rates for the Spanish-American War veterans. He overlooked the fact that the World War veteran secures hospitalization the moment he suffers disability, and that hospitals were built for that purpose. This World War veteran, service-connected or not service-connected, then has the privilege of going into the hospital at an expense to the Government of $120 a month, and every one of those men who goes to a hospital who is totally disabled will, under the bill as passed by the House, receive that which will cost the Government of the United States $160 per month—a cash payment of $40 and $120 a month for the treatment which the Government is giving. That is more than the Spanish-American War veteran gets to-day.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. CONNERY. The Spanish-American War veteran is entitled to hospitalization also.

Mr. JOHNSON of South Dakota. That is because of the fact that Captain Mattocks, a Spanish-American War veteran, and myself and others at one time went before the Committee on Public Buildings and Grounds, and first took in those who had T. B., and we have been trying to work out this problem so that all veterans of all wars will be treated alike. I am glad to say that the gentleman from Massachusetts [Mr. CONNERY] has always joined in that viewpoint.

Mr. BLANTON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I only have one minute left. I will yield this time, but no more.

Mr. BLANTON. One difference is that many of the Spanish-American War veterans have grown sons to help take care of them, while many of the World War veterans have a wife and children to support, and there is the difference.

Mr. KNUTSON. And another reason is there are about 4,000,000 World War veterans who vote and only 200,000 Spanish-American War veterans.

Mr. BLANTON. Oh, that question of politics is not considered at all.

Mr. JOHNSON of South Dakota. I can not yield further. I served notice that I would not, and I can not.

I have been through the debates on this floor for 13 years, and I know the interminable debates that we can have on this proposition. I want to talk about a matter of plain everyday common sense for a minute. I want to get a bill passed for some of these people who are really in distress. [Applause.] There is only one way to do it, and that is to agree on a bill that the House and Senate can agree on and which the President will sign. [Applause.]

I want something passed so that I can leave here at 3.30 and can be in conference with some men who also want to pass legislation. [Applause.] Then I want to bring it back here and get it adopted so that all these ex-service men can file their claims, so that those who are disabled and service connected, presumptively or otherwise, will receive compensation at the present high rates. That those who do not have service connection can still proceed to get their service connection if they can get it, and we will give them lay evidence to do it with. Those that can prove it can come in in three or four days. That those who have no service connection can secure the disability allowance to help them over the rough spots.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PURNELL. I yield five additional minutes to the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. Those men can come in in three or four days and file their claims and, using the same system of rating that is now used by the Pension Bureau, they will go on the pay roll where they will be able to get some coal in the coal bin and flour in the flour bin. Passing this resolution which has already passed the House for a survey of veterans'

legislation in the years that this system would be in operation ought to be able to work out a fair and equitable system of laws which will treat alike the veterans of both wars.

That can be done without the use of politics. Of course, I know there is nobody in this body who would demagogue, but, without any demagoguery we should be able to work out a fair and equitable system which will treat all alike. It is a difficult matter. We did not have good medical examinations in the Spanish-American War. It was entirely different to what it is now. The Spanish-American War veteran would have had a hard time connecting his claim. A World War veteran does not have such a difficult time, because there are some records.

I urge the House to vote for the previous question to pass this rule. We will go to conference and we will get a law to put the service men that are totally disabled in hospitals, if they want it, and give them $40 a month, and we can adjourn. If we do not do that, we will adjourn anyway, and if there is no legislation, the men who are responsible for it will not be the men who vote with me on this matter. [Applause.]

Mr. PURNELL. Mr. Speaker, I move the previous question on the resolution.

Mr. GARNER, Mr. POU, and Mr. RANKIN demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 117, answered "present" 1, not voting 115, as follows:

[Roll No. 83]

YEAS—194

Ackerman	Eaton, N. J.	Kendall, Pa.	Robinson
Adkins	Elliott	Ketcham	Rogers
Allen	Ellis	Kiess	Rowbottom
Andresen	Englebright	Kincheloe	Seiberling
Aswell	Estep	Kinzer	Shaffer, Va.
Ayres	Esterly	Knutson	Short, Mo.
Bachmann	Evans, Calif.	Kopp	Shott, W. Va.
Bacon	Fenn	Korell	Shreve
Baird	Fish	Kurtz	Simmons
Barbour	Foss	Lambertson	Simms
Beedy	Freeman	Langley	Sloan
Beers	French	Lankford, Va.	Smith, Idaho
Blackburn	Garber, Okla.	Leavitt	Snow
Bolton	Garber, Va.	Leech	Sparks
Bowman	Gibson	Letts	Speaks
Brand, Ohio	Goodwin	Luce	Sproul, Ill.
Brigham	Graham	McClintock, Ohio	Stafford
Britten	Guyer	McCormick, Ill.	Strong, Kans.
Buckbee	Hadley	McFadden	Strong, Pa.
Burdick	Hale	McLaughlin	Sullivan, Pa.
Butler	Hall, Ill.	McLeod	Summers, Wash
Campbell, Iowa	Hall, Ind.	Maas	Swanson
Carter, Calif.	Hall, N. Dak.	Magrady	Swick
Carter, Wyo.	Halsey	Manlove	Swing
Chalmers	Hancock	Mapes	Taber
Chindblom	Hardy	Martin	Taylor, Tenn.
Christopherson	Hartley	Menges	Temple
Clague	Haugen	Merritt	Thatcher
Clancy	Hawley	Michener	Thurston
Clark, Md.	Hess	Miller	Tilson
Clarke, N. Y.	Hickey	Moore, Ohio	Timberlake
Cole	Hoch	Morgan	Tinkham
Colton	Holaday	Mouser	Turpin
Connolly	Hooper	Nelson, Me.	Vestal
Cooper, Ohio	Hope	Newhall	Vincent, Mich.
Coyle	Hopkins	Niedringhaus	Wason
Craddock	Houston, Del.	Nolan	Watres
Cramton	Hull, William E.	O'Connor, Okla.	Welch, Calif.
Crowther	Irwin	Palmer	White
Culkin	Jenkins	Parker	Wigglesworth
Dallinger	Johnson, Ind.	Perkins	Wolfenden
Darrow	Johnson, Nebr.	Pittenger	Wolverton, N. J.
Denison	Johnson, S. Dak.	Pritchard	Wolverton, W. Va.
Dickinson	Johnson, Wash.	Purnell	Wood
Douglas, Ariz.	Jonas, N. C.	Ramey, Frank M.	Woodruff
Dowell	Kahn	Ramseyer	Wyant
Dunbar	Kearns	Ransley	Yates
Dyer	Kelly	Reed, N. Y.	
Eaton, Colo.	Kendall, Ky.	Reid, Ill.	

NAYS—117

Abernethy	Davis	Hare	McMillan
Allgood	Dickstein	Hastings	McSwain
Almon	Dominick	Hill, Ala.	Mead
Arnold	Doughton	Hill, Wash.	Milligan
Auf der Heide	Douglass, Mass.	Howard	Montague
Bell	Doxey	Huddleston	Montet
Black	Drane	Hull, Wis.	Mooney
Bland	Driver	Jeffers	Morehead
Blanton	Eslick	Johnson, Okla.	Nelson, Mo.
Box	Evans, Mont.	Johnson, Tex.	O'Connell
Boylan	Fisher	Jones, Tex.	O'Connor, La.
Briggs	Fitzgerald	Kennedy	O'Connor, N. Y.
Browning	Fitzpatrick	Kvale	Oldfield
Brunner	Gambrill	Lampert	Oliver, Ala.
Busby	Garner	Lanham	Palmisano
Canfield	Garrett	Lankford, Ga.	Parks
Cannon	Gasque	Larsen	Patman
Cartwright	Gavagan	Lea	Patterson
Christgau	Glover	Lindsay	Pou
Cochran, Mo.	Granfield	Linthicum	Prall
Collier	Green	Lozier	Quin
Cooper, Tenn.	Greenwood	Ludlow	Ragon
Cox	Gregory	McClintic, Okla.	Rainey, Henry T.
Cross	Griffin	McCormack, Mass.	Rankin
Crosser	Hall, Miss.	McDuffie	Rayburn
Cullen	Hammer	McKeown	Rutherford
Sanders, Tex.	Sumners, Tex.	Underwood	Yon
Sandlin	Tarver	Whittington	
Schafer, Wis.	Thompson	Wilson	
Stone	Tucker	Woodrum	

ANSWERED "PRESENT"—1

Connery

NOT VOTING—115

Aldrich	Dempsey	Kiefner	Smith, W. Va.
Andrew	De Priest	Kunz	Snell
Arentz	DeRouen	LaGuardia	Somers, N. Y.
Bacharach	Doutrich	Lehlbach	Spearing.
Bankhead	Doyle	McReynolds	Sproul, Kans.
Beck	Drewry	Mansfield	Stalker
Bloom	Edwards	Michaelson	Steagall
Bohn	Finley	Moore, Ky.	Stedman
Brand, Ga.	Fort	Moore, Va.	Stevenson
Browne	Frear	Murphy	Stobbs
Brumm	Free	Nelson, Wis.	Sullivan, N. Y.
Buchanan	Fuller	Norton	Taylor, Colo.
Burtness	Fulmer	Oliver, N. Y.	Treadway
Byrns	Gifford	Owen	Underhill
Cable	Golder	Peavey	Vinson, Ga.
Campbell, Pa.	Goldsborough	Pratt, Harcourt J.	Wainwright
Carley	Hoffman	Pratt, Ruth	Walker
Celler	Hogg	Quayle	Warren
Chase	Hudson	Ramspeck	Watson
Clark, N. C.	Hudspeth	Reece	Welsh, Pa.
Cochran, Pa.	Hull, Morton D.	Romjue	Whitehead
Collins	Hull, Tenn.	Sabath	Whitley
Cooke	Igoe	Sanders, N. Y.	Williams
Cooper, Wis.	James	Schneider	Williamson
Corning	Johnson, Ill.	Sears	Wingo
Crail	Johnston, Mo.	Seger	Wright
Crisp	Kading	Selvig	Wurzbach
Curry	Kemp	Sinclair	Zihlman
Davenport	Kerr	Sirovich	

So the previous question was ordered.

The Clerk announced the following additional pairs:

On this vote:

Mr. Snell (for) with Mr. Bankhead (against).
Mr. Treadway (for) with Mr. Connery (against).
Mr. Andrews (for) with Mr. Moore of Virginia (against).
Mr. Sproul of Kansas (for) with Mr. Somers of New York (against).
Mr. Campbell of Pennsylvania (for) with Mr. LaGuardia (against).
Mr. Chase (for) with Mr. Smith of West Virginia (against).
Mr. Davenport (for) with Mrs. Norton (against).
Mr. Beck (for) with Mr. Igoe (against).
Mr. Johnston of Missouri (for) with Mr. Oliver of New York (against).
Mr. Kiefner (for) with Mr. Vinson of Georgia (against).
Mr. Free (for) with Mr. Sullivan of New York (against).
Mr. Harcourt J. Pratt (for) with Mr. Whitehead (against).
Mr. Dempsey (for) with Mr. Edwards (against).
Mr. Aldrich (for) with Mr. Crisp (against).
Mr. Bohn (for) with Mr. Frear (against).
Mr. Hudson (for) with Mr. Drewry (against).
Mr. Fort (for) with Mr. Ramspeck (against).
Mr. Gifford (for) with Mr. McReynolds (against).
Mr. Underhill (for) with Mr. Quayle (against).
Mr. Cochran of Pennsylvania (for) with Mr. Sirovich (against).
Mr. Golder (for) with Mr. Brand of Georgia (against).
Mr. Murphy (for) with Mr. Steagall (against).
Mr. Watson (for) with Mr. Carley (against).
Mr. Hoffman (for) with Mr. Wingo (against).
Mr. Bacharach (for) with Mr. Wright (against).
Mr. Seger (for) with Mr. Spearing (against).
Mr. Finley (for) with Mr. Hull of Tennessee (against).
Mr. Morton D. Hull (for) with Mr. Romjue (against).
Mr. Sinclair (for) with Mr. Celler (against).
Mr. Lehlbach (for) with Mrs. Owen (against).
Mrs. Ruth Pratt (for) with Mr. Fulmer (against).
Mr. Sanders of New York (for) with Mr. Fuller (against).
Mr. Cooke (for) with Mr. Byrns (against).
Mr. Stobbs (for) with Mr. Corning (against).
Mr. Wainwright (for) with Mr. Bloom (against).
Mr. Hogg (for) with Mr. Kemp (against).
Mr. Walker (for) with Mr. Stevenson (against).
Mr. Doutrich (for) with Mr. Kerr (against).
Mr. Curry (for) with Mr. DeRouen (against).

Until further notice:

Mr. Schneider with Mr. Doyle.
Mr. Crail with Mr. Mansfield.
Mr. Brumm with Mr. Kunz.
Mr. Arentz with Mr. Goldsborough.
Mr. Michaelson with Mr. Warren.
Mr. Reece with Mr. Taylor of Colorado.
Mr. Selvig with Mr. Collins.
Mr. Sears with Mr. Buchanan.
Mr. Cooper of Wisconsin with Mr. Sabath.
Mr. James with Mr. Clark of North Carolina.
Mr. Cable with Mr. Moore of Kentucky.
Mr. Browne with Mr. Williams.
Mr. Stalker with Mr. Hudspeth.

Mr. HOGG. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. HOGG. I was not.

The SPEAKER. The gentleman does not qualify.

Mr. CONNERY. Mr. Speaker, I voted "present" because I have a pair with my colleague, Mr. TREADWAY, who is unavoidably absent. If he were here, he would vote "yea," and I would vote "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. JOHNSON of South Dakota, LUCE, PERKINS, RANKIN, and JEFFERS.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I desire to prefer a unanimous-consent request. In the debate a while ago there was some question about a statement before the Senate committee with reference to a bill we had up. I ask unanimous consent to extend my remarks in the RECORD by inserting that statement, provided it does not cover more than one or two paragraphs.

The SPEAKER. Is there objection?

Mr. SPROUL of Illinois. Mr. Speaker, I object.

CONSTRUCTION AT MILITARY POSTS

Mr. RANSLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 12996, a bill to authorize appropriations for construction at military posts, and for other purposes, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table House bill 12996, disagree to the Senate amendments, and agree to the conference asked by the Senate. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. RANSLEY, SPEAKS, and QUIN.

MUSCLE SHOALS

The SPEAKER. Under the order of the House, the Chair recognizes the gentleman from Alabama [Mr. ALMON] for 10 minutes.

Mr. ALMON. Mr. Speaker, I desire to call your attention to something that you probably do not know, something that has never occurred before in my experience as a Member of the House, something that should not have occurred, and something that should be corrected at once.

Conferees were appointed on the Muscle Shoals bill about a month ago. They held two meetings only. There is but very little difference between the conferees of the two Houses. While this is true, and while we were expecting that they would agree and make a report, two of the Republican conferees of the House—Mr. WURZBACH, of Texas, and Mr. REECE, of Tennessee—suddenly left and went to their homes to attend to important business, as is claimed by them.

This session is about to close and the presumption is that they do not intend to return and complete the work delegated to them by the House. This, as is well known, is one of the most important pieces of legislation which has had the attention of the Congress during this session. Every Representative and every Senator from each of the Southern States favor the compromise bill except Mr. WURZBACH and Mr. REECE. [Applause.]

I do not intend to say anything unkind about either Mr. WURZBACH or Mr. REECE. Our relations have been very pleasant and cordial for several years. Mr. REECE stated that he was going home to look after his campaign. This may be very necessary for his personal benefit, as I am told that his constituents feel very indignant about him not agreeing to the compromise Muscle Shoals bill for the reason that Cove Creek Dam is located in his part of the State of Tennessee, which would be developed and of great advantage to his State in the event the compromise was carried out. Mr. REECE has the power and authority to bring about a settlement of this question, even if neither Mr. RANSLEY nor Mr. WURZBACH should agree with him, as Mr. QUIN, of Mississippi, and Mr. FISHER, of Tennessee, Democratic conferees, have agreed to the compromise proposed by the Senate conferees. Mr. REECE would make a majority. I do not know the nature of the important business which has taken Mr. WURZBACH away from his post of duty to the State of Texas. It may also be politics. Many of us have important business at home, and some of us have opposition and campaigns and would like to be at home to look after our campaigns. Different Members feel differently about these matters. I, for one, believe it is my duty to remain here and attend to the duties expected of me by my constituents. [Applause.]

If Mr. WURZBACH and Mr. REECE can not stay here and attend to their duties as conferees on the Muscle Shoals bill, which is so very important to the Government and to agriculture, they should resign as conferees so that others could be appointed and who would give it their attention. [Applause.] If they do not indicate that this will be done within a very short time, I am in favor of the House taking steps to remove them as such conferees and appoint others.

I trust that they will both make known at once to the Republican leaders of the House what they propose to do, so the House may know what to expect and take steps to have this legislation completed before adjournment. I see in the newspapers that certain Senators will oppose any adjournment until the Muscle Shoals bill is acted on. I will join with them in opposing any adjournment until this is done. I believe it is our duty to settle this question so that the distressed farmers of the Nation may be relieved to at least one-half of the amount of their fertilizer bills. This would also give employment to thousands of men who are out of work and in great distress. [Applause.] A word of approval of this compromise measure to Mr. WURZBACH or Mr. REECE by President Hoover or the majority leader, Mr. TILSON, would cause the measure to be adopted, but they both have declined to do so, as I stated in my speech on last Friday.

The Senate passed a Government operation bill and the House a leasing bill. The Senate conferees agreed that the fertilizer plants might be leased and that the hydroelectric power plant at Muscle Shoals be retained by the Government, and that the board appointed by the President, as provided in each of the bills, should operate the power plant and sell it at a very low rate to the lessee of the fertilizer plants, and should be authorized to sell all of the surplus power to the lessee with which to make fertilizer and by-products. But in the event there was a surplus, States, counties, and municipalities should be given preferential rights to buy the same.

While the President and his administration claim to be opposed to Government operation of the power plant, still the Secretary of War is selling all the power at Muscle Shoals to the Alabama Power Co. and the Tennessee Power Co. at about 2 mills per kilowatt-hour. While they only take a small portion of the available power, still the Government is making a large profit over and above the expenses of operation. There is nothing difficult about the operation of the power plant. The Government has been operating it ever since its completion for the benefit of the Alabama Power Co.

Muscle Shoals City, a municipality adjacent to the power plant, has applied on three different occasions to purchase some of this power and agreed to pay even more than is being paid by the power company, but on each occasion the Secretary of War has refused to make such a sale, giving some technical excuse. This municipality offered to pay any expense that might be incurred by the Government in making the connection and pay even a higher rate than the power company, still the Secretary of War, in order to protect the Power Trust, refuses to make this sale. The real reason is, as is well known, that if this municipality secured the power from the Government that it would sell it to the citizens of the town at about 2 cents per kilowatt-hour for domestic purposes, while the Alabama Power Co. in adjacent cities is charging from 4 to 10 cents per kilowatt-hour. This would demonstrate the high charges being exacted of the people by the power companies. And yet this administration proceeds to spend about $160,000,000 for the development of Boulder Dam, to be operated by the Government and the power sold to a municipality—Los Angeles, Calif. What is the difference in the Government operating a power plant out West and selling it to a municipality and the operation of the Muscle Shoals plant down South and selling it to a municipality in that vicinity. This can not be explained. [Applause.]

IT IS A POOR RULE THAT WON'T WORK BOTH WAYS

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein quotations from a newspaper report sent out from Chicago on June 25 with respect to farm conditions and farm commodities.

Mr. CROWTHER. Reserving the right to object, how extensive is this?

Mr. CANFIELD. It is very short. It will take about 20 lines.

Mr. CROWTHER. Are they the gentleman's own remarks?

Mr. CANFIELD. I asked permission to put in a news report sent out by a press agency in Chicago on farm conditions and farm commodities.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CANFIELD. Mr. Speaker and ladies and gentlemen of the House, through long years, certainly as far back as the days of Mark Hanna and the Bryan-McKinley campaign of 1896, the Republican Party, through its leaders, its candidates, and its platforms, has posed as the party of prosperity. The habit has grown up among its spokesmen of appropriating to their party and its policies the major part, if not all, of the credit for prosperity whenever the country has enjoyed prosperity. They have endeavored to "sell" the people the idea that the country can enjoy prosperity only under Republican rule, and that panics and hard times are experienced only when the Democratic Party is in power in the Nation.

It is an old axiom that it is a poor rule that will not work both ways, and I submit that if the Republican Party and Republican administrations are going to take to themselves the credit for prosperity when there has been prosperity under Republican rule they must accept the responsibility for adversity, for hard times, for business depression, unemployment, and agricultural distress when those deplorable conditions exist if the Republican Party is in power when they do exist, as is the case to-day.

In its 1928 platform the Republican National Convention uttered the boast that that party had lifted the country "from the depths of a great depression to a level of prosperity," and that there could be "no better guaranty of prosperity and contentment among all our people at home than to maintain and continue the Coolidge policies."

But the candidate of that party and convention, President Hoover, went even further than his convention, probably further than any other presidential candidate of any party has ever gone, in pledging, almost guaranteeing, a continuation of nation-wide prosperity in the event of his election. He promised to restore agriculture, long in the grip of a very serious depression, to a basis of sound and permanent prosperity; he pledged "a job for every worker"; he promised industry continued and steadily swelling profits; he even held out the alluring hope of the eventual banishment of the poorhouse from the land, if only he were intrusted with shaping of national policies.

Mr. Hoover has now been President for approximately 16 months, and it is fair to assay his administration, to appraise the soundness and the sincerity of his policies, to take stock of the state of the Union, and determine for ourselves whether President Hoover has kept his campaign pledge; whether his warranty has been worth its face value, because when the people go to their respective polling places next November they will, in effect, sit in judgment upon the Republican Party, its leader in the White House, and upon the record which the Congress, controlled by Republicans in both its branches, has made.

HOOVER AND FARM RELIEF

I shall devote attention, first, to the agricultural situation because agriculture is the basic industry of our great country. Approximately 30 per cent of our people live on farms. They represent nearly one-third of our buying power, and an even greater proportion of our producing capacity. When agriculture is prosperous, the country as a whole is prosperous, generally speaking. When the farmers are in distress, that distress spreads to the counting houses, the factories, the mills, and the stores, because when you take away or seriously reduce the buying power of 30 per cent of our population, you affect the earnings and the buying capacity of all of the other 70 per cent, for the 30 per cent of our national wealth and earning capacity which the farmers represent is far more than the measure of difference between prosperity and adversity for the country as a whole.

The Republican Party and its presidential candidate of 1928 recognized the serious plight of this basic industry of our country. In its Kansas City platform that party pledged itself—

To the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industries to insure its prosperity and success.

Candidate Hoover was even more emphatic. In his opening speech of the 1928 campaign, delivered at Palo Alto, Calif., August 11, 1928, he declared that—

The most urgent economic problem in our Nation to-day is in agriculture—

Asserting that—

It must be solved if we are to bring prosperity and contentment to one-third of our people directly and to all of our people indirectly.

Further along in that speech he "dedicated" his abilities to "help secure prosperity and contentment" in the agricultural industry.

It is pertinent to inquire how these pledges have been kept and to take stock of the condition of agriculture under President Hoover's policies and plans for this promised restoration of agriculture to a plane of prosperity. Incidentally, it might be truthfully said that under the Hoover administration, instead of agriculture being lifted to a plane of prosperity alongside other industries, that these other industries have been dragged down into the depths of depression where agriculture has been for so many years. Evidence of this is to be found in the depressed value of industrial stocks, in decreased railroad earnings, in our sharply reduced export trade, in the deplorable heavy increase in bank and commercial house failures and, most tragic of all, in long and still lengthening bread lines filled from the ranks of unemployed in every industrial center from the Atlantic to the Pacific and from the Canadian to the Mexican border.

Professedly to deal with two major problems, Mr. Hoover, within a few weeks after his inauguration, convened Congress in special session. The two problems to be dealt with were agricultural distress and the tariff. He pledged prompt and salutary relief for the farmers and a "limited" revision of the tariff. What was done and what has been the effect?

With respect to the tariff, the Republican Congress, with the approval of President Hoover, increased the already high level of tariff duties carried in the Fordney-McCumber Act of 1922 until we now have reared about our land the highest tariff barrier ever erected around any country. In many respects it is an embargo. Instead of lessening the disparity under the tariff from which the farmer has been suffering the Hawley-Smoot bill, or "Grundy monstrosity," it is often called, actually increased that disparity until the farmer's condition under the tariff is worse now than it was. He will be compelled to pay even more for the necessaries of home and farm which he must buy than he paid under the old tariff act, and will in probably no instance get more for what he produces than he has already been getting, while in fact, to-day, he is receiving less for his corn, his wheat, oats, rye, cotton, and other products than he has received at any time within the last 15 years. Instead of "limited" revision, mainly in the interest of the farmer, as he was promised, the farmer has again been left holding the sack, and his last condition is worse than his first.

When the special session of Congress was convened on April 15, 1929, its first and most urgent business was the enactment of legislation to relieve the farmer's distress and put him on a basis of prosperity. We all recall how we were told, during the hectic days of the 1928 campaign, that in the Republican Party's candidate for the Presidency the farmers had a fast friend and the country a great engineer's mind, who had only to turn his attention to the problem of the farmer and it would be speedily solved.

When Congress convened representatives of all the major farm organizations of the country came here and were given a hearing. For probably the first time they were a unit as to the best plan to accomplish the desired result, at least they were agreed as to the best plan that was conceded to be feasible and susceptible of adoption. That plan was the export debenture, which was nothing more nor less than an effort to really make the tariff effective on the farmer's products as it was known to be on industrial products. But Mr. Hoover would have none of it. In effect, he told the farmers that they could not have their plan, but that they must take his plan or nothing. The upshot was the rejection of the export-debenture plan and the enactment into law of the Hoover plan, which provided for the creation of a so-called stabilization corporation known as the Federal Farm Board, whose purpose was supposed to be to control crop surpluses, thus keeping farm-commodity prices up by the prevention of dumping huge surpluses on the market, with the always resultant beating down of prices, often far below the cost of production.

How has the Hoover plan worked? The Federal Farm Board held its first meeting on July 15, of last year, so that it has now been on the job and the Hoover farm relief plan has been in effect for one year, lacking but about two weeks. What is the condition of agriculture to-day compared with one year ago? I do not ask you to take my word for the answer. It is to be found in a news report sent out by one of the large news associations from Chicago on June 25 last. I quote from this news dispatch:

CHICAGO, June 25.—American farmers face a loss of $1,125,000,000 in income this year with the slump of grain prices to new low levels, market statisticians figured to-day. The enormous figure was based on the difference in prices over a year ago for wheat, corn, oats, rye, and cotton, the staple crops of the Nation which farmers depend on for money to spend on other commodities they are not able to raise.

Wheat prices stood below a dollar a bushel to-day in every North American market. On the Chicago Board of Trade, the Nation's largest market that is housed in a new 44-story skyscraper, July wheat closed yesterday at 88⅜ cents a bushel, a price comparable to the low marks at the outset of the World War. The new mark was 31⅝ cents below last year's price. Corn was 17½ cents lower; oats, 8⅞ cents lower; rye, 34½ cents lower; New Orleans cotton was $27.10 (per bale) lower.

The Federal Farm Board, which bought wheat at around $1.25 per bushel to bolster prices several months ago, is said to be faced with big paper losses. Some of the operators were inclined to blame the Farm Board and its subsidiaries for the lack of confidence in the market they said was an important factor in the price slump.

The low prices have shattered records of many years standing. Wheat is lower than at any time since 1913–14; corn is at its lowest mark since 1926; oats is at its lowest since 1922; and rye has not sold so cheaply since the depression of 1896.

That, my friends, is the result of one year of the operation of the Hoover plan of farm relief; that is how the Hoover administration and the Republican Party have kept the promises which Mr. Hoover and his party made in the campaign of 1928.

Think of it! Wheat selling at the principal American market, Chicago, for 88 cents a bushel, and that means, as all of you know who know anything at all about farming, that out at the farms, where the grower actually sells his wheat, he is receiving 70 to 75 cents a bushel, or less, for his wheat.

With agriculture in this terrible state, destroying the buying power of 30 per cent of all our people, is it any wonder that the value of stocks is depressed, that we have had a stock market panic? Is it any wonder that there are unemployment lines in every important industrial center in the land? Is it strange that workers can not find jobs, and that there are so many bread lines, and that, were we in the midst of winter, instead of summer, thousands would be face to face with gaunt hunger and be haunted by the fear of freezing for lack of fuel in the bin or in the stove?

PROSPERITY AND UNEMPLOYMENT

What did Mr. Hoover say on the subject of prosperity and unemployment? Who was it that held out the hope of the ultimate banishment of the poorhouse from the land, if only you would give him your votes? Lest some may say I misconstrue his words, I quote his exact language.

In the Palo Alto, Calif., speech of acceptance, to which I have already referred, he said:

> The poorhouse is vanishing from among us. We have not yet reached the goal, but, given a chance to go forward with the policies of the last eight years—that is, the Republican policies of Harding and Coolidge—we shall soon, with the help of God, be in sight of the day when poverty will be banished from this Nation. There is no guarantee against poverty equal to a job for every man. That is the primary purpose of the economic policies we advocate.

In his speech at Newark, N. J., on September 17, 1928, referring to the claim that 5,000,000 workers were out of jobs when the Harding administration came into power in 1921, Mr. Hoover said:

> Within a year we restored these 5,000,000 workers to employment, but we did more; we produced a fundamental program which made this restored employment secure on foundations of prosperity. * * * This recovery and this stability are no accident. It has not been achieved by luck. Were it not for sound governmental policies and wise leadership employment conditions in America would be similar to those existing in many parts of the world.

If we are to judge by what has actually taken place we do not longer have these "sound governmental policies" and that "wise leadership" to which Mr. Hoover referred, for since that speech was uttered, since Mr. Hoover became President, we have seen from five to ten million men and women wage earners walking the streets and the highways hunting for jobs that were not to be found at any wage; we have seen bread lines in every important industrial city, and we have seen policemen using their clubs beating back hungry and destitute men and women who were storming our city halls demanding jobs.

You may say that this is not the fault of Mr. Hoover. I answer that whether or not it, or any part of it, is the fault of Mr. Hoover, he helped to create the state of mind under which he is being held accountable. He and his party substantially underwrote a guaranty of prosperity, of a job for every worker all of the time, and at high wages. In his Newark speech he declared that full employment depended not only on a strong and progressive economic system but upon the "vigorous cooperation by the Government to promote economic welfare." In his Newark speech, he declared that "continuous employment and prosperity of labor depend upon the continuance of these policies," that is, the policies of Harding and Coolidge, which he promised to perpetuate, if elected, and under which he went as far as a man may go toward writing an insurance policy for prosperity, for full-time employment for every worker, at high wages.

How widespread has this unemployment been? I do not know with certainty. I do know that it has been serious. I do know that the survey of the American Federation of Labor showed as high as 22 per cent of its skilled-worker members to be idle during much of the last winter and spring. I do know that conditions are not any better than they were last winter, and that the Federal Government, neither through Mr. Hoover nor the Republican majority in Congress, has done anything about it.

FOREIGN TRADE SLUMPS

We do know that some of this unemployment has been due to the sharp slump in our export trade, and that that slump has also had its effect on farm prices, in decreased values of industrial stocks and in other respects.

In his campaign speeches in 1928, Mr. Hoover had considerable to say about the reorganized activities of the Department of Commerce under his direction. He pridefully pointed to the fact that from 1922 down to the fall of 1928, America's exports had been increased by $1,000,000,000 a year. He stressed the importance of this, explaining its bearing upon prosperity and employment in this country. He pointed out that "more than 2,000,000 families in the United States earn their living today producing goods for export, and another million families earn their living in the manufacture of raw materials which we import in exchange from our exports." He added that the increase in American exports brought about while he was Secretary of Commerce had "brought a living to a half million families" and meant "higher standards of living," for "more jobs make more wages."

Evidently, these more than 2,000,000 families to which Candidate Hoover referred are not now all at work. Some of them have joined the great army of unemployed, although through no fault of theirs, unless through the fault of some of them having taken Candidate Hoover's campaign promises at full value and thus having voted for him.

During the first five months of 1930, ending with May, our exports were $446,746,000 less than they were for the first five months of 1929. Evidently, President Hoover is not as diligent or successful a promoter of export trade as was Secretary of Commerce Hoover, because under his Presidency our exports are falling off as much in one year as he as Secretary of Commerce, boasted he had built them up in seven years.

During the same five months of this year our imports decreased under the same five months of 1929 by $447,013,000. This is a total slump of $893,759,000 in our total foreign trade in five months, a decrease at the rate of more than $1,000,000,000 a year in our exports and of $2,000,000,000 a year in our total volume of foreign trade. This is one-fifth of our total volume of export trade. If Mr. Hoover was correct when he said in 1928 that more than 2,000,000 American families were earning their living manufacturing goods out of the raw materials we imported in exchange for our exports, then in one year one-fifth of this more than 2,000,000 families have been thrown out of jobs. With an average of five to the family, our decreased foreign trade alone accounts for 2,000,000 American citizens being either out of jobs or dependent on those who are out of jobs.

BUSINESS AND BANK FAILURES

Here is a striking fact:

During the first year of the Hoover administration, that is, during 1929, liabilities of all banks failing in the United States lacked less than $8,000,000 of being as great as the total liabilities of all banks failing in the United States during the eight years of the two administrations of Woodrow Wilson.

That sounds incredible, happening under the rule of the party that claims to have a copper-riveted monopoly on prosperity, but it is true.

During 1929 the total number of bank failures in the country was 437, and they involved liabilities of $218,796,000.

From 1913 to 1920, inclusive, under the two administrations of that great Democrat, Woodrow Wilson, the total number of bank failures was 746, and they involved liabilities of only $226,484,447.

From 1921 to 1929, inclusive, under Harding, Coolidge, and Hoover, there were in the country 4,147 bank failures with liabilities totaling $1,526,094,000—six times as many banks failing and seven times as much involved in liabilities during nine Republican years as under eight Democratic years. In the face of such figures—and they are authentic, because taken from the reports of R. G. Dun & Co.—is not the Republican claim silly that it, and it only, is the party of prosperity; that it is the only party fit to govern?

From 1913 to 1920, eight Democratic years, the total number of business or commercial failures in the country was 112,636, and the liabilities involved totaled $1,882,953,943.

From 1921 to 1929, nine Republican years, the total number of such failures was 195,545 and the liabilities involved totaled $4,679,800,000.

Conditions are bad, and they have been bad for many months. Not in more than 30 years has there been a stock-market panic comparable to that which occurred last November, when bil-

lions of dollars in stock values were wiped out, and by the tens of thousands, small investors saw their life's savings vanish overnight. The Republican administration rushed into the breach—the same administration that could do nothing substantial for the farmer, because it would be class legislation; the same administration that denied the justice of the claims of the Spanish War veterans; the same administration that opposed liberalizing treatment of sick and disabled veterans of the World War—it rushed into the breach with a proposal to reduce Federal taxes in an effort to stop the panic and "peg" the prices of stocks, but only after the small investors had been wiped out and nobody was left in a position to reap profits but stock gamblers. It rushed into the breach to allay the panic. From the White House, at recurring intervals, came optimistic statements; ever so often we were told that the turn was just around the corner; that within another 60 days prosperity would swing back in full tide. But somehow it happened that the prestige of the White House had been damaged, while the magician of the Treasury Department, Secretary Mellon, had lost his magic spell, and with every White House or Treasury Department assurance of optimist, came another drop in the market, until to-day many of the standard stocks are selling at lower prices than they did even on that wild and fateful day in November when the impossible happened, and a stock-market panic actually broke during a Republican administration.

Have conditions improved? Stock and commodity prices do not attest the fact, with wheat selling at 88 cents a bushel in Chicago and at 75 cents or less on the farm. The recent record of business failures does not indicate it. During the six months ending with March, this year, that is the first quarter of 1930 and the last quarter of 1929, the number of business-house failures in the country was 13,023 and the amount of liabilities $320,183,109, compared with 10,767 failures and liabilities of $208,157,030 during the last preceding six months.

Mr. Speaker, ladies and gentlemen, again I submit to you that it is a poor rule that will not work both ways. If the Republican Party is going to take credit for prosperity when there is prosperity under a Republican administration, they must accept the responsibility for the deplorable economic conditions that exist at the present time, especially when nothing has been done or is being done by administration or Republican leaders to relieve the depressed business conditions, unemployment, and agricultural distress that prevails throughout the country at the present time.

THE AMERICAN TARIFF AND WORLD WAGE LEVEL

Mr. EATON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks by a brief statement on the tariff.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EATON of New Jersey. Mr. Speaker, we have had a tariff policy practically ever since we became a Nation. The grounds upon which our tariff policy has found support in public opinion have shifted from time to time to meet changed political and economic conditions. But under Republican leadership the prime objective aimed at by all tariff legislation has never changed. That main objective is now and always has been the protection of our American people in an American standard of life which is higher than that enjoyed by the rest of the world.

The tariff act of 1930 is described in its title as an—

> Act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The phrase "to protect American labor" is something new in tariff legislation. It is a milestone of progress in political economic and social thinking. It embodies a new concept of the function of an American tariff. It implies and makes necessary a new understanding and evaluation of American wage levels in their relation to world wage levels.

Before any general tariff legislation is again proposed I believe the problem of world wage levels, including our own, will become the governing factor in forming public opinion upon the tariff and will assume permanently the central importance which it merits.

American labor is the highest paid in the world. It is the highest paid because it is the highest producing labor in the world. The only way legislation can protect American labor is by encouraging conditions of steady work at American pay.

Why is the Republican doctrine of tariff protection for American labor not only sound in economics and morals but absolutely essential to continued social progress in our own country and throughout the world? Why is the Democratic doctrine ranging from free trade through tariff for revenue only to a so-called competitive tariff so futile, inadequate, and dangerous?

The answer to these questions is found in the background of world advance toward certain social objectives which constitute the essence of all social progress everywhere.

The confused and complex process which we call human history is not a blind and hopeless struggle against the "curse of circumstance." Human history taken in the large is a process of progress and not of decay. And by progress I mean the increasing participation of more and more people in more and more of the good things of life. "The one divine far-off event toward which the whole creation moves" is freedom for all men. History is concerned with the progress of the masses of men and not of the few.

The masses of men through the centuries have managed to achieve intellectual, spiritual, and political freedom. To-day the people of every civilized society are fixing their attention upon one common world problem—that is the achievement of economic freedom by the gradual lessening and final elimination of economic poverty.

This is no Utopian dream. Science has placed in the hands of man the sceptre of complete dominion over the fathomless resources of nature. There is no doubt that we can produce enough goods and commodities and services to fully satisfy the needs of every individual and every family. The supreme central problem of modern industry, economics, and politics is not production. It is how to create adequate consuming power among the masses of men. Mass production needs now only the establishment of mass consumption to make complete the economic circle. Buying power, widespread and continuous among the masses of men, is the test and measure of modern economic safety and social progress.

The rock foundation of American prosperity and progress is the widespread buying power among our people. Protected by a Republican tariff, our home market is the best in the world. This has been made possible by the highest wage level in the world. And this American wage level has come about by a growing cooperation and understanding between employer and employee in American industry, protected by a Republican tariff from cheap goods produced by underpaid labor in foreign countries, and by shutting out the smothering flood of immigration which at one time threatened to put two men competing for every American job.

Since buying power among the masses of men is the final test of economic soundness and the essential condition of modern social progress; and since this buying power among the masses of men is mainly a matter of wage levels, it follows that, beginning with the tariff of 1930, all tariff legislation will eventually resolve itself into an attempt to equalize world wage levels with American wage levels. We need not fear countries like Canada with approximately American wage levels. They, like our own people, can buy anything they desire, and they will absorb much of our surplus production, as we will theirs. What we have to fear is low-wage countries which seek to flood our markets with goods produced by underpaid labor. They can sell in mass but they can not buy in mass. We can not protect American labor in its buying power against these countries except by a real Republican tariff. And a real Republican tariff will, as does the tariff of 1930, recognize the factor of buying power in all other lands measured and made possible by their wage levels.

The general index number of industrial wages in the United States, based upon 100 in 1913, has steadily risen from 33 in 1840 to 229 in 1926. Our union wage rates, based upon 1913 as 100, have advanced from an index number of 89.7, in 1907 to 260 in 1928. While farm wages have lagged far behind industrial wages, yet based upon 1913 as 100 the index overage has risen from 53 in 1866 to 163 in 1928.

The reason for the tariff of 1930 as a protection to American labor from the point of view of world wage levels may be illustrated by the pottery industry. The tunnel kiln is supposed to mark a real advance in the art of pottery production. It takes a crew of about 10 men to run an American tunnel kiln. They get $5 a day, or $50 a day for the kiln. In Germany the tunnel kiln is manned by 2 men at $1.25 a day each and 10 women who get 50 cents a day, or a total of $7.50 a day for a German tunnel kiln. The German pottery worker has no buying power. The American has. The difference between them as potential purchasers of world commodities is the difference between $7.50 and $50.

The average wage of an American pottery worker is 70 cents an hour; in England it is 22 cents; in Germany 17 cents; in France 10½ cents; in Poland 9 cents; in Japan 8 cents; in China 4 cents. Between the American pottery worker who receives little enough measured by our American standard of living and pottery workers in other countries stands the Republican protective tariff. Without our tariff the American pottery worker goes upon the streets without a job and without

buying power, while the foreign underpaid pottery worker keeps his job, but acquires with it no power to buy anything beyond a bare subsistence.

What is true of the pottery industry is true of scores of others. They all emphasize the ominous truth that either the rest of the world is coming up to our wage level or we are going down to its wage level. We must choose between high wages plus high buying power or low wages with no buying power. The American way means economic and social safety and progress. The low-wage method means ultimate collapse of any sane economic and social progress for the masses of men.

The chief legislative safeguard of American wage levels as against world competition from sweated labor is a tariff which protects American labor. And such protection can only come from a Republican tariff adjusted to the facts of world wage levels as they affect the general well-being of the masses of men.

UNITED STATES MASSACHUSETTS BAY COLONY TERCENTENARY COMMISSION

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 393) making an appropriation for the United States Massachusetts Bay Colony Tercentenary Commission.

The Clerk read the joint resolution, as follows:

Resolved, etc., For carrying out the provisions of the public resolution entitled "Joint resolution establishing a commission for the participation of the United States in the observance of the three-hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes," approved June 27, 1930, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000.

Mr. GARNER. Mr. Speaker, reserving the right to object, as I recall, the Speaker appointed five Members on the part of the House just recently to make this trip.

Mr. WOOD. As I recall, there are 15 Members.

Mr. GARNER. No; five Members from the House and five from the Senate.

Mr. WOOD. I understand there are 5 from the Senate, 5 from the House, and 5 outsiders.

Mr. GARNER. Does the gentleman think it will take $10,000 for 15 people to make a trip to Boston and return?

Mr. WOOD. Well, Boston is a pretty expensive place. [Laughter.]

Mr. CONNERY. Reserving the right to object, Mr. Speaker, I understand there are 15 Members—5 from the House, 5 from the Senate, and 5 outsiders—and I think, in comparison with other appropriations that have gone through in the past since I have been here, $10,000 is a very small amount for the city of Boston in the celebration of the Massachusetts Bay Colony's three-hundredth anniversary.

Mr. GREEN. Reserving the right to object, I want to inquire if it is customary to pay the expenses of outsiders who make these trips?

Mr. WOOD. Yes; it is customary to make an appropriation up to the amount of the authorization for that purpose.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

POWERS OF COMMISSIONERS OR MEMBERS OF INTERNATIONAL TRIBUNALS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider the bill (S. 2828) authorizing commissioners or members of international tribunals to administer oaths, to subpœna witnesses and records, and to punish for contempt.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I recall this bill, it authorizes a secretary or some clerk of the board to impose an oath and provides that the oath shall have extraterritorial effect, and upon such an oath being administered by a clerk of this commission to any person, if he violates the oath, even in a foreign country, he is guilty of perjury. Am I correct in that interpretation?

Mr. GRAHAM. No; far afield.

Mr. STAFFORD. The bill is on the Consent Calendar, is it not?

Mr. GRAHAM. Yes.

Mr. STAFFORD. As I recall that bill, Mr. Speaker, I could not allow the bill to go through in its present form.

Mr. GRAHAM. The gentleman is altogether mistaken about the bill. Our Government and Canada, for instance, have entered into an agreement to settle the difficulties regarding the firing on the boat *I'm Alone.* Both sides are enacting legislation so that the commission may take testimony in Canada and also take testimony here.

The matter of contempt is all under the regulation of the courts, but the right to subpœna witnesses and examine them in both countries is granted. This is a general law covering all matters of this kind arising under such treaties.

Mr. O'CONNOR of New York. Reserving the right to object, Mr. Speaker, when this bill was on the Consent Calendar I objected to it for the reason that it puts the power of punishing for contempt in the hands of a commission, and an international commission at that. The gentleman from Pennsylvania says the power is in the hands of the court, but this commission itself, in addition to the power to subpœna, is given power in this bill to punish for contempt. It was stated on the floor when the bill was on the Consent Calendar that the chief purpose of the bill was to use that power to force people to testify, and if they did not testify to punish them for contempt.

Mr. GRAHAM. Of course, every subpœna is for the purpose of forcing a witness to come forward and testify. It is of no use otherwise.

Mr. O'CONNOR of New York. I am not talking about the power to subpœna.

Mr. GRAHAM. One moment. The gentleman is mistaken about the power of the commission to commit anybody for contempt. They can certify the contempt to the court, and the court can impose punishment if it is deserved.

Mr. JENKINS. As I remember, when the bill came up on the Consent Calendar the language was so ambiguous that it was susceptible to this interpretation. Suppose a commission had recalcitrant witness, and decided that he should be punished by contempt. What authority would punish him, how would he be jailed, how would he get out——

Mr. GRAHAM. Do not ask me too many questions at once. You are aware that we passed a bill here some time ago in connection with the Teapot Dome case, where witnesses were in France and we could not get them. The French courts, when letters rogatory were issued, would subpœna the man to come before them and if the witness did not answer the question, the courts remitted the parties to whatever their rights might be. They would not punish the witness. Our courts could not punish the contempt because it happened outside of our jurisdiction.

Hence, governing our own nationals, it was provided that subpœnas might issue by the United States court and be served on the witness. Then if the party refused to answer they could be referred back to the court that issued the subpœna against whom the contempt arose. In that way we managed to cover certain points and our courts have held that that act was constitutional.

Now, in this case there is no attempt to punish a man except our own nationals. If an American in China is subpœnaed and refuses to answer, when he comes back to America, he could be cited before the court and punished for refusal to answer.

But there is no provision of that kind in this bill. This has no extraterritorial power. It is a bill prepared by the State Department, advocated by one of the eminent lawyers of the country, ex-Senator Pepper.

Mr. O'CONNOR of New York. The gentleman will at least admit that the Teapot Dome case involved a contempt of an American court.

Mr. GRAHAM. That is what this is.

Mr. O'CONNOR of New York. Oh, no; this is an international commission or court. For one, I am determined to reserve my rights to be contemptuous, if I see fit, of any foreign commission or tribunal or even a commission that is partly foreign, and I can not believe my own Government will enact a law to send me to jail for such a contempt.

Mr. JENKINS. Here is the language of the bill:

That whenever any claim in which the United States or any of its nationals is interested is pending before an international tribunal or commission, established pursuant to an agreement between the United States and any foreign government or governments, each member of such tribunal or commission, or the clerk or a secretary thereof, shall have authority to administer oaths in all proceedings before the tribunal or commission; and every person knowingly and willfully swearing or affirming falsely in any such proceedings, whether held within or outside the United States, its territories or possessions, shall be deemed guilty of perjury and shall, upon conviction, suffer the punishment provided by the laws of the United States for that offense, when committed in its courts of justice.

Mr. GRAHAM. That can not affect foreign citizens because we have no power to legislate beyond our own territory. Our own nationals can be punished only when they return

and subject themselves to our laws. The bill is approved by eminent counsel and the State Department prepared it.

Mr. STAFFORD. I want to say to the distinguished chairman that the position I took on the bill, having been made from memory on reading it a week ago when it came up on the Unanimous Consent Calendar is correct. Here you say that a clerk of this commission may be authorized to administer oaths.

Mr. GRAHAM. Does not the clerk of the court administer oaths?

Mr. STAFFORD. My serious objection is to its extraterritorial effect. Take the language which the gentleman from Ohio [Mr. JENKINS] has just read, and which I repeat:

> And every person knowingly and willfully swearing or affirming falsely in any such proceedings, whether held within or outside the United States, its territories or possessions, shall be deemed guilty of perjury.

I am not objecting to the authority of the commission to administer oaths to those who give testimony taken within the United States, but I question seriously, notwithstanding the eminent authority of the chairman of the Judiciary Committee, whether we should grant such authority to any commission in respect to testimony taken outside of the United States. I wish to have the words "or outside the United States" stricken from the bill.

Mr. GRAHAM. That would spoil the bill.

Mr. STAFFORD. No; we still grant authority to take testimony within our territorial borders.

Mr. GRAHAM. What does the gentleman mean by giving it extraterritorial effect? There is not a syllable in the bill that gives extraterritorial effect. Our legislation can not have any extraterritorial effect, except upon our own nationals, and we have power to reach them, and we can deal with them under our own laws.

Mr. STAFFORD. The bill refers to "every person." It says, to repeat again:

> And every person knowingly and willfully swearing or affirming falsely in such proceedings, whether held within or outside the United States, its Territories or possessions, shall be deemed guilty of perjury.

If that does not make a crime when committed out of the United States, I do not know what language can make it a crime.

Mr. BLANTON. It applies to our own nationals, and if they go abroad and we want their testimony we ought to be able to reach them.

Mr. STAFFORD. It does not limit it to our nationals. It says "every person."

Mr. GRAHAM. Of course, the gentleman as a good lawyer knows that this can not be interpreted beyond the power of the legislature enacting it. It can not have any other meaning or interpretation. Besides, when I answered the gentleman I beg him to remember that he stated that from recollection of the bill it provided for the commissioners to punish for contempt, and I said there was nothing of the kind.

Mr. STAFFORD. Not for contempt, but for perjury. I grant that I may have said for contempt. I meant perjury.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM. Yes.

Mr. HOWARD. Upon the confession that I am not a lawyer, good or bad, I would like to have the chairman give me his plain interpretation of the language in the bill where it says that this commission shall have the power to punish for contempt.

Mr. GRAHAM. It does not say that.

Mr. JENKINS. In section 3 it provides:

> Any failure to attend as a witness or to testify as a witness or to produce documentary evidence in any appropriate case may be regarded as contempt of the authority of the tribunal or commission, and shall be punishable in any court of the United States.

Mr. GRAHAM. I told the gentleman that it referred to a court.

Mr. HOWARD. Even though I am not a lawyer, I understand that, and it is entirely satisfactory.

Mr. McSWAIN. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM. Yes.

Mr. McSWAIN. It must be assumed that the members of the commission will not all be lawyers, or at least some of them will not be good lawyers. Would it not mislead them to have this general language "every person" in the bill, and perhaps bring international conflicts by their undertaking to administer oaths to a person not subject to the jurisdiction of the United States? Would it be agreeable to the gentleman to move an amendment after the word "person" by the insertion of the words "being a citizen of the United States"?

Mr. GRAHAM. Section 1, relating to punishment, refers only to perjury, and it provides that to swear falsely shall be a crime. That is the United States declaring that to be its law, and it further provides that one who does that shall suffer the punishment provided by the laws of the United States for that offense when committed in its courts of justice.

Mr. SUMNERS of Texas. Mr. Speaker, may I suggest to my friend that this is a bill which, when more carefully examined, does not present itself as a novel or difficult item of legislation. This Government has found it necessary, as all governments find it necessary, to have commissions to deal with questions that are international in scope. It is necessary for the commission to ascertain facts in order intelligently to proceed. This bill seeks to give to the commission power to subpœna, power to administer oaths, and subjects the person appearing in response to those subpœnas to the same pains and penalties for perjury as are provided under our laws as a punishment of those who commit perjury in the ordinary judicial proceeding. In order that the power given to the commissioners may be effective, they, of course, must have the power to compel the appearances of the witnesses and to compel testimony, and in order to give them power to force attendance of witnesses and testimony by witnesses, that power which all tribunals and governments have found to be necessary, the power to punish for contempt, is given in this bill.

Just one other suggestion. It is clear, of course, and I assume that anybody who bears a commission from this Government would appreciate the fact, that Congress could not give to its creatures jurisdiction extraterritorial over other than its own nationals.

Mr. JENKINS. Mr. Speaker, will the gentleman yield to one question there?

Mr. SUMNERS of Texas. Yes.

Mr. JENKINS. Suppose one of the participants in this commission wishes to bring an American citizen into this controversy to testify. Would that person have the right under this bill to invoke contempt proceedings and to invoke a charge of perjury against an American citizen?

Mr. SUMNERS of Texas. What an individual member could do would have to be determined by the authority given by the commission to that individual member of the commission.

The SPEAKER. Is there objection?

Mr. STAFFORD. I will object for the time being.

The SPEAKER. Objection is heard.

MASSACHUSETTS BAY COLONY TERCENTENARY

Mr. DOUGLASS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGLASS of Massachusetts. Mr. Speaker and Members of the House, yesterday, under authority of Public Resolution No. 101, approved June 27, 1930, the honorable Speaker appointed the House Members of the Massachusetts Bay Colony Tercentenary Commission. Naturally the Commonwealth of Massachusetts highly appreciates this congressional recognition of the national significance and importance of its historic tercentenary, and will welcome this commission to its confines with open arms. Arriving in Massachusetts, your commission will find a cosmopolitan Commonwealth made up of a splendid blend of the original Pilgrims and Puritans and the descendants of generations of later immigrant stock, who have all contributed to the growth and glory of New England and the Nation. In this connection I ask unanimous consent to insert in the RECORD a brief historical article on the contribution of the Irish people to the development of colonial and modern New England written by Dr. James T. Gallagher, a distinguished physician and writer of Boston.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DOUGLASS of Massachusetts. Mr. Speaker, under leave to extend my remarks and to insert in the RECORD a historical article on the contribution of the Irish people to the development of colonial and modern New England written by Dr. James T. Gallagher, of Boston, Mass., I insert the following:

> I wonder greatly if any member of the committee now in charge of the Bay State tercentennial celebration knows predominant facts of the colonial history of Massachusetts. This committee, I understand, would deny to the Irish here any recognition or right to participate in this celebration now flowering famously. I know it is convenient and fashionable to forget the good done by people we don't like.
>
> Many so-called historians of New England found it convenient, fashionable, and perchance profitable to forget absolutely everything great or good done by Irishmen in colonial America. It is pleasant to read in the newspapers to-day how bands welcome and banquets cheer our courtly "cousins" who come here to tell us how "Mother England" loved and loves her New England child.

It is delightful to see our children taught, by pageant, parade, and psalmody, to honor the little Puritan children who lived long ago when Gallows Hill, Salem, and other Puritan places became frenzied and famous. But no one teaches or rises to tell how the despised Irish, more than once, saved the Pilgrims and Puritans from starvation and death. It is quite probable there wouldn't be any tercentenary celebration to-day nor any "descendants" to celebrate if the generous Irish had closed their ears to the call of the colonists for needed assistance. Where was "Mother England" then?

Ireland was the only country in the world that sent relief to the starving colonists only 11 years after the landing of the Pilgrims.

THE FACTS

In the year 1736 the Rev. Thomas Prince, of Boston, published a book entitled "A Chronological History of New England in the Form of Annals."

Mr. Prince was ordained in Boston in 1718, and the New England Historic-Genealogical Society in reviewing his work says: "No man that has ever lived in New England can be said to have done more for its history than the Rev. Thomas Prince. His literary labors were constant for nearly half a century, and his greatest literary work was his incomparable New England Chronology which for extreme accuracy was probably never exceeded by any author in any similar work."

Under Annals for the Years 1630–31, Prince gives in his book an account of the distress which prevailed in the Colony of Massachusetts Bay during the winter of 1630–31 and said: "As the winter came on provisions are very scarce and people necessitated to feed on clam and mussels and ground nuts and acorns and these got by much difficulty in the winter season. Upon which people grew tired and much discouraged, especially when they hear that the governor himself has his last batch of bread in his oven.

"And many are the fears of the people that Mr. Pierce, who was sent to Ireland for provisions, is cast away or taken by the pirates.

"Upon this a day of fasting and prayer to God for relief is appointed. But God, who delights to appear in the greatest straits, works marvelously at times, for on February 5, the very day before the appointed fast, in comes the ship *Lion*, Mr. William Pierce, master, now arriving at Nantucket with provisions from Ireland. Upon which joyful occasion the day is changed and ordered to be kept on February 22, as a day of thanksgiving.

"On the 8th the governor goes aboard the *Lion*, riding at Long Island. Next day the ship comes to an anchor before Boston, where she rides well, notwithstanding the great drifts of ice. And the provisions are, by the governor, distributed to the people proportionable to their necessities." Thus was born Thanksgiving Day, and this is the earliest record of a celebration of Thanksgiving Day in New England or America.

But is it not strange that other historians ignored the event or suppressed the facts? But stranger still is the fact that the Puritans did not call on the "mother country" for the much-needed provisions, and one wonders why they selected Ireland, a country which, if we are to believe such historians as Palfrey, Lodge, Fiske, Bancroft, and others, was practically unknown to the New Englanders of the time. But did not Ireland's generosity soften somewhat the intolerant hostility of the colonists to the Irish? Not in the least. The Irish bread was hardly eaten before they began a more systematic persecution of them.

In the minutes of the provincial assemblies and in general court records can be found countless expressions of the sentiment that prevailed against the natives of the "island of sorrows." Less than 20 years after the Irish saved them from starvation the Government of England was asked to provide a law "to prevent the importation of Irish papists that are yearly powr'd upon us and to make provision against the growth of this pernicious evil." And the colonial courts in New England, on account of what they called "the cruel and malignant spirit that has from time to time been manifest in the Irish nation against the English nation" prohibited "the bringing over of any Irish men, women, or children into this jurisdiction."

IRISH HELP IN KING PHILIP'S WAR

This order was promulgated by the General Court of Massachusetts in 1654 and is given in full in the American Historical Review of October, 1896. This persecution continued unabated until the war between the New England colonists and the Indians in 1675, which is known as King Philip's War.

Here again the maligned and persecuted Irish showed their greatness and generosity and returned good for evil.

George Madison Dodge in his great work on the Indian wars in New England quotes from the ancient account—books of the treasurer-at-war of the Colony of Massachusetts, and enumerates the soldiers who fought against King Philip. Among those who fought and fell were over 100 Irishmen. In the New England Historical and Genealogical Register for 1848 is found some remarkable testimony of the sympathy of the people of Ireland for the sufferers in this cruel war. "King Philip's War," it says, "was bloody and devastating in the extreme. The colonists suffered more in proportion to their numbers and strength than was experienced during the Revolutionary struggle.

"The war was brief, but had its havocs and terrors which many historians have tried to describe. Six hundred of the inhabitants fell in battle or were murdered, often in circumstances of revolting cruelty. Half as many more fell victims in the progress of the war. Twelve towns in Massachusetts, Plymouth, and Rhode Island were utterly destroyed and many more greatly injured. Six hundred dwelling houses were burned. One man in 11 of the arm-bearing population was killed and 1 house in 11 laid in ashes.

THE IRISH DONATION

"In these times of distress and misery the people of Ireland promptly came to the relief of the sufferers in New England, which event is known in history as 'the Irish donation.' No other country but Ireland is recorded as having come to the rescue of the famished colonists, and the fact that natives of that country resided in the ravaged districts does not appear to have been the incentive to their humane action. At any rate, the question of religion or nationality did not enter or interfere with the proper distribution of the charity.

"The ship *Catherine of Dublin* brought the relief. It was directed that it be distributed 'among the poor distressed by the late war with the Indians,' and it was further directed that there was to be no distinction as to religious belief. All were to share according to their needs. 'That it be divided between the three united Colonies of Plymouth, Massachusetts, and Connecticut in such portions as the committee shall adjust.'

The value of the consignment is uncertain but judging from the fact that the Lord Mayor of Dublin sent three men to Boston to supervise the distribution of the charity and that the freight alone was the very large sum, for those days, of £450 sterling we may assume it was liberal in the extreme. As a colonial historian remarks, "the donation at that time was as generous as its reception was welcome to the distressed ones in New England."

The *Catherine* sailed from Dublin August 17, 1676, for Boston, the designated place for the distribution. A controversy arose between Massachusetts and Connecticut "on account of the Irish charity" which was somewhat bitter. The council of Massachusetts, in a letter to Connecticut dated January 4, 1677, "supposed the latter colony had received its share."

The letter stated that Massachusetts had "sent orders to the several towns of that colony and found 660 families consisting of 2,265 persons in distress, besides 13 towns from which return had not been received," and they desired a similar account from Connecticut and Plymouth by which we may proportion what is divisible among us. On February 28, Connecticut wrote Massachusetts desiring the latter to send them "our portion of the Irish charity." Correspondence continued, and on May 10 Connecticut wrote Massachusetts again "justifying their conduct in regard to the late war" and stating that "list of those in distress had been sent that they might receive their portion of the Irish donation." So it appears Connecticut received no part of the "Irish donation," but relinquished her share to the more distressed Plymouth and Massachusetts colonies.

Thus did Ireland exhibit her intimate familiarity with things American and extend practical sympathy to the distressed colonists 100 years before the Stars and Stripes were thought of or the Revolution began which emancipated the people of this land from the same tyranny under which she herself groaned.

So New England in 1676 celebrated another Thanksgiving Day, and it must have been especially joyous for its people. But it is of interest to note that the event was celebrated in the same month in which the annual festival is now held, as the good ship *Catherine* bearing the supplies sailed from Dublin in August and the voyage across at that time usually occupied about 10 weeks.

And yet what a cruel travesty on history it reads like now when we scan the official records of the New England Colonies and find that the Irish refugees were often called "convicts" and that measures should be taken to prevent them landing on the soil where they and their children afterwards shed their blood in the cause of their fellow colonists and for American liberty. It is evident that England cared little for the Pilgrims and Puritans for she refused to aid them in their distress, but evidently she had their ear and the ear of the world at the time, so far as the unfortunate Irish were concerned, for she branded "convict" on all she wronged and forced to immigrate and the colonists took up the cry.

But among the "convicts" and "redemptioners" were the Irish schoolmasters the men most needed in America. And the fighting man came, too, for when the colonists in afteryears called for volunteers to resist British encroachments the "convicts" from Ireland and their descendants were among the first to answer the call.

And yet New England historians say there were no Irish in the Colonies before the Revolutionary War. Palfrey says that in anti-Revolutionary days Boston and its environs were "exclusively English," and the leagued band of prejudiced historians re-echoed the cry. Unfortunately for their reputation as historians the structure of falsehood they erected has been demolished by the town books of Boston, which were published by the board of record commissioners of the city,

and by numerous colonial records reproduced in their exact original form.

In these published books can be seen the Celtic names of thousands upon thousands of men and women who lived in Boston, married, owned property, recorded it, and conveyed it, as the registry of deeds for Suffolk County will show, 100 years before the Revolutionary War.

HOW IRISH WERE HERE

How do I account for the presence of so many Irishmen in New England at that early period in view of the condition then prevailing? That were easy did space permit, but when the Irish refused to take the oath of allegiance imposed by Strafford, deputy of Charles I in Ireland, their estates were confiscated, themselves arrested and sent to England, whence they were transported to the West Indies or the American Colonies as bond servants to the English. Cromwell completed the robbery of the Irish and sold into slavery thousands and thousands of Irish youths and maidens, many of whom were sent to New England.

In the documents in the English archives reproduced by the historian Hotton the names of many of these unfortunates are given, and these names clearly show they were all of old Irish Catholic families. This was the payment England gave Ireland for Ireland's long effort to educate and civilize her. Of the thousands of Irish immigrants and redemptioners of pre-Revolutionary times who "scattered like leaves by the ruthless winds of autumn" all over the American Colonies, those who settled in New England were the most unfortunate.

The very people whom they twice saved from starvation, despised their country, hated their religion, ridiculed their speech, mocked their manners, defamed them, and scouted them as vagrants. The Irish must have been more than human to suffer it all and live. As an illustration of the attitude of the Puritans toward the Catholics and as showing what the Irish in Boston had to contend against, it was the custom in Boston for many years to hold a celebration called "Pope's night" on November 5 of each year. On these occasions processions paraded the streets, which usually ended by burning the Pope in effigy. When Washington was in Boston in 1776 he denounced the "fun," and after the war it gradually died.

It was, of course, a terrible misfortune that the early Irish immigrants had to abandon their faith, but at that time no one could acquire property or carry on business in New England unless he became an adherent of some Protestant church and take the "test oath" and "oath of allegiance." Catholics were debarred from every privilege. All civil rights were denied them. Religion was the standard by which all things were regulated, and any man or woman who did not publicly join one of the Protestant sects was, of course, a criminal.

When we find Irishmen recorded among the property owners we know they must have complied with these conditions and abandoned the faith of their fathers soon after their settlement in the Colonies. But we must be charitable to their memory. There was no alternative for them. It was their only chance to succeed in life, unless they chose to remain mere serfs and scorned outcasts. They had neither priests nor churches to commune with and were compelled by law to deny their faith and attend religious services provided for them by the ruling element.

When one remembers what Irishmen suffered since English oppression began in Ireland, its direful work, and how their lands were violently taken from them and themselves sold into slavery or driven to the bogs and mountains; how legislation strove to deprive them of their names, clothes, and even beards; how they were proscribed and their priests hunted like wolves, and how every effort was made to destroy and obliterate them one can not help admiring how they remained faithful to the faith of Patrick and their Irish hearts remained Irish still.

When one sees the degraded, oppressed, persecuted, starved, and subjugated but unconquered people of Ireland rising from their hovels to continue the age-long struggle with their oppressor; when one sees them, gaunt with famine, reduced by pestilence, exile, slavery, and brutal murders, hunted and homeless, returning again and again to the battle for home and human rights; when one sees them step by step advance on the pathway of freedom and position at home and abroad, asking no favors but right and justice, one's soul is filled with pity not unmixed with contempt for the poor, benighted bigot of to-day.

But the fact still remains that Irish blood and brain and brawn contributed much to the advancement of the New England States.

ADDITIONAL DISTRICT JUDGE, EASTERN DISTRICT OF ILLINOIS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3064.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill S. 3064. The Clerk will report it.

The Clerk read as follows:

S. 3064

A bill to make permanent the additional office of district judge created for the eastern district of Illinois by the act of September 14, 1922

Be it enacted, etc., That the additional office of district judge for the eastern district of Illinois, created by the act entitled "An act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes," approved September 14, 1922, shall not be subject to the provisions of the third paragraph of section 1 of such act, prohibiting the filling of vacancies.

The SPEAKER. Is there objection?

Mr. STAFFORD. What does this provide for? Does it provide for an additional judge?

Mr. GRAHAM. It provides for removing the limitation of the act of 1929, imposed upon certain districts, forbidding any filling of a vacancy in case of death or otherwise. It removes the limitation. That is all.

The SPEAKER. Is there objection?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

EDMUND WILLIAM SAMUEL

Mr. MAGRADY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD. I omitted to obtain permission to extend on March 7.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAGRADY. Mr Speaker, Edmund William Samuel was born in Blaenavon, Wales, November 27, 1857. He died March 7, 1930, at the Geisinger Memorial Hospital, Danville, Pa., where he had gone to receive surgical treatment.

Doctor Samuel spent his early life in Ashland, Schuylkill County, Pa., where the family settled shortly after reaching the United States in 1859. His early education was secured in the public schools. As a boy he worked in the coal breaker and as a driver in the mines. Later he learned the drug business and began the study of medicine.

On March 13, 1880, he was graduated from the Jefferson Medical College, at Philadelphia, and at once began the successful practice of medicine in Mount Carmel, Pa., where he became active in civic affairs. He was elected a school director and served from 1890 to 1894. He was the Republican candidate for Congress in what was then the sixteenth congressional district, now the seventeenth. The number of the district was changed but the same counties comprised it. Doctor Samuel was elected to the Fifty-ninth Congress and served from March 4, 1905, to March 3, 1907. He became the Republican candidate for reelection in 1906 to the Sixtieth Congress but failed being elected. He again became a candidate in 1908 as the Republican standard bearer for the Sixty-first Congress but again failed of election. He immediately resumed the practice of medicine in Mount Carmel, Pa., and later was made president and general manager of the Shamokin-Mount Carmel Transit Co., serving in that capacity from 1908 to 1924, when he disposed of his interest in the corporation and resigned. His activity in Brooklyn real estate caused him to make his residence in that city of New York for several years.

Doctor Samuel was an active and devout Methodist. He was deeply interested in the charitable work of the Knights of Malta, of which organization he was at a time a national officer and later became the president of the Malta Home at Lewistown, Pa. His was a busy life that continued until shortly before his demise. He was stricken and the best available surgical attention was sought at the Geisinger Memorial Hospital, Danville, Pa., in the hope that he might regain his former vigorous health. However, "He who doeth all things well" summoned this nationally known lawmaker and medical practitioner to the great beyond from whose bourne no traveler returns. His body was interred in Mount Carmel cemetery on Monday, March 10, and now lies in the spot chosen by himself for his interment. Surviving him are his widow, Alice Kiefer Samuel, and four sons, Frank Kiefer Samuel, Dr. E. Roger Samuel, E. Willard Samuel, and E. Walter Samuel, Esq.

WATER-RIGHT CHARGES ON IRRIGATION PROJECTS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8296) to amend the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain relief on the Federal irrigation projects, and for other purposes," with Senate amendments, and concur in the Senate amendments.

The SPEAKER. The gentleman from Montana asks unanimous consent to take from the Speaker's table the bill H. R. 8296, with Senate amendments, and concur in the Senate amendments. The Clerk will report the bill and the Senate amendments.

The Clerk read as follows:

A bill (H. R. 8296) to amend the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes."

Senate amendments:

Page 1, line 9, strike out "sums" and insert "sum."
Page 2, line 23, strike out "20" and insert "40."
Page 3, after line 3, insert:
SEC. 2. All contracts with the Government touching the project shall be uniform as to time of payment and charge for the construction of the St. Mary diversion."

Mr. GARNER. Mr. Speaker, will the gentleman inform me what changes are made?

Mr. LEAVITT. Mr. Speaker, my bill (H. R. 8296) to adjust the water charges and grant certain other relief to the Chinook division of the Milk River irrigation project was introduced on the 6th of January, 1930, reported by me from the House Committee on Irrigation and Reclamation only three days later, and was passed by the House on the 20th of the same month.

The people on the project will recall that Hon. Joseph M. Dixon and I attended a meeting of water users at Chinook last fall to discuss the situation on the Chinook division, and that I stated there, as I had stated at a previous meeting, that I thought a 40-year contract should be granted and a reclassification of lands made, which would relieve the water users of charges against unproductive lands. A representative of the United States Reclamation Service was present, ready to begin a study to form the basis of a new contract, and I stated that I would introduce a bill to carry out the results of that study, just as soon as it reached me in Washington.

With that understanding I received and introduced H. R. 8296, fully believing that all of its provisions had been agreed to on the ground and that the water users had become favorable to the 20-year contract in return for the fact that the reduction in charges provided was much larger than had ever been discussed as at all likely.

It is very unusual to get such a bill passed through the House in only two weeks after introduction. But the legislative situation developed so that I could take advantage of a fortunate opportunity. I confess that I was somewhat elated that I had been able, with fine cooperation, to accomplish in so brief a time exactly what I had promised to do at the Chinook meeting. I was equally sorry to discover that the one feature of length of the contract turned the measure sour in the minds of many on the project, and that contrary to my understanding, an agreement had not been reached on that point as I had believed.

Meanwhile the Senate Committee on Irrigation and Reclamation considered my measure, and, on April 14, 1930, three months later, Senator THOMAS of Idaho was authorized to report it out without amendment. On the 1st of May it was reported again by Senator WALSH of Montana with conflicting provisions leaving in the 20-year requirement and also adding a new section calling for uniform contracts. In that form the bill was reached and passed by the Senate on May 8. It was recalled by the Senate on the 16th of May and reported again in a perfected form the same day. On May 22 it passed the Senate again.

The Senate amendments took away from the Federal Government all discretion in the making of contracts, and that effectually blocked action in the House until an agreement could be reached with the Department of the Interior and with the chairman of the committee handling the appropriations bill. That was because the bill in its then form could be brought up in the House only by unanimous consent, either to send it to conference or to accept the Senate amendments.

That unfortunate situation of delay has existed until to-day. I have discussed it at various times with reclamation officials. I had arranged with Commissioner Mead to visit the project this summer. I have stated that I believe the 40 years should be granted, and that I introduced the bill at 20 years only because I understood it had thus been agreed to on the ground.

I desire to be entirely fair in this matter, regardless of insinuations and colored statements which have been sent out from offices in Washington to the Great Falls Tribune and published therein. I say now that the senior Senator from Montana has joined with me in this effort. My interest in this matter has been, first, to keep the promise I made at Chinook last fall, and, second, to get the bill in the best possible form as soon as I discovered I had been mistaken in my belief that the bill I introduced was the result of a complete agreement.

Three or four days ago I had this matter up again, this time with George O. Sanford, now in Washington but formerly on the Sun River project. I discussed it yesterday with Commissioner Mead. I am happy now to have a letter from Doctor Mead, dated July 1, 1930, and reading as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, July 1, 1930.

Hon. SCOTT LEAVITT,
House of Representatives, United States.

MY DEAR MR. LEAVITT: Referring to our conversation about the legislation fixing the time given to complete payments in the districts of the Chinook project, and of your desire to dispose of the legislation pending in Congress before the end of the session:

I have conferred with the Secretary and have stated to him that while I regard a 40-year payment period as unnecessary, the amount of money involved is so small that I believe it desirable to end the controversy by agreeing to have the payments extend over 40 years, instead of 20 years, which we have hitherto advocated. The Secretary concurs in this view, and you can so state if this legislation comes up for consideration.

Sincerely yours,

ELWOOD MEAD, *Commissioner.*

This letter, together with the compelling reasons growing out of the equities in the matter, gives the ground for my request for the unanimous consent of the House to agree to the Senate amendments to my bill. I thank the House for its favorable action.

The present wording of the bill is as follows:

H. R. 8296, introduced by Mr. LEAVITT

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

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

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

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

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

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

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

The report which I made on this measure on January 9 contained the following information:

The necessity for this legislation lies in the fact that the board of survey and adjustment upon whose report the act of May 25, 1926 (44 Stat. L. 636), was enacted, did not complete the work on this division of the Milk River project. It extends to the water users on this project the same benefits as are extended by the act of May 25, 1926, to the water users on other projects.

DEPARTMENT OF THE INTERIOR,
Washington, January 7, 1930.

Hon. SCOTT LEAVITT,
House of Representatives.

MY DEAR MR. LEAVITT: There is transmitted herewith copy of a letter from the Commissioner of the Bureau of Reclamation which bears my approval, recommending that charges against certain temporary unproductive lands in the Chinook division, Milk River project, be suspended, and that charges against certain other areas found to be permanently unproductive be remitted.

In keeping with your request there has been prepared and is herewith transmitted draft of proposed bill authorizing the suspension and remission of these charges. My recommendation is conditioned upon the execution by each district affected of satisfactory contract for repayment of construction charges within 20 years. This I believe to be an important part of this legislation in order to eliminate the controversy which has heretofore arisen concerning the terms of repayment. The committee recently reporting upon this matter recommends that if the

concessions recommended are granted by Congress repayment be required within 20 years.

Very truly yours,

RAY LYMAN WILBUR.

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, January 6, 1930.

The SECRETARY OF THE INTERIOR.

SIR: The Chinook division of the Milk River project comprises the river bottom lands beginning about 6 miles west of the town of Chinook and extends easterly about 35 miles down Milk River Valley. The existing canal systems were built with private capital and comprise the following irrigation districts and canal systems with the irrigable areas as shown:

	Acres.
Alfalfa	3,848
Fort Belknap	8,191
Harlem	11,160
Paradise	11,500
Zurich	9,494
Savoy	11,307
Total	55,500

The water supply for these lands is taken from Milk River, and prior to the construction of St. Mary Canal was limited to that portion of the natural flow of the river that is junior to the rights of the Fort Belknap Indians, which supply is entirely inadequate to insure profitable crop production. In order to be assured of a full season's supply these irrigation districts either have executed or now have under consideration contracts providing for the payment for a supplemental supply from St. Mary River and Sherburne Lakes Reservoir.

The expenditures thus far made by the United States and the estimated cost to complete St. Mary Canal and appurtenant works amount to $15 per acre, which price has been agreed upon by the United States and the districts and has been fixed by public notice of April 26, 1929, issued to the Harlem irrigation district and payable in 40 semiannual installments as provided in the act of August 13, 1914 (38 Stat. 686), beginning December 31, 1932.

Notwithstanding the favorable terms offered for the payment of the construction cost of St. Mary water, there has been a persistent effort on the part of a small but resistant minority to refuse acceptance of the terms offered and to insist that the time be extended to 40 years instead of 20, the average difference in controversy being 37½ cents per acre per annum. The several investigating boards who have visited Milk River project in recent years have all reached the conclusion that there is no sound basis for granting the extension requested.

At the time that field investigations were made by the board of survey and adjustments in 1925, the irrigable areas on the Malta and Glasgow divisions of Milk River project were classified, but the Chinook division was not considered. Further investigation of the existing conditions made it apparent that the land in the Chinook division should be investigated and a determination made as to the productive, the temporarily unproductive, and the permanently unproductive areas. This investigation was made in September, 1929, with the following results:

District	Productive area	Temporarily unproductive	Permanently unproductive	Total
Alfalfa	3,961.22	307.75	142.50	4,411.47
Belknap	3,885.35	3,850.50	141.40	7,877.25
Harlem	9,066.66	2,643.40	288.10	11,998.16
Paradise	7,070.92	3,374.49	1,052.17	11,497.58
Zurich	7,863.44	2,441.50	146.00	10,450.94
Savoy		[1] 11,307.00		[1] 11,307.00
Total	31,847.59	23,924.64	1,770.17	57,542.40

[1] Not classified.

The irrigable area for the Chinook division, as determined by the board of survey and adjustments, was 55,500 acres. The tabulation above shown gives a total of 57,542.4 acres, which increase is brought about by additional lands that are now being served by the constructed canals or are susceptible of irrigation by minor extensions of the lateral systems; and the form of contract, either executed or under consideration, provides that such areas can be included under the provisions of the repayment contract by notice from the Secretary of the Interior and assessments levied by the district. The Savoy district, comprising an area of 11,307 acres, was not classified for the reason that there is no prospect of this being brought under irrigation in the near future, and for that reason it should be carried as land temporarily unproductive.

The area permanently unproductive, amounting to 1,770.17 acres, comprises principally rights of way of new highways that have been constructed and sloughs and other depressions that are subject to overflow and can not be farmed. The temporarily unproductive land, outside of the Savoy district, totals 12,617.64 acres, and is made up of land with a heavy gumbo soil that can not be farmed profitably in its present condition, but which may eventually, by proper tillage methods, be brought into the productive class. There is also considerable land with a high water table and affected by seepage, so that profitable crops can not be produced. There is a possibility that a considerable portion of this land may be reclaimed by the construction of drainage works.

In view of the policy initiated with the passage of the adjustment act of May 25, 1926 (44 Stat. 636), it is recommended that the Congress be requested to enact the necessary legislation providing the following areas on the Chinook division of the Milk River project be placed in the classes designated and the sums shown be considered as either probable or definite losses to the reclamation fund, with the proviso that the several irrigation districts receive no benefit therefrom until binding contracts shall have been executed by such districts covering the payment of the construction cost of St. Mary storage, and that after the irrigation season of 1930 no water from such storage shall be furnished any district until the required contract has been duly executed.

Cause of disability	Kind of disability	Rate per acre	Area acres	Amount of loss	
				Probable	Definite
Heavy soil and seepage.	Temporarily unproductive.	$12.25	12,617.64	$154,566.09	
No canal system	do	12.25	11,307.00	138,510.75	
Nonagricultural	Permanently unproductive.	12.25	1,770.17		$21,684.58
Total				293,076.84	21,684.58

Draft of proposed bill for this purpose is herewith transmitted, together with letter to Congressman LEAVITT, at whose request the bill has been prepared.

Respectfully, ELWOOD MEAD, *Commissioner.*

Approved January 7, 1930.

RAY LYMAN WILBUR, *Secretary.*

I am asking that the Senate amendments be agreed to.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendments.

The question was taken, and the Senate amendments were agreed to.

COPYRIGHT REGISTRATION OF DESIGNS

Mr. VESTAL. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 11852, with two amendments.

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

Be it enacted, etc., That any person who is a citizen of or domiciled in the United States, or who is a citizen or subject of a foreign State or nation with which the United States shall have established reciprocal copyright relations, and who is the author of any design as hereinafter defined, or the legal representative or assignee of the author of such a design, may secure copyright therein upon compliance with the provisions of this act.

Within the meaning of this act—

(a) An author is one who originates a design and in so do doing contributes intellectual or artistic effort to the composition thereof.

(b) A design is a pattern applied to, or a shape or form of, a manufactured product which is not of itself a work of art, and shall include dies, molds, or devices by which such a pattern, shape, or form may be produced, original in its application to or embodiment in such manufactured product, by reason of an artistic or intellectual effort, and which produces an artistic or ornamental effect or decoration, but shall not include patterns or shapes or forms which have merely a functional or mechanical purpose.

SEC. 2. The owner of a design copyright shall have, within all the territory which is under the jurisdiction and control of the United States, for the periods and subject to the limitations hereinafter prescribed, the right to exclude others from selling or distributing manufactured products which embody or contain copies of or colorable imitations made by copying the copyrighted design or any characteristic original feature thereof, if such manufactured products are in the same class as, or are similar to, the product to which the copyrighted design has been applied or in which it has been embodied.

SEC. 3. As prerequisites to copyright protection under this act the author or his legal representative or his assignee must (1) actually cause the design to be applied to or embodied in the manufactured product; (2) mark such product in the manner specified in section 5 of this act; (3) introduce such product to the public in territory under the jurisdiction and control of the United States, by selling it or offering it for sale; and (4) within six calendar months of the time when such manufactured product was first actually so introduced to the public, file an application in the copyright office in the form prescribed under authority of section 21 of this act, and in such application state under oath (a) that he is the author of the design for which he solicits reg-

istration or (b) that he is the assignee or legal representative of such author and verily believes the author named in the application to be the originator of such design. Such application shall include the prescribed number of copies of a photograph or other identifying representation of the design as applied to or embodied in the said manufactured product and shall give the date when such manufactured product was so introduced to the public; and copyright shall be secured upon and from the date of such introduction of the manufactured product to the public, subject to the provisions of this act: *Provided, however,* That such application is filed within six calendar months of any sale in any country of such manufactured product and of any publication not under copyright protection in any country of such design, if such sale or such publication is made by or with the consent of the author, his assignee, or legal representative.

SEC. 4. Upon each entry of a claim for copyright in any design made subject matter of copyright by this act, the person recorded as the claimant of copyright shall be entitled to a certificate of registration under the seal of the copyright office, which shall state the name, citizenship, and address of the author of the design and of the owner of the copyright in such design, if other than the author; the name or designation of the class of manufactured product in which the design has been embodied or to which it has been applied; the date when the application for registration was filed in the copyright office; the date when copyright was secured as provided in section 3 of this act; and such marks as to class designation and entry number as shall fully identify the entry of the claim of copyright. Said certificate shall be prima facie evidence of the facts stated therein. A duplicate certificate under the seal of the copyright office shall be supplied to any person requesting the same upon payment of the fee. When a design actually embodied in or applied to one manufactured product is in substantially the same form to be embodied in or applied to a set of manufactured products of the same general character ordinarily on sale together or intended to be used together, a single application for registration and one certificate of registration shall suffice.

SEC. 5. It shall be the duty of the owner of a design in which copyright is secured under this act or his licensee to give notice to the public that the design is protected under this act by affixing to the manufactured product the mark "Design copyrighted" and by adding thereto with reasonable promptness after registration the number of the registration entry. When the nature of the product will not permit the affixing of these marks in full it shall be sufficient to use the abbreviation "D. copr." or the letter "D" inclosed within a circle, thus © with or without the registration number.

When such abbreviation or symbol is used, or when the product itself will not permit the affixing of any of these marks, it shall be sufficient and necessary to attach a label or tag to the product or to the package or cover containing the product in which the design is embodied or to which it is applied, containing the name of the manufactured product and plainly marked with the words "Design copyrighted," to which must be added with reasonable promptness after registration, the registration number.

In the case of any manufactured product in which the design is repeated, such as wall paper or textiles, one marking on the manufactured product embodying or containing the design shall suffice.

In any action or suit for infringement by a party failing to comply with the above-stated provisions of this section no recovery shall be adjudged the plaintiff and no injunction shall be granted except on proof that the failure to mark was merely occasioned and inadvertent: *Provided, however,* That there shall be no recovery against an innocent infringer who has been misled by the omission of the notice, and in such case no permanent injunction shall be had unless the copyright owner shall reimburse to the innocent infringer his reasonable outlay innocently incurred, if the court, in its discretion, shall so direct.

SEC. 6. Copyright secured under this act shall initially endure for a term of two years from the first sale or offer for sale of the manufactured product to which the design is applied or in which it is embodied. At any time before the expiration of the 2-year term an extension of the copyright may be registered for a further period of 18 years to secure a total period of protection of 20 years upon filing an application for such extension and paying the fees prescribed in section 22 of this act.

SEC. 7. Every copyright secured under the provisions of this act, or any interest therein, shall be assignable in law by an instrument in writing; and the copyright owner may, in like manner, grant and convey an exclusive right under such copyright for the whole or any part of the United States.

Such assignment, grant, or conveyance shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, unless it is recorded in the copyright office within three calendar months after its execution in the United States, or within six calendar months after its execution without the limits of the United States, or prior to such subsequent purchase or mortgage. If such assignment, grant, or conveyance be acknowledged before any notary public of the several States or Territories or the District of Columbia, or any dependencies of the United States, or before any officer authorized to administer oaths in the United States or its dependencies and the Panama Canal Zone or the Philippine Islands, or any clerk or commissioner of any United States district court, or before a secretary in the diplomatic service or a diplomatic or consular officer of the United States authorized by law to administer oaths or perform notarial acts, or before any notary public, judge, or magistrate of any foreign country authorized to administer oaths or perform notarial acts in such country, whose authority shall be proved by the certificate of a secretary in the diplomatic service or a diplomatic or consular officer of the United States, the certificate of such acknowledgment or the record thereof in the copyright office, when made, shall be prima facie evidence of the execution and delivery of such assignment, grant, or conveyance.

SEC. 8. Infringement shall include unlicensed copying of or colorable imitation by copying the copyrighted design or any characteristic original feature thereof in manufactured products in the same class, or any similar product, for the purpose of sale or public distribution; or selling or publicly distributing or exposing for sale or public distribution any such product embodying or containing such a copy or colorable imitation: *Provided, however,* That if such sale or public distribution or exposure for sale or public distribution is by anyone other than the manufacturer or importer of the copy or colorable imitation, it shall be unlawful only as to goods purchased after written notice of a restraining order or preliminary injunction, or of an order granting a preliminary injunction, or of a decree by any court having jurisdiction in the premises, in any action brought under this act by the copyright owner for infringement of such copyright, or of any order or decision in such an action in which the court, although refusing injunctive relief, states that in its opinion, based on the affidavits or testimony submitted, such copyright is for an original design and otherwise valid, and in the absence of such notice the remedies and penalties provided for in section 10 of this act shall not apply; the words "manufacturer" and "importer" as used in this section shall be construed as including anyone who induces or acts in collusion with a manufacturer to make, or an importer to import, a colorable imitation or an unauthorized copy of a copyrighted design, but purchasing or giving an order for purchase in the ordinary course of business shall not in itself be construed as constituting such inducement or collusion: *Provided, however,* That to obtain the benefit of this exemption a prompt and full disclosure must be made to the copyright owner upon request as to the source and all particulars of the purchase of the goods, and the evidence thereof must be given if requested in any suit or action against the manufacturer or importer.

SEC. 9. The following shall not be held infringing acts:

(a) Repairing manufactured articles protected under this act, or making or selling parts of manufactured articles, whether individually protected or not, for use as repair parts;

(b) Making and/or illustrating or selling patterns for dressmaking, or making a garment from such a pattern or embodying a copyrighted design for the individual use of the maker or a member of the family of the maker, or having such a garment made by an individual employee for the use of the employer or a member of the family of the employer;

(c) Illustrating designs by pictorial representation, or publicly distributing or exhibiting such illustrations or pictorial representations of designs;

(d) Making any reproduction, copy, use, sale, or public distribution of any design copyrighted under this act in any motion picture, and in whatever form used in connection with the advertisement, distribution, or sale or other disposition of motion pictures: *Provided, however,* That none of the acts specified in this section shall affect the force and validity of any copyright in any design under this act.

SEC. 10. Anyone who shall infringe any copyrighted design shall be liable—

(a) To an injunction restraining such infringement;

(b) To account for and pay the profits and damages resulting from the infringement, which in the discretion of the court may be trebled.

The court may dispense with an accounting—

(1) In cases where the plaintiff may so request, or where from the record it is apparent to the court that an accounting would not find damages or profits to exceed $2,500 where defendant is a manufacturer or importer and $100 in any other case. In any such case where the defendant is a manufacturer or importer the defendant shall be held liable to pay to the plaintiff not less than $2,500, and in any other such case the defendant shall be held liable to pay the plaintiff not less than $100 as compensation and not as a penalty.

(2) In cases where the copying complained of was without knowledge or notice of the copyright.

The court may order to be delivered up and destroyed or otherwise disposed of, as shall be just as between the parties, all infringing articles, products, or parts, and all dies, models, and devices useful only in producing the infringing article or product, and all labels, prints, or advertising matter relating to the infringing article or product.

SEC. 11. No relief shall be granted where an infringement has continued with the knowledge of the owner of the copyright for a period of two years prior to the commencement of the suit or action; and in no event shall there be a recovery of profits or damages for acts of in-

fringement committed more than three years prior to the commencement of the suit or action.

SEC. 12. When registration has been made in the copyright office of any design as provided in this act, written, printed, or photographic copies of any papers, drawings, or photographs relating to such design reserved in the copyright office shall be given to any person making application therefor and paying the fees required by this act, and such copies when authenticated by the seal of the copyright office shall be evidence of the same force and effect as originals.

SEC. 13. In an action or suit for infringement of copyright in a design registered under this act there shall be a presumption of originality in the registered design and of validity in the registration thereof; and a presumption of copying may in the discretion of the court be held to arise from substantial resemblance to the registered design in defendant's design.

SEC. 14. The district and territorial courts of the United States and its insular possessions, including the courts of first instance of the Philippine Islands, the District Court of the Canal Zone, and the Supreme Court of the District of Columbia, shall have original jurisdiction, and the Circuit Courts of Appeals of the United States, the Court of Appeals of the District of Columbia, and the Supreme Court of the Philippine Islands shall have appellate jurisdiction of proceedings respecting designs protected under the provisions of this act.

SEC. 15. Writs of certiorari may be granted by the Supreme Court of the United States for the review of cases arising under this act in the same manner as provided in the Judicial Code as amended by the act of February 13, 1925.

SEC. 16. After adjudication and entry of a final decree by any court in any action brought under this act, any of the parties thereto may, upon payment of the legal fees, have the clerk of the court prepare a certified copy or copies of such decree, or of the record, or any part thereof, and forward the same to any of the designated courts of the United States, and any such court to which such copy or copies may be forwarded under the provisions of this section shall forthwith make the same a part of its record; and any such record, judgment, or decree may thereafter be made, as far as applicable, the basis of an application to that court for injunction or other relief; and in the preparation of such copies the printed copies of the record of either party on file with the clerk may be used without charge other than for the certificate. When the necessary printed copies are not on file with the clerk either party may file copies which shall be used for the purpose, and in such cases the clerk shall be entitled to charge a reasonable fee for comparing such copies with the original record before certification and for certifying the same.

SEC. 17. If the copyright in a design shall have been adjudged invalid and a judgment or decree shall have been entered for the defendant, the clerk shall forward a certified copy of such judgment or decree to the register of copyrights, who shall forthwith make the same a part of the records of the copyright office.

SEC. 18. (a) Any person who shall register a design under this act, knowing or having reason to know that the design is not an original work of authorship of the person named as author in the application for registration, or knowing or having reason to know that the ownership of the copyright therein is falsely stated in the application for registration, shall be guilty of a misdemeanor punishable by a fine of $2,500, or such part thereof as the court may determine.

(b) Any person who shall bring an action or suit for infringement of a design alleged to be protected under this act, and known by the plaintiff to be not an original work of authorship of the person alleged to be the author of said design, shall, upon due showing of such knowledge, be liable in the sum of $2,500, or such part thereof as the court may determine, as compensation to the defendant to be charged against the plaintiff and paid to the defendant in addition to the customary costs.

(c) Any person who shall, because of notice given under section 8 of this act by the owner of a copyright secured under this act, or by his licensee, discontinue the purchase, sale, or distribution of products alleged by such owner or licensee to be an infringement of such copyright, shall recover from such owner and/or licensee such damages as he shall have sustained by reason of compliance with such notice, if such owner or licensee knew, or had reason to know, that the design alleged to be protected under this act was not an original work of authorship of the person alleged to be the author of said design.

(d) Any person who, with fraudulent intent, marks one or more manufactured products which are not protected by design copyright, so as falsely to indicate that they are so protected, shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding $500.

SEC. 19. Nothing in this act shall be construed to impair, limit, or annul the right of an author of a design, or the legal representative or assignee of such author, prior to the copyrighting of such design under this act, to prevent unauthorized application or embodiment of such design or any characteristic original feature thereof, to or in any manufactured product, and the exposure for sale or public distribution, or the sale or public distribution of such manufactured product, as a result of the confidential disclosure of such design, and to recover the profits and damages arising therefrom by suit in equity or action at law; and the marking upon a drawing or other representation of such design of the name of the author and the words "design copyright reserved" is hereby authorized as reserving the right to have the design copyrighted under this act as and when applied to or embodied in a manufactured product and introduced to the public pursuant to this act.

SEC. 20. Registration under this act shall not constitute any waiver or abandonment of any trade-mark rights in the design registered.

SEC. 21. The register of copyrights shall be authorized, for convenience of copyright-office administration, to determine and designate the different classes of manufactured products under which registration may be made, and, subject to approval by the Librarian of Congress, to make rules and regulations for such registration, and for the form of the required certificate: *Provided, however,* That such classification shall not be held to limit or extend the rights of the author of the design or his legal representative or assignee.

SEC. 22. The register of copyrights shall receive, and the persons to whom the services designated in this act are rendered, shall pay the following fees: (1) For the registration for the first term of two years under this act, $3; (2) for the registration of the extension of the period of protection to 20 years, as provided herein, $20; and the payment of the said fees shall include, in each case, the certificate provided for in this act; (3) for a duplicate certificate of any registration made, $1; (4) for recording any document in the copyright office, as provided in section 7 of this act, or for furnishing certified copies of any such document, $1 for each copyright office record-book page or fraction thereof up to five pages, and 50 cents for each such page or fraction thereof beyond five pages; (5) for copies of any registration made, or of drawings or photographs or other identifying reproductions filed in relation to any design registered, and for comparing such copies with the originals before certification, a reasonable fee and 50 cents additional for certification of each such copy under seal of the copyright office.

SEC. 23. All designs registered for the first term of two years shall be listed in the Catalogue of Copyright Entries prepared and printed under the provisions of the act of March 4, 1909, and shall be further identified by a representation of the design, and each extension registration shall be listed in said catalogue. The periodic issues of said catalogue may be subscribed for upon application to the Superintendent of Public Documents, at a price to be determined by the register of copyrights for each part of the catalogue, not exceeding $10 for the complete Catalogue of Copyright Entries provided by the act approved March 4, 1909, or $10 for the catalogue of designs registered under this act. The Catalogue of Copyright Entries for designs shall be admitted in any court as prima facie evidence of the facts therein stated as regards any copyright registration for a design made under the provisions of this act.

SEC. 24. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for clerical services, office rental and equipment, stationery and supplies, for carrying into effect this act for the fiscal year ending June 30, 1931, $100,000, or so much thereof as may be necessary, the same to be available immediately upon the approval of this act, and thereafter such sums as Congress may deem necessary, to be expended by the Librarian of Congress.

SEC. 25. The Librarian of Congress shall annually submit estimates in detail for all expenses of carrying this act into effect, and he is hereby authorized to appoint such subordinate assistants to the register of copyrights as shall be necessary for the prompt and efficient execution of the work involved.

SEC. 26. The following sections of the United States Revised Statutes are hereby repealed: Section 4929, as amended by the act of May 9, 1902; sections 4930 and 4931; and section 4934, as amended by the acts of February 18, 1922, and February 14, 1927, is further amended by striking out the words "except in design cases" wherever they appear, and also by striking out the following words: "In design cases: For 3 years and 6 months, $10; for 7 years, $15; for 14 years, $30"; *Provided, however,* That design patents issued under the sections herein repealed shall have full force and effect as if said sections were still in effect: *And provided further,* That notwithstanding the six months' limitations in section 3 of this act, an applicant who has duly filed in the Patent Office an application for a design patent, and whose application has not become abandoned when this act goes into effect, or his assigns and legal representatives may within six months after this act goes into effect elect either to demand a design patent which may be granted him and have full force and effect as if the section herein repealed were still in effect, or to abandon said application for a design patent and secure copyright protection under this act by complying with the provisions of this act, so far as applicable, and upon payment of the fee or fees prescribed in section 21 of this act, filing an application for registration of said design under this act, or two or more applications in different classes, if the design as disclosed in said application is entitled to registration in such different classes, the initial term of such copyright protection under this act to commence with the sale or offer for sale of manufactured products to which the design has been applied or in which it is embodied, marked in the manner specified in section 5 of this act. No design copyright

under the provisions of this act shall be valid to an author or to the legal representative or assignee of such author to whom shall have been issued a design patent in this country for the same design.

SEC. 27. This act shall go into effect on January 1, 1931, and may be cited as the design copyright act of 1931.

Mr. STAFFORD. I demand a second, Mr. Speaker.

The SPEAKER. Is there any member of the minority on the committee opposed to the bill? [After a pause.] If not, the Chair will recognize the gentleman from Wisconsin [Mr. STAFFORD].

Mr. VESTAL. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VESTAL. Mr. Speaker and Members of the House, this bill has been reported by the Committee on Patents, by the unanimous vote of the committee.

For 8 or 10 years there has been great clamoring by manufacturers and designers over the country for a design copyright law. There is on the statute books now a patent design law. All designs mentioned in this bill may be patented by getting a patent in the Patent Office on the design, but it requires from two to four months to get protection on the design. In the meantime the designers of the country, not the designers particularly, but manufacturers of the country who expend a great deal of money to have the designs made and who incorporate the designs in their goods, whatever they may be, must wait three or four months before they can get any protection on their design.

But, as soon as the goods are out in the market, then the designs are being taken by other people and colorable imitations are made. The purpose of this bill is to prevent the piracy of designs and is in the interest of honest business throughout the country and also in the interest of building up in this country a corps of American designers so that they will not have to go to Paris and other places to get their designers. There is no incentive for designers to make designs in this country because of the fact that the designs are pirated all the time and they have no adequate protection under the present law.

I would like to give one illustration. These designs can not be protected now under the unfair trade law. We thought at first they might be protected in that way. One of the large manufacturing concerns of the country who spent last year $150,000 for designs, attempted to protect its design when it had been pirated by a suit in law under the unfair trade law.

The court held in that case that while there was a great injury done there was no protection under the unfair trade law and no remedy, and the only way to secure protection was to come to Congress and get an act passed by Congress.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. VESTAL. I yield.

Mr. STRONG of Kansas. Will the gentleman tell us what concern it was or what his design was?

Mr. VESTAL. I do not know what his design was. It was probably a design in dress goods, because it was designed by Cheney Bros., and I do not remember what it was. It was against the Doris Silk Co. I think I put that in the RECORD the other day.

Mr. STRONG of Kansas. This law could not by any means be construed to increase monopolies?

Mr. VESTAL. Oh, no; not at all.

Mr. STRONG of Kansas. That is, not more than at present?

Mr. VESTAL. Not at all. It is greatly in the interest of honest business, so that if your wife or your daughter went to a store to buy a dress and she found a design that she thought was an original, she would know it was an original.

Mr. STRONG of Kansas. The gentleman seems to be convinced that whoever made the design should have a monopoly?

Mr. VESTAL. You may call it a monopoly if you desire, but he should have protection on that design, whatever it may be. As far as costing the public more is concerned, every witness who testified said if they were protected in their designs, they could sell all of their goods cheaper than when they knew they were not protected, and that they might be stolen from them in a few days or a few weeks.

Mr. STRONG of Kansas. I do not see how you can guarantee a reduction in cost by creating a monopoly on a design.

Mr. VESTAL. Nobody guarantees it.

Mr. STRONG of Kansas. Well, secure it.

Mr. VESTAL. But if you know you have protection in your design, and have the design placed in large quantities of goods, you certainly could sell the goods much cheaper than if you had to make a quick sale because you knew that design would be stolen in a little while.

Mr. STRONG of Kansas. It seems to me if the manufacturer had an absolute monopoly on a design, he would be liable to get a better price than if he knew he had to sell his product quickly to keep somebody else from using the design.

Mr. MERRITT. Will the gentleman yield?

Mr. VESTAL. I yield.

Mr. MERRITT. The answer to the gentleman's proposition is that a manufacturer gets out a design, and, of course, when that gets into the market it has to compete with other designs. It does not give him a monopoly of the market at all. It enables him to sell that particular design as his own, but he has to compete in price with other designs which may be equally pleasing.

Mr. STRONG of Kansas. But if he should secure a monopoly on a design that might be most fashionable, then he would have a monopoly and other designers could not compete with him.

Mr. MERRITT. Oh, no.

Mr. LANHAM. Will the gentleman yield?

Mr. VESTAL. I yield.

Mr. LANHAM. The testimony before our committee was that the public would pay a smaller amount with the enactment of this measure than without it, for the reason that the manufacturer, printing designs on silks, knows to-day that the piracy of his product is going to make his sales not only limited but of short duration, and consequently he prints a restricted yardage, and the cost to him is the greatest cost there could be, whereas if he had protection he could print yardage to meet the demands, and the price of his product would be smaller.

Mr. STRONG of Kansas. Let me ask my friend, that testimony was given by the men who want to secure this monopoly?

Mr. LANHAM. To be sure, but they have this right now. We are simply seeking to give them a remedy for a right that now exists, but which, by reason of the tardiness of granting this right to the designers, they do not have an opportunity to exercise.

Mr. STAFFORD. Does not the gentleman change the existing design law by reason of the fact that this law grants a patent or exclusive monopoly to a person who is the original designer, whereas under the existing law it must be shown that it has a novelty. You change the existing law so as to allow this right to any designer who can show that he originated it, whether it was designed previously by somebody else or not.

Mr. LANHAM. It gives to the designer in industry the same right that is given to the designer in art. That is the purpose of the design patent law, but by reason of the fact that applications are held up for months, and the fact that styles are fleeting and ephemeral things, by the time they get the protection the style is gone. We are talking of styles with reference to clothes, but let me bring to the attention of the gentleman the fact that it does not apply to styles alone, and, as I have stated, the protection is inadequate through the present design patent law and we are seeking to give a remedy.

The SPEAKER pro tempore. The gentleman from Indiana has consumed eight minutes.

Mr. VESTAL. Mr. Speaker, I will yield myself one more minute.

Mr. MAPES. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. MAPES. I would like to ask the gentleman from Indiana, the chairman of the committee, or the gentleman from Texas whether this bill would apply to furniture designing the same as it applies to clothing and other things?

Mr. LANHAM. To be sure it does; and let me bring to the attention of you gentlemen the fact that the representatives of these various people affected in industry have been before our committee we have had extensive hearings, and there has been no objection to this bill except from one source, and that source has been the retailer. However, we are offering an amendment to the bill which will protect him. We are offering an amendment which will give him a greater latitude of protection.

Mr. MAPES. Did the committee hear the furniture people on this bill?

Mr. LANHAM. Yes; that is my recollection.

Mr. STRONG of Kansas. I can not get away from the thought that a monopoly is given to the manufacturer of a design and that, therefore, a higher price is going to be set for his goods.

Mr. LANHAM. I have stated to the gentleman that that monopoly now exists.

Mr. STRONG of Kansas. Why strengthen it?

The SPEAKER pro tempore. The time of the gentleman from Indiana has again expired.

Mr. VESTAL. Mr. Speaker, I yield myself one more minute for the purpose of reading the amendment we are proposing.

In section 8 we put in a proviso which will absolutely protect the retailer, and the amendment reads as follows:

Provided, however, That if such sale or public distribution or exposure for sale or public distribution is by anyone other than the manufacturer or importer of the copy or colorable imitation it shall be unlawful only as to goods purchased after written notice of a restraining order or preliminary injunction, or of an order granting a perliminary injunction, or of a decree by any court having jurisdiction in the premises, in any action brought under this act by the copyright owner for infringement of such copyright, or of any order or decision in such an action in whcih the court, although refusing injunctive relief, states that in its opinion, based on the affidavits or testimony submitted, such copyright is for an original design and otherwise valid, and in the absence of such notice the remedies and penalties provided for in section 10 of this act shall not apply; the words "manufacturer" and "importer" as used in this section shall be construed as including anyone who induces or acts in collusion with a manufacturer to make or an importer to import a colorable imitation or an unauthorized copy of a copyrighted design, but purchasing or giving an order for purchase in the ordinary course of business shall not in itself be construed as constituting such inducement or collusion.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. COCHRAN of Missouri. The gentleman says that the owners of the designs have appeared before the committee. You are taking care of them in the bill and you are taking care of the retailers.

Mr. VESTAL. Yes.

Mr. COCHRAN of Missouri. What are you doing for the poor public?

Mr. VESTAL. I think we are taking care of the public.

Mr. STRONG of Kansas. You are giving a monopoly against them.

Mr. LANHAM. They have that monopoly now. As a matter of fact, they have this right and we are seeking to give them a remedy. I will say to my friend from Missouri that in my judgment the cost to the public will be less because they will be protected in these designs; they will not be pirated and, therefore, their production can be increased, their costs will be less, and, consequently, their material will sell for less.

Mr. COCHRAN of Missouri. I notice it will cost $100,000 annually to administer this act.

Mr. LANHAM. I will say to the gentleman that we are increasing the fees in order to make him who dances pay the fiddler.

Mr. COCHRAN of Missouri. And the public will pay the fiddler in the end.

Mr. VESTAL. Mr. Speaker, I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. BUSBY].

Mr. BUSBY. Mr. Speaker and gentlemen of the House, I call your attention to the lines at the top of page 2, which define the proposition we are about to deal with:

(a) An author is one who originates a design and in so doing contributes intellectual or artistic effort to the composition thereof.

Those are the ingredients.

(b) A design is a pattern applied to, or a shape or form of, a manufactured product which is not of itself a work of art.

That is the definition of the thing we are considering here. Some years ago I learned that the definition of a thing was such a description of the thing to be described as would include everything of its class and exclude everything not of its class.

I do not believe we can tell what we have legislated on after we have enacted this bill into law. No doubt, this is the creation of a new type of monopoly. The trouble with the consuming public to-day is monopoly. We are face to face with every kind of monopoly of fact. Organizations have got together and they are stringing up the consuming public on every side, so much so that the small merchants are sending their complaints to us from every hand, and yet we find people still coming here and asking for the creation of new monopolies of law.

I do not understand this is necessary to protect any legitimate industry. I think we ought to vote this type of legislation down until we have studied it further. If you know what this bill contains, answer yourself, what are the elements to be dealt with in this bill? If you do not know what it contains, are we going to blindly enact a bill into law because the interests that want the bill enacted for their own benefit have asked for it? Do we always get a recovery in court because we simply come in and file a declaration and the jury and the court know nothing about the merits of the case, and yet we are granted our prayer for relief? That is exactly the status of the bill here.

If we do not know what we are doing and with whom we are dealing and what the hearings show, do you not think we ought to vote this bill down and let it be brought up in December, in the regular way, so we can study it and intelligently act upon it, and not create another monopoly under which the people may be oppressed?

Mr. O'CONNELL. Will the gentleman yield?

Mr. BUSBY. In just a moment.

I remember reading Nicholas on the Poor Laws of England, and one of the things that impressed me was that the poor people were not permitted, in certain ages, to wear anything but one type of wool hat, and those of a class or strata a little above them were allowed to wear another type of garment, and those in still another strata or class were allowed to wear silk. Through our monopolistic tendencies toward copyright legislation, it looks as if we are going to group the people into several classes and strata simply because we are permitting some classes of people to arrogate unto themselves certain powers in the commercial sections of our country so that they can compel things of this kind.

My plea to you is to vote down this monopolistic legislation and then allow it to be taken up next December in the regular way. [Applause.]

I yield back the balance of my time, Mr. Speaker.

Mr. STAFFORD. Mr. Speaker, this bill per se is for the aggrandizement of the profits of the manufacturers at the expense of the consuming public.

There is not a garment that is worn by any Member of this House, if this bill were law at the time the design of that garment was created, that would not have to pay a tribute to the manufacturer. In the case of the very pattern or weave of the trousers worn by the gentleman from Connecticut, when designed by the weaver of that garment originally, the manufacturer could prevent any other manufacturer using that pattern in the manufacture of the same garment.

Gentlemen will remember how popular a few years ago the little stripe in blue worsted was as woven in men's clothes. Any manufacturer having in his employ the designer who created that little stripe would be able to levy tribute based upon what the traffic would bear, and what the traffic would bear was Dame Fashion, and they could exact this tribute from the entire consuming public. The person who created the cuff that most of us wear on our summer trousers, if designed by a designer for some tailor who got a copyright, under the terms of this bill could exact a tribute from every person who would ask to have his trousers cut with a cuff. The same is true with respect to the design of your neckties; the same is true with respect to the design of your collars and every other character of wearing apparel.

Take, for instance, the bags that the women carry or the Gladstone bags, there is no patent on those bags to-day, because, under the patent law, something more than originality is required. The patent law requires novelty.

And permit me to say, parenthetically, this bill is a sweet sister to the bill we had up the other day, in that as that bill was framed by certain selfish attorneys, so this bill, as the hearings show, was framed by one patent attorney and then accepted and adopted by the Committee on Patents in toto.

Now, wherein do they try to ease up the criticism from the public, so far as patterns of clothes are concerned? They will permit a dressmaker to copy a pattern at the request of an individual, but everyone knows who knows anything about textiles and the clothing industry to-day knows that conditions of manufacture of clothes have changed. My mother and your mother made their aprons, made their garments and dresses, but to-day, as the gentleman from New Jersey knows, they are manufactured in large quantities and the housewives no longer make garments as they did in years gone by.

This bill is designed to take away from the poor working girl the right to wear the same pattern of goods that the wealthy people do. That is the main purpose of the bill.

We have gotten along pretty well these years under the present patent design law, because it requires more than originality, it requires novelty.

I appeal to those here who know anything about patent law—and I know but little about it myself—under existing patent law there must be novelty, something more than giving an idea to a mechanic and saying do so and so.

Mr. O'CONNOR of Oklahoma. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. O'CONNOR of Oklahoma. This covers everything from an original sale to a permanent wave, does it not? [Laughter.]

Mr. STAFFORD. Yes; it even would include the originator of the marcel wave. [Laughter.] There is no question about it. Its purpose is to create a monopoly in manufactures of certain designs.

Now, the manufacturer of woolen garments, or the manufacturer of wall paper, under existing practice, gets out certain designs, and they have samples sent around the country. If they have novelty, they get the benefit of the design. It does not prevent their designs being copied the next year. But this would grant a patent on a design, not for one season but for 20 years.

Again, under this bill all that it is necessary for the beneficiary is to send a photograph of the design to the Library of Congress and as soon as it is received, without further investigation, without any search as to its originality, or any search as to its novelty, a copyright is granted, and any manufacturer who copies that design is liable to a penalty, to be determined by the Federal court, even without the benefit of a trial by jury.

Anyone who knows anything about patent law knows that it is the practice before an attorney applies for a patent to have a search made to see whether the patent has originality or novelty. There is no such protection here. They do allow a dressmaker to copy a design at the request of an individual, but there is no protection to the manufacturer. This bill absolutely creates a monopoly for the benefit of the manufacturer at the expense of the consuming public.

There is no time so inopportune as in the closing days of Congress to pass a bill like this to deprive the working classes of wearing the same design as the rich people without paying tribute to an exclusive manufacturer. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Arkansas [Mr. GLOVER].

Mr. GLOVER. Mr. Speaker, I rise to call the attention of the House to only one section in the bill, as I can not discuss the bill in two minutes. I refer to section 18, paragraphs (a) and (b), which are to my mind a denial of the right of trial by jury both in criminal and civil cases. I read the first part of section 18:

SEC. 18. (a) Any person who shall register a design under this act, knowing or having reason to know that the design is not an original work of authorship of the person named as author in the application for registration, or knowing or having reason to know that the ownership of the copyright therein is falsely stated in the application for registration, shall be guilty of a misdemeanor punishable by a fine of $2,500, or such part thereof as the court may determine.

I read now paragraph (b), which applies to the civil feature:

(b) Any person who shall bring an action or suit for infringement of a design alleged to be protected under this act, and known by the plaintiff to be not an original work of authorship of the person alleged to be the author of said design, shall, upon due showing of such knowledge, be liable in the sum of $2,500, or such part thereof as the court may determine, as compensation to the defendant to be charged against the plaintiff and paid to the defendant in addition to the customary costs.

Mr. LANHAM. The gentleman is familiar with the fact that these copyright matters are matters of Federal procedure?

Mr. GLOVER. That is true, but this will be tried before a Federal judge, and one has as much right to a trial by jury in a Federal court as in a State court.

The SPEAKER. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Speaker and colleagues, I think the pending bill (H. R. 11852) is bad legislation. If the Members had time to study this measure and analyze its provisions, I am sure they would not vote for it. It is not being given the consideration that legislation of this character should receive. This bill is brought in here on the eve of adjournment, and instead of being considered in the usual way with opportunity to debate and amend the bill, it is suddenly and without warning brought before the House and a motion made to suspend the rules and pass the measure.

Under this procedure only 40 minutes are allowed debate, divided equally between those who favor and those who oppose the measure. Obviously, this is not sufficient time to analyze and debate such a comprehensive measure as the one we are now called upon to enact. If this measure is meritorious it should have been considered in the usual way and ample time allowed for debate. Important and far-reaching legislation of this character should not be railroaded through Congress in the closing days of the session when no adequate time is allowed for its proper consideration.

This bill provides for the registration and copyright of designs, and prescribes severe penalties for infringement. If it becomes a law it will revolutionize the mercantile industry in the United States. It will create a multitude of monopolies. It will materially increase the cost of fabrics and commodities to the consuming pubic. It will stifle competition.

Under the patent laws, a patent may be granted to anyone who has invented or discovered any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof, not known or used by others in this country before his invention or discovery thereof, and not patented or described in any printed publication in this or any foreign country, before his invention or discovery thereof, and not in public use or on sale in this country, and so forth; that is to say, the article must be a new or novel invention and not previously used or on sale.

Patents are issued on the theory that the applicant has really devised, discovered, or invented something new, novel, and not previously in use, and not merely an inconsequential change in another device, pattern, or design. But everything that is new is not necessarily patentable. Now, I am not opposed to the granting of patents and copyrights if the applicant has really discovered, devised, produced, or invented something that is really new and useful. But every little change or deviation from another article and every change or deviation from a design, pattern of something else in general use, is not necessarily patentable.

The danger in the pending bill is that thousands of copyrights will be granted on patterns and designs that are not in reality new, novel, or substantially different from others which have been long in use. Under the provisions of this bill, designs that are but little different from others long in use will be copyrighted. A little change in the weave of a fabric, a little change in the design of lace, linen, silk, or other cloth, a little change in the embroidery, ornaments, or cut of a dress, and other inconsequential changes will entitle the applicant to a copyright and freedom from competition, although the change in the pattern or design is trivial.

There are few patterns and designs in these days that are in reality new and novel. Nearly all so-called new designs and patterns are but slight modifications or adaptations of styles, designs, and patterns that are as old as civilization. Take cloths and other fabrics; very few changes have been made in centuries in their weave and structure. Many of the most popular patterns, designs, and figures are hundreds of years old. The figures printed on or woven in fabrics are as old as cloth making. Go into any store and ask the clerk to show you cotton, linen, wool, and other fabrics. He will show you bolt after bolt of cloth with an infinite variety of figures and patterns, yet practically every one of them was used by weavers as far back as old King Tut. Most of the embroidery patterns are either duplicates or a slight modification of patterns, designs, and figures that have been used for hundreds or perhaps thousands of years. In architecture practically every detail and embellishment is copied from some famous building of antiquity.

To illustrate the point I am trying to make, I have here a volume of the Encyclopedia Americana. Under the article descriptive of Egypt I find reproductions of embellishments from the Hathoric columns in the Temple of Dendena; another from a temple in the valley of El Assasse, near ancient Thebes; and another from the ornate Hall of Columns in the ancient Temple of Karnac. These illustrations show a multitude of figures and patterns, symmetrical, well rounded, some angular, and almost every conceivable shape. Many of the figures, patterns, and designs that adorn these monuments of ancient splendor are now used, and have been used from time immemorial, as patterns, figures, and designs on printed or woven fabrics.

The point I make is that these so-called new patterns, designs, and figures are not in reality new or novel, and were not discovered, originated, or invented by the makers of cloth in this day and generation. These so-called new designs are not the fruit of the intellect or artistic genius of the modern weaver or designer. Practically all of these designs and patterns which will be copyrighted and protected by this bill, are copies of figures and patterns that are age old. Of course, a change may be made here and a modification there, but in reality these so-called new designs and patterns were not originated in the present generation, but by men and women who lived in past ages.

Under the provisions of this bill you are making it possible for men to secure a copyright on patterns, figures, and designs that embellished the temples and tombs of the ancient Babylonians, Assyrians, Phœnicians, Egyptians, Greeks, Romans, and Aztecs. Practically all figures, designs, and patterns that embellish twentieth-century cloths, fabrics, and costumes are the products of antiquity.

It is surprising how many things that are supposed to be the creations of the present age are in reality inherited from the ancients. To illustrate: In the tombs of Egypt have been found shoe eyelets the exact counterpart of the modern shoe eyelet; also baby moccasins made of leather so nearly like our leather and embroidered so nearly like baby moccasins are embroidered in this age that experts would have difficulty in telling which was made in Lynn, Mass., and which came from the Egyptian tombs; also instruments exactly like the dental tools of this day; also toys like those we give our children at Christmas time; chess and checkers, goldsmith work, and products of the use of the blowpipe in glassmaking. Why, gentlemen, under the provisions of this bill it is possible for some Connecticut Yankee to get copyrights on designs and figures that were hoary with age when Abraham came out of Ur of the Chaldees. There are many objections to this bill which can not be pointed out in two minutes. Suffice it to say that the measure is loosely drawn and its passage will not be wholesome. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. VESTAL. I yield two minutes to the gentleman from Kansas [Mr. STRONG].

The SPEAKER. The gentleman from Kansas is recognized for two minutes.

Mr. STRONG of Kansas. Mr. Speaker and Members of the House, it seems to me that legislation of this kind has a tendency to let the manufacturer and designers do some more price fixing. If that is true, it means an additional burden on the consumer.

I think we are going out of our way to protect the people who design and manufacture that which the public must buy. I do not think that we give them a monopoly on every design, every new fabric or style in dress goods or hats or cloths of any kind to an extent where it will become a monopoly and increase the present wide spread between the manufacturer and the purchaser. Therefore I think that legislation of this kind ought to have more careful consideration than has been given it, for, as I understand, the manufacturers, the artists, the designers, and so forth, were given full opportunity to present their sides of this proposition in the hearings. But the people at home, who must buy the products which these people design and make under the protection of this law, have not been heard.

Mr. GARRETT. Mr. Speaker, will the gentleman yield there?

Mr. STRONG of Kansas. Yes.

Mr. GARRETT. I understand they have had hearings on this subject for six years.

Mr. STRONG of Kansas. It would depend altogether on whose interests they listened to. If they heard only the manufacturers and designers alone for six years, the buying public would not derive much benefit from the enactment of this law.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. STAFFORD. Mr. Speaker and Members of the House, in closing, let me say that this bill, as I said originally, would take away the competition that now exists in the manufacturing industries, as in the respective lines of furniture, wearing apparel, and wall paper, and every other conceivable kind of manufacture. If you are willing to give the manufacturer who employs a designer who gets out an original idea, but not a novel one, the right to charge a price to the consuming public for a period of years as Dame Fashion says it is desirable, go ahead and do it; but you are extending the patent laws beyond what they now provide, because the patent laws provide that designs must not only be original but have novelty. In addition to that, there is nothing in the hearings to show that the consuming class were heard at any time during these six years in which hearings are said to have been had.

Mr. VESTAL. Mr. Speaker, I yield from the remainder of my time to the gentleman from Iowa [Mr. LETTS] such of it as he may desire.

The SPEAKER. The gentleman from Iowa is recognized.

Mr. LETTS. Mr. Speaker and Members of the House, this bill should meet with the approval of every fair-minded man, in my judgment. It is framed and advocated entirely for the purpose of making competition among manufacturers honest. It will prevent the dishonest and unscrupulous manufacturer from taking for his own use a design which has been produced by the skill, ingenuity, invention, and expense of a competing manufacturer. It will prevent the unscrupulous manufacturer from taking advantage of the fact that a design has been made public, and in that way take away from the designer the benefits that he ought to enjoy from that which he has produced at his own expense and by his own skill and art.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. LETTS. Yes; I gladly yield to my friend from Missouri.

Mr. COCHRAN of Missouri. Due to the agreement with foreign countries, the same protection that you accord to the American designer is also extended to the foreign designer under this bill?

Mr. LETTS. Yes.

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. LETTS. Yes; I yield to my colleague.

Mr. COLE. We are all interested in the working girl. How does it affect her?

Mr. LETTS. Many of the girls that work in shops develop an ability to design patterns, and are given better employment and better pay because of the skill they acquire in that way.

Very often they become very important in the organization of a manufacturing establishment and enable manufacturers to put on the market new designs, as the market requires. As is well known, it is necessary continually to bring into the market new designs. Sometimes patterns are used only for a few months or a very short time. The manufacturer must always be able to supply the market with something new to take the place of a design that is cast aside when the style taste of the public demands a change.

Mr. Speaker, this bill has received very careful consideration by the committee. It is important that it should pass, and it is deserved by manufacturers who are honestly making an effort to meet the demands of the market.

Mr. VESTAL. Mr. Speaker, I yield the balance of my time to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Speaker, I do not think at this time I can add much to the discussion, but I want to emphasize the fact that this bill does not in any sense grant a monopoly to anybody on any kind of goods.

As one gentleman said, this will make honest competition. I want to point out that you are not striking altogether at manufacturers. Some people think that because manufacturers may be wealthy they may be treated unfairly. But you are striking at the young and expert designers, both men and women, and lowering the standard of design in American goods. The other day a young man who was just starting in business came to see me. He had an order from a large department store in New York for 12,000 yards of goods. They furnished the goods and he printed them. They told him if he could have protection they would have given him an order for 120,000 yards, but they knew the goods would be all over New York inside of one week after they were placed in their windows.

The gentleman said that as a consequence of this bill the consumers will pay higher prices. I deny that, because I think the competition will keep the prices down, and the manufacturer whose designs are protected can, because of greater production, afford lower prices. There is no more reason or equity in allowing competitors to steal a man's designs than in allowing him to steal the goods on which the design appears.

The SPEAKER. The question is on the motion of the gentleman from Indiana to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 125, noes 33.

Mr. STAFFORD. Mr. Speaker, I challenge the vote on the ground that there is not a quorum present.

The SPEAKER. Does the gentleman insist on his point?

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. How many are required to order tellers on this vote?

The SPEAKER. Forty-four.

Mr. STAFFORD. I withdraw the point of no quorum, and ask for tellers, Mr. Speaker.

Tellers were ordered, and the Speaker appointed as tellers Mr. VESTAL and Mr. STAFFORD.

The House divided; and the tellers reported that there were—ayes 112 and noes 26.

So (two-thirds having voted in the affirmative) the rules were suspended and the bill was passed.

DEPORTATION OF ALIENS CONVICTED OF VIOLATION OF HARRISON NARCOTIC LAW

Mr. FISH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3394) to amend section 19 of the immigration act of 1917 by providing for the deportation of an alien convicted in violation of the Harrison narcotic law and amendments thereto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to hear the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That any alien who, after the enactment of this act, shall violate or conspire to violate any statute of the United States taxing, prohibiting, or regulating the manufacture, production, compounding, possession, use, sale, exchange, dispensing, giving away, transportation, importation, or exportation of opium, coca leaves, heroin, or any salt, derivative, or preparation of opium or coca leaves, shall be taken into custody and deported in manner provided in sections 19 and 20 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States."

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I raised the objection to the bill when it was originally considered on the Consent Calendar that under the terms of the bill any helpless addict of opium or its derivatives, in case he was an alien, would be deportable. It outrages my sense of justice to an unfortunate user of opium who chances to be an alien, and I object——

Mr. FISH. I have an amendment to offer which I think will meet the gentleman's point.

Mr. O'CONNOR of New York. Reserving the right to object——

Mr. STAFFORD. May the amendment be read?

Mr. FISH. Mr. Speaker, I intend to offer an amendment and I ask unanimous consent that it be read as a matter of information at this time.

The SPEAKER. Without objection, the amendment will be read for information.

There was no objection.

The Clerk read as follows:

Amendment by Mr. FISH: Page 1, line 3, after the word "alien," insert the words "except an addict, not a dealer or peddler."

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. FISH. I yield.

Mr. SCHAFER of Wisconsin. The provisions of this bill would not apply to one who sells a drink, nationally advertised and consumed, manufactured in Atlanta, Ga., by a company which has done more than any other institution or anybody to bring about the sumptuary prohibition law, whose product has been found, upon examination, to contain derivatives of cocaine, would it?

Mr. FISH. No; it would not.

Mr. O'CONNOR of New York. Reserving the right to object, the gentleman's amendment goes somewhat in the direction I had in mind. The criminal the gentleman is trying to get at is the distributor?

Mr. FISH. The dealer and peddler; yes.

Mr. O'CONNOR of New York. But there is still in the bill a matter which I object to, "possession."

Mr. FISH. But that would not make any difference unless the man is a dealer or peddler. That is excepted.

Mr. O'CONNOR of New York. But this point has not been covered. The bill reads "except an addict." I could imagine an alien child, not an addict, having this stuff in its possession, somewhat innocently, or not criminally guilty, and yet he could be deported. The gentleman does not want that.

Mr. FISH. I certainly do not.

Mr. O'CONNOR of New York. Why does the gentleman not leave out the possession and simply make it the seller?

Mr. FISH. I am willing to strike out the word "possession."

Mr. JOHNSON of Washington. I wish the gentleman would do that. The entire House is unanimous on this. We want to get the big fellow.

Mr. STAFFORD. Will the gentleman yield?

Mr. FISH. I yield.

Mr. STAFFORD. I stated in private conversation with the gentleman from New York that the bill should be framed so as to be limited to dealers and peddlers. As pointed out by the gentleman from New York [Mr. O'CONNOR], I also stated that there might be an individual who happened to use opium once but who was not an addict, and yet he would be deportable.

It is inconceivable to me that any committee would report a bill of this drastic character, which would deport addicts just because they are aliens. I think this bill should go over until to-morrow.

Mr. FISH. I will accept the amendment to strike out the word "possession" in line 6.

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

Mr. STAFFORD. Mr. Speaker, I think the matter should go over until to-morrow. I object for the time being.

STABILIZATION OF INDUSTRY AND PREVENTION OF UNEMPLOYMENT

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill 3059, to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression, insist on the House amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table Senate bill 3059, insist on the House amendments, and agree to the conference asked by the Senate. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. DYER. I object.

LEAVE OF ABSENCE

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

To Mr. COOPER of Wisconsin (at the request of Mr. FREAR), for the remainder of the session, because of accident.

To Mr. CHASE (at the request of Mr. LEECH), on account of illness of wife.

To Mr. LAGUARDIA, for the remainder of the session, on account of official business.

ADDRESS BY HON. RICHARD B. WIGGLESWORTH, OF MASSACHUSETTS

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by my colleague Representative WIGGLESWORTH before the School of Politics.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address by my colleague, Mr. WIGGLESWORTH, before the School of Politics, Washington, D. C., April 9, 1930:

It appears probable that the world will witness in the very near future the inauguration of the Young plan for the solution of the reparation problem, a problem which for more than 10 years has defied solution and jeopardized the cause of world reconstruction and peace, affecting directly as it has no less than 12 nations with a total population of over 450,000,000 of people, and indirectly to an even greater extent. The beginning of operations under the new plan will constitute an event of the utmost significance.

We all recall the conditions in Europe prior to the adoption of the Dawes plan in 1924—the undertaking by Germany in June of 1919, under the treaty of Versailles, to pay reparation to the allied and associated powers for damage suffered by their civilian populations; the subsequent fixing by the Reparation Commission of the total sum to be paid on reparation account at 132,000,000,000 gold marks; the deadlock in respect to reparation payments lasting for more than four years; the occupation of the Ruhr in January of 1923 by the armies of France and Belgium; the period of "passive resistance"; Germany threatened with disaster after an unparalleled inflation which resulted in reducing the value of its currency to such an extent as ultimately to require a million million marks to equal the pre-war value of a single mark; Europe as a whole, in the absence of an adjustment of the reparation problem, facing a situation of the utmost gravity.

It was as a result of these conditions that the Reparation Commission saw fit in December of 1923 to appoint the first committee of experts charged to "consider the means of balancing the budget and the measures to be taken to stabilize the currency" of Germany. The committee consisted of 12 representatives, 2 each from Belgium, France, Great Britain, Italy, Japan, and in addition two gifted American citizens, Charles G. Dawes and Owen D. Young.

The committee began its work on January 14, 1924, and presented its report to the Reparation Commission in April, its recommendations being adopted by the governments concerned at the London conference on August 16 and being put into actual operation as of September 1, 1924.

Certain features of the plan are perhaps worth while emphasizing. It recognized the necessity of restoring the fiscal and economic unity of Germany. It aimed to assist Germany to place itself in a position to discharge its obligations. Such foreign controls as were created were accordingly those designed to assist by cooperation in the new work of reconstruction rather than those which would have served to deprive Germany of the responsibility of administration. It fixed definite sums to be paid in each year by Germany and specified that they should be inclusive in character, thus eliminating the possibility of unexpected demands on the German economy. It divorced the problem of internal payments in German currency from that of their transfer into the foreign currencies of the various creditor nations providing for a transfer committee to regulate the transfers in such manner as to avoid endangering the German exchange. It recognized throughout the principle of arbitration. It sought to determine Ger-

many's capacity to pay not by means of estimate but by means of actual demonstration. It emphasized the fact that "the reconstruction of Germany was not an end in itself" but "only a part of the larger problem of the reconstruction of Europe."

I shall not attempt any detailed description of the organizations provided for under the plan. Under its terms the Reichsbank was reorganized and made independent of the German Government. The German Railway Co., a private company independent of the government, was also created. Provision was made for the issue of first mortgage reparation bonds by the German Railway Co. in the amount of 11,000,000,000 of gold marks, and by German industry in the amount of 5,000,000,000. A loan in the amount of approximately 800,000,000 gold marks for the purpose, among others, of assuring currency stability, was issued in the markets of nine different countries, and arrangements were completed for securing both loan and reparation payments through the assignment of specified revenues of the German Government to a representative of the creditor nations. Provision was made for representation on behalf of the creditor powers throughout the organizations created under the plan, the foreign controls being centralized and coordinated through the medium of two committees, a coordinating board of six members (American, Belgian, British, Dutch, French, and Italian) and a transfer committee of six members (American (2), Belgian, British, French, Italian), the Agent General for Reparation Payments, a former Undersecretary of the Treasury, S. Parker Gilbert, being chairman of both committees. The organizations included, all told, about 135 persons of the nationalities specified.

Payments called for under the plan amounted in the first year to 1,000,000,000 gold marks, increasing each year thereafter until, in the fifth and succeeding years, they were to amount to 2,500,000,000 gold marks, subject to certain fluctuations in the light of economic conditions prevailing from time to time in Germany. These payments, derived in part from federal revenues, in part from the German Railway Co., and in part from German industry, were to be made in German currency to the agent general, and were subsequently to be made available to the creditor nations, either through deliveries in kind or through the purchase of the necessary foreign currencies, in so far as authorized by the transfer committee, with due regard to the safety of the German currency. Their distribution to the 11 creditor nations was, of course, to depend upon agreements concluded between themselves, the principal agreement in this connection being concluded in Paris in January of 1925.

The success of the Dawes plan is unquestioned. Its success has been due in no small measure to the outstanding ability, tact, and ceaseless energy of the agent general, who has won the confidence of every government in Europe. It has also been due to the cooperation steadily afforded by the creditor governments, the German Government, and the various agencies connected with the plan.

Under its provisions, during the 5-year period ended September 1, 1929, no less than 8,000,000,000 gold marks were regularly collected within Germany and made available by orderly process to the several creditor nations. Removing as it did the entire problem of reparation payments from the former field of political controversy, and applying to its solution the test of practical administration, it marked the turning point in the road to the reconstruction of Germany, regarded by the experts as a part of "the larger problem of the reconstruction of Europe."

The Dawes plan was not, however, a definitive solution of the reparation problem. It did not attempt such a solution. It was designed, to use the words of the experts, merely to extend "in its application over a sufficient time to restore confidence and at the same time * * * to facilitate a final and comprehensive agreement as to all the problems of reparation and connected questions as soon as circumstances make this possible."

On September 16, 1928, representatives of the principal creditor powers decided that the time for a final settlement had arrived. It was agreed to entrust the matter to the hands of a new committee of experts. The committee was organized, and as a result of its efforts it appears that the Dawes plan is about to make way for its logical and lawful successor the Young plan—or the new plan, as it is officially designated.

The new committee, of 14 members, like its predecessor, consisted of two representatives each from the countries principally concerned, as well as two American citizens, Mr. Young and Mr. Morgan. It differed, however, from the previous committee in that for the first time representation was accorded to debtor as well as to creditor. It began its labors on January 1, 1929, concluding them on the 7th day of June, after 17 weeks of the most difficult negotiation. The report of the committee was accepted by representatives of the interested governments after further and difficult negotiation at the conference at The Hague. This conference consisted of two phases, the first ending on August 31, when the plan was approved in principle, the second ending a few weeks ago, on January 20, when the plan as a whole, including recommendations of the several organization committees prepared in the interim, was accepted in full, subject to the necessary ratifications by the several governments. Ratification has been accorded by the German Reichstag and by both Houses of the French Parliament. Three other ratifications are required. Those of Belgium, Great Britain, and Italy are anticipated promptly. It is possible that the new plan may actually go into effect on the 1st day of May.

I shall not impose upon your time or good nature with unnecessary detail. I shall simply emphasize, if I may, several features of the new plan as compared with those of its predecessor.

First and foremost, as already indicated, the Dawes plan was not intended to be a definitive solution of the reparation problem. It merely offered a means for obtaining the necessary evidence, over a reasonable period of time, upon which such a solution might be based. The Young plan endeavors to supply a final and complete solution in the light of that evidence.

Second, under the Dawes plan the German economy has been subject to a series of foreign controls in the interests of the creditor nations, to which I have referred. Under the Young plan complete financial autonomy is restored to Germany. The reparation commission created under the treaty of Versailles, the agent general for reparation payments, the transfer committee, the coordinating board, and all other organizations, with the exception of an arbitration tribunal, created under the Dawes plan pass into history. Such financial functions as remain to be exercised in the future are intrusted to a new organization removed from the political field to be known as the Bank for International Settlements.

Third, instead of a varying annuity amounting at its maximum to 2,500,000,000 gold marks more or less payable over an indefinite period of time, a fixed schedule of payments is provided for averaging about 2,000,000,000 gold marks for a period of 37 years and about 1,600,000,000 for a further period of 22 years. All sums called for will be payable out of Federal revenues and receipts from the German Railway Co. The reparation mortgages imposed on that company and upon German industry, of which mention has been made, aggregating in principal amount 16,000,000,000 gold marks, are to be canceled.

Fourth. The protection of the transfer committee having been removed, the German Government is accorded the option, under specified conditions, to postpone for a maximum period of two years, the transfer, and, to a less extent, the payment of a portion of the annuity payable in any year, subject to an interest penalty on deferred payments.

Fifth. The creditor nations, on the other hand, are accorded the option to sell on the markets of the world, bonds of the German Government, the interest and sinking-fund payments in respect to which will be paid out of that portion of the annuity which is not postponable under any conditions.

This option is one to which particular importance was attached during the negotiations. It, of course, permits the realization of the principal amount of any bonds sold instead of interest and sinking-fund payments only. Under existing conditions the total principal amount of such bonds which could be commercialized in this way over a period of 37 years would seem to be something over $2,000,000,000. It is understood that an issue in the equivalent of about $300,000,000 may be offered in the near future, about $75,000,000 to be available in America.

Sixth. The new plan contemplates the settlement of all outstanding questions in respect to reparations, not only with reference to Germany but also with reference to Austria, Hungary, and Bulgaria. It has also afforded the basis for settlement of the long-standing Belgium claim in respect to German currency issued during the period of Belgian occupation and for the early evacuation of zones 2, 3, and 4 of the occupied territory of the Rhineland.

The new plan, in a word, aims to "continue and complete" the work of the Dawes plan, affording the debtor nation a normal incentive to discharge its indebtedness and removing uncertainties which have heretofore played an increasing part in the economic and financial affairs of Europe.

The bank for international settlement is perhaps the most striking feature in the new plan. It is to be set up in Switzerland with an authorized capital of about $100,000,000, or the equivalent. According to its statutes its functions are threefold: To act as trustee and agent in regard to international financial settlements entrusted to it under agreement with the parties concerned; to promote the cooperation of central banks; and to provide additional facilities for international financial operations. The control and management of the bank are placed in the hands of the interested central banks. The statutes expressly provide that "the operations of the bank shall be in conformity with the monetary policy of the central banks of the countries concerned," that "before any financial operation is carried out by or on behalf of the bank on a given market or in a given currency the board shall afford to the central bank or central banks directly concerned an opportunity to dissent," and that "in the event of disapproval being expressed within such reasonable time as the board shall specify the proposed operation shall not take place." The bank will of course exercise its functions as trustee and agent for the administration of the Young plan. Just what further functions it may eventually assume would seem to depend entirely upon the decision of the interested central banks.

Last summer it was my privilege to be in Geneva for several days at a meeting of the Interparliamentary Union at just the time when the new plan was accepted in principle at the first phase of the conference at The Hague. I found the greatest significance attached by all to

the decision. One eminent statesman of another land, speaking at a luncheon which I attended, gave it as his opinion that with the acceptance of the plan it could be fairly said for the first time that the World War was definitely terminated.

It may fairly be said that it has required more than six years of ceaseless and tactful endeavor to bring the new plan to its present position. If it in fact proves acceptable to all concerned, I personally believe that we as Americans may always take just pride in the contribution made to the cause of world reconstruction and peace by those outstanding American citizens who have been responsible in such large measure for the solution of the reparation problem.

ADDRESS OF HON. ALBERT H. VESTAL, OF INDIANA

Mr. ENGLEBRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing an address made over the radio by the Hon. ALBERT VESTAL.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ENGLEBRIGHT. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include a most able and instructive address made over the radio on January 28, 1930, by my colleague, Hon. ALBERT H. VESTAL, of Indiana, on the subject of Legislative Procedure in the Congress of the United States.

The address is as follows:

LEGISLATIVE PROCEDURE IN THE CONGRESS OF THE UNITED STATES

Ladies and gentlemen of the radio audience, I have been asked to speak to you a few minutes to-night over station WRC, on the subject Defense of Congress. The management of this station has informed me that hundreds of letters are received by it every year, the tenor of which would indicate that the writers believe Congress is negligent in its work and that the Members are loafing on the job. My judgment is that the criticism made of Congress arises largely from the fact that the vast majority of our people have no conception of how legislation is enacted into law. They are not aware of the great number of legislative proposals submitted nor are they aware of the great amount of propaganda that comes to each Member of Congress daily; nor are they aware of the thousand and one other things that Congressmen are asked by their constitutents to do, aside from their legislative duties. So, for the benefit of my listeners who are prone to criticize, I am going to talk in a general way about how legislation is enacted. I am sure that if the people generally knew the course any legislative proposal must take, and the thoughtful consideration and attention given to it by the Members, there would be less tendency to criticize what apparently seems to be delay and dilatory tactics.

Few people realize the magnitude of the job confronting Members of Congress. As representatives, we are legislating for more than 120,000,000 people distributed over 48 States, the Territory of Alaska, the Philippine Islands, Hawaii, and Porto Rico. In the Continental United States the problems of one section may be quite different from those in another, yet it is the duty of the Members of Congress to legislate not for any particular section of the country but in the interest of the Nation as a whole.

The problems have become so numerous and so complex that it is impossible for the membership to study and thoroughly acquaint itself with each and every proposal submitted in the form of a bill. There are introduced sometimes as many as 15,000 legislative proposals in a single session of Congress. The work, therefore, must be divided among committees and the committees divided into subcommittees, in order that these proposals may be given ample consideration. I am sure that all my listeners will agree with me that it is just as important that bad legislation he defeated as it is that proper and sane legislation be enacted; so that each bill, before it is finally acted upon by the House as a whole, is carefully studied by the committee to which it has been referred.

There are in the House 45 such committees, and almost as many in the Senate. When any bill or legislative proposal is submitted in either the House or the Senate it is referred to the proper committee having to do with that particular phase of legislation. It then becomes the duty of that committee to seek the facts upon which the proposal is based, which is done by holding committee hearings to which all persons interested, both for and against the proposal, are invited and fully heard. These hearings may run over a period of weeks. After they are concluded and all the facts elicited, the responsibility then devolves upon the committee to say whether in its judgment such proposal is good and meritorious legislation and, if so, report it to the House with the recommendation that it be enacted into law. If the committee so finds, a written report is prepared and printed, and with the bill filed in the House and placed on the calendar. If, however, a minority of the committee feel that the bill is not meritorious and should not be enacted, they file a minority report, which is also placed with the bill on the calendar, and the entire membership of the House then has the opportunity to acquaint themselves with the scope and purpose of the proposal. If, on the other hand, a majority of the committee having the bill under consideration vote against a favorable report, the bill is not considered any further nor does it leave the committee.

The next step in the program is consideration of the measure by the House. When the bill is called up by the chairman of the committee responsible for it having been reported, the House resolves itself into what is called the Committee of the Whole House on the state of the Union, where the bill is open for discussion and for amendment. When such debate and consideration has been concluded, the Committee of the Whole House reports the measure back to the House with the recommendation that the same be passed, and the House then votes upon it. If the bill is passed, it is engrossed and messaged to the Senate, where it must go through the same procedure that I have outlined.

The Senate committee having jurisdiction of the bill conducts additional hearings, if necessary, and reports the bill to the Senate, where it must be acted upon by the Senate. If the bill as passed by the House is amended in any particular by the Senate, then the House must either agree to the amendments, or a conference committee must be appointed to consider the amendments. This conference committee consists of Members appointed by the Vice President in the Senate and the Speaker in the House, and their duties are to try to harmonize the differences proposed by the amendments. If this is accomplished, the conference committee report must then be adopted by both the House and the Senate. The bill is then signed by the Speaker and the Vice President and sent to the President for his action. If confirmed by him, it then becomes a law.

Should the President not approve any measure so sent to him after passage by the House and Senate, he may veto the bill and return it to the House with a veto message giving his reasons therefor. The bill then becomes a law irrespective of the veto if both the House and Senate pass the measure by a two-thirds vote. During the present session the President has exercised his veto power twice. The bill providing for the coinage of 10,000 silver pieces in commemoration of the one hundred and fiftieth anniversary of the Gadsden Purchase was vetoed, and the House and Senate promptly sustained the President's action. The other measure was the Spanish War pension bill, which became a law when both the House and Senate overrode the President's veto.

During the Seventy-first Congress and up to the present time, there have been already enacted 430 public laws, 95 public resolutions, and 122 private laws; so it is readily seen that with conditions as they exist in the different districts throughout the United States, and the divergence of opinion that is bound to occur in legislative proposals introduced by various Members looking to the interest of his particular district, much time must be consumed in bringing about wholesome legislation that will not adversely affect some particular part of the country. So, as to any criticism of delay in the passage of specific legislation, I would answer that is not because of the failure of Members to do their work, but because of the magnitude of that work and their honest endeavor to pass only such legislation as will be of a constructive nature and in the interests of the people of the Nation as a whole.

Legislation can not and should not be enacted hastily. The procedure I have already outlined shows conclusively the careful study and consideration given every proposal filed; and I am sure the House acts as promptly as it is possible to act, upon every matter reported to it. While personally I believe that possibly too much time is taken in the Senate under its rule of unlimited debate, yet unless some one or two persons are inclined to filibuster, the rule of the Senate does not in many cases operate to hinder the enactment of legislation. Controversies arise which take time to smooth out. Divided opinion exists and it is probably better for the general information of the country to have every phase of legislation fully discussed before final action is taken.

The membership of the House must be elected every two years, and, of course, each is anxious to please his or her constituents, because it is to them we look for political support; but from my nearly 14 years' experience as a Member, I give as my judgment, taking it by and large, that the men and women of this body are fairly well representative of their constituency. They are honest, well-informed, and desirous of doing those things in the enactment of legislation, which will reflect credit upon their work as legislators and be of benefit to the country.

There is no forum in the world where men and women have as great an opportunity to make good as in the Congress of the United States, and if a Member fails to measure up, he does not long remain a Member. The character and standing of any Member of the House depends very largely upon the character and the standing of the people he represents here.

ORDER OF BUSINESS

Mr. CONNERY. Mr. Speaker, I would like to ask the Republican leader a question. Is there any possibility of the Couzens resolution coming before the House before we adjourn?

Mr. TILSON. Of course, I have no idea when we are going to adjourn and, therefore, I can not tell the gentleman. There are a number of resolutions the consideration of which will depend upon whether we adjourn promptly or not.

Mr. CONNERY. I asked the gentleman because I heard during the afternoon that there was a possibility of the Couzens resolution being reported out of the committee and coming up in the House to-morrow. If that is so, I would like to know it.

Mr. TILSON. I doubt it very seriously, because there are a number of things to go ahead of it.

Mr. PARKER. I will say to the gentleman that the gentleman from New York [Mr. MEAD] asked me that same question to-day when I was discussing an appropriation, and I said I hoped to bring up the amended resolution before Congress adjourned.

Mr. CONNERY. I hope we will get it up.

HOUR OF MEETING

Mr. TILSON. Mr. Speaker, I have been requested by a number of Members to ask that the House meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. STAFFORD. Will the gentleman kindly take the House into his confidence and tell us whether there is any prospect, immediate or remote, of an adjournment before the Fourth of July?

Mr. TILSON. It seems to me there is only a very remote prospect of any adjournment, although certain Senators seem to be optimistic enough to believe they can finish their business to-morrow.

Mr. GARNER. May I ask the gentleman a question?

Mr. TILSON. Yes.

Mr. GARNER. There is a disposition to adjourn the Congress as soon as the veterans' bill and the District of Columbia bill are through? Is that correct?

Mr. TILSON. So far as we are concerned, there is a disposition to adjourn just as soon as possible.

Mr. GARNER. That does not answer the question. If you get through with the veterans' bill and the District of Columbia appropriation bill, is there anything to keep you from adjourning?

Mr. TILSON. There is nothing else that would keep me from adjourning, were it within my control, I can assure the gentleman. [Applause.]

Mr. GARNER. Well, let us get down to cases, as it were. I understand the disposition in the Senate is to dispose of these two measures and adjourn to-morrow afternoon by 6 o'clock.

Mr. TILSON. I hope the gentleman is right, but the gentleman knows more about the Senate than I do.

Mr. GARNER. I do not know that I know more about the Senate than the gentleman. I surely should not know more about it, but I know there is nothing else to keep us in session unless the gentleman from Connecticut wants to put something else in the way.

Mr. TILSON. I certainly do not wish to place anything in the way of the earliest possible adjournment.

Mr. KNUTSON. Are we not going to have something on railroad consolidation?

Mr. PATTERSON. Reserving the right to object, I want to ask our courteous majority leader a question. In case the Congress is not adjourned, there are several of us who have engagements out of town on the Fourth of July, but we want to be here all the time the Congress is in session from now on. I should like to know, in case the gentleman sees they are not going to adjourn the Congress to-morrow, whether we will recess over until Monday and begin anew. [Cries of "No!"]

I should like to know about that. I am only asking for an expression from the party leader who determines that question.

Mr. TILSON. Unfortunately, we of the House do not determine the entire question. If the Senate should adjourn to-morrow, with the business of the session unfinished, so that it would be necessary for us to return next week, personally I should favor adjourning over until Monday. I mean that if the Senate on to-morrow adjourns over until Monday, as I am informed it is the purpose of that body to do in case there is not a final adjournment to-morrow, then I think the House should also adjourn over the Fourth of July until Monday.

Mr. PATTERSON. So far as I am concerned that would suit me, and I would be willing to stay here until we get all of this legislation out of the way.

Mr. TILSON. The point of it is that our staying here alone does not advance the legislation at all when we are already far ahead of the Senate in our work.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

STABILIZATION OF INDUSTRY AND PREVENTION OF UNEMPLOYMENT

Mr. DYER. Mr. Speaker, I desire to withdraw my objection to the bill (S. 3059) going to conference.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression, with House amendments, insist on the House amendments and agree to the conference asked by the Senate.

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman whether the gentleman from Texas [Mr. SUMNERS] has been consulted about this?

Mr. GRAHAM. Yes; he will be on the conference committee.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. GRAHAM, DYER, and SUMNERS of Texas.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3395. An act authorizing the Commissioner of Narcotics to pay for information concerning violations of the narcotic laws of the United States;

H. R. 8271. An act for the relief of Brewster Agee;

H. R. 9347. An act for the relief of Sidney J. Lock; and

H. R. 9707. An act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds in any sum not to exceed $1,000,000 for the purpose of acquiring public-utility properties, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3061. An act to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913; and

S. 4683. An act to authorize the sale of all of the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled bills, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On July 1, 1930:

H. R. 573. An act for the relief of Brazilla William Bramble;

H. R. 576. An act for the relief of Matthew Edward Murphy;

H. R. 3960. An act for the relief of Louis Nebel & Son; and

H. R. 4110. An act to credit the accounts of Maj. Benjamin L. Jacobson, Finance Department, U. S. Army.

On July 2, 1930:

H. R. 3395. An act authorizing the Commissioner of Narcotics to pay for information concerning violations of the narcotic laws of the United States;

H. R. 6127. An act to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands;

H. R. 10630. An act to authorize the President to consolidate and coordinate governmental activities affecting war veterans;

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

H. R. 12602. An act to authorize an appropriation for construction at Carlisle Barracks, Pa.;

H. R. 12661. An act to authorize the acquisition of lands in Alameda and Marin Counties, Calif., and the construction of buildings and utilities thereon for military purposes;

H. J. Res. 372. Joint resolution authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, Calif., in consideration of the relinquishment by the United States of all its rights and interest under a lease of such island dated July 5, 1918;

H. J. Res. 388. Joint resolution making provision for continuation of construction of the United States Supreme Court Building; and

H. J. Res. 389. Joint resolution making appropriations for the pay of pages for the Senate and House of Representatives until the end of the second session of the Seventy-first Congress.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 23 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Thursday, July 3, 1930, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. KVALE: Committee on the Territories. H. R. 11368. A bill to fix the annual compensation of the secretary of the Territory of Alaska; without amendment (Rept. No. 2054). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on the Territories. S. 4142. An act to fix the salary of the Governor of the Territory of Alaska; without amendment (Rept. No. 2055). Referred to the Committee of the Whole House on the state of the Union.

Mr. PURNELL: Committee on Rules. H. Res. 288. A resolution sending H. R. 13174 to conference; without amendment (Rept. No. 2056). Ordered printed.

Mr. McLEOD: Committee on Patents. H. J. Res. 392. A joint resolution to amend section 3 of the joint resolution entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, etc.," approved February 8, 1918; without amendment (Rept. No. 2057). Referred to the House Calendar.

Mr. SPEAKS: Committee on Military Affairs. H. R. 12918. A bill to amend the national defense act of June 3, 1916, as amended; with amendment (Rept. No. 2058). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9320) granting a pension to Mahala Turner, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHRISTGAU: A bill (H. R. 13275) to aid farmers in making regional readjustment in agricultural production to assist in preventing undesirable surpluses; to the Committee on Agriculture.

By Mr. LEAVITT: A bill (H. R. 13276) to establish the Needles Rocks wild life refuge; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BEERS: A bill (H. R. 13277) granting an increase of pension to Amanda E. Rohm; to the Committee on Invalid Pensions.

By Mr. BRIGHAM: A bill (H. R. 13278) for the relief of William Charles La Duke; to the Committee on Naval Affairs.

By Mr. DOWELL: A bill (H. R. 13279) granting an increase of pension to Mary C. Wilson; to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 13280) for the relief of the estate of Richard W. Meade, deceased; to the Committee on Claims.

By Mr. HOPE: A bill (H. R. 13281) granting a pension to William A. Symington; to the Committee on Pensions.

By Mr. LUDLOW: A bill (H. R. 13282) granting a pension to Frederica Carll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13283) granting an increase of pension to Anna M. Prendergast; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 13284) granting an increase of pension to Flora L. Prince; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13285) granting an increase of pension to Sarah M. Cameron; to the Committee on Invalid Pensions.

By Mr. NIEDRINGHAUS: A bill (H. R. 13286) granting an increase of pension to Dora Neun; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 13287) granting a pension to Nancy Jane Crawford; to the Committee on Invalid Pensions.

By Mr. SEIBERLING: A bill (H. R. 13288) granting an increase of pension to Mary Dieddle; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 13289) granting an increase of pension to Sarah A. Haynes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13290) granting an increase of pension to Zilpha Taylor Eaton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

7675. By Mr. CONNERY: Petition of United Spanish War Veterans, Department of Massachusetts, favoring the maintaining of an adequate Naval Reserve; to the Committee on Naval Affairs.

7676. By Mr. MEAD: Petition of Woman's Christian Temperance Union of Collins Center, N. Y., urging the enactment of laws re Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7677. By Mr. YATES: Petition of Henry W. Figge, recording secretary Local No. 390, International Association of Machinists, Viking Temple, 3257 Sheffield Avenue, Chicago, Ill., urging Congress to pass the Saturday half holiday bill; to the Committee on the Civil Service.

7678. Also, petition of C. A. Gustofson, sales department, Well Pump Co., 219–221 West Chicago Avenue, Chicago, Ill, urging the defeat of House bill 10196, as in his opinion this legislation will reduce rather than increase revenues; to the Committee on the Post Office and Post Roads.

7679. Also, petition of the Illinois Retail Jewelers' Association, of Chicago, Ill., at their convention in Rockford, unanimously indorsing the Capper-Kelly fair trade bill, Henry T. Mortensen, secretary-treasurer; to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, *July 3, 1930*

The Rev. James W. Morris, D. D., assistant rector Church of the Epiphany, city of Washington, offered the following prayer:

Most gracious God and Heavenly Father, we praise Thy holy name for the manifestations of Thy merciful providence so graciously evident in the birth and history of our Nation. We give thanks to Thee for that Thou hast sustained us in sore trials and carried us through grievous temptations.

Be pleased to continue to us Thy beneficent care. Make all of our people, and especially those upon whom Thou hast laid the grave trust and heavy responsibility of governance, to be ever loyal to the principles of liberty upon which our God-fearing forefathers laid the foundations of this Republic.

We pray Thee to hear us for the sake of Jesus Christ our Lord. Amen.

THE JOURNAL

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

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Allen	George	McCulloch	Shortridge
Ashurst	Gillett	McKellar	Stephens
Barkley	Glass	McNary	Sullivan
Bingham	Goldsborough	Metcalf	Swanson
Black	Hale	Norris	Thomas, Idaho
Blaine	Harris	Nye	Thomas, Okla.
Borah	Harrison	Oddie	Townsend
Brock	Hastings	Patterson	Trammell
Capper	Hatfield	Phipps	Vandenberg
Caraway	Hayden	Pine	Wagner
Connally	Hebert	Pittman	Walcott
Copeland	Howell	Ransdell	Walsh, Mass.
Couzens	Johnson	Reed	Walsh, Mont.
Cutting	Jones	Robinson, Ind.	Watson
Dale	Kendrick	Robsion, Ky.	
Deneen	Keyes	Sheppard	
Fess	La Follette	Shipstead	

Mr. SHEPPARD. The Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH], the Senator from Utah [Mr. KING], and the Senator from Missouri [Mr. HAWES] are necessarily detained from the Senate by illness.

The junior Senator from South Carolina [Mr. BLEASE] and the senior Senator from New Mexico [Mr. BRATTON] are necessarily detained from the Senate by reason of illness in their families. Also, the junior Senator from Washington [Mr. DILL] is absent attending the sessions in Chicago of the special committee to investigate campaign expenditures.

Mr. SHIPSTEAD. I desire to announce the unavoidable absence of my colleague the junior Senator from Minnesota [Mr. SCHALL]. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-five Senators have answered to their names. There is a quorum present.