

3322. By Mr. SPROUL of Kansas: Petition of citizens of Kansas, urging the passage of House bill 2562, granting an increase of pension to Spanish-American War veterans; to the Committee on Pensions.

3323. By Mr. SUMMERS of Washington: Petition signed by Richard Stephens, W. R. Molsee, J. F. Dearing, and 58 other citizens of Yakima County, Wash., in support of legislation proposed to increase the pensions of Spanish War veterans and widows of veterans; to the Committee on Pensions.

3324. Also, petition signed by W. A. Russell, William Dower, O. K. Fallis, and other citizens of Yakima, Wash., in support of legislation proposed to increase the pensions of Spanish War veterans and widows of veterans; to the Committee on Pensions.

3325. Also, petition signed by George Van Meter, Abram Van Wyck, Frank Allen, and 48 other citizens of Yakima County, Wash., urging the passage of the Robsion education bill; to the Committee on Education.

3326. By Mr. SWING: Petition of citizens of Corona and Norco, Calif., favoring the passage of House bill 2562 and Senate bill 476, granting an increase of pension to Spanish War veterans; to the Committee on Pensions.

3327. Also, petition of Henry J. Tichon and 49 citizens of San Diego, Calif., in support of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3328. Also, petition of H. A. Taylor and 64 citizens of San Diego, Calif., in support of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3329. By Mr. WOLVERTON of New Jersey: Petition of citizens of Williamstown, N. J., urging the enactment of Senate bill 476 and House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

3330. Also, petition of citizens of Laurel Springs, N. J., Camden, N. J., and vicinity, urging the enactment of Senate bill 476 and House bill 2562, providing for increased rates of pension to Spanish-American War veterans; to the Committee on Pensions.

3331. By Mr. WOLVERTON of West Virginia: Petition of Rowe B. Moyers, a patient at the United States veterans' hospital at Outwood, Ky., urging favorable action of Congress on House bill 7825; to the Committee on World War Veterans' Legislation.

3332. Also, petition of R. C. Sedgwick, chairman Uncompensated Disabled American Veterans of the World War, of National Military Home, Dayton, Ohio, urging favorable action of Congress on House bill 7825, which will extend the presumptive clause to January 1, 1930, eliminating the service-connection section 200 of the World War veterans' act of 1924; to the Committee on World War Veterans' Legislation.

3333. By Mr. WOODRUFF: Petition from citizens of Coleman, Midland County, Mich., favoring increased pensions for veterans of the Spanish War and their dependents; to the Committee on Pensions.

SENATE

TUESDAY, January 21, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

Allen	George	King	Simmons
Ashurst	Gillett	La Follette	Smith
Baird	Glass	McCulloch	Smoot
Barkley	Glenn	McKellar	Steak
Bingham	Goff	McMaster	Stetwer
Blaine	Goldsborough	McNary	Sullivan
Blease	Greene	Metcalf	Swanson
Borah	Grundy	Moses	Thomas, Idaho
Bratton	Hale	Norbeck	Thomas, Okla.
Brock	Harris	Norris	Townsend
Brookhart	Harrison	Nye	Trammell
Broussard	Hastings	Oddie	Vandenberg
Capper	Hatfield	Overman	Wagner
Caraway	Hawes	Patterson	Walcott
Connally	Hebert	Phipps	Walsh, Mass.
Copeland	Heffin	Pine	Walsh, Mont.
Couzens	Howell	Ransdell	Waterman
Dale	Johnson	Robsion, Ky.	Watson
Deneen	Jones	Schall	Wheeler
Dill	Kean	Sheppard	
Fess	Kendrick	Shipstead	
Fletcher	Keyes	Shortridge	

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

Mr. METCALF presented a petition of sundry citizens of Providence, R. I., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. GOLDSBOROUGH presented a petition of sundry citizens of Baltimore, Md., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a resolution adopted by the Public Service Commission of Maryland, opposing the passage of the bill (S. 6) providing for the regulation of the transmission of intelligence by wire or wireless, which was referred to the Committee on Interstate Commerce.

Mr. SIMMONS presented petitions of the faculty and students of Guilford College and of members of the congregation of the New Garden Monthly Meeting of Friends, both of Guilford College, N. C., praying that the Senate ratify the proposed protocol for the adhesion of the United States to the World Court, which were referred to the Committee on Foreign Relations.

Mr. ALLEN presented a resolution adopted by the Board of Commissioners of Kansas City, Kans., favoring the passage of House Joint Resolution 167, authorizing the President to proclaim October 11 of each year as General Pulaski's memorial day, which was referred to the Committee on the Judiciary.

Mr. DILL presented a petition of sundry citizens of the State of Washington, praying for the passage of legislation providing for the registration of aliens, which was referred to the Committee on Immigration.

Mr. CAPPER presented a petition of sundry citizens of Sedan, Kans., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was referred to the Committee on Pensions.

Mr. BARKLEY presented petitions of sundry citizens of the State of Kentucky, praying for the passage of legislation granting increased pensions to Spanish War veterans, which were referred to the Committee on Pensions.

Mr. KEAN presented petitions of sundry citizens of the State of New Jersey, praying for the passage of legislation granting increased pensions to veterans of the Spanish War, which were referred to the Committee on Pensions.

Mr. SHORTRIDGE presented petitions of citizens of the State of California, praying for the passage of legislation granting increased pensions to Civil War veterans and the widows of veterans, which were referred to the Committee on Pensions.

He also presented petitions numerous signed by citizens of the State of California, praying for the passage of legislation granting increased pensions to Spanish War veterans, which were referred to the Committee on Pensions.

COMMENT ON PROHIBITION ENFORCEMENT

Mr. WATERMAN. Mr. President, in relation to the subject matter introduced in the RECORD by the Senator from Maryland [Mr. TYDINGS] last Saturday, it being an excerpt from the Washington Herald and bearing upon prohibition, I ask unanimous consent that an editorial from the Denver Post, of Denver, Colo., in answer to that article in so far as Colorado is concerned, may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

[From the Denver Post, December 5, 1929]

The Washington Herald, in an attempt to discredit prohibition, says "1,360 men, women, and children have lost their lives through officials attempting to enforce the dry law with the shotgun" in a little less than 10 years. It declares in its story of "Shotgun Prohibition" that "those 1,360 deaths have been recorded definitely as those in which it is known that prohibition enforcement was directly at issue." And it states that "in every case one or more sworn officers of the law, or their agents, were involved as principals, either as the killers or the killed."

The Washington Herald's "exposé" is a fair sample of booze propaganda. Of course, the Herald wouldn't deliberately misrepresent the facts. Evidently, the enemies of prohibition have filled it full of misinformation. If the rest of the Herald's story of "shotgun prohibition" is as inaccurate as its "record of prohibition killings" in Denver, it is not worth the paper upon which it is printed.

The Herald lists eight Denver killings in which it says prohibition enforcement was directly at issue and in which one or more sworn officers of the law, or their agents, were involved. The incontrovertible fact is that prohibition enforcement had nothing to do with at least four of these eight killings.

Here are the victims listed by the Herald as having been killed in prohibition enforcement in Denver: Norman Gould, who was beaten

to death with a baseball bat by Mrs. Mike Rossi; Charles L. Ohler, murdered by persons unknown; Patrolman Richie Rose, assassinated by persons unknown; Julius Perkins, shot by Patrolman Roy Robinson; Dan Edwards, shot by Special Officer Foster; Patrolman Harry K. Ohle, killed by Eddie Ives; Mrs. Louvenla Reese, killed by Eddie Ives; Patrolman R. K. Evans, killed by Farice King.

Gould was trying to rob Mrs. Rossi. Neither he nor she was an officer nor an officer's agent. No enforcement of any law was involved in this killing.

Ohler was murdered and robbed of \$300 to \$400. There was no attempt at prohibition enforcement connected with the crime.

Edwards was killed while resisting arrest. The officer said Edwards was drunk. But men got drunk and resisted arrest long before prohibition was heard of.

The Herald says, "Evans, policeman, was killed by Eddie Ives." That is a sample of fact garbling by wet propagandists. Farice King shot Evans to death as he lay in the Denver General Hospital. He had thrown her over years before and she got even with him by killing him. For that crime she is now under sentence to serve life in the penitentiary.

The Herald evidently wants to create the opinion that the killing of 1,360 persons in 10 years of prohibition enforcement is justification for the repeal of the dry law. Suppose 1,360 have been killed. That is 136 a year. Booze caused more murders than that long before anybody ever thought of prohibition. It is not prohibition enforcement that results in murders; it is prohibition violation that is the real cause.

Suppose partial enforcement of prohibition does cost 136 lives a year. Partial enforcement of the law against highway robbery results in many more murders than that. Automobiles kill hundreds for every one slain as a result of prohibition. Are we going to repeal the law against highway robbery and stop the manufacture of automobiles? Are we going to encourage booze murders on a wholesale scale just to stop a few prohibition killings? Are we going to legalize the sale of whisky just to make the booze traffic safe for bootleggers and the human scum who want to traffic in poison? Not while the American people are possessed of their senses.

TARIFFS ON LEAD AND ZINC

Mr. WATERMAN. I ask unanimous consent to print in the RECORD a communication from the Colorado Mining Association bearing upon the schedules having to do with lead and zinc.

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

THE COLORADO MINING ASSOCIATION,
Denver, Colo., January 14, 1930.

Hon. CHARLES W. WATERMAN,

Senate Office Building, Washington, D. C.

DEAR SENATOR WATERMAN: Continuing our conversation with you about a week ago, we desire to repeat the urgent demand of the members of our association and of the mining industry in Colorado for some moderate changes in the tariffs on lead and zinc.

LEAD

This is the most urgent, for the reason that, of the common metals, lead is the one of which, over a period of years, we are importers, so that increased tariff will be effective in raising the price. Increased price of lead is vital to nearly all of our mines.

The excess of imports over exports is usually small, averaging only a few per cent of the total consumption; but it is just sufficient to dominate the price and keep it at an unremunerative level, except when the world price happens to be high. There is a huge exportable surplus, cheaply produced in Mexico, most of which enters this country and is smelted in bond. Obviously, whenever the price level here exceeds the world price plus duty, unlimited lead is available, which stays here and forces our price down. This Mexican lead has the advantage over Colorado of lower freight rates from smelter to our own markets, for which reason, as well as lower mining costs, it can always undersell us.

Colorado was at one time the chief lead-producing State, but has been superseded by southeastern Missouri and northwestern Idaho, both of which possess larger deposits and have lower freight rates to market.

We ask an increase of only one-half cent per pound on lead contained in all ores, products, and bullion. If we allow for the decreased value of money, this will still be less than the tariff in force for the last 26 years or more, except during the Underwood period, when, luckily, war demand kept prices up and saved the lead industry from utter ruin. In other words, figured ad valorem, the proposed tariff is less than the old one. The increase will not hurt any consumer.

We can not reply to arguments against the proposed change, for none have been advanced, except the fact that the lead association (which includes no small producer and none from Colorado) appeared before the House and expressed satisfaction with the present rate. But the price was higher then and the present situation was not foreseen. Moreover, the lead association consists mostly of consumers, together with a few big producers who are favorably located, and most of them have greater interests in foreign mines than in American mines.

ZINC

The present tariff admits zinc ore under 10 per cent free; from 10 per cent up to 25 per cent at low rates. When it was framed few visualized importation of low-grade ores as a possibility. To-day nearly all the zinc ore treated in the United States contains less than 10 per cent; over this, zinc ore is really high grade. In Colorado we can not mine 10 per cent zinc ore at all. The tariff on zinc ore is therefore a nullity, and we are now threatened with importation of low-grade ore from huge deposits just across the border, to be treated in plants which are being built just inside the border so as to escape duty. To remove this menace we ask that zinc ores be treated exactly as lead ores have always been, viz, duty assessed at 1½ cents per pound on all the zinc contained therein.

As in the case of lead, the zinc institute expressed satisfaction before the House committee with the existing tariff. This was, however, an oversight, and as soon as the institute learned the facts it appeared before the Senate committee and supported the change which we had requested.

Senator PATTERSON's amendment (H. R. 2667) will, if adopted, go part way toward remedying the situation. But we see no reason why "pyrite carrying not more than 3 per cent zinc" should be admitted free. This is evidently framed to admit Spanish pyrite, occasionally used in competition with sulphur and pyrite produced in the United States as a source of sulphuric acid for the manufacture of mineral fertilizer.

Is not the domestic producer of pyrite or sulphur also entitled to protection? We have millions of tons of pyrite developed in Colorado, which we can not use; probably other States have the same. Moreover, in course of manufacture pyrite has to be roasted, which process puts the metal contents, especially copper and zinc, in the proper condition to be cheaply leached out and recovered. The zinc is recoverable, and usually recovered; why should it be exempt from duty?

Respectfully submitted,

GEORGE E. COLLINS, *Chairman,*

E. W. KEITH,

C. LORIMER COLBURN, *Secretary,*

*Emergency Committee Specially Appointed by
Denver County Mining Association.*

REPORTS OF COMMITTEES

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

A bill (S. 2173) to abolish the Papago Saguro National Monument, Arizona, to provide for the disposition of certain lands therein for park and recreational uses, and for other purposes (Rept. No. 128); and

A bill (S. 2179) to allow credit to homestead settlers and entrymen for military service in certain Indian wars (Rept. No. 129).

Mr. THOMAS of Idaho, from the Committee on Irrigation and Reclamation, to which was referred the joint resolution (S. J. Res. 56) to amend section 2 of the act of February 25, 1927 (44 Stat. L., pt. 2, p. 336), reported it with an amendment, and submitted a report (No. 130) thereon.

Mr. McNARY, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1203) authorizing the Secretary of the Interior to convey certain lands to the county of Douglas, Oreg., for park purposes, reported it without amendment and submitted a report (No. 131) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 118) for the relief of Lyn Lundquist, reported it without amendment and submitted a report (No. 132) thereon.

He also, from the same committee, to which was referred the bill (S. 119) for the relief of Nellie Kildee, reported it with an amendment and submitted a report (No. 133) thereon.

REPORTS OF NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were ordered to be placed on the Executive Calendar.

Mr. GILLET, as in open executive session, from the Committee on the Judiciary, reported the nomination of John L. Day, of Oregon, to be United States marshal, district of Oregon, which was ordered to be placed on the Executive Calendar.

BILLS INTRODUCED

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

By Mr. COPELAND:

A bill (S. 3211) to amend the national defense act by providing for a pharmacy corps in the Medical Department, United States Army; to the Committee on Military Affairs.

By Mr. GOLDSBOROUGH:

A bill (S. 3212) for the relief of John Wesley Smith (with accompanying papers); to the Committee on Military Affairs.

By Mr. GREENE:

A bill (S. 3213) for the relief of E. F. Zanetta (with accompanying papers); to the Committee on Claims.

By Mr. MOSES:

A bill (S. 3214) granting an increase of pension to Jennie Riley (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3215) to amend section 3 of the act of Congress approved February 18, 1929, entitled "An act to amend the laws relating to assessments and taxes in the District of Columbia, and for other purposes"; to the Committee on the District of Columbia.

A bill (S. 3216) to amend an act entitled "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture," approved May 22, 1928 (U. S. C., Supp. III, title 7, secs. 343a, 343b); to the Committee on Agriculture and Forestry.

By Mr. LA FOLLETTE:

A bill (S. 3217) granting a pension to Emma C. Morey; to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 3218) granting a pension to Thoburn R. Gregory (with accompanying papers); to the Committee on Pensions.

A bill (S. 3219) to discontinue the coinage of the two and one-half dollar gold piece; to the Committee on Banking and Currency.

By Mr. THOMAS of Idaho:

A bill (S. 3220) granting an increase of pension to Andrew J. Stewart; to the Committee on Pensions.

By Mr. GEORGE:

A bill (S. 3221) to amend section 28 of the World War veterans' act, 1924, as amended; to the Committee on Finance.

By Mr. SHORTRIDGE:

A bill (S. 3222) granting pensions to certain members of the former Life Saving Service; to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 3223) to recognize commissioned services as active commissioned service while on the retired list in determining rights of officers of the Regular Army; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 3224) authorizing the modification of certain contracts for the sale of surplus military reservations; to the Committee on Military Affairs.

By Mr. SWANSON:

A bill (S. 3225) granting an increase of pension to Minnie V. Dickens; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3226) for the relief of Leonard Theodore Boice; to the Committee on Military Affairs.

By Mr. BROOKHART:

A bill (S. 3227) granting a pension to Harry M. Langfitt (with accompanying papers); to the Committee on Finance.

AMENDMENTS TO THE TARIFF BILL

Mr. LA FOLLETTE submitted two amendments intended to be proposed by him to House bill 2667, the tariff revision bill, which were ordered to lie on the table and to be printed.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL

Mr. HEFLIN (for Mr. BLACK) submitted an amendment proposing to appropriate \$1,660,000 for the relief of the State of Alabama, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the unusually serious financial loss to the State of Alabama through the damage to or destruction of roads and bridges by floods in 1929, and so forth, intended to be proposed by Mr. BLACK to House bill 7491, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. TRAMMELL submitted an amendment proposing to appropriate \$15,000 for the control and prevention of the spread of the rodent pests in the Southeastern States, intended to be proposed by him to House bill 7491, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

FEDERAL LAND BANKS

Mr. BLEASE. Mr. President, I have a letter addressed to me from Xeno W. Putnam in reference to Federal land banks, to which I have been trying to get the attention of the Senate for the last five years. I ask to have this letter printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

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

HARMONSBURG, PA., January 20, 1930.

MY DEAR SENATOR: As you know, it has often been charged that the facts about certain criminal activities in farm-loan officialism are being suppressed by means of threats and by personal reprisals. Though I am only an ex-secretary-treasurer, I have just received proof positive that this charge is true. I got my proof of it at the annual meeting of the Crawford County (Pa.) National Farm Loan Association, held in Meadville, Pa., at the office of the present secretary-treasurer on January 14, 1930.

As a preliminary thought, let me recall the fact that within the past few years I have been urging the correction of certain abuses upon some of the land banks (particularly the Federal Land Bank of Baltimore) by direct appeals to them, to their attorneys, to the farm loan commissioner, to the Farm Loan Board. Those appeals have been ignored, or at least disregarded.

On March 26, 1929, after having exhausted the possibilities of direct appeal, I wrote to each Member of the United States Senate asking whether a thorough investigation of the whole farm loan management by a Senate committee would have their support if enough evidence of incompetence, mismanagement, or rascality could be brought to their attention to justify an indictment if the same evidence was laid before a local grand jury in relation to a local case. Quite a number of the Senate's Members gave favorable answers.

On or about October 15, in support of that remedial effort, I transmitted to each Member of the Senate my own brief of a specific case, chosen from several others any one of which I might quite as easily have selected. The charge in this instance, you may remember, was the embezzlement or attempted embezzlement or misappropriation of certain dividends by a local official and which belonged to local stockholders; also Baltimore land bank officials, Farm Loan Board members, and others were involved in the concealment of the original crime. These charges were sustained almost entirely by records most unwillingly supplied by the Farm Loan Board from their own examining department.

Near the first of the current year I let it be known that I intended to be present at the regular annual meeting of this Crawford County Association, of which I was the founder and am still a stockholder member. Every opportunity was purposely given the local officer to communicate my intention to the land bank if he saw fit.

I went entirely unaccompanied to this meeting. As is too often the case, with two or three exceptions, none of the local membership were there excepting the board of directors, and their close associates and relatives. From Washington and Baltimore I found confronting me a representative of the Farm Loan Board, Mr. Charles S. Jackson, secretary of the Baltimore Land Bank; Mr. Charles Held, attorney for the Baltimore Land Bank; and another land bank attaché whose name I do not at this instant recall. Quite an extensive array, don't you think (and no doubt quite an expensive one for the farmers) to send up here 400 miles against one poor little farmer who had been speaking out of order.

Near the close of a harmonious business meeting the secretary-treasurer, after a whispered conference with Attorney Held, suddenly produced a copy of my own charges made to the Senate (which was all well and proper enough), which he denied collectively, following this denial by a fairly well prepared barrage of personal abuse. Then Held took the floor, Held, a nonresident and nonmember.

First, he declared Secretary Culbertson to be the most efficient, courteous, upright, and honorable secretary-treasurer he had met in the whole 200 counties he had covered and in every respect a child after his own heart. He then denied specifically each of my five charges, denounced my appeal to the Senate, and the evidence I had submitted—the figures of his own people—as the most cowardly, dastardly pack of lies, falsehoods, and misrepresentations he had ever laid eyes on.

In his concluding remarks—and right here lies the core of this letter—he stated that if I ever dared to mention his own name in connection with any of my charges, or to involve him in any way in my criticisms; if I dared make any use whatever of his name, he would go before my home association and publicly accuse me from his own official knowledge with the embezzlement of funds there 10 or more years ago. "Do not dare to use my name in any way."

Reduced to schoolboy English, Mr. Held's threat would be something like, "If you dare to tell the teacher that I had any part in giving you this pounding after school to-night we'll give you a bigger one to-morrow night for telling on us."

I won't say anything about any fireworks that followed. There were some, but all that is beside the question; so is the fact that a farmer, taken by surprise, and unaccustomed to doing either his thinking or his talking while on his feet before an audience, is not likely to be a match for two irate attorneys who are used to both, and who had the general thread of their remarks all prepared in advance.

The real personal issue with me, of course, was the double insult that he had given, first, in assuming that I would permit him to buy my silence by the assumed continuance of his own and, second, that I had any occasion for that silence. But the real issue among friends of the Federal farm loan system is in neither. It is in the fact that the duties of farm loan officialism are being offered as trading stock, as mere subjects for barter.

According to Mr. Held's own statement, he has been an attorney representing the Baltimore Land Bank almost ever since there was one. My own leadership of the Crawford County National Farm Loan Association began considerably before there was one and before there was any land bank, when I waded afoot through the snows and mud of Crawford County in the fall of 1916, hunting 10 desirable farmers who wanted to borrow money and who had enough faith in the new experiment to participate in it; it virtually ended when I resigned as secretary-treasurer in November, 1919, though I served one year after that as director.

Any official act of mine, either criminal or otherwise, must have occurred at least 10 years ago. If Mr. Held or any other officer of the bank knew of any such thing as he now alleges when he seeks to silence me, he, an attorney officially connected with the bank, has for at least 10 years been compounding a felony by concealing his knowledge. Even now the knowledge he assumes to possess is offered, not as a tribute to a tardily awakened conscience, but as a bribe for me to suppress his name, as a weapon of reprisal if I do not comply with his wish. All of this is a matter for Mr. Held to thresh out for himself.

But the offer, the threat, coming as it did from a land bank official of long standing and who is still an official, ought in itself to merit the Senate's serious attention. Is farm loan integrity protected merely by offers to buy or to sell silence; by threats of personal revenge?

As a borrower through the Baltimore Land Bank, I may be financially vulnerable. Some day these officials who doubtless have very good reasons for wanting to "get" me may be able to do so; if not by a lapsed payment, then by means of some autocratic ruling, specially conceived and hastily applied. I do not claim immunity from "being got." When it comes to bartering or to threats, I will not be muzzled.

Incidentally, Mr. Held's speech cost the Farm Loan Board immediate possession of a lot of vouchers and canceled checks still in my hands, which I had offered to surrender at the time of my resignation, and which I had then been directed to destroy as so much useless paper. Since my own criticism of farm-loan management has been rather acute, the Farm Loan Board have taken an active interest in these papers. The following letter which I gave to Bank Examiner Clarke as his apology to the Farm Loan Board for not obtaining them will, I think, include all other explanations required.

"EXAMINER CLARKE: Some years ago, in correspondence with Farm Loan Commissioner Williams, I agreed, upon the proper receipting from certain papers and vouchers which came into my possession while serving as secretary-treasurer of the Crawford County (Pa.) National Farm Loan Association, to turn those papers and receipts over to the association.

"Yesterday you agreed to arrange for such receipting by the president of the association directors, and I to then turn over the receipts, a meeting for that purpose being arranged for January 15 at 10 o'clock a. m.

"In the course of the association's annual meeting certain charges and misrepresentations against myself made by Mr. Charles Held, of the Baltimore Land Bank, and others, and relating to accounts and activities covered by these receipts, render it necessary that, in self-protection I postpone this delivery until I can have printed the complete itemized accounts covering my entire term of service and have same compared with the original receipts by a certified public accountant and duly certified to; copies then to be distributed to every stockholder in this association.

"After this is done my interest in these papers ceases and they are subject to the orders of the association directors."

This also is, of course, quite foreign to the real issue—a purely local matter. The proven fact that farm-loan officialism is evading public criticism and suppressing the truth by means of threats and coercion is the one important fact, and one for the proof of which Mr. Held and the Baltimore Land Bank have generously supplied such convincing 1930 evidence.

Thanking you cordially for your past and present interest in the farmers of this country and specially in their land-bank system, I am,
Respectfully yours,

XENO W. PUTNAM.

ENFORCEMENT OF PROHIBITION

Mr. HEFLIN. Mr. President, I hold in my hand an article appearing in the Ladies' Home Journal entitled "Where Prohi-

bition is a Success." I have been requested to have it printed in the RECORD. I ask unanimous consent that that may be done.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

WHERE PROHIBITION IS A SUCCESS—IT HAS ELIMINATED POVERTY AND MADE THE UNITED STATES PROSPEROUS

By Samuel Crowther

Let us consider the state of a Nation which in a decade has come into a glory transcending that which any prophet has foretold. It is a new kind of glory, having nothing to do with glittering chariots or shining armor or purple robes or trumpeting heralds. It is a glory of the many and not of the few, and it principally concerns those who once were known as the common people and their wages, manner of living, automobiles, electric apparatus, savings accounts, and other such lowly and material affairs. The glory is somewhat as of conquest, but of a new kind of conquest, for the vanquished thing has been intangible—and yet very real.

The foe has been the world's oldest and best established institution—poverty.

The country has developed surely and rapidly to entirely new conceptions of wealth and standards of living. Those who were considered very rich in the old "Four Hundred" days would to-day be held as only pretty well fixed.

The usual working family of 20 years ago which felt itself well to do would feel poor to-day if it had now only what it had then. The cringing poor have vanished—or adopted cringing as a method of earning a living.

And it is daily becoming more difficult to engage the services of what was once a fixture—the hard-working wife who toiled to support a drunken husband.

How and why has all of this come about?

A GREAT ECONOMIC EXPERIMENT

The production of the country has increased within 10 years by between 25 and 30 per cent instead of at the normal rate of about 15 per cent. We have had a clear gain of between 10 and 15 per cent. The margin between "bad times" and "good times" is rarely as much as 15 per cent; when in the past we went down 15 per cent we were flat on our backs and the bread lines were everywhere.

In 10 years we have not only increased by more than the margin between good and bad times but have added another 15 per cent. It is in this extra percentage that we find the cause of our abundant prosperity.

But is there any reason for so suddenly adding this large percentage? We have had a steady improvement in methods of manufacturing and some improvements in the methods of selling, but there have been no great and sweeping changes. They have all sufficiently improved to account for a normal 15 per cent increase. They have not improved, taking the whole Nation, sufficiently to account for the added increase. Search the record as you will, you can not find any change or series of changes which stand out as epoch making. We have made vast strides in automobiles and in the use of electrical power, but both of these were well under way before the start of the 10-year period.

The one great and fundamental change that has taken place in this country during the past 10 years has been the coming into force of the prohibition amendment.

We talk so much about this law as a great moral crusade to defeat old demon rum, or, taking the other tack, as an assault upon the right to personal liberty, that we are apt to forget that this law has other than a moral background.

It is in point of fact a great economic experiment in changing the direction of the spending of money.

It sought to throw a dam across that part of the river of purchasing power which formerly flowed uselessly for liquor and to route the stream through turbines which might usefully turn to create wealth.

The dam to-day is built, and the money which formerly went for drink is the motive power of our prosperity. I have examined one by one the other possible causes and have been forced to eliminate them. I have gone into the positive evidence of the bearing of prohibition upon prosperity. The facts are inescapable.

Prohibition is an economic success.

ENTER A NEW FORCE

This success is particularly notable because it has come during a period when, by all the usual tests, we should have business depression. We have had the burden of the war but we have borne it lightly once we began to recover from the postwar depression.

It is absurd to trace any of our prosperity to the war; one does not gain wealth by squandering it. That is shown by the progress of the rest of the world since the war—or rather by its lack of progress. The economic structure of the world collapsed between 1920 and 1922. We pulled out quickly, but other nations have been pulling out very slowly. With our resources we should have pulled out rather more quickly than the others, but resources alone will not explain the speed of our recovery. We had the same resources before the war.

In earlier days a period of prosperity could usually be traced to large crops and the consequent supply of money that went out to the farms and from the farms came into trade. During the past decade the farmers have most of the time been in straitened circumstances; they have never been so bad as they have been represented to be, but they have not been prosperous. In spite of that the country has been prosperous.

The great coal-mining industry has been in a very bad way and so have textiles during much of the period. These two industries employ hundreds of thousands of people and have always been major elements of wealth. Yet in spite of their condition the country has been prosperous.

In 1919, when we had the great inflation which terminated in 1920, we had some of the appearances of prosperity—reckless spending, wild prices, and a kind of general delirium in which no one wanted to work and everyone wanted to spend.

To-day affairs are very different. The country is spending more than it ever did, but it is not spending recklessly; people insist on getting value. There is a keen desire to work. That which we have has come gradually and appears to be sustained by a new and steady force that we never had before.

That new and steady force is undoubtedly prohibition, but as a force it has been almost wholly concealed by the emotional attention which has been given to other phases of the law. The outstanding fact of prohibition is that by diverting expenditures from drink it has made the country prosperous. That is the only fact which seems to be getting no considered attention. The professional drys want to prevent people from drinking because they think it is wrong to drink. The wets want to give people the facilities to drink, not because they might be better off drinking than not drinking, but largely because they resent being told what they may or may not do. And so to date the discussion seems to have gone far afield and to be hopelessly involved in everything except the main question, which is this: Does prohibition make for the prosperity of the Nation?

FOR BETTER OR WORSE?

The sentiment of the country, as I have found it, is dry—at least to the extent of not wanting anything of the old conditions back. But it is not an informed sentiment, for it does not know what to believe. The general attitude was well expressed to me by the president of a large corporation:

"I am neither for nor against prohibition on my present knowledge. If I can be shown that the country is better off without liquor than with it, I am for prohibition and perfectly willing never to drink anything at all. But I do not want to have prohibition forced on me for my own good. I do not want to be called a 'dry' and I will not be called a 'wet.' I am tired of all this rot about mobilizing the Army and the Navy to keep out liquor, and I am shocked at this setting of fools loose with guns to shoot up innocent motorists."

The evidence seems overwhelming that the largest obstacle to the enforcement of prohibition to-day is to be found in the enforcers and their fanatic adherents. They rub people the wrong way.

Many American citizens do not believe that the drinking of alcoholic beverages is of itself immoral. But they do want to know whether prohibition is good or bad for the country, not as a matter of morals but as a matter of plain common sense. If prohibition makes for prosperity and better living, they are for it. If, on the contrary, it only makes for a new line of vices, they are against it.

Let us inquire, then, into the working of prohibition from the single angle of economic benefit. Is the country as a whole better off or worse off by reason of prohibition?

The United States has, within the space of 10 years, become infinitely the richest country that the world has ever known. These riches belong both to the few and to the many. They have seeped through the people until to-day poverty is almost a voluntary condition. The amount of involuntary poverty is not yet wholly negligible, but it is now an exceptional and purely individual predicament. It is not a class status or an accepted condition, and it is not enough merely by charity to alleviate its hardships. We everywhere regard poverty as an abnormal condition.

This view of poverty is something new in the world, but it is only part of the new social system which has come about in this country—and so very quickly and also so quietly that most of our people do not even realize what has happened. We have soared above the old landmarks which once we used for comparison, and we have no way of judging how fast we are really going. We have been through 10 years of experimenting and it is time to cast a balance sheet.

If we can know the purely financial effects of prohibition as it has been enforced, then and only then are we in a position to discuss its expediency, its justice, or its many other phases. The experiment we are making has as its end, in the rigid limits of these articles, the discovering of what a sober Nation can do. As Mr. Edison put it to me some months ago:

"I think we have about a 60 per cent enforcement, which is rather higher than the enforcement of many laws. We can never expect a 100 per cent enforcement of the prohibition or any other law.

"It should not be difficult to raise the enforcement to 80 per cent. In that case we should have a sober nation. We have a fairly sober Nation to-day—so much so that the European nations which are not sober are beginning to get very much worried. They already find that they can not compete with us and are taking steps to regulate the sale and consumption of liquor. It is a serious problem in Great Britain.

"If we get an 80 per cent enforcement, no country anywhere can compete with us in anything. Seeing what a sober nation can do is indeed a noble experiment and one that has never yet been tried. For there never has been a sober nation. In these days there are so many things to do that it is not necessary for an idle man to turn to drink. We are steadily developing to a point where drinking will not fit into any of our programs in or out of the shops."

This whole country is to-day a tremendous experiment in a new and different way of living based upon an entirely new conception of human needs and human endeavor. We have no real part in the thinking of the Old World. For instance, I once heard a large British employer say that he would instantly discharge any workman he caught buying an automobile. With us an employer prides himself on the number of men who come to work in their own cars.

We are to-day engaged in experimenting with a manner of life which is peculiarly our own, and the foreign comment on that portion of this life which is represented in the eighteenth amendment is not more important than the foreign comment on our industrial methods—which, at its best, is only faintly amusing.

Let us see something of what this new order of life has brought about in the way of material wealth. Of course material wealth is not everything. There are things of the spirit. And it may be that the spirituality of our women is greatly hurt by washing machines, and that washtubs are great aids to higher thought. That point will not here be argued. We shall here deal only with gross and material concepts.

The total realized income of the Nation, as found by the President's committee, stood at not quite \$66,000,000,000 for 1919. It dropped to a low point of \$63,000,000,000 in 1921. Since then it has been mounting and for 1928 is put at \$89,000,000,000.

Every figure of wealth that we know has steadily climbed. The index value of sales in department stores has gone from 87 in 1921 to 108 in 1928, and in mail-order houses from 67 to 137. In 1919 we had only 2,000 mechanical refrigerators, and in 1928 we had nearly a million and a quarter. During the same period washing machines ran from less than a million a year to around 6,000,000. Neither mechanical refrigerators nor washing machines can be considered as appointments of the wealthy. Everyone is familiar with the tremendous increase in automobiles, in motion-picture houses, and in the comforts and necessities of life, as well as in the pleasures of life generally.

PROGRESS AND PROSPERITY

But there is also a very solid investment side. In 1919 there were around 18,000,000 individual savings accounts to a total of \$13,000,000,000. Last year there were more than 53,000,000 accounts, holding in them \$28,500,000,000.

In the building and loan associations, representing for the most part ownership of homes of moderate price, there were in 1919 somewhat over 4,000,000 members, but in 1927 there were more than 11,000,000 members. The wealthy do not bother with savings funds or building societies.

The life-insurance policyholders increased from more than 13,000,000 in 1919 to more than 27,000,000 in 1927. The stocks and bonds of the large corporations are now so widely distributed that probably as many people have them as have automobiles.

This country in a very literal sense is coming to be owned by the mass of its citizenry.

Our people are spending a great deal. There has been a complete revolution in the attitude toward spending. Confidence in the future is so widespread that no longer do people stint themselves through every hour in order to provide for old age.

Life is being met from day to day as it never was before. And yet in spite of this, but more probably because of this increase in consumption which has brought on an increase in production and a corresponding increase in wages and profits, there is enough left over to make the savings in general greater than ever before. We have definitely passed from the old thought of savings to provide a decent burial to the new thought of constructive savings.

Now, how did all this come about? What, if any, part has prohibition played in it?

The striking fact to be drawn from the statistics is the enormous consuming power of our people.

Consumption and production are lofty terms but they designate very simple affairs. We are each of us dependent upon what the other does. If a family has \$100 a month it will buy on a certain scale. If it has only half that amount, it will buy on a much lower scale, but if it comes into double its usual income it will move up to a higher purchasing scale.

Each purchase that one makes of manufactured goods has an effect like that of tossing a stone into a still pond. The ripples move far.

For instance, if I buy a pair of shoes, I give the retailer a sum of money out of which he will not only buy another pair of shoes to replace those that I took from his stock but his profit on the sale to me will put him in funds to make some purchase of his own apart from his business. His order for another pair of shoes eventually results in a purchase of leather, cloth, and the other materials from which shoes are made. These purchases give profits to each of the supply men and also they in turn buy fresh goods from their sources. The making of the shoes and each step back to the raw materials require the services of men, and, therefore, the payment of wages to them. The transport of the materials and the shoes also involves a great chain of people. My purchase has gone out in so many directions that it is doubtful if anyone can trace the full effects. The ability to buy is at the root of our whole life. That is the importance of the process which is collectively known as consumption.

A NEW BUYING POWER

If, instead of buying a pair of shoes for ten or fifteen dollars, I buy a diamond for \$1,000, I set into motion by comparison, a very small amount of buying power. I pay the jeweler a profit and he pays the broker a profit and there are some wages to the clerks and the cutters, but it can easily be seen that I do not distribute so much work as though I had bought a thousand dollars' worth of shoes.

Not all expenditures are alike in their results. Some start many chains of purchasing, where others start only a few. So it makes a profound difference to the country how people spend their money.

This is where prohibition comes in. If the head of a family had wages of \$100 a month and spent \$20 for drink, he would not, going back to preprohibition days, absolutely waste his money, in so far as the prosperity of the country is concerned. We shall entirely disregard, for the moment, any possible effects of the liquor on him and think of it only as a way of spending money.

But a purchase of liquor sets into motion a very small chain of purchasing, while, if the family of the man has that \$20 to spend, they will put it out into goods which require a deal of labor and start many chains of purchasing. Or the same effect will be had if they save part of the money.

The difference in the effect on the country of a man laying out \$20 a month over a bar and a wife laying out the same sum over a store counter is so great that giving the money to the wife amounts to an increase of family buying power of nearly \$20 a month.

To all intents and purposes, money diverted from drink to goods can be counted as new money.

The importance to the country as a whole of the amount that a man spends for drink depends upon his income. If each of the 30,000 millionaires in this country spent \$10,000 a year for liquor, and if we assume that the minimum income of each member of this class is \$50,000 a year, then 20 per cent would probably be rather a serious expenditure in so far as the families of these millionaires were concerned, though they could still manage to live very well. But as far as the consumption of the country is concerned, it would not make much difference.

The total of the millionaire drink bill would be \$300,000,000. That is a large sum, but its diversion to liquor would scarcely affect the consumption of general goods, for a considerable part of it would, were it not spent for drink, go into investment and thence into production. The families of these men would not be cutting down to bedrock.

But if the manufacturing workers alone were to spend one-fifth of their wages on drink—and this is not at all a high average expenditure—then that would mean the diversion of more than \$2,000,000 a year from general consumption into the consumption of drink.

It follows absolutely and inevitably that if workingmen generally are spending a smaller percentage of their income for drink by reason of the prohibition law, that law is aiding prosperity.

Absolutely no one disputes that if the wage earners of the country are spending less for drink than before and are putting this money into goods or savings, the country, as well as the wage earners, is better off. The only classes in this country who want a bigger drink bill are the representatives of such of the brewery and whisky interests as have not yet given up hope—and they do not count.

The sole question is whether the workers are spending more or less money for drink than before. This has nothing at all to do with the effects of the bootleg stuff, which is very generally for sale, or with the effects of home brew. We are dealing with dollars that go out and not with effects that come in.

It would seem that getting an answer to this single question might be easy, but I have discovered that finding an answer to any question concerning prohibition is far from easy, for it is very difficult indeed to find anyone whose approach is not wholly emotional. The professional propagandists on both sides may be dismissed; with the exception of the World League Against Alcoholism, none of them has any facts at all touching economic conditions.

SPENDING LESS

And the only man in the country who has made any real study of the economic effects of prohibition is Professor Feldman, of Dartmouth;

he has produced a creditable book which for the time being stands as an authority on the subject.

I have made a first-hand investigation in the leading industrial cities and among the large number of industrial establishments where in the course of the years I have formed acquaintanceships. This I have supplemented by several hundred telegrams to the heads of manufacturing institutions and banks throughout the country.

About two-thirds of those addressed either personally or by wire replied and their replies reveal diverse attitudes. A few of the written replies showed a profound distaste for the whole subject and an almost belligerent refusal to say anything about it. But most of the replies gave evidence of a deep and patriotic interest in getting at the truth—regardless of personal opinion.

In nearly every case the reply was to some extent colored by the personal views of the sender, but out of all the answers received—coming about equally from those who did and those who did not believe in the eighteenth amendment as a method of controlling liquor—only one man said that he thought workmen were spending more and not less for liquor than they did formerly. He is himself an absolute teetotaler; his shop rules on liquor have always been very strict, but he has so resented the methods of prohibition agents in his part of the country that he can see nothing at all except the graft and injustice which characterize so much of the enforcement.

There is a practical unanimity of opinion that wage earners are spending less for liquor than they did before prohibition. This means that they must be spending very much less, for otherwise the change in their spending would not be noticeable.

There is an absolute unanimity of opinion that the wage earners are spending more on their families than ever they did, and that the standards of living are constantly growing higher.

The making of home-brew apparently is not anywhere increasing, and many of my reports say that it is decreasing. Its cost (and that is the important point here) is negligible.

Prohibition, it appears from the letters which I have received, has definitely switched the spending of wages for drink to the spending of wages for goods.

These letters in themselves present a really remarkable record, and it is an unprejudiced, first-hand record having to do only with the effects of spending on prosperity. All the writers are in a position to know what they are talking about.

It has been said that the heavy industries employ a class of hard-working, hard-sweating men who simply can not get along without beer and do not want to get along without whisky. The steel industries center in western Pennsylvania, Ohio, Indiana, and Illinois, and the industrial cities of all these States are wet; that is, any man with the price can get a drink.

Gary, Ind., is the seat of the largest single steel plant in the country, and it, as well as other plants in the district, is owned by the Illinois Steel Co., which is a subsidiary of the United States Steel Corporation. Gary has the reputation of being a "beer town," where real beer can be had freely. The employees of the Illinois Steel Corporation have the opportunity to get all the liquor they want, but this is what the president, E. J. Buffington, writes:

"Evidences of the economic value of prohibition are found in records of increased savings accounts and in the higher plane of living conditions of workingmen in general. * * * Improvement in the economic condition of employees' families is evidenced by the fewer cases of distress among employees reported from time to time. Visiting nurses, who we employ to visit and administer to families of employees in case of sickness, report that the economic condition of such families is much better now than prior to prohibition.

"With the absence of saloons it is certain that workingmen are now spending far less money for drink than before prohibition. Undoubtedly since prohibition became effective many workingmen brew alcoholic beverages, principally wines, in their homes. This practice, of course, results in some expense to those who indulge in it. But certainly such expense is less than former expenditures in saloons by workingmen.

NO BOARDERS NOW

"Merchants in Gary, Ind., where our largest steel mills are located, report that since prohibition workingmen are purchasing a much better grade of wearing apparel of all kinds and that, as a general rule, payments are made at time of purchases, whereas formerly it was necessary in many cases to extend credit.

"Before prohibition many employees of our Gary steel mills kept boarders in their homes. This practice, it seems, has been discontinued to a large extent, with statements by some wives of employees that since the husband brings home more money on pay day it is not now necessary to keep boarders. This undoubtedly is a great improvement in social conditions in such homes."

A. R. Erskine, president of the Studebaker Corporation, at South Bend, Ind., in the same wet district, writes:

"Workmen are spending less money for liquor. Home brew is not serious, either as to expense or effect."

From Indianapolis, also in the wet district, A. R. Baxter, president of the Keyless Lock Co., says:

"Our workmen are spending not only less money for drink than before prohibition, but are spending practically no money for drink."

George H. Charls, president of the National Association of Flat Rolled Steel Manufacturers, sent out for me a bulletin to his members. Their operations cover all the large industrial centers and form an excellent cross section of a heavy industry. The answers of the members all said that the workers were spending less money for drink.

The Thompson Wire Co., with plants at Boston and Worcester, said: "My opinion is that the workmen are spending far less money for drink than before prohibition."

The Preston County Coke Co., at Morgantown, W. Va., replied: "I am answering it from our experience in the coal and coke business, where we are in very close touch with the workmen. I would say the employees are spending much less money for drink than before prohibition, and home brew is not serious, either in the direct expense or in effect."

NEW LIVING STANDARDS

The Newport Rolling Mill Co., at Newport, Ky.: "Several years ago we opened up a bank near our plant, and from the number of accounts, both saving and Christmas saving, we are convinced that the money that was formerly spent in saloons is being laid away as savings."

The Follansbee Bros. Co., of Pittsburgh, find that wage earners are spending "much less" for liquor.

George M. Verity, president of the American Rolling Mill Co., at Middletown, Ohio, and with large mines and mills elsewhere, had a survey made of the working forces, and here are extracts from the reports, all made by foremen or superintendents, close to the workers:

"Both the assistant general superintendents were able to cite innumerable instances of men who are valuable employees to-day but who were excessive users of alcohol prior to prohibition. In all of the cases pointed out the situation to-day has been changed altogether, in that these men now own or are paying on homes, own automobiles and many other present-day conveniences. The assistant general superintendent in charge of sheet mills pointed out two outstanding cases. Both families now have children in college and are regarded as substantial citizens. Formerly the father squandered his earnings on liquor.

"To-day we have the filling station supplanting the saloon. Men could not buy gasoline, automobiles, and the many other articles that formerly were considered luxuries but are now necessities and still purchase liquor at present bootleg prices. In order to purchase the many things which people are buying to-day men are working more steadily and spending their money to better advantage."

It is very significant that the heaviest-drinking trade is not spending money for drink.

The mining regions have always been wet. They contain large foreign elements. The president of a great mining company operating in Pennsylvania, who has had years of experience among miners, says:

"Workmen are spending much less money now for drink than they did before prohibition. In the old days, a man used to cash his pay check at the saloon, in many instances, and what he didn't spend on drink he was apt to spend in other ways in the saloon. A man now takes his money home and makes better use of it."

Here is a striking account of conditions in West Virginia from Josiah Keely, president of the Cabin Creek Consolidated Coal Co.:

"My observation and experience cover only a population of some five or six thousand people on Cabin Creek, but I am more or less familiar with economic life in the Kanawha Valley generally, which would number a good many more thousands. I live right among miners and know personally scores of hard drinkers that have almost quit drinking. I should say, even at the present price, not half as much money is being spent for liquor as before.

"The pay-day 'lay off' when saloons were here was a rather serious interruption of business, both on account of the absence and on account of the 'day-after' headaches. We still have considerable absenteeism after pay days, but most of it is 'divvying,' hunting, and shopping, and they come back in fairly good condition. The families are saving more and they are buying things which they could never afford before. Our people are undoubtedly enjoying a period of greater spending—for automobiles, radios, washing machines, electric refrigerators, phonographs, and so on.

"Formerly, the pay-day earnings were frequently spent in one night away from the mines—there were no saloons on Cabin Creek—and family destitution on that account was common. Money is still spent unwisely, but most of the family participate in one way or another. There is simply so much difference in favor of prohibition that those of us who like our liquor have to admit it."

Pickands, Mather & Co. conducted a survey of these numerous mining properties, and the general superintendent reports:

"We know that not as much money is spent for drink as previously. We do not have the spectacle of the mother coming to the office in tears and despair because the father has gone out on pay-day night and boozed the entire pay check. This was not uncommon in preprohibition days.

"We have concrete evidence that their money is fairly well spent. We questioned our employees relative to what we considered indications of their economy in the use of money. We interviewed 499 employees out of 700. We found that 175 own their own homes. We have about 180 good average residences which we rent to our employees at an average of \$10 per month. This would not encourage home building when they can get a good workman's residence at this cost.

"In answer to whether they had a savings account, 136 answered yes. Of those carrying life insurance other than the company group insurance there were 310 carrying extra insurance. There are 238 who have either a piano, phonograph, or radio. Two hundred and seventy-three have automobiles.

"We feel that this shows a good general state of prosperity and general happiness. We can not see how this would have been possible under the old liquor system."

HOMES AND AUTOS

Detroit is the point where large quantities of whisky are run across the border. It also has a large foreign population of the kind that is said to be both unable and unwilling to get along without regular supplies of beer and whisky. The facilities for getting bootleg or home-brew abound, but I have not found a single executive of any of the automobile companies in the district who has any trouble at all with drinking, and without exception they all declare that the men who do drink are apparently spending much less for it than they used to. This applies to Pontiac, Flint, and all the automobile towns.

Henry Ford has frequently expressed himself on the changed condition of the workers. The chief executive of a company—he preferred to have his name withheld—said that before prohibition it was usual to have from 50 to 100 women in the office on the morning after pay day asking for advances because their husbands had spent all their money in the saloon before coming home. In the past three years he has had exactly two such applications.

R. H. Scott, president of the Reo Motor Car Co., at Lansing, writes: "Workmen are spending a very small percentage of their wages for drink as compared with the saloon days."

L. C. Walker, president of the Shaw-Walker Co., at Muskegon, finds: "The amount of money spent for liquor to-day on the part of factory workers is relatively a very small sum as compared with the old days."

Chicago is wet enough to make beer and whisky easy to get, but apparently it is not the workmen who are supporting the great bootleg traffic. All the large employers of labor that I consulted said that their men were spending little for drink.

Charles Piez, chairman of the Link-Belt Co., had an investigation made through the foremen of the various plants which resulted in this characteristic report: "It is the firm conviction of these men that our workmen are spending less than in days before prohibition. There is every evidence of greater interest in savings accounts, and the workers' families have more to spend now and are living much better. Since prohibition there is an increase in number of home owners, a far greatest interest in savings accounts and stock ownership. As a matter of course, everybody drives an automobile. All these things have happened since prohibition. The superintendents are certain that were a vote taken on the prohibition question, there would be a decided majority in favor of it."

MORE SAVINGS ACCOUNTS

The situation in Philadelphia is the same as in the other large cities—liquor may be bought, but the wage earners are not buying it. The head of a large company there—and he is opposed to the eighteenth amendment—writes: "In general, and speaking from an industrial and national point of view, rather than from individual preference, we feel that there is no doubt that the enormous growth of savings and the enormous increase in the purchasing power of consumers has resulted more or less directly from the operation of the eighteenth amendment and the Volstead Act."

In Ohio the Warner & Swasey Co. reports from Cleveland that their men are spending less for drink. From Canton, H. W. Hoover says: "Workmen are spending but a fractional part of the money they previously spent for drink. The dollars that were previously spent in saloons are now diverted to the more legitimate channels of merchandise, in which a much higher percentage of labor is involved."

Harvey S. Firestone writes from Akron—which used to be a very wet town: "There can be no doubt that workmen are spending much less for drink, as a group, than before prohibition."

From W. C. Dunlap, vice president of the American Multigraph Sales Co., Cleveland, comes this:

"Our workmen are spending less money for drinks than before prohibition. They own more automobiles, have larger savings accounts, and have more cash in their pockets than they did before prohibition."

The General Electric Co. sent out for me a questionnaire to 10 of their principal supervisors of labor, all of whom have had a number of years of experience in their positions, and although the answers diverged on many points, all the answers agreed that the men are spending much less for liquor. A supervisor in one of the larger cities estimated that \$200,000 a week was now being taken home that formerly went into the saloons.

Henry S. Dennison, the president of the Dennison Manufacturing Co., at Framingham, Mass., says: "Workmen are spending a great deal less money for drink."

EXECUTIVE MESSAGES

Sundry messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

THE WORLD COURT

Mr. GILLETT. Mr. President, I ask leave to have published in the RECORD an address of Charles E. Hughes before the Association on the Bar of the City of New York on the subject of the organization and methods of the Permanent Court of International Justice.

There being no objection, the address was ordered to be printed in the RECORD.

Mr. Hughes said:

It is not my purpose to make a controversial address, but rather to give you an account of the World Court as a going concern. I shall make no apology for dealing with details of organization, as I have discovered that there is profound ignorance on this subject in the most unsuspected quarters. One of the world's famous statesmen, whom I met abroad last summer, asked me how the judges of the court were elected, and from the sort of questions put to me in this country, even by lawyers, I am persuaded that while there has been much discussion about the World Court there is but little knowledge on the part of most people of the facts relating to its constitution and actual working. I trust that you will find the facts with respect to the organization of the court interesting, and I shall take the liberty of adding a description of its methods in dealing with cases, giving you the impressions I have gained from my connection with it.

What is the World Court, or the Permanent Court of International Justice, as it is formally designated? It is a bench of 15 judges, 11 ordinary judges and 4 deputy judges, the latter being called upon to serve in the absence of ordinary judges. Nine judges constitute a quorum, but it is intended that 11 shall sit if possible. Under the revision of the organization of the court, which is now before the governments for approval, the position of deputy judges will be abolished and instead there will be 15 ordinary judges. This will give opportunity for calling the judges to sit in rotation, so long as 11 are available, an arrangement which may be used to facilitate the work of the court. The judges are elected for nine years and all are elected at the same time, except as vacancies arise, which are filled by special elections for the unexpired term. The next election will take place in September, 1930, when the entire bench of 15 judges will be chosen. When a State, or a country, as we say, which is a party to a case before the court has none of its own nationals among the judges, that State may appoint a judge to sit in that particular case. In this way, there may be more than 11 judges sitting.

How are the judges elected? Manifestly, it is of vital importance to have competent and impartial men, and the method of selection deserves careful consideration. The court is organized under a constitution, which is called the "statute" of the court, and this is put into effect by agreement among the nations that support the court. This agreement is called the "Protocol of the Permanent Court of International Justice," and it has been signed by 54 States. The States in the Western Hemisphere that did not sign the original protocol of the court are the United States, the Argentine Republic, Mexico, Ecuador, and Honduras. In Europe, Turkey and Soviet Russia also did not sign.

Before the judges are elected there must be nominations. For this purpose resort is had to the members of the old Court of Arbitration established under the Hague Convention of 1907, to which the United States is a party. That Court of Arbitration consists of members appointed by the various governments and is really a panel of arbitrators from which selection can be made for particular arbitrations.

We have in the United States, for example, four members of the old Court of Arbitration who have been designated by the President: Elihu Root, John Bassett Moore, Newton D. Baker, and myself. These national groups, respectively, of members of the old Court of Arbitration make the nominations of judges for the new World Court. The statute of the new court recommends that each of these national groups should consult the highest court of their country, its legal faculties and associations devoted to the study of law, to the end that impartial and competent jurists should be proposed. After the nominations have been made, the election of judges of the World Court takes place in the Council and Assembly of the League of Nations. Let me say a word as to the reason for this method of selection. If you had 50 or more judges, representing 50 or more States, you might have an assemblage of an interesting character, but it would not be able to function properly as a court. It would resemble a parliamentary assembly with the maximum opportunities for delays, obstruction, and the intrusion of politics. It would be practically impossible to maintain continuous, independent, and satisfactory judicial work. But if you have a less number of judges, how are you to deal with the rivalries of governments and obtain a court that will command the confidence of so many coun-

tries, both the great powers and the smaller powers? The organization of the League of Nations offered a method by which this difficulty could be solved. In the small body which constitutes the council of the league the great powers—Great Britain, France, Italy, Japan, and now Germany—are permanent members. The choice of judges by the council would thus naturally represent the wishes of the great powers. In the assembly of the league all the 50 or more powers stand on an equal footing, and the small powers are in a great majority. Hence election by the assembly means that the small powers have had their say. To elect the judges there must be a majority in each body, and the concurrent elections by both the council and assembly mean the concurrence of the powers, both great and small. If the two bodies do not agree on a choice, a conference committee, like one of the conference committees of our Senate and House of Representatives, is appointed, and if an agreement is not reached in this way the members of the World Court, already chosen, proceed to elect.

There is much talk in this country as to the election of judges by the League of Nations. It is quite evident, however, that if upwards of 50 states are to elect judges they must meet in some way for this purpose. If there were no League of Nations and a world court were set up, the governments would have to arrange for an organization to elect judges. The League of Nations is frequently spoken of as though it were a unit or acted as an entity in the election, but it is really composed of all these states or countries, which have different policies and objectives, and when it comes to the selection of judges they are not acting with the unity of a league but proceed according to their several conceptions of what the situation requires in the selection of a body of judges who are not to execute orders but to pass upon the controversies which arise when states are unable to agree. The League of Nations provides an organization by which all these countries can make their choice. If the United States adheres to the protocol of the court, it will be entitled to participate as a great power in the elections in both the council and assembly. It would naturally be expected that nationals—that is, citizens—of great states, in view of the magnitude of their interests, would always be found in the membership of an international court and thus that nationals of such countries as Great Britain, France, Italy, and Japan would be selected. The same would be true of the United States if it supported the court, as it has been true of the United States even in the absence of that support. There has always been a citizen of the United States on the World Court. Germany has no national on the court at present, but it is most probable that she will have after the next election of judges. If all these great powers had nationals on the court, this would account for 6 of the 15 judges and 9 others would be nationals of other and smaller powers. The conflict in interests, which there is nothing in the organization of the League of Nations even to obscure, much less to destroy, naturally tends to bring about the selection of men who by reason of their age, their experience, their character and attainments enjoy the confidence of the large group of small powers whose part in the election is essential. For whatever great powers may do when they fall into controversy, resort to the Permanent Court is recognized as the most important guaranty of justice to the smaller powers. Their interest in the selection of judges is therefore very keen.

As the men proposed by the national groups of great powers must submit themselves to the election by the smaller powers, the great powers naturally put forward men of eminence whose records they think will stand scrutiny; and as the judges proposed by the groups in the smaller powers are to pass upon the controversies of the great powers, they are prompted to offer men of the required competence. No institution in this world can escape human limitations. We have had difficulties at times with reference to the choice of men for the Supreme Court of the United States. If you reflect upon the selection of judges for a permanent international court, I am inclined to think that you will find that it would be difficult to suggest a method which in its general features would be more likely to secure a bench of international judges in which confidence could be reposed. If you sought to establish a world court independently of the League of Nations, the 50 or more states which are now members of the league would have to join in electing judges, and it would be necessary to provide a practical plan by which you would have an organization of all the states concerned which would measurably correspond to the organization of the council and assembly of the league in order to insure the balance of the small and great powers which is essential to the establishment of an effective tribunal. I think that the real point with some of our friends who oppose the present method of selection is not that the method itself is inherently defective, but that they are opposed to a permanent court altogether. But for many reasons, which I can not undertake at this time to detail, it has long been the desire and policy of the United States to have a permanent international court.

Similar considerations apply to the fixing and payment of the salaries of the judges and the expenses of the court. The league provides the organization for this purpose, but it should be remembered that it is upwards of 50 countries composing the league and supporting the court that fix the salaries and that these countries pay them together with the expenses of the court according to their quotas. If there were no league, the salaries and expenses of a world court would have to be

contributed by the supporting governments, and there would have to be machinery for making the budget apportionment and payment. What is really of importance is the fact that when judges have been elected, neither they nor their decisions are subject to the control of the league. A judge can be dismissed only when in the unanimous opinion of the other judges he has ceased to fulfill the required conditions. I should add that the ordinary judges, as distinguished from the deputy judges, are not permitted to exercise any political or administrative function during their term of office. The revision of the statute of the court, which is now awaiting approval, not only contains this prohibition but also provides that the members of the court may not engage in any other occupation of a professional nature.

What is the function of the World Court? It is to pass upon questions which arise between states. It does not take cognizance of controversies between individuals, or controversies between individuals and a state. A state may make the cause of its nationals its own, and thus present a controversy with another state, of which the court has jurisdiction. This was illustrated in the cases decided at the last term of the court between France and Brazil and France and Yugoslavia, in each of which the French Government had espoused the cause of the holders of bonds issued by the other Government.

Unless the states which support the court have otherwise agreed, resort to the court is not compulsory; they retain the right to refuse to submit their cases to the court. In the proposal that the United States should adhere to the protocol of the court, it has not been suggested that the United States should accept a compulsory jurisdiction. If the United States adheres, it can still refuse to submit to the court any particular controversy. The court will not decide a dispute between states unless the parties to the dispute have consented to its submission to the court.

Now, there is a class of controversies which Governments ought always to be willing to submit to judicial settlement. These are controversies over what are essentially questions of law as distinguished from questions of mere policy. They are disputes concerning questions of international law, as to the interpretation of treaties, as to the existence of facts out of which international obligation arises, or as to the reparation that should be made when there has been a breach of an international obligation. Questions of this sort in all civilized countries are normally disposed of by judicial tribunals. It has been the declared policy of the United States that such questions should be submitted to arbitration, which is a form of judicial settlement. We have not taken the unreasonable position before the world that we would take the law into our own hands and that where we had a legal dispute with another country we should insist on deciding it for ourselves. The pact of Paris, or the Kellogg pact, would be but a ridiculous form of words if the attitude of those who signed it were otherwise, for this agreement says not only that war is renounced as a national policy but that the settlement of disputes shall be had only by pacific means. Pacific means for the settlement of a legal controversy, if the parties can not come to an agreement, is judicial settlement. In the class of questions I have just described the statute of the court provides that the States supporting it may, if they choose, sign what is called an optional clause accepting compulsory jurisdiction. A considerable number of States—I believe about 42, including Great Britain, France, Italy, and Germany—have signed this clause. A large number of these have not as yet ratified. Aside from this optional clause there are a great number of special treaties between countries which provide for the submission of controversies to the World Court if the parties find themselves unable to agree.

What law does the court apply in the disposition of controversies? It applies international law. What is international law? It is the body and principles and rules which civilized States consider as binding upon them in their mutual relations. It rests upon the consent of sovereign States. There are many questions which are discussed by international jurists with respect to principles which are not yet embodied in international law, as there is no satisfactory evidence of the consent of States to be bound by them. There are also particular principles and rules that are binding upon particular States, because they are established by treaties between such States. These rules are not, properly speaking, international law, but they govern the States that have agreed to them.

If there is a dispute as to a question of international law and the court finds that there is no international law on the subject, it says so. It is not its function to create rules of international law. It explores, hears arguments, and determines whether there is a rule of international law applicable to a given case. Its decisions on such questions expound and clarify international law. The law thus develops in a normal way by the unfolding of its accepted principles in their application to particular disputes. But the court does not assume the function of a legislature. The court is naturally very cautious in this part of its work; an international court would not long survive that took to itself the legislative function or the making of law for States. In the ascertainment of international law the court examines international custom as evidence of a general practice accepted as law, the general principles of law recognized by civilized nations, and also judicial decisions and the teachings of the most highly qualified pub-

licists of the various nations as subsidiary means for the determination of rules of law.

It is often said that before an international court can properly function there should be law to apply. Of course, there is an existing body of international law. No intelligent person would deny that. What is meant is that it is a limited body, and that it should be extended so as to provide adequately for the government of the relations of States to each other. That process is involved in what is called the codification of international law, a phrase used ambiguously, but generally taken to describe both a definitive statement of existing law and also desirable modifications in order to add to and improve the law. That progress should be made in the codification of international law is the earnest desire of jurists and all who seek to hasten and make secure the reign of law in place of force. The intelligent efforts now being made in this direction are among the most gratifying signs of our times and worthy of all praise and support. But it must be recognized that the process is an extremely slow one, for it depends not only upon the acquiescence of jurists in definitions and proposed changes, which is about as difficult to secure as a consensus of theologians, but also the final approval of governments, which is almost impossible to obtain when the questions involved are of serious practical importance and the objectives of governments differ. Such statements and amendments of the law require the same acquiescence of the States composing the family of nations as that which underlies existing international law.

It should also be observed that even where there is an accepted principle of law, it fares much better in the application of it to particular states of fact in controversies as they arise than in an attempted formulation of it in the endeavor to enact a rigid statute. That has been the experience in efforts at codification of domestic or municipal law, and obviously the difficulty is far greater when you come to a rigid-formulation of international concepts. When a court applies a principle, you may readily recognize it and appreciate its application although not entirely content with the linguistic expression of it in the judicial opinion.

Neither the desirability nor the difficulty of codifying international law furnishes any reason for delay in establishing or supporting a permanent international court. You would still have to arrange for the pacific settlement of international disputes. You could not decide them for yourselves. If you gave the decision to arbitrators in sporadic arbitrations, you would have the same difficulty, and, in my judgment, a much less satisfactory judicial tribunal than a permanent court such as the World Court. If you were to wait for an international court until you could get a satisfactory body of international law, the only time that such a court could function would be in the millennium and most people may doubt whether at such a time it would be necessary.

This discussion, as to the importance of a body of law for the court to apply generally takes too little account of the actual conditions with which we are confronted. There are many hundreds of treaties in force. They are multiplying all the time. Most States are now enmeshed in treaties. And the great volume of work occupying the World Court lies in the interpretation of treaties. All languages are more or less imperfect as the vehicle of intention. Some ambiguities are premeditated, others are disclosed in the unexpected circumstances which always arise. New contingencies suggest shades of meaning. Thus treaties must have their judicial interpreters if nations can not agree as to their meaning or application and are not going to fight about them. The science of interpretation is a familiar one in all civilized countries and there is general agreement on the cardinal principles of interpretation. And this is peculiarly a judicial function. It will keep the World Court busy.

Some have said that the World Court applies to what they call "league law." It goes without saying that as the covenant of the league is a treaty between those who have signed it, it is to be applied like any other treaty to their disputes. But it is binding only upon those who have accepted it. The United States has not. No international court would apply to a State the provisions of a treaty to which it was not a party and to which it had not acceded or adhered. What is called league law is law for the members of the league in the sense that their agreement is obligatory among themselves. The fact that the United States is not a member of the league does not alter this in the slightest particular, and whether or not we support the World Court makes no difference in this respect. The court must interpret the agreement between the members of the league fairly, as it must interpret our agreements fairly, if it has occasion to do so. The United States and every other country outside the league is bound only by what it has accepted and the others are bound by what they have accepted.

Some say that the United States is a country so powerful, so rich, and that there are so many who look at us askance, that it would be unsafe to entrust a decision even of legal questions to a permanent court. If that reasoning were accepted, it might lead to the conclusion that it would not be safe to entrust the decision to anyone but ourselves, and we should have the frankness to acknowledge that we intend to maintain our own views at any cost, even if we have to fight for them. To my mind, there would be a far greater degree of in-

security in the long run in such a highly objectionable and intransigent attitude even on the part of a great and powerful nation. Particularly is this so when the great and powerful nation would be weakened in the effort to maintain such a policy by the large number of its citizens who desire peaceful settlements and by the fact that ultimate action must depend upon a Congress affected by this body of opinion. This is apart from the international obligation we have deliberately assumed to resort solely to pacific measures. As we have thus given our pledge to have legal controversies settled in a peaceful way, we should candidly admit that we need an international judicial tribunal to determine them.

How does the World Court work? I shall try to give you an intimate description of its procedure, my participation in which during the past year has been one of the most interesting experiences of my life. When the disputant States agree to submit their controversy to the court, each party prepares what is called a case, or memoir, which sets forth its contentions, the facts which support them, the documents concerned, its arguments and authorities. Time is fixed for the presentation of these cases and also for a counter case, or counter memoir, by each party in answer to the case of its opponent. Then, if desired, further time is allowed for a reply on each side after the counter cases have been filed. It is, of course, possible that there will be some question of fact and the court may, if it desires, take evidence or arrange for the taking of evidence. But ordinarily, on the full presentation of all the circumstances and documents, such disputes of fact as there may be are likely to turn out to be of an inconsequential character or to be sufficiently resolved by the documents submitted. The pleadings, evidence, and arguments thus being in order, the controversy is called for hearing. The president of the court, who is elected for three years and must reside at The Hague, presides. The first president of the court was Judge Loder, the eminent Dutch jurist who had much to do with the formulation of the statute of the court. The next president was Judge Huber, of Switzerland, far famed as an international jurist. The present president is Judge Anzilotti, of Italy, a distinguished professor of law and possessing one of the most acute and fairest minds with which it has been my privilege to come into close contact. The judges sit in the order of their election and those elected at the same time in the order of their age. Adjoining them are such deputy judges as may have been called for the case and the national judges who may have been appointed where a party to the dispute has no national as a regular judge.

The practice at the hearing is largely after the tradition of arbitrations. You will recall that, in the case of arbitrations, when the parties were ready and it suited the convenience of the arbitrators, the counsel and the arbitrators proceeded to some chosen place and there arguments were heard *ad libitum*. The permanent court is a paradise for advocates. It is the only permanent tribunal in the world, in the work of which I have had the pleasure of participating either as counsel or judge, where counsel can talk as long as they please and without interruption. How I have envied them! Whatever impatience I may have felt at the length of the arguments, and the repetition which sometimes characterizes the discourses even of the best advocates, has been offset by my realization of the supreme satisfaction of the contesting counsel. It should be said, however, that, as governments are parties, they are generally represented by men of recognized ability, who have made the most careful preparation. It is, of course, impossible for courts with crowded calendars such as those of our domestic tribunals to give a large amount of time to oral arguments, and, while they seek to be fair, and even generous, in their allowance of time in particular cases of importance, the pressure of cases of little importance shortens the opportunity. But when a court is so situated, as is the World Court, that it can hear very full arguments, it is of the greatest convenience to the judges, for when the argument is over they know all about the case. Every important document has been read, the material evidence has been painstakingly reviewed, every point thoroughly discussed, and every weighty authority presented. As the arguments proceed, every judge has a stenographic report. There are long sittings, from about 10.30 to 1 o'clock, and after a recess for luncheon from about a quarter past 3 to 6 or even 7. In the evening the report of the morning arguments is circulated, and late at night or early the next morning the report of the afternoon arguments. Each judge can each day check up on every point. If, after the principal argument on one side, opposing counsel suggest that they would like a day before starting their arguments, the request is likely to be granted. A similar course may be taken before the arguments in reply. In the case of the so-called Free Zones about the Lake of Geneva, a controversy of long standing between France and Switzerland, as to which both countries felt deeply and which involved the consideration of the effect of treaties of 1815 and 1816, and the facts of a long intermediate history, counsel for France took about two days in opening the case. The Swiss counsel took three days for their answer. The French counsel took about two days for their reply and the Swiss counsel closed the case in another two days.

I am constantly asked to what extent the difference in language creates a difficulty. I should say, very little. There are two official languages—French and English. The parties may select either in presenting their documents. Generally they select French. These can be

translated if any judge so desires. I should say, however, that I do not think that a judge could do his work satisfactorily if he did not read French easily. The revision of the statute of the court, now before the countries for approval, provides that a judge shall be able to read both of the official languages and speak at least one of them.

The oral arguments may be presented in either English or French at the will of the parties. Another language may be chosen if the court permits. Translators are always present and, whatever language is used, there is at frequent intervals a translation into the other official language. This occurs generally about every 20 minutes or so. There are three translators who are busy taking notes of the oral argument and have extraordinary aptitude in immediately translating. When a document is read it is handed to the translators, who translate the text. The stenographer's minutes, to which I have referred, distributed each day, are in both French and English. It is an advantage to a judge to understand spoken French, even if he does not speak it fluently. The present judges, with two or three exceptions, both read and speak English. The translators are also present in the consultation rooms and are ready, if desired, to translate from one language into the other. In the consultations most of the judges speak in French; some speak in English. As English is as much an official language as French, all the formal official work of the court is in both languages—that is, the reports of the arguments are found in both languages and so are the judgments of the court.

Immediately at the close of the oral argument the court goes into conference for the purpose of determining whatever preliminary questions are involved—that is, in relation to the jurisdiction of the court or with respect to the interpretation of the special agreement submitting the case to the court, where question has been raised as to what is really before the court for decision. This conference is entirely preliminary, and as soon as the court has decided, and this does not generally take very long, as to what questions are before it, a day is fixed for the submission of preliminary or tentative opinions. Thereupon, each judge, before any consultation among the members of the court as to the merits, proceeds to write a preliminary opinion or note on the facts and the law. This is rather a thrilling experience. It is a practice that could be had only in a court with abundant time at its disposal. But I confess that I sometimes wish that every member of our courts were required after an argument to write out an opinion as a basis for the consultation. No judge cares to appear at a disadvantage, although the opinion or note as it is called is only tentative. He does not care to disclose a failure to study the case or to apprehend its points or to appreciate the weight of the respective arguments. His mentality is somewhat at stake, as well as the controversy. The result is that he is likely to pay close attention to the oral arguments, to examine with care every document, to consult each important authority; he may even analyze the oral arguments as he has them day by day; he keeps thinking about crucial points, awaiting with deep interest the development of the argument. The case absorbs all his waking thought and when the argument is over he is likely to have a fairly clear idea of the case and to have shaped his views regarding it. Of course, judges in all courts differ. Some jump very quickly, perhaps too quickly, to conclusions; others find it difficult to jump at all. Some go directly to the point at issue and are disposed to brush aside philosophical inquiries that are not essential to the determination. Others may be more inclined to consider questions from the standpoint of eternal postulates and to work their way gradually from these to the particular dispute. It is the meeting of such minds, particularly in an international court, which gives to litigating governments ground for confidence and keeps before the world the ideal of international justice.

As I have said, each judge in his own sanctum works on his own opinion, knowing that it will be analyzed and eviscerated by equally if not more able men who have studied the case with the same attention. Generally five or six days, or perhaps a week, are given for the preparation of these preliminary opinions. They are filed with the registrar of the court and circulated in confidence to the members of the court; a day or two is given for their consideration and then the court meets in consultation. The president of the court prepares the agenda for the consultation, listing every point of fact or law that is involved in what he believes to be a satisfactory order. This is circulated. The judges meet and first decide whether they will accept or amend the agenda. Each point is then taken up and discussed. It is discussed, even as counsel have discussed the case, without limit of time until, with all the courtesy that is due to brethren who differ, it appears that a vote should be had. Then a vote is taken on the particular question and the conference proceeds to the next point on the agenda. In this way, day after day, with long hours from morning to evening, the court sits in the most intimate and candid discussion until finally the last question is reached and the vote is taken which decides the controversy. Thereupon, immediately and without either oral discussion or nominations, two members of the court are selected by secret ballot to join the president of the court in drafting the judgment of the court in accordance with the majority vote. This committee immediately goes to work. It decides its plan of action according to the convenience of its members. By uninterrupted activity it prepares a draft judgment that suits the committee. The judgment recites the proceedings lead-

ing up to the hearing of the case, the points of fact, the various points of law; it discusses the questions, sets forth the determinations of the court on each question, and then finally gives its award. The committee circulates its draft of the judgment and a couple of days are given to the other members of the court to file in writing any amendments they propose. The committee considers these amendments, decides what it will accept or reject, and circulates its revised draft. A conference of the full court is then called for discussion of the draft. It is read like a legislative bill. Any point of objection is discussed and voted upon until finally the form of judgment has received the approval of the majority of the court. A day is then fixed for a second reading on which dissenting opinions are required to be filed and, in the light of these opinions, the second reading is had and the final vote taken. Counsel for the respective parties are informed, the court meets, hands down its judgment, and calls the next case. The judgment of the court, I should remind you, has no binding force except between the parties which have submitted the controversy to the court and in respect of that particular case.

This, you will see, is extremely deliberate procedure; but nothing could be more important than deliberateness and thoroughness in the disposition of international controversies, where not the fortune of individual litigants are at stake but the future course of governments which have been unable to reach an accord as to their mutual obligations.

In all this work a judge, who has been appointed in a particular case by a government because it has no national among the regular judges, takes his place as a fully accredited member of the court. He hears the arguments, gives his tentative opinion, participates in the consultations, and votes with the rest of the judges. At first sight it might be thought that this plan, which carries forward the traditions of arbitral procedure, would intrude a partisan element into the court. It is to be borne in mind, however, that there is a national of the other party to the dispute already on the court or similarly appointed. It must also be remembered that there are at least 9, and maybe 11, judges sitting, aside from judges thus temporarily designated. The governments thus appointing a judge naturally desire to have a distinguished appointee, and hence a jurist of high repute is generally designated. For example, in the case between France and Switzerland as to the free zones, Eugene Dreyfus, president of the court of appeal at Paris, was appointed judge ad hoc—that is, for that case—as the French judge who had been elected as a member of the court had died, and there was no French judge upon the bench. It must not be assumed that a judge who is appointed as a national of a particular country to sit in its case will decide in favor of that country. Lord Finlay showed the independence of a judge when he decided against Great Britain. He was a regularly elected judge. But quite apart from any tendency there may be in the case of national judges appointed for a particular case to look favorably upon the contentions of his country, the appointment of such a judge is, I found, of the greatest value in the work of an international tribunal. It greatly aids in disposing of any notion that a case has not been thoroughly considered or has been decided in any way than upon its merits as the majority sees them. The judge reads all the tentative opinions of his colleagues. He thus sees how the case has impressed each one of the judges from their individual preliminary statements. He meets with them in consultation and hears every position vigorously and thoroughly presented and discussed. He has the opportunity to present his own views. In his original opinion, in consultations, in criticisms of the draft judgment, at every point, he is heard.

If the court is against him, he knows why, and it is most probable that he will go back to his country with the message that whatever may be thought of the judgment there was not the slightest question of the sincerity, the independence, and the thoroughness of the consideration of the case. If he were not there, if no national of a State which is a party to the dispute were on the court, it would be far easier to give currency to notions of the intrusion of political and partisan considerations.

In the comprehensive discussions in the consultation room there is, of course, opportunity for vigor and effectiveness in debate. Judges are not only human in their limitations but in their aspirations. They desire the respect of their colleagues. They hope for the esteem of the world. There is only one way that they can get either or both, and that is by using all the ability that God has given them, by unremitting industry, by candid expressions. That I have found to be characteristic of the international court. Whatever defects it has are those which inhere in all our imperfect human undertakings. They are found in our domestic courts, even in the highest. The one thing that has impressed my mind is this: After sitting alone with one's own task, endeavoring to reach a conclusion as to the merits of a stubbornly contested dispute, wondering what one's colleagues think of the different points that have been laboriously argued, one can not but have a feeling of exaltation in reading the preliminary opinions as they come in, and in realizing to what extent the minds of men, drawn from many countries, move along the same lines of careful reasoning. Whether one agreed or not with this or that opinion, one's respect was heightened by the exhibition of intelligent and conscientious application, of learn-

ing and mastery, of the power of analysis, and cogent statement, which are the marks of judicial work of superior excellence. There has always been danger in all tribunals, both domestic and international, whether constituted by arbitral arrangements or otherwise, of the alloy of policy, even of intrigue, of attitudes taken in deference to power rather than to justice. I am inclined to think that this sort of influence is much more to be dreaded in international arbitrations, such as it is in most cases practically possible to set up, than in such an organization as the World Court.

The way to meet such intrusions is by the earnestness and ability of judges who are not respecters of persons or particular governments, but of the law and of justice, by winning the victories of reason in intimate debates, by well-considered deliverances which satisfy intelligent opinion. In this way the Supreme Court of the United States, despite all the difficulties that surrounded its early days, has come to be more firmly established in the respect and confidence of our people than any of the other institutions of Government.

I have not discussed the terms of the protocol which has been signed on behalf of the United States for its adherence to the World Court. I referred to them in an address before the American Society of International Law. They will be the subject of abundant discussion by others, and I have preferred to devote my time on this occasion to the effort to give you a picture of the court at work. I may say, however, that in my opinion the conditions of this protocol fully protect the interests of our country.

The judicial settlement of international disputes can not be adequately secured by mere sporadic, occasional efforts. There should be continuity, permanency, the opportunity for the growth of confidence and for the firm establishment of the tradition both of competency and judicial independence. As a nation devoted to the interests of peace, we have the utmost concern in this development. To hold aloof is to belie our aspirations and to fail to do our part in forming the habit of mind upon which all hopes of permanent peace depend. In supporting the World Court in the manner proposed, we lose nothing that we could otherwise preserve; we take no serious risks that we could otherwise avoid; we enhance rather than impair our ultimate security; and we heighten the mutual confidence which rests on demonstrated respect for the essential institutions of international justice.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills and joint resolution of the Senate:

S. 581. An act granting the consent of Congress to the Jerome Bridge Co., a corporation, to maintain a bridge already constructed across the Gasconade River near Jerome, Mo.;

S. 967. An act granting the consent of Congress to the construction of a highway bridge across the Hudson River between the cities of Albany and Rensselaer, N. Y.;

S. 1752. An act to grant extensions of time on oil and gas prospecting permits; and

S. J. Res. 115. Joint resolution authorizing the appointment of an ambassador to Poland.

The message also announced that the House had passed the joint resolution (S. J. Res. 91) to amend sections 3 and 4 of the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1784) authorizing an appropriation for improvements upon the Government-owned land at Wakefield, Westmoreland County, Va., the birthplace of George Washington, with amendments, in which it requested the concurrence of the Senate.

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

H. R. 156. An act to authorize the disposal of public land classified as temporarily or permanently unproductive on Federal irrigation projects;

H. R. 238. An act granting the consent of Congress to the State of North Dakota to construct, maintain, and operate a free highway bridge across the Missouri River at or near Fort Yates, N. Dak.;

H. R. 977. An act establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the division of identification and information;

H. R. 1198. An act to authorize the United States to be made a party defendant in any suit or action which may be commenced by the State of Oregon in the United States District Court for the district of Oregon, for the determination of the title to all or any of the lands constituting the beds of Malheur and Harney Lakes in Harney County, Oreg., and lands riparian thereto, and to all or any of the waters of said lakes and their

tributaries, together with the right to control the use thereof, authorizing all persons claiming to have an interest in said land, water, or the use thereof to be made parties or to intervene in said suit or action, and conferring jurisdiction on the United States courts over such cause;

H. R. 2673. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Ozark, Franklin County, Ark.;

H. R. 3392. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn.;

H. R. 3395. An act authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States;

H. R. 3655. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River near Kingston, in Roane County, Tenn.;

H. R. 5191. An act to authorize the State of Nebraska to make additional use of Niobrara Island;

H. R. 5262. An act to amend section 829 of the Revised Statutes of the United States;

H. R. 5277. An act to eliminate the renewal of oath of office of Government employees under certain conditions;

H. R. 5401. An act granting the consent of Congress to the police jury of Morehouse Parish, La., or the State Highway Commission of Louisiana to construct, maintain, and operate free highway bridges across Bayou Bartholomew at or near each of the following-named points in Morehouse Parish, La.: Coras Bluff, Knox Ferry, Bonners Ferry, and Parkers Ferry;

H. R. 5415. An act to legalize a bridge across the Choctawhatchee River between Hartford and Bellwood, Ala.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 7642. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near St. Louis, Mo.; and

H. R. 8296. An act 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."

MOUNT VERNON BOULEVARD

The PRESIDING OFFICER (Mr. JONES in the chair) laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 91) to amend sections 3 and 4 of the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," which was, on page 2, lines 3 and 4, to strike out "July 18, 1918" and insert "August 2, 1882."

Mr. SWANSON. Mr. President, the only change is that in the condemnation for this highway there was a statute subsequent to the one that was named in the bill as it passed the Senate. This amendment simply modifies it so as to make available the last statute in Virginia for condemnation purposes. I move to concur in the amendment of the House.

The motion was agreed to.

WAKEFIELD, VA., BIRTHPLACE OF WASHINGTON

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1784) authorizing an appropriation for improvements upon the Government-owned land at Wakefield, Westmoreland County, Va., the birthplace of George Washington, which were, on page 1, lines 6 and 7, to strike out the words "by the Secretary of War"; on page 1, line 10, to strike out the words "to be selected"; on page 2, line 1, to strike out the words "by the said Secretary of War"; on page 2, lines 1 and 2, to strike out the words "the remainder of said appropriation"; on page 2, line 6, to strike out all after "tion" down to and including the word "association" in line 8; and on page 2, line 19, to strike out all after the word "necessary" down to and including the word "Commission," in line 20, and insert:

Provided, That the plans for all said buildings and gardens to be constructed or restored hereunder and the location of said monument shall be subject to the approval of the Fine Arts Commission and the Secretary of the Interior, and the expenditure of said funds shall be subject to the prior approval of the Secretary of the Interior: *Provided further*, That said building and all lands owned by the Wakefield National Memorial Association shall on completion of the restoration be conveyed to the United States as a gift for administration, protection, and maintenance as hereinafter provided.

SEC. 2. That the said premises and all structures thereon shall constitute the George Washington Birthplace National Monument at Wakefield, Va., which is hereby established and set apart for the preservation of the historical associations connected therewith, for the benefit and enjoyment of the people, and the said national monument shall be hereafter administered by the National Park Service under the direction of the Secretary of the Interior, subject to the provisions of the act of August 25, 1916 (39 Stat., p. 535), as amended.

SEC. 3. All acts or parts of acts inconsistent with the provisions of this act are repealed to the extent of such inconsistency.

Mr. SWANSON. Mr. President, I move to concur in the amendments of the House. They do not increase the amount of money. They simply transfer the jurisdiction of the monument and grounds from the War Department to the Interior Department, and provide that upon the completion of the construction of this replica of Washington's birthplace the association shall convey the title to the Government. I understand from Members of the House that the association has agreed to do this.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia.

The motion was agreed to.

TENNESSEE RIVER BRIDGES

The PRESIDING OFFICER laid before the Senate the bill (H. R. 3392) granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn., which was read twice by its title.

Mr. BROCK. I move to substitute this bill for Senate bill 1187, the same bill, which has been reported out of the Committee on Commerce, and ask for its present consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee to substitute this bill for a similar bill reported from the Committee on Commerce, and now on the calendar? The Chair hears none.

Is there objection to the present consideration of the House bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. Brock, the bill (S. 1187) granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn., was ordered to be indefinitely postponed.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 3655) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River near Kingston, in Roane County, Tenn., which was read twice by its title.

Mr. BROCK. I desire to substitute this bill for Senate bill 1337, a similar bill, which has been reported from the Committee on Commerce.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. Brock, the bill (S. 1337) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River near Kingston, in Roane County, Tenn., was ordered to be indefinitely postponed.

HOUSE BILLS REFERRED

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

H. R. 5191. An act to authorize the State of Nebraska to make additional use of Niobrara Island; to the Committee on Public Lands and Surveys.

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel; to the Committee on Civil Service.

H. R. 156. An act to authorize the disposal of public land classified as temporarily or permanently unproductive on Federal irrigation projects; and

H. R. 8296. An act 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"; to the Committee on Irrigation and Reclamation.

H. R. 238. An act granting the consent of Congress to the State of North Dakota to construct, maintain, and operate a free highway bridge across the Missouri River at or near Fort Yates, N. Dak.;

H. R. 2673. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Ozark, Franklin County, Ark.;

H. R. 5401. An act granting the consent of Congress to the police jury of Morehouse Parish, La., or the State Highway Commission of Louisiana to construct, maintain, and operate free highway bridges across Bayou Bartholomew at or near each of the following-named points in Morehouse Parish, La.: Coras Bluff, Knox Ferry, Bonners Ferry, and Parkers Ferry;

H. R. 5415. An act to legalize a bridge across the Choctaw-hatchee River between Hartford and Bellwood, Ala.; and

H. R. 7642. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near St. Louis, Mo.; to the Committee on Commerce.

H. R. 977. An act establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the division of identification and information;

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

H. R. 3395. An act authorizing the Commissioner of Prohibition to pay for information concerning violations of the narcotic laws of the United States;

H. R. 5262. An act to amend section 829 of the Revised Statutes of the United States; and

H. R. 5277. An act to eliminate the renewal of oath of office of Government employees under certain conditions; to the Committee on the Judiciary.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. GOLDSBOROUGH. Mr. President, I desire to give notice that when paragraph 1554 is reached when the bill is as in Committee of the Whole it is my intention to offer an amendment thereto.

Mr. WALSH of Massachusetts. Mr. President, may the pending amendment be stated?

The PRESIDENT pro tempore. The next amendment passed over will be stated.

The LEGISLATIVE CLERK. On page 202, paragraph 1502, after line 5, the committee proposes to insert:

(b) There shall not be classified under this paragraph: (1) any article chiefly used for the amusement of children, or (2) any part of any such article.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. SMOOT. I yield.

Mr. WALSH of Massachusetts. That amendment appears in other paragraphs of the sundries schedules, namely, in paragraphs 1541 and 1542.

Mr. SMOOT. It also appears in paragraph 1513 particularly.

Mr. WALSH of Massachusetts. It also appears in paragraph 1513, which is the paragraph relating to toys. The committee have offered an amendment defining the word "toy" as follows:

As used in this paragraph the term "toy" means an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development.

In view of the correlation of this amendment to the amendment that we already have adopted in paragraph 1513, I suggest to the Senator from Utah that we let it go over and take it up after we shall have defined what a toy is.

Mr. SMOOT. I was going to make the same request, and I think that ought to be done.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the amendment will be passed over, to be considered in connection with the amendment in paragraph 1513. The clerk will state the next amendment passed over.

The LEGISLATIVE CLERK. The next amendment passed over is on page 202, paragraph 1503, line 20, where the Committee on Finance proposed to strike out "5 cents per inch, 2 cents per inch and 20" and to insert "one-half of 1 cent per inch, 60 per cent ad valorem; valued at more than one-half of 1 cent and not more than 5 cents per inch, 90."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. COPELAND. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. Does the Senator from New York wish to ask a question?

Mr. COPELAND. If the Senator from Utah desires to make a statement, I shall be glad to hear it.

Mr. SMOOT. I should like to make a brief statement as to this item; and if the Senator has no objection, I will proceed at this time.

Mr. COPELAND. The Senator, as I understand, is about to explain the reasons for the increase in the rate on imitation pearl beads?

Mr. SMOOT. I will say to the Senator that is my intention.

The rate of duty, Mr. President, under existing law is 60 per cent ad valorem, which is the same as the rate reported by the Senate committee on beads valued at not over one-half cent per inch. On beads valued at more than one-half of 1 cent and not more than 5 cents per inch the Senate committee proposes a rate of 90 per cent ad valorem, which is an increase over the existing law. The House bill provided on beads valued at not more than 5 cents per inch 2 cents per inch and 20 per cent ad valorem. On iridescent beads valued at not over 10 cents per inch the rate proposed by the Finance Committee is 90 per cent ad valorem; all others 60 per cent ad valorem.

The House bill provides as follows: Valued at not over 5 cents per inch, 2 cents per inch and 20 per cent ad valorem; iridescent beads valued not over 10 cents per inch, 4 cents per inch and 40 per cent ad valorem; all other beads, 60 per cent ad valorem.

The compound rates on imitation solid pearl beads in the House bill, ranging from 60 per cent to 2,000 per cent ad valorem, were reduced to a straight 60 per cent and 90 per cent ad valorem rate.

I want the Senate to mark particularly the change which has been made. The rates ranged in the House bill all the way from 60 per cent to 2,000 per cent ad valorem, as I have already said.

The domestic production in 1924 was \$5,000,000, and in 1928 it was reduced to \$1,500,000.

The imports in 1924 were \$2,269,820, and in 1928 they were \$1,352,115.

Mr. WALSH of Massachusetts. Will the Senator repeat those figures?

Mr. SMOOT. The imports in 1924 were \$2,269,820; and in 1928, \$1,352,115. Although the imports have decreased—

Mr. COPELAND. Will the Senator yield at that point?

Mr. SMOOT. Yes.

Mr. COPELAND. Why does the Senator not call attention to the increase on imitation pearl beads?

Mr. SMOOT. I have given the figures, and now I wish to call attention to the real reason why the changes were made. Although the importations have decreased more, one-half of them, on a value basis, come from Japan as low as one-eighth of 1 cent per inch. Therefore, the quantity of these importations is a big factor in the domestic market. The importations from Japan, which began to come in large volume in 1924, were of inferior quality, as everybody knows; but it is now reported that they have improved to such a degree that the competition of the domestic beads is quite severe.

The following table gives the comparative average cost of production in seven selling-price groups. The United States does not produce below Group 3, of which the average cost of production is 2.79 cents per inch, while Japan has an average cost of production in Group 1 of 0.23 cent and in Group 2 of 0.79 cent per inch.

I think if the Senate will listen to these figures and consider them they must of necessity come to the conclusion that if we want to take care of that class of imitation pearls the rates provided for by the Finance Committee should be agreed to.

Now let me call attention to the different groups provided for in this paragraph.

In Group 1, selling-price value less than 1.67 cents, the average cost-of-production value in cents per inch in Japan is 0.23 cent. In Group 2, selling-price value 1.67 cents to 3.33 cents per inch, in Japan the cost of production per inch is 0.79 cent, and in France it is 0.90 cent.

In Group 3, value in cents per inch from 3.32 to 5, in Japan the cost of production is 1.01 cents, and in France 1.06 cents.

In Group 4, value in cents per inch 5.01 to 6.66, in Japan the production cost is 1.01 cents, and in France it is 1.14 cents.

In Group 5, value in cents per inch 6.66 to 13.33, in Japan the production cost is 1.01 cents, and in France it is 2.06 cents. In the United States the cost of production is 7.23 cents.

In Group 6, 13.34 cents to 20 cents, in Japan the production cost is 1.01 cents—see the marked difference—in France 3.52 cents, and in the United States 7.89 cents.

In Group 7, over 20 cents, the production cost in Japan is still 1.01; France has not exported any of that group at all, but in the United States the production cost is 17.95 cents.

The only reason that the Finance Committee felt justified in making the change was because of the marked difference in the cost of production in Japan and in the United States. Under the House provision as it was written some of the rates run as high as 2,000 per cent. The Senate committee limited this by amendment, as Senators will notice, to the highest rate of 90 per cent.

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

Mr. SMOOT. Yes.

Mr. HARRISON. Can the Senator give any justification for action that would increase from 60 per cent to 2,000 per cent the tariff duty on beads?

Mr. SMOOT. There was more than that on the cost of production in the foreign country, but that has been stricken out by the committee amendment.

Mr. HARRISON. I understand the Senate committee amendment only gives an increase on certain kinds of beads from 60 per cent to 90 per cent, whereas the House bill on certain kinds gave an increase of up to 2,000 per cent.

Mr. SMOOT. At least 2,000 per cent. I have stated the situation as to this industry. The committee had samples purchased from Japan; the invoices were furnished the committee, showing exactly the figures I have stated as the reason of the increase from 60 to 90 per cent. Many of the local manufacturers feel that this will take care of merely a certain class of this business, and the cheaper classes can not even be protected by the rates proposed.

Mr. COPELAND. Mr. President, it is a very odd thing that yesterday, without debate, we put diamonds on the free list and reduced the rate on pearls from 20 per cent to 10 per cent. Now the Senator from Utah gravely proposes that the tax on imitation pearl beads, worn by the working girls and by the farm girls of America, shall be increased from 1,000 to 1,700 per cent. He puts it on the ground that by doing this we are going to improve the conditions of the American workingmen and American manufacturers!

There are not any cheap beads like these made here. The American manufacturers make a much more expensive and higher-priced grade of beads.

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

Mr. COPELAND. I yield.

Mr. SMOOT. Perhaps I had better refer to the matter of diamonds, of which the Senator has spoken. Under this bill rough diamonds come in free. Cut diamonds pay 10 per cent, as well as pearls. I suppose the Senator knows the reason of that.

Mr. COPELAND. I do; yes.

Mr. SMOOT. There is not any question about it. We will raise some revenue at 20 per cent, but very little, indeed, because smuggling takes place then, and the importers are not going to take the chance of smuggling at 10 per cent.

In the first place, the Senator knows, if he has studied the question—and I think he has—that the importer gives 6 per cent now for the smuggler to bring in these diamonds. That is the rate that is paid the smuggler whenever they are smuggled into this country. The one who smuggles the diamond into the country gets 6 per cent of its value. I do not think the importers are going to take a chance on 4 per cent, but they did take a chance on 14 per cent.

As to pearls, the Senator knows how easy they are to smuggle.

Mr. COPELAND. I have never smuggled any, but I assume they would be.

Mr. SMOOT. The Senator knows, from the size of them, that they are very easily smuggled.

Mr. COPELAND. You could put one in your ear.

Mr. SMOOT. Yes.

Mr. COPELAND. I desire to ask the Senator a question. In order that there may be no more smuggling, and in order that the law may not be broken, the Senator proposes to modify the tariff rate. Why does he not propose to modify the Volstead Act so as to prevent the bringing in of illicit liquor?

Mr. SMOOT. Let us wait until that subject comes before the Senate.

Mr. COPELAND. All right; we will wait, but the same argument would apply.

Mr. SMOOT. No; a diamond can be smuggled very much easier than a barrel of liquor.

Mr. COPELAND. I am not so sure about that, from what I hear.

Mr. SMOOT. I mean, if the law were enforced.

Mr. COPELAND. Why is it not enforced?

Mr. SMOOT. Let us not get into the prohibition question this morning.

Mr. COPELAND. I do not want to, either.

Mr. President, I want to repeat what I said a moment ago—that there is no American manufacturer of these cheap beads. The argument which has been used by the able Senator from Utah is mere sophistry. He talks about the protection of the American laboring man. Does the Senator know that in this country, in making the higher grade of imitation pearl beads—those that sell for a very much higher price, and a very fine product of bead, which can hardly be told from the real article except by an expert—does the Senator know that in making those high-grade imitation pearl beads, in the making of which we excel, we employ only about 1,000 persons? In contrast to that, let me call attention to this fact:

When these beads are brought in from abroad they must be restringing, and many of them are colored, and then the clasp is placed on the string which fits at the back of the neck to hold the beads in place. The processes of restringing and coloring and the addition of the clasps are all carried out in this country; and we have to-day 5,000 persons, largely in the East, 5,000 American workmen carrying on these processes.

Senators have no idea how many of these imitation pearl beads are sold in America. I wish the senior Senator from Michigan [Mr. COUZENS] were in the Chamber. He is engaged in committee work, and can not be here.

When this matter was before the committee a witness from my city, Mr. Meyer, representing the American manufacturers of imitation pearls, was on the witness stand, and the Senator from Michigan said:

It is apparent that the consumption will be reduced, is it not?

That is, if this rate were fixed as it has been fixed.

Mr. Meyer responded:

No; because the amounts are higher. It is all in the amount.

Mr. President, I am about to offer an amendment to make imitation pearl beads dutiable at 60 per cent ad valorem, the present rate. Now I want to go on with this discussion in the committee. The Senator from Michigan said, if I may repeat it:

It is apparent that the consumption will be reduced, is it not?

Mr. MEYER. No; because the amounts are higher. It is all in the amount. If they sell 25,000,000 strings at 10 cents, that is \$2,500,000.

Think of it—millions and millions of these imitation pearl beads sold in this country!

The Senator from Michigan said in reply to that:

We are much more interested in the 25,000,000 people than in the \$2,500,000.

Mr. MEYER. Interested in their happiness?

Senator COUZENS. Yes.

Mr. MEYER. Which is more important, the happiness of five or ten thousand workmen who have dependents or the people who buy a luxury?

Of course, there are not five or ten thousand workmen. There are only a thousand workmen engaged in the industry in this country; but, however, he said:

Which is more important, the happiness of five or ten thousand workmen who have dependents or the people who buy a luxury? They do not have to have a pearl. They can buy some other article for 10 cents.

Senator COUZENS. In other words, you want to cut off the workman's privilege to buy a pearl necklace for 10 cents?

Mr. MEYER. No; I would not cut the workmen out. If it was a necessity of life I would give up. We do not want to deprive them of any happiness along that line.

Senator COUZENS. Do you not believe that jewelry is a necessity of life for women?

Mr. MEYER. I am afraid not, not from my viewpoint.

Senator COUZENS. Why, certainly it is.

There is not any question that human nature is such that everybody, rich or poor, wants to have some jewelry; and the people who buy these beads, strung and clasped in America, are the poor girls of America.

Mr. SMOOT. Mr. President, we have not increased the rate on that class of goods.

Mr. COPELAND. I want to offer an amendment to this effect, which I think can be done under the rules, because it uses language which is involved in one amendment or the other. This is what I desire to substitute for the language from the semicolon on line 19, page 202, to the semicolon on line 23. I wish to suggest this amendment:

Imitation solid pearl beads, 60 per cent ad valorem.

Mr. SMOOT. Mr. President, if for no other reason—

Mr. WALSH of Massachusetts. That is the present law.

Mr. SMOOT. If there were no other reason for the amendment—

The PRESIDENT pro tempore. Does the Senator propose that amendment now?

Mr. COPELAND. Yes.

The PRESIDENT pro tempore. The Chair is compelled to hold it out of order, inasmuch as it involves the House text in part. It would be in order when individual amendments are in order.

Mr. COPELAND. I understand that; and I think it is in order now, if the Chair will bear with me.

Mr. SMOOT. I want to suggest to the Senator that the way to get at this would be this, which is in order: I think that for information as to the importations and the class of importations there ought to be a division made there. The Senator can reach the same end if he will move to strike out "90 per cent" on line 23, and then they will all have a duty of 60 per cent; but we can then ascertain just exactly in what class the importations fall.

Mr. WALSH of Massachusetts. I will say to the Senator from New York that that will accomplish his purpose.

The PRESIDENT pro tempore. Such an amendment will be in order.

Mr. WALSH of Massachusetts. In other words, the Senator from New York moves as an amendment to the committee amendment that the numerals "60" be substituted for "90." I will say to the Senator from New York that that means that all of these classified imitation solid beads will bear a duty of 60 per cent, which is the present law.

Mr. COPELAND. Does the Senator from Mississippi [Mr. HARRISON] agree that that would protect what I have in mind?

Mr. HARRISON. I think absolutely it would. It would not only carry out the classification, but it would leave the other at the present rate.

Mr. SMOOT. That is exactly it. What I should like is to have the classification as to the return; and this would do it and bring them all to a rate of 60 per cent.

Mr. COPELAND. If that is the case—and I am assured by my colleagues, the Senator from Massachusetts and the Senator from Mississippi, that my purpose would be accomplished—of course I have nothing more to say. I trust the Senate will accept that amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York to the amendment of the committee.

Mr. WALSH of Massachusetts. I should like to have a memorandum inserted in the RECORD in connection with this paragraph.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

PARAGRAPH 1508

Commodity: Imitation solid pearl beads.

Summary: Pages 1894-1896.

Present law: Sixty per cent ad valorem.

House rate: Valued not over 5 cents per inch, 2 cents per inch, and 20 per cent ad valorem. Valued over 5 cents per inch, 60 per cent ad valorem.

Senate rate: Valued not over one-half cent per inch, 60 per cent ad valorem. Valued one-half cent to 5 cents per inch, 90 per cent ad valorem. Valued over 5 cents per inch, 60 per cent ad valorem.

Equivalent ad valorem rate: The compound rate as passed by the House gives equivalent ad valorem rates as follows:

Value per inch and equivalent ad valorem rate

	Per cent
3/8 cent	1,620
1/2 cent	420
1 cent	220
2 cents	120
5 cents	60

Remarks: In 1924 to 1925 imports of imitation solid pearl beads, principally from Japan, showed a big increase and amounted to \$2,269,820. Imports in 1928 have decreased to \$1,352,115. Although

imports have decreased, more than one-half of them, on a value basis, come from Japan, some as low as one-eighth of 1 cent per inch; therefore the quantity of these importations is a big factor in the domestic market.

Early importations of these beads from Japan were of an inferior quality, but it is now reported that they have improved to such a degree that competition with domestic beads is quite severe.

Information obtained in 1926 shows that the lowest selling price of domestic-made beads ranged from 3.34 to 5 cents per inch, with an average cost of production, not including selling expenses, of 2.79 cents per inch. The average import value per inch, falling within the same price range, was 1.01 cents for Japan and 1.06 cents for France. Domestic production of imitation solid pearl beads has decreased from \$5,000,000 in 1924 to \$1,500,000 in 1928.

Acting judiciously, the Senate Finance Committee rectified the error committed by the Ways and Means Committee with respect to imitation pearl beads. The only purpose of the House in adopting such exorbitant rates of duty must have been to establish a protective and prohibitive tariff; it could not possibly have been thinking of a tariff for revenue.

Inasmuch as the Finance Committee has proposed the rates of duty that ought to prevail, there seems to be little need to discuss these rates further. However, a very brief summary of cardinal points developed by manufacturers and importers may not be amiss.

Imitation pearls produced in this country are of the highest quality, sold in the finest stores to the wealthier class of customers. It was brought out in the Tariff Commission investigation in 1926 that domestic manufacturers could not produce the cheaper pearls. American production has fallen off tremendously as is evidenced by the figures of production: Five million dollars worth in 1924 and but \$1,500,000 worth in 1928. Producers feel that this is on account of the large number of imports coming from Japan and Spain and France, and that a curtailment of these imports would save for them their only market, the market in the United States (they have no export trade).

Imports consist largely of cheap imitation pearl beads that are not comparable in quality or price with the American article. Whereas the American imitation pearl beads can not be sold for less than \$1.50 a string, the bulk of importations are sold for 10 to 25 cents per string. To place, as the House bill did, a rate so high as to be equivalent to an embargo on these cheaper beads of imitation pearl would be to deny the women of slender means the pleasure of adorning herself with them. Twenty-five million women now purchase them annually, and it is incredible to believe that if this source of cheap imitation pearl beads were denied them that many could afford to purchase the American bead at \$1.50 a string.

American manufacturers make the plea that several thousand men have been thrown out of work due to the decrease in domestic production during the past few years, and that the exorbitant duties they request would return these men to the employed ranks. It would, however, simply be a case of robbing "Peter to pay Paul." All imported beads are not ready for the market when brought into this country; in fact, most of them must be dyed, restrung, clasped, and to a very considerable extent reconstructed and reworked and used in different combinations. Five thousand people, it is estimated, are employed in these operations, compared with the 2,000 now employed by domestic producers according to their own testimony. The high House rate (embargo as it really is) would, therefore, remove as many workers from their jobs as it would place in work.

Mr. BINGHAM. Mr. President, I ask to have the amendment stated.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. The Senator from New York [Mr. COPELAND] proposes to amend the committee amendment on page 202, line 23, by striking out the numerals "90" and inserting the numerals "60."

On a division the amendment to the amendment was agreed to. The amendment as amended was agreed to.

The PRESIDENT pro tempore. The clerk will state the next amendment.

Mr. COPELAND. Mr. President, would the Senator from Utah be willing at this time to take up paragraph 1527, which is exactly like this, dealing with cheap jewelry?

Mr. SMOOT. That is jewelry. That is an entirely different matter.

The PRESIDENT pro tempore. Is there objection?

Mr. SMOOT. I prefer not to take that up now, Mr. President.

The PRESIDENT pro tempore. The clerk will state the next amendment.

The next amendment was, on page 203, line 1, before the words "per cent," to strike out "4 cents per inch and 40" and insert "90," so as to read:

Iridescent imitation solid pearl beads, valued at not more than 10 cents per inch, 90 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, that is a reduction from the House rate.

Mr. SMOOT. A great reduction.

Mr. WALSH of Massachusetts. I have no objection to the adoption of the amendment.

The amendment was agreed to.

The next amendment was, on page 203, line 23, after the word "ad," to strike out "valorem" and insert "valorem; any of the foregoing containing any part, however small, of rayon or other synthetic textile, 90 per cent ad valorem," so as to read:

PAR. 1505. (a) Braids, plaits, laces, and willow sheets or squares, composed wholly or in chief value of straw, chip, paper, grass, palm leaf, willow osier, rattan, real horsehair, cuba bark, or manilla hemp, suitable for making or ornamenting hats, bonnets, or hoods: Not bleached, dyed, colored, or stained, 15 per cent ad valorem; bleached, dyed, colored, or stained, 25 per cent ad valorem; any of the foregoing containing any part, however small, of rayon or other synthetic textile, 90 per cent ad valorem.

Mr. WALSH of Massachusetts. I would like to have some explanation of that amendment.

Mr. SMOOT. I gave the explanation briefly yesterday, but if the Senator desires a more extended explanation, I will give it.

Mr. WALSH of Massachusetts. Let me make some inquiries.

Mr. SMOOT. This refers particularly to braid.

Mr. WALSH of Massachusetts. Pedaline braid, so-called.

Mr. SMOOT. Yes; the hemp that is used in it. It is simply to prevent synthetic silk or something like that being put in the braid, and then having it sold as silk braid.

Mr. WALSH of Massachusetts. I appreciate that. I have some objections to this duty from hat manufacturers, particularly manufacturers of women's hats. They state that none of this braid is produced in the United States, and that they need the braid in the making of women's hats. This a very extreme increase, from 15 per cent to 90 per cent.

Mr. SMOOT. This braid is made in the United States. They are mistaken when they say it is not made here.

Mr. WALSH of Massachusetts. I will read to the Senator the letter I have in mind.

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

Mr. WALSH of Massachusetts. After I read this letter. It states:

MEDFIELD, MASS., November 9, 1929.

HON. DAVID I. WALSH,

United States Senate, Washington, D. C.

HONORABLE SIR: We are a member of the National Association of Women's and Children's Hat Manufacturers and are therefore vitally interested in paragraph 1505A of the new tariff act, which covers among other things pedalines.

We understand that the Senate Finance Committee has raised the duty on pedalines from 15 per cent to 90 per cent and we desire this rate to remain at the old rate of 15 per cent, the way it was left by the House of Representatives.

A brief has been filed on behalf of the Women's and Children's Hat Manufacturers, a copy of which has been furnished you by the association, and urge you to give your particular attention to the brief and use your best efforts so that this section 1505A remain as it was in the House bill.

We use a considerable quantity of pedalines, and it is very vital to our interests that this be done.

Thanking you, etc., we are very respectfully yours,

EDWIN V. MITCHELL CO.,
E. S. MITCHELL.

Will the Senator state where there are any of these pedalines manufactured in this country?

Mr. SMOOT. In just a moment I will call attention to why the committee took this action.

Mr. WALSH of Massachusetts. I got the impression that it was a raw material for hat makers and that raising this duty from 15 to 90 per cent would be injurious to the manufacturers of women's hats in this country.

Mr. SMOOT. Under the act of 1922 pedaline braids entered under the provisions of paragraph 1430 at 90 per cent ad valorem, but under a recent interpretation such braids were classified under paragraph 1406 of the act of 1922, if of chief value of manilla hemp, at either 15 or 20 per cent ad valorem.

In 1922 there was no question but what they carried the 90 per cent rate, but under the interpretation placed on the act by the department they fell to 20 per cent ad valorem. All the committee has done is to put the rate back to that of the act of 1922, as Congress intended.

Mr. WALSH of Massachusetts. What is the production? That is the important thing.

Mr. SMOOT. For the purpose of clarifying the matter, the Senate Finance Committee added the above language to paragraph 1505 (a) so that braids made of strands or filaments

wrapped or treated with rayon or synthetic textile simulating or substituting for pure rayon or synthetic textile braids will be dutiable at 90 per cent ad valorem, the same rate provided for rayon or synthetic textile braids in paragraph 1529 (a), report of the Senate Finance Committee. This action was deemed justifiable by the facts developed in the hearing.

As to the production, Amberg, Schwab & Co. made this sworn statement:

I am a member of the firm of Amberg, Schwab & Co. (Inc.), 108 West Thirty-eighth Street, New York City. My firm deals in imported and domestic hat braids. Among the braids in which my firm deals are pedaline braids, which are made of a core of knotted manilla hemp coated with a cellulose substance, which is known as cellophane.

Attached hereto as Exhibit C and made part of this affidavit is a sample of a pedaline braid known in the trade as spider pedaline, which is manufactured by the firm of Joseph Brandt & Bro., whose factory is located at 521 East Seventy-second Street, New York City. My firm has placed an order on this article with Joseph Brandt & Bro., at the price of \$3.45 net per gross yard, delivered in New York. We are offered further quantities of this article at this same price.

To the best of my knowledge, information and belief Joseph Brandt & Bro. are the only manufacturers in this country who manufacture pedaline braids, and the quantities of braid of this character manufactured and offered for sale by them are small compared to the domestic needs.

Mr. WALSH of Massachusetts. May I read my memorandum for the Senator's benefit, and see if we can not find out just what the issue is, for I assume that if the Senator can be convinced, as I am inclined to be from the facts presented to me, that this covers a raw material used in hat making which is not produced in this country, he probably will agree to the lower duty. The purchasers of women's and children's hats ought not to have the price increased by an increase in duty if the domestic industries are not making pedalines, from which hats are made. This is the memorandum I have on this amendment:

There is no special provision for rayon or part rayon braids in this braid paragraph at present. Braids of rayon, wholly or chiefly, come in under paragraph 1430 at 90 per cent. For a while braids, partly of rayon but not wholly or chiefly, came in under this 90 per cent duty also. But the 1922 act, or rather the interpretation of it a few years ago by customs officials, was held to cover only braids wholly or chiefly of rayon at the 90 per cent rate, about two years ago. So braids, wholly or chiefly, of the materials mentioned in this paragraph have been coming in at the 15 per cent rate in the last two years. The customs officials evidently determined the material of chief value to be hemp and that is why the duty was fixed at 15 per cent.

But the language now proposed is that however small the quantity of rayon used with the hemp in the braid is, the duty shall be 90 per cent. I think if the material is chiefly of rayon, the rayon duty ought to prevail; but here we are proposing to make these braids, however little rayon may be in them, bear a duty of 90 per cent. Let me proceed.

The House ignored the plea for 90 per cent duty and kept the duty at 15 per cent on braid not bleached or stained and increased it to 25 per cent on braid bleached, and so forth. The Senate committee proposes a rate of 90 per cent, however small the amount of rayon in the braid.

The reason the domestic braid manufacturers wanted this increase is that this article called pedaline, a braid with a manilla hemp core but a rayon coating, is being imported in large quantities and it competes with domestic rayon manufactures. They asked that this type of braid should be included in paragraph 1530 of the House bill and bear the full present rayon braid rates, 90 per cent.

I am troubled about the extent of the domestic production of pedaline. I have no evidence that satisfies me that the domestic industry can supply the demand.

Mr. SMOOT. Under the ruling of the Treasury Department the rate was reduced from 90 per cent to 15 and 20 per cent.

Mr. WALSH of Massachusetts. Let me read another extract from the brief submitted to the committee by the National Association of Women's and Children's Hat Manufacturers. They say on page 9:

The fact is, however, that there is no real industry for pedaline braids in the United States. Joseph Brandt & Bro. manufactures these braids only on a small scale and have just recently begun the manufacture. The manufacturers of women's and children's hats have never been offered pedaline braids by domestic manufacturers, as will appear from their affidavits, Exhibits 2 to 10, inclusive. The foregoing figures show conclusively the impropriety of placing a duty of 90 per cent upon pedaline braids. This association feels that this committee has been grossly imposed upon by the manufacturers of domestic braids. Had it been anticipated by the domestic manufacturers of women's and children's hats that assertions would be made relative to pedaline braids

which were made, the evidence which is now submitted would have been submitted in the hearings.

The figures quoted in the exhibits of imported pedaline are actual net landed costs, including only duty without any profits or overhead to the importer. The prices quoted by Joseph Brandt & Bro. are their selling prices and include their overhead and profit. It must also be remembered that this domestic manufacturer has not yet reached full production on these goods and that their cost prices are bound to decrease as their production increases.

That would seem to indicate that there is a sharp division of opinion upon the part of the domestic manufacturers of women's hats as to whether or not there are available in this country domestically produced pedaline braids.

The feature of this amendment to which I object is the words "however small." If we are going to include the words "however small" as to rayon used in braids, we have to use it as to silk used in braids, as to cotton used in braids, as to other fabrics used in braids, and we will finally have a tariff bill with a particular duty levied upon braids, but whenever any other material, however small in quantity, enters, we will have a higher duty.

I think the Senator from Utah ought to inform himself as to whether or not there really is a domestic industry which needs protection.

Mr. BINGHAM. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. I yield.

Mr. BINGHAM. As the Senator from Utah suggested, the trouble has come through a Treasury interpretation. During the years from 1922 to 1927, inclusive, the average annual importation of ramie braids was only \$360, but in 1928, after this interpretation had been made, there was a sudden increase of so-called ramie-braid importation to \$61,000 from an average of \$360. This has gone on so that in the first four months of 1929 the importation had more than doubled over the entire importations of the year previous, showing a very serious condition and accounting for the fact that it is almost impossible to produce these braids in this country.

The reason for the inclusion of the words to which the Senator from Massachusetts has objected is that since these braids are made of a cheap material and merely dipped in rayon, the usual language "consisting in chief value of rayon" would not protect at all. If, as the Senator first stated, it was something entering into the composition of the braid, like a piece of cotton or a piece of silk, the Senator's argument would hold, but since they are covered with rayon—a very thin solution of what is called "cellophane"—they appear to be composed entirely of rayon; they compete with the rayon rates; and the Treasury decision, made in accordance with the law, requiring that the chief value be the rayon in order for them to have the protection of the 90 per cent, has resulted in the killing of the domestic industry, and an enormous increase in the imports.

Furthermore, the objection made by the hat manufacturers is not as serious as it would appear, in view of the fact that straw braids are the material for not more than 5 per cent of the raw products entering into the requirement of the industry. It is a very serious thing for the manufacturer of the braid; it is not a very serious thing for the manufacturer of the hat.

Mr. WALSH of Massachusetts. Mr. President, I would like to ask the Senator from Connecticut a question. Are we agreed that the basic material here is hemp?

Mr. BINGHAM. There is no question about that.

Mr. SMOOT. There is no question.

Mr. WALSH of Massachusetts. Braids made of all hemp bear a duty, when not bleached, of 15 per cent; when bleached, of 25 per cent. Yet, when dipped in rayon, however small, the duty is 90 per cent. How can that be justified?

Mr. BINGHAM. Mr. President, if the Senator were familiar with the appearance of these braids, he would understand it fully, because the hemp braid in a crude state—or dipped—is not very attractive; when it enters into a straw hat it makes a very cheap article. But when it is covered with cellophane it immediately competes with a much more expensive article. It alters its entire appearance, and even though the chief value of the article itself is not in a monetary sense the cellophane in which it has been dipped, actually its chief value is in its having been so treated as to make it appear like rayon.

Mr. WALSH of Massachusetts. Does the Senator know of any concern in this country making such braids?

Mr. BINGHAM. If there had been any such industry, it would have been put out of business by the present time.

Mr. WALSH of Massachusetts. That is the trouble about the hat paragraph. I am in hearty sympathy with the distressed

condition of the hat industry, but a great deal of this distress is by reason of the fact that styles have changed rapidly. Indeed, I supposed I was helping the hat manufacturers by trying to get a lower duty on pedalines.

Mr. SMOOT. Let me call attention to some samples. Here is a sample of the hemp as it would be without the cellophane being added. Here is the yarn that is spun and dipped in the cellophane, which shows virtually as a silk thread. It becomes just like a silk thread. That is what they use in these goods.

Mr. WALSH of Massachusetts. The Senator from Connecticut is not able to inform us that there is a single industry producing this article. He does say that no industry could survive because of the duty that has been exacted in the past. Has anyone any information that there is in operation in this country a manufacturer of pedaline braids?

Mr. HEBERT. From a memorandum which I have here I understand there are very considerable plants in and around Philadelphia.

Mr. WALSH of Massachusetts. Making what?

Mr. HEBERT. Making pedaline braids. It is said that pedaline is a thread having a center core of manila or hemp and covered with cellophane. The finished braid made from this material bears the same name. I am also informed that 90 per cent of the braid machinery in America formerly used for millinery purposes is standing idle because of the competition of this product from abroad in view of the interpretation of the tariff law as it affects this particular article, letting it in at 15 per cent instead of at the higher rate.

Mr. BINGHAM. This is one of the cases referred to by the President in his message calling the extra session of Congress where the economic situation and the industrial situation which has changed since the 1922 act has caused suffering in industry and has caused machines to lie idle, and therefore needs correction.

Mr. SMOOT. If it had not been for the decision of the Treasury Department reducing this rate from 90 per cent to 15 per cent I have not any doubt that the industry would have grown and taken care of all that the manufacturers would need in the country. This is quite a different thing than where we have silk in woolen goods or cotton in woolen goods. There all we need to do is test it by acid and we know what it is, but in this case we can not do it. The acid will not eat the one unless it eats the other.

Mr. WALSH of Massachusetts. The Tariff Commission have affidavits from hat manufacturers that pedaline braid is not generally made in this country. I think there are affidavits also by at least one manufacturer that it is made in this country, but there are certainly affidavits that it is not made here. In order that we may both be better informed I think that the matter had better go over, because if it is made here and we can be assured of that fact I should like to know it.

Mr. COPELAND. Mr. President—

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

Mr. SMOOT. I yield.

Mr. COPELAND. I am sorry I am not informed on this particular item in the bill, but I want to say that where New York City and vicinity used to be the center of the hat making of the world, it has steadily declined. That is particularly true with reference to straw hats. I have already told the Senator from Utah that it is my purpose at some time when I may do it in a parliamentary way to bring up the matter and present it to the Senate, because to my mind it is a very serious invasion of the manufactures of the United States. On this particular item, however, I am not competent to speak.

Mr. WALSH of Massachusetts. The committee amendment is to go over.

Mr. SMOOT. Yes; let it go over.

Mr. WALSH of Massachusetts. I want to inform myself about the domestic producers of pedalines.

The PRESIDING OFFICER. The amendment will be passed over. Will the Senator from Utah indicate the next amendment?

Mr. SMOOT. On page 204, beginning in line 19.

The PRESIDING OFFICER. The clerk will report the next amendment.

The LEGISLATIVE CLERK. On page 204, line 19, the committee proposes to insert the following:

(c) Hats, bonnets, and hoods, wholly or in chief value of any braid not provided for in this paragraph, if such braid is composed in any part, however small, of rayon or other synthetic textile:

(1) Blocked or trimmed (whether or not bleached, dyed, colored, or stained), \$4 per dozen and 50 per cent ad valorem;

(2) If sewed (whether or not blocked, trimmed, bleached, dyed, colored, or stained), \$4 per dozen and 60 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, I understand that clause (c) is a new classification to protect the domestic hat manufacturers in the case of future importations of hats made from any braid not provided for in this paragraph, if such braid is composed in any part, however small, of rayon or other synthetic textile. This amendment seeks to anticipate the discovery of some new braids of synthetic textile material that may be made into hats. If hats of such undiscovered material are made and imported the duty is to be the same as hats provided for in subparagraph (b), clauses 3 and 4.

Mr. SMOOT. The Senator will remember we raised the duty on straw hats and then the foreigner began to make chip hats. This is to protect the hat manufacturer, not only in that regard but to classify them so they will know exactly what they are doing.

Mr. WALSH of Massachusetts. I recall the testimony that substitutes for straw hats are being made from chips and other material.

Mr. HARRISON. Why should not this amendment go over with the other one?

Mr. SMOOT. It is not dependent upon the other one.

Mr. HARRISON. In a way it is. I can not make up my mind as to which is the proper thing to do. If there is the slightest amount of rayon in any of these products, no matter how small, it is provided that it shall have a high duty. I have always believed that the phraseology ought to be "wholly or in chief value." I have not been convinced why there should be a departure from that language in reference to rayon. I am not convinced of it, and I do not understand the purpose of it.

Mr. WALSH of Massachusetts. That is my trouble also. I desire to get further information.

Mr. SMOOT. I want to say to the Senator again that here [exhibiting] are two threads, both made of hemp. One of them, while it is being twisted, will have the cellophane put on it. No human being can find out what percentage there is of rayon in it then. It is impossible to determine. It can not be tested in any way. There is no acid that will eat the one unless it eats both materials.

Mr. COPELAND. Is that true also of mixtures of silk and rayon?

Mr. SMOOT. Yes; it would be of some, but I do not think there is any question about it in this case.

Mr. HARRISON. It would apply to rayon.

Mr. SMOOT. It would not apply to silk, because there we can find out exactly what it contains.

Mr. COPELAND. How are we going to determine whether an article is of chief value of rayon or of chief value of silk?

Mr. SMOOT. Rayon or silk is used in woolen goods. Take some sulphuric acid and apply it and it will eat out the cotton, and the Senator can then determine by weight, and the price of the cotton and the price of the wool will demonstrate whether it is of chief value.

Mr. COPELAND. In the rayon schedule the last provision, as I recollect, was that any article of chief value of rayon or any textile of chief value of rayon should be taxed so much. How are we going to establish the chief value of rayon as between silk and rayon? The Senator said the other day it could not be done.

Mr. SMOOT. I do not know whether it could be done or not. I know of no way.

Mr. COPELAND. The information I have is that it can be done.

Mr. SMOOT. I do not know of any way, but they may have some way of doing it now. I know that years ago it could not be done. There may be some chemical process discovered in the industry that will give them the result, but I know of none.

Mr. COPELAND. Turning from that for the moment, I would like to ask the Senator if the paragraph at the bottom of page 204 covers the cheap chip hats which are brought in from Italy and which are sold as a substitute for straw hats?

Mr. SMOOT. The chip hats come in under another bracket.

Mr. COPELAND. Not here?

Mr. SMOOT. Not in bracket (c), paragraph 1. They are not in there at all.

Mr. COPELAND. But in subsection 2 over on the next page?

Mr. SMOOT. On page 204, line 13, it is provided—

If sewed (whether or not blocked, trimmed, bleached, dyed, colored, or stained), \$4 per dozen and 60 per cent ad valorem.

Mr. COPELAND. But in line 23 it speaks about hats, bonnets, and hoods wholly or in chief value of any braid not provided for in this paragraph. Is it not under that paragraph that they bring in the substitutes for straw hats, the chip hats made in Italy of synthetic or other products? My judgment is that we ought to let this provision go over with the other item,

because I have in my office a lot of material on the subject which is not at hand here.

Mr. WALSH of Massachusetts. Braid is the raw material for making hats, and hats, of course, are what the braid is converted into. There are many different types and varieties. The style is changing constantly, and a good deal of opposition comes from the present manufacturers of braids which are being pushed aside by new materials and new braids which are being put on the market.

Mr. COPELAND. What is the effect of this on the manufacturer of hats in New York City or Boston?

Mr. WALSH of Massachusetts. I have just read a letter from one of my manufacturers in Massachusetts stating that this is his raw product and that he should not have a duty of 90 per cent levied.

Mr. COPELAND. Will not the Senator join with me in asking that this paragraph may go over?

Mr. WALSH of Massachusetts. Yes; I think that should be done.

Mr. SMOOT. I want to call the Senator's attention to the fact that in line 23, page 204 of the bill, he will find a reference to materials suitable for the making of ornaments for hats, bonnets, and hoods. That is the braid. These are the hats, bonnets, or hoods, blocked or trimmed (whether or not bleached, dyed, colored, or stained), which carry a rate of \$4 per dozen and 50 per cent ad valorem. These are provided for in paragraph 1505.

Mr. COPELAND. What would be the effect of the amendment proposed by the committee upon the protection of the industries in this country where they are attempting to make straw hats?

Mr. SMOOT. This is done, I will say to the Senator, to take care of that industry. It is not taken care of, and has not been taken care of in paragraph 1505, braid paragraph, and, therefore, the amendment has to be put in here.

Mr. COPELAND. I will ask the Senator if he will not let the amendment go over.

Mr. BINGHAM. Mr. President, before the Senator asks that the amendment go over, may I give some figures as to the manufacture of straw hats in this country about which he has just asked? In 1915, 94 per cent of the American consumption was furnished by American manufacturers; in 1927 it was 60 per cent; in 1928 it had fallen to 50 per cent; and the prediction of the hat manufacturers is that it will drop to 40 per cent in 1929.

Foreign wages in this industry are 14 cents an hour, or \$6.72 for a 42-hour week, as against wages paid by the straw-hat manufacturers in New York City and Connecticut and Massachusetts of about a dollar an hour.

In 1914 there were 9,400 people employed in the straw-hat industry. This number had fallen in 1928 to 3,240.

The importation of foreign hats increased 10 per cent per year. During 1927, 1928, and in the first four months of '29—one-third of the year—there was an increase in number of imported hats from 1,900,000 in 1928 to 3,335,000 during the same period of 1929 or an average of 74 per cent in braid hats alone.

With those figures before him, I am sure the Senator will not object to this effort to protect the hat manufacturers.

Mr. COPELAND. Mr. President, I want to say, if I may, that I am much concerned about the hat manufacturers. I am aware of the figures given by the Senator from Connecticut, but I am not sure that this is the proper means of protecting the industry. If it is, I am for it, because I think that the straw-hat industry of our country should be protected. It is going to ruin under present conditions, and if this is the correct means of aiding it, I favor the amendment.

Mr. FLETCHER. Mr. President, may I inquire of the Senator from Connecticut what is the raw material used by our straw-hat manufacturers? What kind of straw do they use, and where do they get their straw?

Mr. BINGHAM. It consists of a variety of products, including manila hemp and ramie—

Mr. FLETCHER. Do our manufacturers import the straw?

Mr. BINGHAM. That item comes under a different paragraph; we were discussing that a little while ago; but, at the request of the Senator from Massachusetts, the paragraph having to do with braids was passed over. This has to do with hats, particularly with sewed hats, the importations of which have been increasing enormously.

I have just been given some figures by one of the representatives of the Tariff Commission which show the importations for the first 11 months, and I call the attention of the Senator from New York to the figures, for I think he will be interested in them. The figures which I gave previously were for the first

four months of 1929. I now have the figures for the first 11 months of 1929. In 1928 the number of sewed hats imported was 1,808,214, while in the first 11 months alone of 1929 the number of sewed hats imported, dutiable at 60 per cent under the present law, was 5,196,000—an enormous increase, from 1,800,000 in 1928 to five million and nearly two hundred thousand in the first 11 months alone of 1929. There is no question about the necessity for this additional protection.

I ask unanimous consent to have inserted in the RECORD, at this point in my remarks, a table just prepared by the expert of the Tariff Commission in regard to the importations of straw hats.

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

The table is as follows:

Imports of straw hats
SEWED HATS DUTIABLE AT 88 PER CENT

Year	Number	Value	Unit value
1927	1,499,352	\$598,047	\$0.40
1928	1,005,982	338,048	.34
1929 (11 months)	1,804,809	641,301	.36

SEWED HATS DUTIABLE AT 60 PER CENT

Year	Number	Value	Unit value
1927	750,240	\$509,925	\$0.68
1928	1,808,214	717,732	.40
1929 (11 months)	5,196,768	1,554,613	.30

Mr. FLETCHER. Mr. President, we are dealing with certain hats, on which it is proposed to levy certain duties. What I want to know is what these hats are made of. The Senator says straw, but there are different varieties of straw; there is pine straw and wheat straw.

Mr. COPELAND. We are now considering rayon and synthetic preparations.

Mr. FLETCHER. They are not straw at all.

Mr. COPELAND. The ones now under consideration are not straw.

Mr. BINGHAM. May I say to the Senator, in reply to his question, that I am informed by the experts that most of these hats of which there has been a very great increase in importations are made of wood shavings and are known as chip hats.

Mr. FLETCHER. Are they not what are known as "harvest hats"?

Mr. COPELAND. Harvest hats are exempt from duty by special provision of the bill.

I suppose it is flying in the face of Providence for a Democrat on this particular day, when the New York World this morning commended so highly Senators who prevented an increased rate on hats, to take a position in behalf of the industry, but what is happening in the hat business? To begin with the silk hat, we used to make them in New York City; we were the chief producers of silk hats; but that industry has almost disappeared. It may be said that is because the silk hat has disappeared. That is what I thought when I heard about it; but, to my amazement, I find that more silk hats are worn to-day than ever before. All such hats, however, are brought in from abroad. Knox & Co. and the other great concerns buy crush hats, the opera hat; they import them, paying \$72 a dozen for them, or \$6 apiece; take out the lining, put in their own labels, and sell that hat for \$20. It is the same with silk hats; they are brought here from the Old World and treated in exactly the same way. The result is that the domestic industry is dying; it is rapidly disappearing; and where we used to have tens of thousands of persons in my section employed in making hats we have almost nobody doing it now. That is true of all straw hats.

Mr. WALSH of Massachusetts. The Senator is not unmindful of the fact that many young men never wear hats now.

Mr. COPELAND. Yes; many of them never wear hats.

Mr. WALSH of Massachusetts. Perhaps that has had its effect on the hat industry.

Mr. NORRIS. Mr. President, I am wondering if this decrease in the hat manufacturing business does not come about from the fact that dealers are asking too much for hats? People can not afford to pay \$20 for a hat; so they do not wear silk hats.

Mr. COPELAND. Of course, the Senator and I do not wear silk hats, so we need not be concerned about that, but the men who buy silk hats—and many of them still do—must pay more for their hats.

Mr. NORRIS. They pay more. When the Senator was a young man in society did a silk hat cost \$20?

Mr. COPELAND. No; I could buy a very good silk hat in my day for \$5, but the poor devil who worked to make that hat got only about a dollar a day.

Now, to come back to the straw hat; the Senator from Connecticut has read the figures—I regret that I have not my own file with me here at the moment—but millions upon millions of cheaply made substitutes for domestic straw hats are being brought in. I have a sample in my office now—it would have fitted in well in "Mr. GRUNDY'S store"—of an imitation straw hat, undoubtedly made of one of the textiles mentioned in the amendment of the committee. It is sold here at a very low figure; and, of course, is competing with an industry which is rapidly dying by reason of the conditions affecting it. In spite of traditions, I am in favor of giving ample protection to this industry, so that it may have a fair chance.

A man in the hat business came to me in New York during the Christmas holidays and told me of about 75 or 80 old men he has in his employ, who have been there for years. He can find nothing for them to do because of the importations of hats from abroad. Here is one instance certainly where the Senate should give consideration to the welfare of the American laboring man and those who make these hats or else the industry will be destroyed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HARRISON. Mr. President, what is the amendment? I had understood that it was proposed that this amendment should go over with the other.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The amendment will be passed over. The next amendment will be stated.

Mr. WALSH of Massachusetts. Mr. President, I have here a memorandum which may be helpful in regard to the amendment which has just been passed over. I ask that it may be printed in the RECORD. It gives statistics of imports and exports and describes the different sections of this paragraph. I ask that it may be incorporated in the RECORD.

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

The matter referred to is as follows:

SUNDRIES

Paragraph 1505

(a) "Braids, plaits, laces, and willow sheets, composed wholly or in chief value of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark or manila hemp, suitable for making or ornamenting hats, bonnets, or hoods: Not bleached, dyed, colored, or stained."

Present law: 15 per cent ad valorem.

House change: None.

Remarks: It is to be noted, however, that the House inserted the word "paper" in this paragraph. Braids of paper are now brought in under the catch-all clause of the "paper manufacturers' paragraph," paragraph 1313, at 35 per cent. It is a reduction for the users of paper braids, laces, etc.

Senate change: None.

Remarks: The important fact to be noted here is that no braid is made in this country. It must all be imported; so the duty here is purely a revenue item. The only argument advanced for it is that it stabilizes the braid market.

Paragraph 1505 (a)—Continued

"Bleached, dyed, colored, or stained."

Present law: 20 per cent.

House change: 25 per cent.

Senate change: Same.

The reason for this change: The intention of the House was to increase the protection of our domestic bleachers and dyers. The present 5 per cent difference between the natural braid and the bleached, dyed braid they do not consider sufficient. They say "at present the craze for novelties and the hand-to-mouth buying affords some relief, but looking to the future, should quantity production return and standardization of patterns and colors again assume volume proportions permitting the placing of large dyeing and bleaching orders abroad, the slight protection given as under the law as it is now would disrupt and entirely destroy the industry." (Brief of R. Y. Comey Co., House hearings, p. 7185.)

Paragraph 1505 (a)—Continued

"Any of the foregoing containing any part, however small, of rayon or other synthetic textile."

Present law: Fifteen per cent.

NOTE.—There is no special provision for rayon or part rayon braids in this braid paragraph at present. Braids of rayon, wholly or chiefly, come in under paragraph 1430 at 90 per cent. For a while braids,

partly of rayon, but not wholly or chiefly, came in under this 90 per cent duty also. But the 1922 act, or rather the interpretation of it by customs officials, was held to cover only braids wholly or chiefly of rayon at the 90 per cent rate, about two years ago. So braids wholly or chiefly of the materials mentioned in this paragraph have been coming in at the 15 per cent rate in the last two years.

House bill: No special provision in this paragraph.
Senate committee change: Ninety per cent.

Remarks: The reason the domestic braid manufacturers wanted this increase is that an article called "pedaline," a braid with a manila hemp core but a rayon coating, is being imported in large quantities and it competes with domestic rayon manufactures. They asked that this type of braid should be included in paragraph 1530 of the House bill and bear the full present rayon braid rates, 90 per cent.

Query: Why must the rate on this part rayon braid be 90 per cent, the full rate?

Paragraph 1505

Description: (a) Braids and plaits are made chiefly, under this paragraph, of straw, hemp, or chip, the last mentioned being made of thin strands shaved off from the prepared wood of young trees, poplars, and others. These are used largely in the making of hats of the sewn variety. Woven hats, such as Panamas and Bangkoks, are mostly made from various kinds of palm-leaf fibers.

(b) Hats need no description.

Production: (a) Practically no braid is made in this country. It is simply bleached and dyed here by bleachers and dyers who have as a rule no proprietary interest in the braid but work on contract with importers or hat manufacturers.

(b) Our hat factories are engaged principally in the production of the sewed braid hats. The woven type of hat is simply shaped, finished, and trimmed here.

Men's straw hats are produced in New York, Maryland, New Jersey, Massachusetts, Missouri, and five other States. The only separate production statistics which the Tariff Information Summary gives are for 1927:

Number of establishments.....	48
Wage earners (average number for the year).....	3,263
Wages.....	\$4,232,332
Products, total value.....	\$21,717,659
Straw-braid hats:	
Made complete in the plant: Dozens, 547,727.....	\$9,279,178
Finished from imported shells: Dozens, 235,175.....	\$1,817,710
Woven-body hats (except harvest hats): Dozens, 256,461.....	\$7,012,987
Harvest hats: Dozens, 757,448.....	\$2,206,522
All other products, value.....	\$1,401,292

Imports: (a) Braid. The importation of bleached or dyed braid has increased slightly in recent years but not 1928, that of braid not bleached or dyed has fallen off steadily. In 1927 bleached or dyed braid formed 7 per cent of the braid imports.

Year	Duty	Quantity	Value
	<i>Per cent</i>	<i>Yards</i>	
Not bleached or dyed:			
1926.....	15	1,214,199,226	\$4,742,716
1927.....	15	1,003,177,309	4,282,963
1928.....	15	736,533,303	3,085,055
Bleached or dyed:			
1926.....	20	53,747,366	443,073
1927.....	20	67,043,039	581,669
1928.....	20	46,411,420	351,135
Total imported braid:			
1926.....		1,267,946,592	5,185,789
1927.....		1,070,220,348	4,864,632
1928.....		782,944,723	3,436,190

(B) HATS

Year	Duty	Quantity	Value
Total sewed (braid) hats (in 1926 the proclamation on sewed straws):			
1923.....	60	1,119,703	\$779,989
1924.....	60	1,967,896	1,179,829
1925.....	60	2,566,462	1,344,805
1926 (January-March).....		967,973	529,553
Men's sewed straw hats (valued at \$9.50 or less per dozen):			
1926 (from Mar. 14).....	88	1,107,279	447,820
1927.....	88	1,499,352	598,047
1928.....	88	1,005,682	337,960
1929 (11 months).....		1,804,809	641,301
Other sewed hats (including the famous "chip" hat):			
1926 (from Mar. 14).....	60	128,243	155,608
1927.....	60	750,240	509,925
1928.....	60	1,806,746	717,253
1929 (11 months).....		5,196,768	1,554,613
Woven (nonbraid) hats:			
Not blocked or trimmed--			
1923.....	35	5,415,574	2,190,372
1924.....	35	3,763,783	1,751,931
1925.....	35	5,851,786	3,410,180
1926.....	35	6,673,922	4,298,436
1927.....	35	5,280,681	3,529,243
1928.....	35	4,326,700	3,530,858
Blocked or trimmed--			
1923.....	50	283,489	258,521
1924.....	50	434,587	304,719
1925.....	50	774,981	575,455

(B) HATS—continued

Year	Duty	Quantity	Value
Woven (nonbraid) hats—Continued.			
Blocked or trimmed—Continued.	<i>Per cent</i>	<i>Yards</i>	
1926.....	50	732,169	\$543,366
1927.....	50	1,386,804	1,002,898
1928.....	50	468,730	440,598
Harvest hats--			
1923.....	25	15,801,390	860,801
1924.....	25	13,886,364	695,976
1925.....	25	14,322,585	817,147
1926.....	25	17,914,164	1,125,963
1927.....	25	18,087,829	960,003
1928.....	25	15,023,960	725,000

Total importation of finished hats (except harvest hats) in 1928 (there is no protest against any but these): Number, 2,221,158; value, \$1,495,811.

THE ARGUMENTS AGAINST THE CHANGES

(a) Braids

(1) The Finance Committee change may with reason be opposed as exorbitant. The idea that a hemp braid which is made up with only the slightest percentage of rayon should bear the full rayon-braid duty appears to be unfair to the less wealthy consumer. It might be argued that such a clause should be put in the rayon schedule, anyway, or in paragraph 1529, as the braid makers wished. (Senate hearings, p. 53.)

(2) The House bill change, the increase from 20 to 25 per cent on braids bleached, dyed, colored, or stained, in itself has some advantage, perhaps, to domestic labor, although the percentage of this type of braid is still very small (only 7 per cent of the total importation in 1927), and in 1928 the feared increase was wiped out temporarily. However, this duty and any possible duty on braids may be opposed on the very strong ground that it doesn't pay to cut off your own nose to spite your face. The plain fact is that not a single braid is produced in this country. They must all be imported; so any duty at all simply aggravates to that extent the situation which the hat manufacturers claim to be in at the present time. Figures are not available as to the amount of braid bleached or dyed in this country. (Tariff Information Summary, p. 1907.)

(b) Hats

The Finance Committee change, the new subparagraph (c), was apparently made to cover women's hats made of braid containing any part of rayon not provided for in House provisions. It can be argued that there is no valid reason for this new paragraph or for the boost in rates which it contains. "There are no imports of blocked, trimmed, and finished ladies' hats." (Testimony of Mr. Weber, representing the women's hat industry, Senate hearings, p. 39.) Furthermore, in their brief it was recommended that the present rate—90 per cent—be maintained. (Senate hearings, p. 45.)

It is to be noted that there has not only been a general upward revision, but the inclusion of specific duties has the usual disadvantages of increasing the prices to the less wealthy consumer.

Sewed straw hats

Value per dozen	Specific rate, H. R. 2667	Ad valorem rate, H. R. 2667	Total duty	Equivalent ad valorem
	<i>\$4 per dozen</i>	<i>60 per cent</i>		<i>Per cent</i>
\$4.00.....	\$4.00	\$2.40	\$6.40	160
\$5.00.....	4.00	3.00	7.00	140
\$6.00.....	4.00	3.60	7.60	127
\$7.00.....	4.00	4.20	8.20	117
\$8.00.....	4.00	4.80	8.80	110
\$9.00.....	4.00	5.40	9.40	104
\$10.00.....	4.00	6.00	10.00	100
\$11.00.....	4.00	6.60	10.60	96
\$12.00.....	4.00	7.20	11.20	93
\$13.00.....	4.00	7.80	11.80	91
\$14.00.....	4.00	8.40	12.40	89
\$15.00.....	4.00	9.00	13.00	87
\$16.00.....	4.00	9.60	13.60	85
\$17.00.....	4.00	10.20	14.20	84
\$18.00.....	4.00	10.80	14.80	82
\$19.00.....	4.00	11.40	15.40	81
\$20.00.....	4.00	12.00	16.00	80
\$21.00.....	4.00	12.60	16.60	79

Body hats, blocked or trimmed

Value per dozen	Specific rate, H. R. 2667	Ad valorem rate, H. R. 2667	Total duty	Equivalent ad valorem
	<i>\$4 per dozen</i>	<i>50 per cent</i>		<i>Per cent</i>
\$9.00.....	\$4.00	\$4.50	\$8.50	94
\$10.00.....	4.00	5.00	9.00	90
\$11.00.....	4.00	5.50	9.50	86
\$12.00.....	4.00	6.00	10.00	83
\$13.00.....	4.00	6.50	10.50	80
\$14.00.....	4.00	7.00	11.00	78
\$15.00.....	4.00	7.50	11.50	76
\$16.00.....	4.00	8.00	12.00	75

Body hats, blocked or trimmed—Continued

Value per dozen	Specific rate, H. R. 2667	Ad valorem rate, H. R. 2667	Total duty	Equivalent ad valorem
	\$4 per dozen	50 per cent		Per cent
\$17.00	\$4.00	\$8.50	\$12.50	73
\$18.00	4.00	9.00	13.00	72
\$19.00	4.00	9.50	13.50	71
\$20.00	4.00	10.00	14.00	70
\$21.00	4.00	10.00	14.50	69
\$22.00	4.00	11.00	15.00	68
\$23.00	4.00	11.50	15.50	67
\$24.00	4.00	12.00	16.00	66

Paragraph 1505 (b)—Continued

(4) Sewed hats.

Act of 1922: Sixty per cent.

President's proclamation, March 14, 1926: On men's sewed straw hats, valued at \$9.50 or less, 88 per cent.

PRESIDENTIAL PROCLAMATION

NOTE.—The cost of production investigation by the Tariff Commission in 1925 was the basis on which the President issued this proclamation.

House bill: Four dollars per dozen and 60 per cent (on all sewed hats).

Senate committee: Same.

What this change represents in ad valorem terms: 1. The chip hat: The average value per dozen (estimated) was about \$4.20, less the duty, during the past season. On this hat the ad valorem equivalent would represent approximately 160 per cent.

2. Other men's sewed hats: A representative invoice price would be \$4.08 per dozen. The ad valorem equivalent on this hat would be about 160 per cent also.

(5) Harvest hats (valued at \$3 per dozen or less).

Present law: Twenty-five per cent.

House bill: Same.

NOTE.—There was a change in phraseology, however. The old act said "straw hats, known as harvest hats, valued \$3 per dozen or less." The proposed law says "any of the foregoing, known as harvest hats."

Senate committee: No change. Same as House.

(3) Blocked or trimmed.

Present duty: Fifty per cent.

House bill: Four dollars per dozen and 50 per cent.

Senate committee: Same.

This represents in ad valorem terms: The average price (estimated) of a dozen hats under this classification is slightly less than \$12. The ad valorem equivalent on the basis of \$12 per dozen is 83 per cent.

Remarks: (b) "Hats, bonnets, and goods, composed wholly or in chief value of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark, or manilla hemp."

(1) Not blocked or trimmed, and not bleached, dyed, colored, or stained.

Present law: Thirty-five per cent.

NOTE.—Under the old law such hats would come in under the general classification of hats not blocked or trimmed.

House bill: Twenty-five per cent.

Senate committee bill: No change.

The reason for this change: The change was made as an encouragement to the domestic bleaching and dyeing industry, the lower duty tending to bring in more of this type of unbleached undyed hat. The extent of this assistance can not be judged from figures now available. It is to be noted, however, that it would only cover the woven-body type of hat.

(2) "Not blocked or trimmed, if bleached, dyed, colored, or stained."

Present law: Thirty-five per cent.

NOTE.—This is a new classification. This type of hat comes in under the general classification of hats not blocked or trimmed at present.

House bill: Twenty-five cents per dozen and 25 per cent ad valorem.

Senate bill: Same.

Paragraph 1505 (c)

(c) "Hats, bonnets, or hoods, wholly or in chief value of any braid not provided for in this paragraph, if such braid is composed in any part, however small, of rayon or other synthetic textile;

(1) "Block or trimmed."

Present rate: None.

House bill: No provision.

Senate committee: Four dollars per dozen and 50 per cent.

Remarks: This new classification is to take care of hats which do not exist as yet. The whole idea is to protect domestic hat manufacturers from any possible hats of a new braid which might flood the country in the future.

(2) "If sewed."

Present rate: No provision.

House bill: Same.

Senate committee: Four dollars per dozen and 60 per cent.

Remarks: Same as above.

Paragraph 1505 (d)

(d) "As used in this paragraph, the terms 'grass' and 'straw' mean those substances in their natural form and not the separated fibers thereof."

Present law, House bill, and Senate committee: Same.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. In paragraph 1506, on page 205, line 19, after the word "brushes," it is proposed to insert "1 cent each and," so as to read:

Other toothbrushes and other toilet brushes, 1 cent each and 50 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, this amendment, I understand, is on page 205, line 19?

The PRESIDING OFFICER. That is correct.

Mr. WALSH of Massachusetts. The amendment proposes an increase over the rate in the present law. The rate in the present law is 45 per cent ad valorem; the House rate is 50 per cent ad valorem; and the amendment proposed by the Senate committee represents an equivalent ad valorem of about 123 per cent. I should like to have the Senator from Utah give us some reason for this increase.

Mr. SMOOT. The Senator is referring to the amendment—

Mr. WALSH of Massachusetts. To the amendment on page 205 in line 19, the clause reading, with the amendment:

Other toothbrushes and other toilet brushes, 1 cent each and 50 per cent ad valorem.

As I have said, the rate under the present law is 45 per cent ad valorem; the House rate is 50 per cent ad valorem, while the Senate committee proposes a rate of 1 cent each and 50 per cent ad valorem, representing an equivalent ad valorem of about 123 per cent.

I also have some information here with reference to the imports. The imports of toothbrushes of this character decreased from 27,753,131 in 1923 to 11,774,724 in 1928. The imports of other toothbrushes decreased from 11,729,864 in 1923 to 6,485,004 in 1928.

Mr. SMOOT. Mr. President, I call attention to the item beginning at the end of line 8, covering "toothbrushes and other toilet brushes, the handles or backs of which are composed wholly or in chief value of any product provided for in paragraph 31, 2 cents each and 50 per cent ad valorem"—

Mr. WALSH of Massachusetts. I appreciate the difficulty in connection with this matter. The Senate committee has conformed to an increased duty in another classification of toothbrushes which we can not reach at this stage. In order to have the rate on the other toothbrushes conform to the rate established in an earlier provision this duty is proposed. If the other duty should stand, I think, perhaps, this one should stand, although both duties, in my opinion, should be reduced.

Mr. SMOOT. When individual amendments shall be in order, of course, the Senator may offer an amendment to the item imposing a duty of 2 cents, or 50 per cent ad valorem, on certain brushes, but I suggest that we agree to this amendment now.

Mr. WALSH of Massachusetts. With the understanding, then, that this amendment may be again considered, and amendments offered to it, if the other amendment in the paragraph shall be changed, I will make no objection to the amendment now being agreed to.

Mr. BINGHAM. Mr. President, while we are on this matter, may I ask the Senator on what value of toothbrush he bases his statement in regard to a 123 per cent equivalent ad valorem? Are they the toothbrushes which come under a duty of 1 cent or those under a duty of 2 cents?

Mr. WALSH of Massachusetts. I will say to the Senator that I read from a memorandum furnished me by the Tariff Commission as to the effect of the amendment of the committee. Such a memorandum is furnished all Senators who ask for it. It shows the equivalent ad valorem, and that equivalent ad valorem is obtained by finding out the value of the imports for the year 1928 and applying the proposed duties.

Mr. SMOOT. The equivalent to which the Senator has reference applies to line 11, where the duty of 2 cents each and 50 per cent ad valorem is imposed, but not to the amendment which we have now under consideration. If the Senator will look at the importations, he will find that I am correct. However, I suggest that we agree to the pending amendment, and then when we come to individual amendments, if any change shall be made in the item beginning in line 8, we can make it in both cases.

Mr. WALSH of Massachusetts. I am very certain of the equivalent ad valorem as given by me, because I have a note here where I first inserted "65 per cent," but it was corrected for me by one of the experts, and I changed it to 123 per cent. I have a very distinct recollection about it. This particular

amendment, however, as we are going to deal with it subsequently, in all probability, is, perhaps, not now important.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 205, line 21, after the word "for," to strike out "and hair pencils in quills or otherwise."

Mr. WALSH of Massachusetts. Mr. President, I understand this is a reduction from the House rate of 50 per cent and from the present rate of 40 per cent.

Mr. SMOOT. Yes.

Mr. WALSH of Massachusetts. There are no pencils in quills of this type produced in America.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in line 22, after the word "ad," to strike out "valorem" and insert "valorem, hair pencils in quills or otherwise, 40 per cent ad valorem."

Mr. BINGHAM. That is the same thing.

Mr. SMOOT. That is the same thing.

Mr. WALSH of Massachusetts. I have no objection to the amendment.

The amendment was agreed to.

The next amendment was, on page 207, line 2, after the word "pound," to strike out:

Stoppers composed wholly or in chief value of cork, over three-fourths of 1 inch in diameter, measured at the larger end, 25 cents per pound; three-fourths of 1 inch or less in diameter, measured at the larger end, 31 cents per pound.

And insert:

Stoppers, over three-fourths of 1 inch in diameter, measured at the larger end, wholly or in chief value of natural cork bark, 25 cents per pound; wholly or in chief value of artificial, composition, or compressed cork, 10 cents per pound; stoppers, three-fourths of 1 inch or less in diameter, measured at the larger end, wholly or in chief value of natural cork bark, 31 cents per pound; wholly or in chief value of artificial, composition, or compressed cork, 12½ cents per pound.

So as to read:

PAR. 1511. Cork bark, cut into squares, cubes, or quarters, 8 cents per pound; stoppers, over three-fourths of 1 inch in diameter, measured at the larger end, wholly or in chief value of natural cork bark, 25 cents per pound; wholly or in chief value of artificial, composition, or compressed cork, 10 cents per pound; stoppers, three-fourths of 1 inch or less in diameter, measured at the larger end, wholly or in chief value of natural cork bark, 31 cents per pound; wholly or in chief value of artificial, composition, or compressed cork, 12½ cents per pound; perforated or hollow corks, commonly or commercially known as shell corks, 75 cents per pound.

Mr. WALSH of Massachusetts. Mr. President, I should like now to discuss this whole paragraph in detail, and then when we come to take up individual amendments some of them can be agreed to and some will have to be rejected. Some of them are reductions and some of them are increases.

Mr. SMITH. Mr. President, may I ask the Senator from Massachusetts if we produce any cork at all in this country?

Mr. WALSH of Massachusetts. None at all; and I can not understand why cork bark when cut into squares, cubes, or quarters is given a duty of 8 cents per pound when we produce no cork bark at all in this country. I can not conceive of the reason for an 8-cent per pound duty on cork bark when it is cut into cubes when cork bark or cork waste, the raw product, is on the free list. There is no cork bark, as taken from the trees, or cork—tree—waste produced in this country. These trees do not grow here.

Mr. SMITH. And yet, if it is fabricated at all, it bears a duty?

Mr. WALSH of Massachusetts. Yes.

Mr. President, this paragraph contains an exceedingly large number of cork products and imposes a variety of duties upon these cork products. The one amendment that is particularly important is cork insulation, and particularly important to the Senators from the Southern States, as will appear a little later.

I first call attention to the first clause in this paragraph:

Cork bark, cut into squares, cubes, or quarters, 8 cents per pound.

That is not amendable at this stage. I think amendments should be offered to it for the reason pointed out by the question of the Senator from South Carolina, that cork bark being on the free list some explanation ought to be made as to why

we should levy the high duty of 8 cents per pound upon cork bark cut into squares.

Mr. SMOOT. Mr. President, I desire to call the Senator's attention to the fact that the Senate reduced the House rate of 2¼ cents per board foot to 2¼ cents per board foot.

Mr. WALSH of Massachusetts. Is the Senator talking about cork insulation?

Mr. SMOOT. Cork insulation.

Mr. WALSH of Massachusetts. I am coming to that directly. I am trying to go through the entire paragraph so as to explain it to the Senators, because it is very complicated and very much involved.

The next clause in this paragraph is:

Stoppers, over three-fourths of 1 inch in diameter, measured at the larger end, wholly or in chief value of natural cork bark, 25 cents per pound.

The present rate is 20 cents per pound. In the House bill stoppers were put in two classes, depending upon the width of diameter. In the House bill these were made dutiable at 25 cents per pound; so in that first clause of the amendment under consideration we have an increased duty of 5 cents over the present law. I should like to ask why that is necessary.

Mr. SMOOT. It is a little over 4 per cent. In other words, the act of 1922 provided a duty of 18½ per cent, and the Finance Committee reported a duty of 23.12 per cent. Those are the equivalent ad valorem of the act of 1922 and the bill as reported by the Senate committee. If the Senator will look at the importations as reported by the Tariff Commission, he will find that the importations of cork have been increasing very rapidly of late.

Mr. WALSH of Massachusetts. I do not want to press that matter, because there are other clauses in this paragraph that are very much more important.

The next clause relates to stoppers wholly or in chief value of artificial, composition, or compressed cork less than three-fourths of an inch in diameter. The present rate is 12½ cents a pound. The House struck out this designation between stoppers of natural cork bark and stoppers of artificial cork bark. The Senate committee retained the designation, but continued the rate as in the present law, 12½ per cent.

Mr. SMOOT. That is correct.

Mr. WALSH of Massachusetts. The next clause is:

Perforated or hollow corks, commonly or commercially known as shell corks, 75 cents per pound.

In the present law they are not specially named. When imported they are probably dutiable under the general basket clause of 45 per cent ad valorem. The House inserted a proviso making perforated or hollow corks dutiable at 75 cents per pound. The Senate Finance Committee approved of this rate.

This is a substantial increase. It is difficult to determine the ad valorem equivalent of this rate, as the imports are small. It is to be noted, however, that the rate has been almost doubled, having been increased from 45 per cent to 75 per cent. It is also to be noted that there is a wide spread between other stoppers which bear duties of 25 cents per pound and 30 cents per pound as compared with these, which bear a duty of 75 cents per pound.

The domestic producers claim that the difference in price between the imported shell corks and the domestic shell corks is as follows:

Domestic, \$2.65 per pound.

Imported, \$1.30 per pound.

This is a difference of \$1.35 per pound. A duty of 75 cents per pound on the imported price of \$1.30 per pound represents an ad valorem rate of between 65 and 70 per cent. The ad valorem equivalent on other stoppers is between 15 and 18 per cent.

It seems to me that rate is altogether too high and can not be justified.

Mr. SMOOT. Mr. President, here is a sample of the corks referred to. It is a very, very light cork. They are made larger than this; they are made smaller than this. Only a small portion of the article is cork, and coming in by the pound the Senate Finance Committee did not give all the duty that was requested. They gave a duty of 75 cents a pound; and I think if the Senator will read the testimony he will find that they wanted over \$1 a pound. The committee decided to give them 75 cents a pound; and I am informed by the Treasury Department that the importations are increasing. Of course, they are not kept separately, as the other corks were kept, because of the fact that they are not specifically provided for in the law; but they fall under "all other corks" and the importations have been increasing.

Mr. WALSH of Massachusetts. That part of this paragraph can not be amended at this stage, anyway. I am going to agree that the amendment which is pending, which contains some in-

creases and some reductions in the classification of corks, shall be agreed to, with the understanding that later we can reconstruct this paragraph, if necessary.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 207, line 17, before the words "per pound," to strike out "\$2" and insert "\$1.50," so as to read:

Perforated cork penholder grips, \$1.50 per pound.

Mr. WALSH of Massachusetts. Mr. President, that refers to perforated cork penholder grips.

The present duty is 45 per cent ad valorem. The House imposed a duty of \$2 per pound. The Senate committee has reduced the House duty from \$2 to \$1.50 per pound. The ad valorem equivalent of the House rate is about 40 per cent and the ad valorem equivalent of the Senate rate is said to be about 40 per cent. As that appears to be a slight reduction from the present law, and there are no imports, and the item is not particularly material, I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 207, line 20, before the words "per pound," to strike out "12½ cents" and insert "10 cents," so as to read:

If made from artificial, composition, or compressed cork, 10 cents per pound.

Mr. WALSH of Massachusetts. That is a reduction, and I have no objection to it.

The amendment was agreed to.

The next amendment was, on page 208, line 3, before the word "purified," to insert "or," and in the same line, after the word "purified," to strike out "granulated, or" and insert "granulated or," so as to read:

Clean, refined, or purified, granulated or ground cork, weighing not over 6 pounds per cubic foot uncompressed, 3 cents per pound.

Mr. WALSH of Massachusetts. That is a clarification amendment, and there is no objection to it.

The amendment was agreed to.

The next amendment was, on page 208, line 9, before the word "per," to strike out "2¾ cents" and insert "2¼ cents," so as to read:

Cork insulation, wholly or in chief value of cork, cork waste, or granulated or ground cork, in blocks, slabs, boards, or planks, 2¼ cents per board foot.

Mr. WALSH of Massachusetts. Mr. President, I understand that this is a reduction of the House rate but an increase over the present law. The present rate is 30 per cent ad valorem. The Senate committee rate is an equivalent ad valorem rate of 66 per cent. This is the clause in this paragraph that is important, and I should like to have the attention of the Senate with reference to this amendment.

Mr. HARRISON. Mr. President, may I ask the Senator what is the specific equivalent of the 30 per cent ad valorem in the present law of the rate carried in the Senate committee recommendations? About 1.3 cents?

Mr. WALSH of Massachusetts. The Senate rate is equivalent to 66 per cent, according to my information.

Mr. SMOOT. Not 2¼ cents per board foot.

Mr. WALSH of Massachusetts. The present law is 30 per cent ad valorem. The House rate is 2¾ cents per board foot. The Senate committee rate is 2¼ cents per board foot. The probable ad valorem equivalent is as follows:

The average imports in 1928 under this clause were valued at 5.1 cents per pound. A board foot is equivalent to 75 to 80 per cent of a pound. This would make the average price per board foot about 4 cents. The House rate of 2¾ cents would, therefore, be an equivalent ad valorem duty of almost 75 per cent. The Senate committee rate of 2¼ cents per board foot would appear to be an equivalent ad valorem duty of about 60 per cent.

Mr. SMOOT. No; 55.10 per cent in 1929, Mr. President.

Mr. HARRISON. How much is that per board foot?

Mr. SMOOT. At 2¼ cents—

Mr. HARRISON. I mean, the present law is what?

Mr. SMOOT. Thirty per cent on all.

Mr. HARRISON. I understand; but what is the equivalent of the specific rate?

Mr. SMOOT. In 1928-29 the equivalent ad valorem was 51.09 per cent. For 11 months of 1929—what they have now of 1929 by itself—the equivalent ad valorem is 49.3 cents at 2¼ cents

per board foot. Under the House bill, of course, it was 60.17 per cent.

Mr. HARRISON. I still have not gotten what I want. My figures, may I say to the Senator from Massachusetts, are that the equivalent of 30 per cent ad valorem, which is the present law, transformed into specific duty per board foot, is 1.3 cents, or about that. Is that right?

Mr. WALSH of Massachusetts. That is my judgment.

Mr. HARRISON. So it is proposed to increase the rate from 1.3 to 2¼ cents a pound.

Mr. WALSH of Massachusetts. Mr. President, cork insulation is used for the following purposes: Automatic refrigerators, refrigerating plants, refrigerator cars, milk vats, house and factory construction, old-fashioned ice boxes, in addition to a multitude of other uses too numerous to classify.

Mr. COPELAND. Mr. President—

Mr. WALSH of Massachusetts. Just a moment.

The consumption of cork insulation has increased tremendously in recent years. According to the tariff summary the domestic production has increased from 53,000,000 board feet in 1924 to 85,000,000 board feet in 1926, and decreased to 69,000,000 board feet in 1927. No figures are available for 1928. Imports in the same years increased from 21,000,000 pounds in 1924 to 50,000,000 pounds in 1927, and decreased to 44,000,000 pounds in 1928. It is to be noted that the imports are classified in pounds rather than board feet.

There is an unusual problem involved in this clause, because of the fact that American capital has built insulating plants in Spain and is producing and importing into this country, particularly to the Southern States, insulation material in large volume. I yield to the Senator from New York.

Mr. COPELAND. Mr. President, I think the Senator should include the other uses of the cork insulation. Our friends of the farm bloc are interested in this question because cork insulation is used in the construction of apple storage, butter storage, cheese storage, egg storage, and all that sort of thing.

The Senator will also notice that it is not alone in Spain that factories have been built, but one concern is reported to have five large factories abroad.

Mr. WALSH of Massachusetts. The Armstrong Co.

Mr. COPELAND. In Spain, Portugal, Algeria, and Tunisia.

Mr. WALSH of Massachusetts. I will proceed in just a moment to explain why this is important to the Southern States.

Two of the three domestic producers have factories abroad, in Spain and Portugal. The Armstrong Co., the largest, has five large factories in Spain. There is said to be a factory in Portugal also.

It is to be noted that the volume of the imports, which is large, is accounted for by the fact that they come from these American-owned factories in Europe. The imports have largely been taken to seaport centers, not easily reached by the domestic factories. Forty per cent of the imports have come to New Orleans and have been distributed in the southeastern section of the United States, not easily reached by the New Jersey and Pennsylvania factories.

The Tariff Commission made an investigation of the difference in the costs of production here and abroad, being given the books of these domestic companies, but did not investigate the foreign factories owned by these American manufacturers. The Tariff Commission made their report largely upon information furnished by the domestic manufacturers, and comparison with the invoice prices of imported material. Of course, this is necessarily an inaccurate measurement of the cost of production, because profits were improving. The domestic manufacturers want duties increased notwithstanding the ownership of foreign factories.

Cork waste is on the free list. Two pounds of cork waste, when it comes into this country, paying the same rate of freight, is as one ton of the finished product. This explains, in part, the reason for foreign factories. The imports from factories in Europe other than those American-owned factories amount to about 25,000,000 board feet.

The freight upon the cork waste is very excessive. To pay the freight upon the cork waste, it taking 2 tons of cork waste to produce 1 ton of cork board, would mean an added expense to the users of cork board when made in the United States. Therefore, in order to save the ocean freightage, these American concerns have built factories in Spain, taking the cork waste and converting it into cork there and shipping it over here as cork board, thereby saving one-half the freightage. As I have said, it would take 2 tons of the cork waste to produce 1 ton of cork board.

The importations of the cork insulation have largely gone to New Orleans, and have been distributed in that section of the

country. The American factories, in Pennsylvania and New Jersey, have been able to take care of the eastern part of the United States, the section of the country that can be reached by short hauls by rail. The freightage is heavy and expensive.

Now, we are confronted with this problem: Will we increase this duty, which would mean, of course, a very substantial increase in price to those sections, particularly New Orleans and the Southern States, so far away from the points of domestic production, or will we let the duty remain as it is, let the domestic eastern market here be supplied by the American manufacturers, and let the manufacturers who are in Spain continue to supply the seacoast, particularly New Orleans, and save the expense to the people of the South of the heavy freight charge that would follow if it became necessary to ship cork insulation to the far South from the Pennsylvania or New Jersey factories. That is the problem in a nut shell.

Mr. SMOOT. Mr. President, I look at this story from the other side. I think the American cork manufacturers would very much prefer to have the rate as the House reported it, although they say not.

I have before me a chart showing the cork-insulation imports from 1921 to 1929. In 1921 there were imported into the United States between eight and nine million pounds. That increased, until in 1929 the imports amounted to about 63,000,000 pounds.

Who made the cork that was thus imported into the United States? What money was expended in a foreign country for the purpose of making that cork there, where it could be made at lower cost, and bringing it into the United States? It was American capital, American manufacturers of cork. That is how much they are interested in the rate of duty. There is no question about their interest.

The only question involved here, in my opinion, is this: Do we want to help those American manufacturers who have gone to Spain, and who make this material there because of the fact that it can be made at less cost there, and they can make more money in that way than they can by employing American labor? They ship it into the United States, and it has been shipped here from the time the importations amounted to less than 8,000,000 pounds, in 1921, to the time when they amounted to about 64,000,000 pounds, in 1929.

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

Mr. SMOOT. I yield.

Mr. COPELAND. What is the rate on cork board at present?

Mr. WALSH of Massachusetts. Thirty per cent.

Mr. COPELAND. How much would that be in specific duty?

Mr. WALSH of Massachusetts. I will say to the Senator that I am going to offer an amendment to make this rate $1\frac{1}{2}$ cents per pound, which I think would be the equivalent of about 30 per cent.

Mr. COPELAND. That would be about the present rate?

Mr. WALSH of Massachusetts. Yes; about 30 per cent.

Mr. SMOOT. Mr. President, just a moment, and then the Senator from New York can cover the whole matter.

The foreign value of the imports of cork waste into the United States in 1927 was 2.33 cents a pound. In 1928 it was 2.21 cents. In 1929 it was increased to 2.83 cents.

Mr. WALSH of Massachusetts. What is that?

Mr. SMOOT. It is the foreign value of the cork waste.

The American manufacturers in foreign countries control both the foreign price and the American price, and wherever they can play safer by manufacturing the material in Europe and get more money out of it than they can by employing American labor here they take that course. They get it going and coming. Whenever there is a demand made upon them in this country and they can see that they can ship it into this country and make more money by keeping the mills in the United States running that is what they do. They control the price; they can raise it in one year from 2.20 cents to 2.83 cents without any question.

No higher salaries are paid, no conditions are changed in Spain at all. The cork itself is no higher in price than it was. Yet they raised that from 2.41 cents in 1928 to 2.83 cents in 1929.

Mr. WALSH of Massachusetts. Granting all that the Senator has said, the difficulty here is that this duty will amount to an embargo, and give the control of cork insulation to a trust in our own country.

Mr. SMOOT. Reduce this rate to $1\frac{1}{2}$ cents and I will tell what they will do. They will make that much more profit out of the stuff they make in Spain and ship into this country. They control the price here, they control the price there. If we take off that amount of money from the revenue, the Government of the United States will lose, and it will go into the pockets of the American capital making this cork in Spain. That is where it will go, and no other place. The consumer

will never get the benefit. Armstrong & Co. will get the greater share of it, and the material will not be manufactured in the United States, it will be manufactured in Spain.

If the Senate wants to do that, well and good; but that will be the result, and that is why the committee acted as it did in putting this rate into the bill.

I feel just as certain as that I stand upon this floor that if the rate is reduced to $1\frac{1}{2}$, every penny of benefit will go into the coffers of the American manufacturer of cork board in Spain and will not come to the United States. That is the situation.

Mr. COPELAND. Mr. President, I am terribly distressed over this situation. It is terrible to contemplate, is it not?

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

Mr. COPELAND. Yes.

Mr. WALSH of Massachusetts. I have given this matter a good deal of thought and study from all angles, and I drew up these conclusions, which I would like to read:

What will be the effect of these increased duties which will amount to practically an embargo on importations of insulation cork?

(1) It will give the entire domestic market to the domestic producer.

(2) It will permit the domestic producer to increase the price.

(3) It will deprive New Orleans and that part of the country that has been getting insulation cork cheaper than they could buy it from the domestic manufacturer, and that New Orleans consumers will probably have to pay, at least the price they now pay plus delivery prices.

Those are the conclusions I reached from studying the matter from all angles.

Mr. SMOOT. Mr. President, that would be the case if there were competition, but there is no competition, and I say to the Senator from New York that if the American manufacturing of cork in Spain were not protected in the United States, just what he said would be true, but they control the price in Spain, they control the price in the United States, and I know that they are going to make every single dollar they can make, whether the cork is manufactured in Spain or whether it is manufactured in the United States. They control the price both in Spain and in the United States, and if the rate is reduced, Armstrong & Co., with the other four manufacturers in the United States, will be given that much money, and they will manufacture the product in Spain and send it into the United States.

Mr. COPELAND. Mr. President, I suppose that the Senator from Utah will argue that he is creating a benevolent monopoly. When that monopoly has become so exclusive as is contemplated by the Senator from Utah, we will pay enormous prices for cork board.

It is absurd, however, to think that some other people are not going into the business, a business so important. Armstrong & Co., according to page 164 of the hearings before the Senate Finance Committee, made profits in 1924 of \$2,900,000, in round figures; in 1925 they made profits of \$3,300,000; in 1926 their profits amounted to \$4,300,000; in 1927 they made \$3,700,000, and in 1928 they made nearly \$4,000,000.

Mr. SMOOT. They would rather make that money in Spain, and not pay the tax here.

Mr. COPELAND. I am willing, for myself, to take a chance on that.

Mr. SMOOT. But the cent and a half a pound is lower to-day than the 30 per cent. It is only giving those people that much money.

Mr. COPELAND. My advice is that 30 per cent ad valorem is about $1\frac{1}{4}$ cents per board foot.

Mr. SMOOT. Here is the unit value: In 1927 it was 6.2 cents, and 13 per cent of that would be 1.8 cents and not 1.5 cents. The unit value in 1920 was 0.51, and 30 per cent of that is a little over one and one-half. The rate of one and one-half is less than the rate to-day. With the value now raised from 2.30 to 2.85 and then taking the 30 per cent, it will amount to more than 2 cents.

Mr. WALSH of Massachusetts. Would the Senator agree to a rate of $1\frac{1}{4}$ cents?

Mr. SMOOT. The Finance Committee proposed to reduce it from $2\frac{3}{4}$ to $2\frac{1}{4}$.

Mr. WALSH of Massachusetts. The House proposed $2\frac{1}{4}$ and the Finance Committee $2\frac{1}{4}$. I make the proposition that the rate be made $1\frac{1}{4}$.

Mr. COPELAND. I am not so sure that I would be so generous.

Mr. WALSH of Massachusetts. I knew the Senator would probably hesitate about it, but I am giving some increase to the manufacturer.

Mr. BARKLEY. Mr. President, before that is done, I would like to inquire of either the Senator from Massachusetts or

the Senator from New York or the Senator from Utah, or all three together, whether it is true that there are only three concerns in the United States manufacturing this product and whether two of them have plants in Spain?

Mr. SMOOT. That is what I have been discussing.

Mr. BARKLEY. Why would those two concerns manufacturing in the United States, and who are also manufacturing in Spain and importing their own Spanish product into the United States, ask for an increased tariff on their own products unless it were for the purpose of preventing the small independent concerns in Spain from shipping into this country, thereby enabling them to have a monopoly?

Mr. SMOOT. There are five concerns in Spain owned by American capital. They control the market of the world. They control our price here in the United States. If we give them a reduction of duty, they will only add that much to the price of the article in Spain and make that much additional money.

Mr. BARKLEY. The factories in Spain owned by two of the three American concerns, of course, to the extent they are shipping their goods in here, are competing with their own American factories. They would not want a tariff on their own product, I take for granted.

Mr. SMOOT. I do not think it makes a particle of difference to them. They get us both coming and going.

Mr. WALSH of Massachusetts. I think the great difficulty is with the cork waste. It takes twice as much cork waste to make cork board. Therefore the foreign manufacturers have the advantage in that they ship to this country cork board for one-half the rate the cork waste pays.

Mr. BARKLEY. A large part of the importation, however, is controlled by the American factories which have plants in Spain.

Mr. SMOOT. That is why they have gone there.

Mr. BARKLEY. They are not here asking for an increased tariff on their own manufactures, are they?

Mr. SMOOT. They do not care. They will make money both ways. They put the price up in Spain whenever they want to and to whatever point they desire. In other words, the import value to-day is 2.83 higher than it has been for years.

Mr. BARKLEY. What is the use of a duty if it makes no difference whether it is raised or lowered?

Mr. SMOOT. The object is to compel them to make the cork product in the United States?

Mr. BARKLEY. So the object of it is to place an embargo upon it?

Mr. SMOOT. Not an embargo.

Mr. BARKLEY. Even on the importations brought in by the American concerns that have their Spanish factories?

Mr. SMOOT. It will make no difference in price. If we put this rate down, they will add that much more to the Spanish price. They would get it instead of the United States Treasury getting it. That is all there is to it.

Mr. BARKLEY. The only way by which we can force them to manufacture it in this country is to prevent importations, and that amounts to an embargo.

Mr. SMOOT. Not at all. I have heard rumblings of late that Spain is not at all satisfied with the situation and is going to do something in relation to it there.

Mr. SMITH. Mr. President—

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Utah yield to the Senator from South Carolina?

Mr. SMOOT. I yield.

Mr. SMITH. We do not produce cork. We only fabricate it. Why put any kind of a protective duty on it at all in any shape or form?

Mr. SMOOT. Of course, the Senator being a free trader would be in favor of that.

Mr. SMITH. I am not talking free trade. I am talking common sense.

Mr. SMOOT. The Senator talked two days about free trade. I know how he feels about it.

Mr. SMITH. I am not talking about free trade now. I would like to have it, it is true, but I am not foolish enough to think for the benefit of this market we should forego a revenue duty. We do not produce a pound of cork in this country, so why does the Senator want to put a protective duty on an article which he said just a moment ago is controlled by the concerns which he mentioned; and he also said they could fix the price regardless of any tariff we put on it. They have a monopoly of the whole business and it does not make any difference whether we put on a duty or take it off so far as they are concerned. How does the Senator propose to benefit any American under

such a situation as he has described by imposing a duty so high on the fabricated product used in America that it almost amounts to an embargo?

Mr. SMOOT. The one who will be benefited will be the American laborer whom we want to use in the manufacture of the product.

Mr. SMITH. How many American laborers are engaged in producing cork?

Mr. SMOOT. There are three plants in the United States.

Mr. WALSH of Massachusetts. There are only about 500 laborers employed.

Mr. SMITH. And now, though we have in nearly every household the new process which makes artificial ice, or refrigerators of some kind at least, we are going to impose a burden of perhaps 100 per cent on an article of which we do not produce a pound and in the fabrication of which we employ about 500 American laborers, and thus increase the burden on every household in America as much as double all that the tariff will produce. This it is proposed to do on the specious ground that these people have a monopoly of the product, and therefore we are entitled to a revenue such as is proposed here, when, if it is analyzed, it will be found that we do not get any revenue at all.

Mr. SMOOT. All the Senator has to do is to let it come in free and then he will see what we will pay. He would put this matter into Spain's hands, with American capital controlling it and with no protection of America, and I know and he knows what would happen. The consumer would not get any of it at all.

Mr. SMITH. I can not understand the Senator's proposal. Here is a company owning a monopoly of the raw material and a monopoly of the manufactured product, and the Senator is going to cure their price by adding an additional price here in America. I would like to have him analyze that situation for me.

Mr. SMOOT. We have only one concern here making it.

Mr. SMITH. But it does not produce a pound of cork. It has to import the cork. The Senator will not even let the bark come in free in the form of boards. He has an 8 cents per pound duty on it, and he is asking us to increase the duty on the importations in order to decrease the price, when a foreign concern has a monopoly of the manufactures and a monopoly of the raw material.

Mr. SMOOT. Of course, if that argument is carried to its logical conclusion it would interfere with nearly one-third of all the manufactures in the United States. I am willing to accept 1½ cents and let it go to conference.

Mr. COPELAND. I could not accept that rate.

Mr. WALSH of Massachusetts. Then I shall move that the committee amendment proposing 2¼ cents be amended by striking out that figure and inserting 1½ cents.

Mr. COPELAND. I think that is still too high, but I will let it go at 1½ cents. It is a shame when we think about the increasing uses of refrigeration in every home, as so ably said by the Senator from South Carolina, and the increased efforts being made to conserve and preserve foodstuffs, when we are all the time preaching and teaching and encouraging the use of refrigeration, that we are not willing to permit the product to come in in such a way that it can be sold at a reasonable price to our people. All along the Mediterranean I have seen thousands of cork trees. There is no reason, as the demand increases for refrigeration, why this product should not be sent here to be manufactured and enable the manufacturers to give the people a reasonable price.

Mr. SMOOT. They ought to change their business and go into the hat business.

Mr. COPELAND. Yes; I agree with them in that proposition because it is entirely different. How absurd for the Senator from Utah to put this rate in effect when the figures, if we may depend on them, show that Armstrong & Co. is increasing its revenue all the time, and yet now the Senator from Utah proposes a monopoly for them so they can make still more millions. It is perfectly outrageous. If it were an industry where there was need of protection in order to protect American labor, that would be a different matter; but the Senator from Utah is proposing a scheme which will result in having all of this material made on the other side by foreign labor, and I am utterly out of sympathy with such a proposal. I am willing to accept a rate of 1½ cents, although even that I believe is too high.

Mr. SMOOT. The Senator spoke of the Armstrong Manufacturing Co. That company make more money out of the manufacture of linoleum than out of cork board.

Mr. COPELAND. They will not suffer and go to the wall then?

Mr. SMOOT. Oh, no; they would not do that.

Mr. SMITH. Let us put cork on the free list.

Mr. SMOOT. That would give them a chance to go over to Spain and make that much more money there.

Mr. KEAN. Mr. President, there is another company located at Hillside, N. J., and another one at Lyndhurst, N. J., which also manufacture these corks. Of course, it used to be that they would throw away the waste. To-day they press the waste cork into what is called cork board, and the cork board is used in refrigeration. It is a product that has only come into being within the last 10 years. It is developing and we hope it will continue to develop further. It is American machinery and American industry and American labor that have developed this product, and I think we ought to protect it so it can go on improving.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Massachusetts to the amendment of the committee.

Mr. WALSH of Massachusetts. On that I ask for the yeas and nays.

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

The PRESIDING OFFICER. The Senator from South Carolina suggests the absence of a quorum. The clerk will call the roll.

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

Allen	Fletcher	Kendrick	Sheppard
Ashurst	George	Keyes	Shipstead
Baird	Gillett	King	Simmons
Barkley	Glass	La Follette	Smith
Bingham	Glenn	McCulloch	Smoot
Bleane	Goff	McKellar	Steck
Blease	Goldsborough	McMaster	Steiwer
Borah	Greene	McNary	Sullivan
Bratton	Grundy	Metcalf	Swanson
Brock	Hale	Moses	Thomas, Idaho
Brookhart	Harris	Norbeck	Thomas, Okla.
Broussard	Harrison	Norris	Townsend
Capper	Hastings	Nye	Trammell
Caraway	Hatfield	Oddie	Vandenber
Connally	Hawes	Overman	Wagner
Copeland	Hebert	Patterson	Walcott
Couzens	Heflin	Phipps	Walsh, Mass.
Deneen	Howell	Pine	Walsh, Mont.
Dill	Jones	Ransdell	Watson
Fess	Kean	Schall	

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. WALSH of Massachusetts. I ask that the amendment be stated, and I also ask for the yeas and nays upon it.

The PRESIDING OFFICER. The Senator from Massachusetts offers an amendment to the committee amendment on page 208, in line 9, which the clerk will state.

The LEGISLATIVE CLERK. On page 208, line 9, it is proposed to amend the committee amendment by striking out "2½ cents" and inserting "1½ cents," so as to read:

Cork insulation, wholly or in chief value of cork, cork waste, or granulated or ground cork, in blocks, slabs, boards, or planks, 1½ cents per board foot.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment, on which the Senator from Massachusetts asks for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. HASTINGS (when his name was called). On this question I have a pair with the junior Senator from Alabama [Mr. BLACK]. I transfer that pair to my colleague the junior Senator from Delaware [Mr. TOWNSEND] and vote "nay."

The roll call was concluded.

Mr. BLEASE. I have a general pair with the Senator from Maine [Mr. GOULD]. In his absence I withhold my vote. I ask that this announcement of my pair may stand until the Senator from Maine shall return to the Senate.

Mr. WALSH of Montana. I wish to announce that the Senator from Nevada [Mr. PITTMAN] and the Senator from Arizona [Mr. HAYDEN] are absent in the West on official business. If present, they would both vote "yea." I also wish to announce that my colleague the junior Senator from Montana [Mr. WHEELER] is necessarily detained on official business. If present, he would vote "yea."

Mr. ODDIE (after having voted in the negative). On this question I have a pair with my colleague [Mr. PITTMAN]. I transfer that pair to the junior Senator from California [Mr. SHORTRIDGE], and allow my vote to stand.

Mr. METCALF (after having voted in the negative). I transfer my general pair with the Senator from Maryland (Mr. TYDINGS) to the Senator from Colorado (Mr. WATERMAN) and let my vote stand.

Mr. FESS. I desire to announce the following general pairs:

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

The Senator from Indiana [Mr. ROBINSON] with the Senator from Mississippi [Mr. STEPHENS]; and

The Senator from Illinois [Mr. GLENN] with the Senator from Arizona [Mr. HAYDEN]

Mr. SHEPPARD. I desire to announce that the senior Senator from Arizona [Mr. ASHURST] is necessarily detained on official business.

The result was announced—yeas 40, nays 33, as follows:

YEAS—40

Barkley	Dill	La Follette	Shipstead
Blaine	Fletcher	McKellar	Simmons
Borah	George	McMaster	Smith
Bratton	Glass	Norbeck	Steck
Brock	Harris	Norris	Swanson
Brookhart	Harrison	Nye	Thomas, Okla.
Capper	Hawes	Overman	Trammell
Caraway	Heflin	Ransdell	Wagner
Copeland	Howell	Schall	Walsh, Mass.
Couzens	King	Sheppard	Walsh, Mont.

NAYS—33

Allen	Grundy	McCulloch	Steiwer
Baird	Hale	McNary	Sullivan
Bingham	Hastings	Metcalf	Thomas, Idaho
Broussard	Hatfield	Moses	Vandenber
Deneen	Hebert	Oddie	Walcott
Fess	Jones	Patterson	Watson
Gillett	Kean	Phipps	
Greene	Kendrick	Pine	
	Keyes	Smoot	

NOT VOTING—23

Ashurst	Frazier	Pittman	Stephens
Black	Glenn	Reed	Townsend
Blease	Goldsborough	Robinson, Ark.	Tydings
Connally	Gould	Robinson, Ind.	Waterman
Cutting	Hayden	Robison, Ky.	Wheeler
Dale	Johnson	Shortridge	

So the amendment of Mr. WALSH of Massachusetts to the amendment of the committee was agreed to.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment as amended.

The amendment as amended was agreed to.

Mr. GEORGE. Mr. President, I desire to refer to a statement that was inserted in the RECORD yesterday morning by the Senator from Massachusetts [Mr. WALSH].

I was not in the Chamber at the time this statement was inserted; but upon a review of the RECORD I find the Statement Correcting Misunderstanding, according to its title; and the Senator from Massachusetts in offering it asked unanimous consent to have printed in the RECORD "a statement prepared by some of the experts correcting some misstatements concerning this paragraph which have appeared in the RECORD."

Mr. President, I do not know to what experts the Senator from Massachusetts was referring; but if the Senator from Massachusetts and the so-called experts will refer to my remarks of Saturday, January 18, relating to paragraph 1115 (b), hat bodies and hats, he will find that there is not a misstatement in my entire statement, even according to the experts' statement.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator.

Mr. WALSH of Massachusetts. I will say to the Senator that early in the morning one of the experts approached me and handed me a memorandum which he was going to give the Senator from Georgia for the RECORD. The Senator from Georgia was not in the Chamber at the time. I assumed that it was helpful, one that the Senator from Georgia would have put in the RECORD if he were here, and put it in the RECORD with that understanding in the absence of the Senator from Georgia from the Chamber.

I had no intention of having any controversy with the Senator about it. I assumed that inadvertently he had used some figures that the expert thought should be corrected.

Mr. GEORGE. On the contrary, the figures that I used have been repeated by the expert; and my statement is absolutely correct according to the information submitted to me by the Tariff Commission.

Mr. President, if particular experts serving the Tariff Commission have nothing better to do than to follow the debate and submit what they consider a statement of misstatement of facts, as in this case, I can very well understand why those so-called "experts" not only might manifest a keen interest in wool, because a paragraph in the wool schedule is involved, but the service of such experts to the people of this country is entirely worthless and useless.

Mr. WALSH of Massachusetts. Mr. President, I will say to the Senator that I thought I was doing him a service; and I am sure the expert would have gone to him with the document if

he had been in the Chamber. I shall be very glad to have it expunged from the RECORD.

Mr. GEORGE. No; I am not criticizing the Senator from Massachusetts. I am calling attention to the statements made by the expert.

The expert said that the Senator confused men's hats and women's hats, and that men's hats were not under consideration by the Senator from Georgia, when in the very table that I offered in the RECORD of January 18, 1930, at page 1888, the second column, men's hats and women's hats are specifically itemized, definitely and specifically shown.

Again, Mr. President, the expert says that the Senator, having confused men's hats with women's hats, "stated that the domestic production in 1928 was about 8,000,000, while in the first nine months of 1929 it amounted to about 9,500,000." I used that exact language; but in addition to that I used the following:

I want to direct the Senate's attention to the following fact: The total production of wool-felt hat bodies—

Men's and women's; and if an expert possessed ordinary common sense and judgment he would know that wool-felt bodies include both men's and women's hats, just as they are included under section 1115 (b); and the tariff that we were discussing applied alike to men's hats and to women's hats.

Then I said:

The total production of wool-felt hat bodies in 1928 by 12 of the principal producing companies amounted to 7,939,284 hats. That was the total production for the entire year 1928, in round numbers 8,000,000 hats.

That is exactly what I said, and that is exactly what the so-called expert said that I said, and that is exactly what the Tariff Commission's figures show—exactly, to a hat body, both men's and women's hat bodies, of course.

Mr. President, this expert goes further in his effort to show that the production of women's hat bodies was actually decreasing, and he says that I was confused because I had included men's hat bodies with women's hat bodies, and he recites the figures here showing a total domestic production in 1928 of 6,434,227 and a production during the first nine months of 1929 of 6,362,614. His figures are correct, but the deduction which he seeks to force upon the Senate is erroneous, and designedly erroneous.

Touch sugar, touch wool, and there is no difficulty in finding experts who will undertake to sustain any duty upon these two products, for the simple reason that the Tariff Commission has been packed with sugar and wool experts; and the President of the United States, on the day when we were about to take the vote on the sugar duty, designated Commissioner Brosard, the representative of sugar, to be the chairman of the commission.

Mr. President, my statement, the figures that I inserted in the RECORD, are correct according to the correction made by the expert. I very much appreciate the service of the expert; and without the kindly assistance and the ever-watchful eye of this expert it is difficult to imagine how I would get along. But this expert has deliberately sought to impress the Senate with a false conclusion, because he says there has not been an increase in the domestic production of wool hat bodies worn by women.

It is true that the production for the entire year 1928 was 6,434,227; but the production for the first nine months only of 1929 was 6,362,614, showing upon its face an actual increase in the domestic production of women's felt hat bodies during the first nine months of 1929 as against the first nine months of 1928, and every expert on that commission who is not there to represent sugar and wool knows it. And yet the statement is deliberately made by this expert that, having confused the figures, the Senator from Georgia drew an erroneous conclusion!

Take the figures! The total production of women's wool-felt hat bodies for the first nine months of 1929 is practically equal to the domestic production for the entire year 1928; and yet this expert says that I misread and confused the figures, reached an erroneous conclusion, and, therefore, without being requested by me, he prepares a statement which is brought down and inserted in the CONGRESSIONAL RECORD!

Mindful, Mr. President, of the exceeding great kindness of the expert, mindful of his tender solicitude for the facts and for my own reputation for some degree of accuracy, perhaps, in stating the facts, he prepared the statement and brought it down here, when every statement that he makes is literally within the very language used by me on January 18, but the deduction which he intentionally seeks to press upon the country and upon the Senate is false according to his own figures.

Mr. President, is this country going to have confidence in the Tariff Commission, informed by experts of the character

or caliber of this expert? I dare say not. But they are there, and there are some members on the commission who very gladly accept the findings of these experts.

The people will never have confidence in the commission, its deliberations will never be regarded as quasi judicial, as they ought to be, as impartial, as they ought to be, until the commission is an agency in the legislative branch of this Government, required to make its reports to Congress, where such experts would not long find it comfortable to remain upon the commission if they persist in making such statements as these for the RECORD.

Mr. WALSH of Massachusetts. Mr. President, in view of what the Senator from Georgia has said, I ask unanimous consent to have the statement of the expert expunged from the RECORD. I should have read the statement before it was inserted in the RECORD. I did not even do that. I had rather assumed that it was a friendly correction, and as the paragraph was about to be passed over, I offered the memorandum to correct, as I supposed, some figures relating to this article which I thought possibly the Senator unintentionally misstated in the course of the debate. It often happens in the course of debate that figures are misstated. I am very sorry the incident happened in view of what the Senator has said. I thought I was helping instead of embarrassing the Senator.

Mr. GEORGE. Mr. President, I did not intend to cast the slightest reflection on the Senator from Massachusetts.

Mr. WALSH of Massachusetts. I know the Senator did not. The Senator knows that our relations have been so exceedingly pleasant that I could not knowingly do anything to embarrass him. I ask unanimous consent to have expunged from the RECORD the memorandum referred to by the Senator.

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

Mr. BLEASE. Mr. President, knowing the very distinguished Senator from Georgia as well as I do, and knowing his experience at the bar and on the bench, I am just a little bit surprised at his idea of an expert. I have never yet seen an expert, during a law practice of over 40 years, who would not swear for the side which paid him the money. I used to defend fellows for murder, and sometimes they would be crazy, and we had to have experts to testify as to whether or not they were crazy. We would go into court, and about four or five experts would swear how crazy the defendant was, and what a terrible condition of mind he was in just at the time he fired the fatal shot. The other side would find just as good experts, sometimes better, who would swear that the accused was the most sane man in the world, that Henry Ward Beecher, in the best sermon he ever preached, was never more sane than the prisoner was when he committed the murder.

I remember when I was a boy a fellow was brought down to my town who was an expert on handwriting. The school children were brought out to see this great expert who was brought there to prove the forgery of a deed which was being contested at that time. I could call the man's name, but I do not care to. He had a great knack, and the school children were very much interested. He convinced the judge and the jury and everybody else that the deed was a forgery, and a jury so found.

A few years later it was found that every word that man had sworn to was false, that the deed was not a forgery, and that the contest was simply a piece of thievery. That fellow received over \$2,000 for coming down from New York and swearing to that falsehood in the courthouse at Newberry, S. C., to rob a poor old man out of his property and to give it to another man. I was not a lawyer then, only a listener, but I learned my lesson as to expert testimony.

During my entire practice of the law, particularly in the criminal courts, I have found that an expert can be secured to swear to anything if you have the money, and the other side can get an expert to swear to anything if the other side has the money. So far as I am individually concerned, I would not believe an expert on either side on his oath. I have seen too much of it. I have been in the courthouse too much with it. I have been in the legislature and seen it.

Therefore my distinguished friend the Senator from Georgia need not feel hurt or feel that he has been wronged because some expert tells a falsehood to help out the wool or the sugar interests of the country. I could bring experts here, if I had the money, and almost make them swear there was no sugar in this country, that it was a mixture commonly called sugar, and that the wool did not grow on the sheep, that it came off an Angora goat. [Laughter.]

I have absolutely no respect for any expert who is paid by either side. I respect the opinion of an experienced man; a man who makes a study of these propositions, a man who is fair and honest, and deals with both sides because of the fact that he is putting his opinion forward, not as a paid hireling

for somebody, but because he is a man who is trying to help do something for this country. But when I see experts who are paid hirelings, some on the other side representing the Republican Party, some on this side supposed to be representing the Democratic Party, I know they will falsify for whichever side is paying them.

I want to call the country's attention to the fact now, as I expect to do on the rostrum in South Carolina this summer, that when they see what an expert says on the tariff they should look to see whether or not the expert is a paid hireling, paid by one side or the other of this body, or whether he is an honest man, working in his capacity as an expert, not for either side, like a witness in a criminal case at the courthouse, but whether he is doing his part helping to assist the people of this country.

I am glad the Senator from Georgia brought this matter up, and I am more than glad that the distinguished Senator from Massachusetts asked to have the statement expunged from the RECORD, because I could not understand to save my life just exactly how this conflict arose. I know the Senator from Georgia, I have known him by reputation as a lawyer and as a jurist for years, and I knew that he would not put anything in the RECORD that was not absolutely true, and I am glad the Senator from Massachusetts has asked that there be expunged from the RECORD the statement of this little, cheap hireling who dragged himself in here. He ought to be "expunged" from this floor. No man who will deliberately misrepresent a man as this man has misrepresented the distinguished Senator from Georgia ought to be allowed to come on this floor and endeavor to dictate or even suggest legislation to the people of this country.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 208, line 11, before the words "per pound," to strike out "5 cents" and insert "4 cents," so as to read:

Cork pipe coverings, cork fitting covers, and cork lags, wholly or partly manufactured, coated or uncoated, 4 cents per pound.

Mr. WALSH of Massachusetts. That is a reduction of the House rate, and there is no objection.

The amendment was agreed to.

The next amendment was, on page 208, line 21, after "Par. 1513," to strike out:

Dolls and doll clothing, composed in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529 (a), 90 per cent ad valorem; dolls and toys, composed wholly or in chief value of any product provided for in paragraph 31, having any movable member or part, 1 cent each and 60 per cent ad valorem; not having any movable member or part, 1 cent each and 50 per cent ad valorem; parts of dolls or toys, composed wholly or in chief value of any product provided for in paragraph 31, 1 cent each and 50 per cent ad valorem; all other dolls, parts of dolls (including clothing), doll heads, toy marbles.

And insert:

Dolls, parts of dolls, doll heads, toy marbles, toy games, toy containers, toy favors, toy souvenirs.

Mr. WALSH of Massachusetts. Mr. President, that is an important paragraph, and I think there ought to be a quorum called. Several Senators who are interested in the paragraph are not present.

The PRESIDING OFFICER. The clerk will call the roll.

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

Allen	Fletcher	Kendrick	Sheppard
Ashurst	Frazier	Keyes	Shortridge
Baird	George	King	Simmons
Barkley	Gillett	La Follette	Smith
Bingham	Glass	McCulloch	Smoot
Blaine	Glenn	McKellar	Steck
Blease	Goff	McMaster	Steiwer
Borah	Goldsborough	McNary	Sullivan
Bratton	Greene	Metcalf	Swanson
Brock	Grundy	Moses	Thomas, Idaho
Brookhart	Hale	Norbeck	Thomas, Okla.
Broussard	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hatfield	Oddie	Vandenberg
Connally	Hawes	Overman	Wagner
Copeland	Hebert	Patterson	Walcott
Couzens	Heflin	Phipps	Walsh, Mass.
Dale	Howell	Pine	Walsh, Mont.
Deneen	Johnson	Ransdell	Watson
Dill	Jones	Robison, Ky.	
Fess	Kean	Schall	

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment of the committee.

Mr. WALSH of Massachusetts. Mr. President, I understand the amendment is a reduction of the House rate. The equivalent ad valorem of the House rate is approximately 160 per cent, while the Senate committee amendment gives an equivalent ad valorem rate of 70 per cent.

Mr. SMOOT. With the exception of one item, and that is where the chief value is of yarns containing laces, and so forth. That is the same rate.

Mr. WALSH of Massachusetts. I think the Senate amendment is an improvement over the House amendment.

Mr. SMOOT. It is a decrease from 90 to 70 per cent.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 209, in line 17, after the words "ad valorem," the committee proposes to insert the following:

As used in this paragraph the term "toy" means an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development. Doll clothing shall not be classified under this paragraph, and such clothing shall be assessed separately.

Mr. BINGHAM. Mr. President, after the brief of the toy manufacturers was presented before the Ways and Means Committee over 100 opinions have been rendered by the Customs Court and reported in Treasury Decisions. Among those is the case of Louis Wolfe Co. (Inc.) v. United States, Abstract 7920, involving board games, throwing games, and puzzles. The case was presented by importer without introduction of samples. The Government supplied this omission, and the manufacturers presented duplicates of the exhibits to the Senate Finance Subcommittee.

In his opinion, Judge Sullivan wrote—

Amusement or interest may be derived from these articles (ring toss, etc.), but it is not solely children's amusement.

"The amusement of children only" referred to in the Illfelder case is that which a child attains from playing with some trifling article which will give him pleasure without necessitating the exercising of ability or skill to attain amusement therefrom.

These articles would also amuse the mature mind. They do not fall, either in fact or in law, with the classification of toys, as that term has been defined by the courts.

The domestic manufacturers could not agree with this opinion, nor could the Senate Finance Committee, even if limited to the definition to which Judge Sullivan referred as covering toy cases—Illfelder v. United States (1 Ct. Cust. Appls. 109), in which he said:

In common speech, as popularly understood, a toy is essentially a plaything, something which is intended and designed for the amusement of children only, and which by its very nature and character is reasonably fitted for no other purposes. Although an article may be chiefly used for the amusement of children, if its nature and character are such that it is also reasonably fitted for the amusement of adults or if it is reasonably capable of use for some practicable purpose other than the amusement of children, it can not be classified as a toy, although it is affirmatively shown by the importer that it is so known and designated by the trade generally.

It would therefore seem that games are not toys in keeping with the intent of the framers of past tariff bills. The decision is also contrary to the long-continued practice of the Treasury Department in classifying games as toys. A proper definition is vital to the toy industry.

This amendment, I will say to the Senator from Massachusetts, is provided in order to clear up the situation which is a result of the Treasury decisions. I hope the committee amendment will be agreed to.

Mr. WALSH of Massachusetts. It is not a matter of great controversy what the word "toy" means. I think it is a good idea to have a definition of what a toy is and therefore I have no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 210, line 17, the committee proposes to insert:

Any of the foregoing, if containing more than one-tenth of 1 per cent of vanadium, or more than two-tenths of 1 per cent of tungsten,

molybdenum, boron, tantalum, titanium, columbium or niobium, or uranium, or more than three-tenths of 1 per cent of chromium, 60 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, I intend to move to strike out the word "titanium" as it appears in the amendment of the committee.

Mr. SMOOT. That is in line 20.

Mr. WALSH of Massachusetts. I am informed that some of the artificial abrasives which are used by many of the manufacturers in the country may contain an amount of titanium that is forbidden under the amendment. If they do and carry a duty, it would be very expensive. One manufacturer informs me that the imports in 1926 amounted to 54,027 tons by three companies in the United States which use over 80 per cent of the importations of crude artificial abrasives and whose joint production of grinding wheels constituted 90 per cent of the production of grinding wheels in the United States. These importations come from Canada where the three companies referred to were forced to build abrasive plants during the World War when American power at Niagara Falls was limited, and, in many places, allocated to other industries.

Briefly, these importations represent a movement of crude artificial abrasives from Canadian branches to the principal plants of the American companies where the abrasive is manufactured into abrasive or grinding wheels. This explains why crude artificial abrasives are very properly on the free list. To place them on the dutiable list would be not to protect but to tax American manufacturers. Much of the artificial abrasive contains from 2 to 3 per cent of titanium oxide which can not be eliminated. In case the proposal made by the Senate Finance Committee were adopted, upon a valuable business equal to that of the past the Norton Co., of Worcester, Mass., would alone pay an annual duty exceeding \$1,500,000.

Mr. SMOOT. Mr. President, I think the Senator's proposal is correct, and I have no objection.

Mr. WALSH of Massachusetts. I move that amendment to the amendment of the committee.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 210, line 20, in the committee amendment, the Senator from Massachusetts proposes to strike out the word "titanium."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 211, paragraph 1516, matches, in line 7, the committee proposes to strike out "2 cents" and insert "2½ cents," so as to read:

When imported otherwise than in boxes containing not more than 100 matches each, 2½ cents per 1,000 matches.

Mr. WALSH of Massachusetts. I understood the Senator from Wisconsin [Mr. LA FOLLETTE] was interested in the paragraph relating to matches. If not, however, I will merely state that the amendment is not objectionable.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The LEGISLATIVE CLERK. On page 211, in line 8, after the word "matches," insert the words "match splints, 1 cent per thousand; skillets, in any form, for match boxes, 12 cents per thousand."

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Utah explain the amendment?

Mr. WALSH of Montana. Mr. President, before he does that will the Senator explain to us whether the 20 cents per gross on matches is the present rate or whether it is an increase of the present rate?

Mr. SMOOT. I think it is the present rate—or does the Senator mean the one to which there is no amendment?

Mr. WALSH of Montana. We have just increased the rate from 2 cents to 2½ cents in lines 7 and 8 in order that that rate may harmonize with the 20-cent rate appearing in lines 5 and 6. I want to know whether the 20-cent rate appearing there is the present rate or whether it is an increase.

Mr. SMOOT. It is an increase from 8 cents.

Mr. WALSH of Montana. An increase from 8 cents to 20 cents?

Mr. SMOOT. Yes; the House made that increase.

Mr. WALSH of Montana. The idea of the increase from 2 to 2½ cents being a proportionate increase?

Mr. SMOOT. If we keep the 20 cents per gross rate, then the 2½ cents rate provided here should harmonize. If we decrease the 20-cent rate as the House has it, then, of course, there should be a corresponding change in the other rate.

Mr. WALSH of Montana. I had hoped before we increased the rate from 2 cents to 2½ cents the Senator would attempt to make some justification of the increase from 8 cents to 20 cents.

Mr. WALSH of Massachusetts. But that is not before the Senate. There is no committee amendment dealing with that rate.

Mr. WALSH of Montana. I understand that perfectly well.

Mr. WALSH of Massachusetts. That would have to be an individual amendment offered from the floor.

Mr. WALSH of Montana. But we are called upon to vote upon the increase of the 2-cent rate to 2½ cents. Accordingly, if there is no justification for the increase from 8 cents to 20 cents, then we should not increase the 2-cent rate to 2½ cents; but we should allow the 2-cent rate to remain and subsequently consider the question whether or not the 20-cent rate should be changed or not. In other words, we can not act intelligently upon the proposed increase from 2 cents to 2½ cents without first knowing whether the increase from 8 cents to 20 cents is justified.

Mr. WALSH of Massachusetts. The Senator from Montana is absolutely correct in his contention, but yesterday when the request was made to take up a whole paragraph and offer individual amendments the Senator from Utah, by consenting, got into trouble, and we have accordingly agreed that the amendments which are unrelated to the basic amendment which can not be changed now should be adopted with the understanding that when we go through the bill again amendments dealing with the whole paragraph will be in order.

Mr. WALSH of Montana. That is satisfactory.

Mr. SMOOT. It seems to me that is the only way to deal with it unless Senators have changed their minds since yesterday. I thought the proper way to do in a case like this would be to take up the whole subject and dispose of it at once, but permission to do that has been refused.

Mr. WALSH of Montana. That is all right. I was going to suggest that the proper thing to do would be to pass over the change of the rate of 2 cents, but the arrangement which has been made is quite satisfactory to me.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 218—

Mr. WALSH of Montana. Mr. President, we are going rather too rapidly. I have not heard any explanation at all from any source of the amendment which appears just now to have been voted upon.

The VICE PRESIDENT. Without objection, the vote will be reconsidered and the Senator from Utah is recognized.

Mr. WALSH of Massachusetts. I understand the Senator from Utah is about to discuss match splints and to explain that provision.

Mr. SMOOT. Yes. This was put in because of the fact that the little match boxes come in here and are used by smokers generally. The matches are torn off one at a time. The 12 cents per thousand is in conformity with the amendment just agreed to placing a rate of 2½ cents per thousand matches. The whole question now is as to the amendment reported by the committee, which is to conform to what the House did by putting 20 cents per gross on matches. If we change that, we will have to change all of them.

Mr. WALSH of Montana. I hope the amendment will be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The LEGISLATIVE CLERK. On page 218, line 18, in paragraph 1526, hats, caps, bonnets, and hoods, the committee proposes to strike out "\$1.50" and insert "\$1.25," so as to read:

PAR. 1526. Hats, caps, bonnets, and hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than \$6 per dozen, \$1.25 per dozen;

Mr. WALSH of Massachusetts. Mr. President, this is an amendment in which the senior Senator from New York [Mr. COPELAND] is interested. I was willing yesterday to allow the amendment to be adopted, as it is a reduction from the House rate and is a reduction from the present law. The junior Senator from New York [Mr. WAGNER] is here. I think it was at the request of the senior Senator from New York that this amendment was passed over.

Mr. SMOOT. I think the senior Senator from New York did ask that that amendment go over. I think he desires that the Senate shall not agree to the Senate committee amendment but to the higher House rate. I will ask the junior Senator from New York as to that.

Mr. WAGNER. I suggest that this paragraph be laid aside until the senior Senator from New York, who seems to be interested in the matter, shall return to the Chamber.

Mr. WALSH of Massachusetts. The senior Senator from New York is also interested in the next paragraph which relates to jewelry, and which he also asked to have passed over. Shall we have a quorum call in order to secure the return of the Senator from New York to the Chamber?

Mr. WAGNER. I suggest that the amendment be temporarily laid aside. In the meantime I will see that the senior Senator returns to the Chamber.

Mr. SMOOT. Before a quorum is called for that purpose, I desire to have the Senate act upon the amendment on page 202, which was also passed over.

The VICE PRESIDENT. The amendment on page 202 will be stated.

Mr. SMOOT. That amendment was passed over until we should act upon the amendment relative to dolls.

Mr. WALSH of Massachusetts. I recall that was done.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 202, paragraph 1502, after line 5, it is proposed to insert:

(b) There shall not be classified under this paragraph: (1) Any article chiefly used for the amusement of children, or (2) any part of any such article.

Mr. SMOOT. That amendment ought to be agreed to.

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

Mr. THOMAS of Oklahoma. Mr. President, on page 52 the Senate agreed to an amendment in the exact language of the one now before the Senate.

Mr. SMOOT. Mr. President, let me call the Senator's attention to the fact that the definitions, such as the one which has just been agreed to, affect certain paragraphs. I will mention some of them. They are: Paragraph 218 on page 46, table and kitchen ware; paragraph 228, on page 51, magic lanterns; paragraph 1413, on page 200, paper hats worn at parties; paragraph 1502, on page 201, sporting goods; and paragraph 1541, on page 233, musical instruments. In other words, all of those paragraphs have now been covered by amendments similar to the one which was just agreed to on page 209.

Mr. THOMAS of Oklahoma. Mr. President, in brief this clause is thrown into the bill to raise the price of toys. Those who make toys in this country, not being able to get as high rate perhaps as they think they should have, have resorted to tactics or a plan or scheme of throwing in a clause here which arbitrarily would increase the rate of duty on toys from 50 to 70 per cent. It is a means of increasing the price paid by the parents for the children of the country for playthings for the amusement of children. If adopted, it will place in the hands of the manufacturers a larger return for the articles which they produce and increase the price which the parents of children will have to pay for toys.

I think, Mr. President, that this clause should be eliminated from the bill. I object to the language of the amendment embraced in lines 6, 7, and 8 on page 202. I think the Senate should not agree to the amendment.

Mr. SMOOT. Mr. President, this is similar to an amendment which we have already agreed to. We passed this over until the Senate agreed to the provision on which it has just voted. If one shall be adopted, then the other also ought to be adopted, because they are jointly one amendment. It must be done in that way in order to carry out what the Senate has already decided should be done.

Mr. THOMAS of Oklahoma. Mr. President, I submit that the other amendment was not justified.

Mr. SMOOT. But the Senate voted on that amendment.

Mr. THOMAS of Oklahoma. I did not vote for it.

Mr. SMOOT. But I repeat, the Senate has done so, and the amendment has been agreed to.

Mr. THOMAS of Oklahoma. Mr. President, this bill contains in various provisions hidden meanings; in other words, there are technicalities; there are clauses inserted in the bill that raise the price when the manufacturer concerned would not have the nerve, so to speak, to ask the Senate directly to place these high rates of duty upon the manufactured article.

Mr. SMOOT. If the Senator thinks that the amendment is out of place here, inasmuch as another amendment covers it, I am perfectly willing that this amendment be disagreed to. The only reason why it was inserted here was in order that there

might be no question that it would apply to the provision where it is found. I am willing that the Senate now should disagree to the amendment.

Mr. BINGHAM. Mr. President, the Senator knows that the absence of an amendment of this kind has led to great difficulty on the part of the Treasury Department.

Mr. SMOOT. That is true. If we had not adopted the amendment which we did a few moments ago, this amendment would be necessary, but virtually the situation is covered by the other amendment, so the rejection of the amendment makes no difference at all.

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

The amendment was rejected.

The VICE PRESIDENT. Will the Senator from Utah indicate the next amendment which he desires considered?

Mr. SMOOT. The next amendment is the amendment in which the senior Senator from New York [Mr. COPELAND] is interested.

Mr. WALSH of Massachusetts. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Allen	Fletcher	Jones	Robson, Ky.
Ashurst	Frazier	Kean	Sheppard
Baird	George	Kendrick	Shortridge
Barkley	Gillett	Keyes	Simmons
Bingham	Glass	King	Smith
Blaine	Glenn	La Follette	Smoot
Blease	Goff	McCulloch	Steck
Borah	Goldsborough	McKellar	Stelwer
Bratton	Greene	McMaster	Sullivan
Brock	Grundy	Metcalf	Swanson
Brookhart	Hale	Moses	Thomas, Idaho
Broussard	Harris	Norbeck	Thomas, Okla.
Capper	Harrison	Norris	Townsend
Caraway	Hastings	Nye	Trammell
Connally	Hatfield	Oddie	Vandenberg
Copeland	Hawes	Overman	Wagner
Couzens	Hebert	Patterson	Walcott
Dale	Heflin	Phipps	Walsh, Mass.
Deneen	Howell	Pine	Walsh, Mont.
Fess	Johnson	Ransdell	Watson

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present. The clerk will state the next amendment.

The LEGISLATIVE CLERK. In paragraph 1526, page 218, line 18, the committee proposes to strike out "\$1.50" and insert "\$1.25," so as to read:

PAR. 1526. Hats, caps, bonnets, and hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than \$6 per dozen, \$1.25 per dozen.

Mr. WALSH of Massachusetts. Mr. President, I see the Senator from New York [Mr. COPELAND] is in the Chamber. I will call his attention to the fact that this is the amendment which he asked to have passed over on yesterday.

Mr. COPELAND. Mr. President, what was done on page 205 in regard to the amendment in line 22 about hair pencils in quills?

The VICE PRESIDENT. It was agreed to this morning.

Mr. COPELAND. It was agreed to within a few minutes, I take it. May I ask the Senator from Utah, in charge of the bill, what was done with the amendment on line 22, page 205? That was agreed to, was it?

Mr. SMOOT. That was agreed to.

Mr. COPELAND. At 40 per cent?

Mr. SMOOT. At 40 per cent.

Mr. COPELAND. Is that the present rate?

Mr. WALSH of Massachusetts. The present rate is 45 per cent.

Mr. SMOOT. Forty-five per cent, as I remember.

Mr. WALSH of Massachusetts. Yes. The House rate was 50 per cent.

Mr. SMOOT. The House rate was 50 per cent and the Senate committee rate was 40 per cent.

Mr. COPELAND. Mr. President, on this matter of fur hats—page 218, paragraph 1526—I am not sure that this is the proper place to make the fight on the hat matter. I said this morning, speaking on this subject, that New York State, which for many years was the great producer of hats, has declined seriously in its manufacture of these articles.

For instance, taking the matter of fur felt hats, mentioned in paragraph 1526, according to the figures supplied by the Department of Commerce, between the years 1904 and 1927 there was a great decrease in the number of wage earners in this industry—a decrease of 28 per cent. Of course, it is reasonable to

believe that in this period of time from 1904 to 1927, with the great increase in our population, there must have been a very great increase in the demand for hats; but, as a matter of fact, these hats are now coming from abroad, made by the cheap labor over there. Our population in this period of 1904 to 1927 shows an increase of 38 per cent, while the volume of production of fur felt hats has decreased 22 per cent. I do not need to say that this is a serious thing when we consider the matter of employment and the necessity for keeping our people employed.

The reason why there has been this marked decrease in the American production of fur felt hats is because of the increase in importations from abroad. As a matter of fact, the imports of fur felt hats have increased between 600 and 700 per cent since the passage of the last tariff act. The reason why is because of the very inexpensive labor used in Italy in the manufacture of these hats.

Mr. President, a hat, which under the American standard of living will cost \$1 to produce in the United States, costs only 54 cents when purchased in Europe. There is a tremendous difference between the foreign cost of production and the American cost.

Those who have advised me regarding this matter say that the tariff brackets and the duties which were imposed in the act of 1922 were perfectly proper and fair, and met the conditions existing then, but conditions since that time have changed materially. We know what is going on in Italy. Under the dictatorship of Mussolini production in every line of endeavor has been accelerated and increased.

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

The PRESIDING OFFICER (Mr. ROBSON of Kentucky in the chair.) Does the Senator from New York yield to the Senator from Indiana?

Mr. COPELAND. I yield.

Mr. WATSON. The Senate committee proposition in the pending bill increases the rate of the existing law, but decreases the House rate. Let me ask the Senator the flat question, What does he want?

Mr. COPELAND. I want to have the House rate restored.

Mr. WATSON. Has the Senator made the motion?

Mr. COPELAND. No. If the Senator feels hopeful that we can pass it, I will move that these amendments be rejected.

Mr. WATSON. That is all right. That is the object then of the Senator's speech?

Mr. COPELAND. That is it; and I take it that I need to present no more argument so far as the Senator from Indiana is concerned. He is convinced; and I have no disposition, of course, to continue the argument if the Senate is ready to vote upon it; but may I say to my friend from Indiana that we have not been very much inclined to increase any rates.

Mr. SMOOT. That is true.

Mr. COPELAND. Let me ask the Senator from Utah, as a matter of fact, what is the effect of the proposed rates in the House bill as compared with the present rate?

Mr. SMOOT. These are the facts, Mr. President, with regard to the Senate committee amendments:

In one bracket the specific duty was lowered, and in three brackets the specific duty was increased from \$2 to \$3 a dozen, which means that the highest increase is 25 cents a hat. In other words, \$3 a dozen would be 25 cents per hat; and the rate is increased, as I say, on three of the brackets from \$2 to \$3. In other words, on those three brackets we have given a 50 per cent increase. That is what the Senate has done. We thought that was a pretty good increase.

Mr. COPELAND. Of course, my friend from Utah must not now take the abnormal position of being in favor of a lower rate.

Mr. SMOOT. I am not in favor of a lower rate than existing law.

Mr. COPELAND. Does the Senator believe from his study of this question—and I am not asking him now to commit the committee, but I have respect for the opinion of the Senator—that the proposed decrease recommended by the Senate committee is a proper decrease, in view of the situation of the hat industry?

Mr. SMOOT. Taking the amount of the importations and the amount of the home consumption, it seems to me, with the increase, that the industry will be perfectly safe.

I want the Senator to know that I am just as much a protectionist for the State of New York as I am for the State of Utah. It makes no difference to me what the commodity may be; I want protection given to American industries, so as to give employment in America. If it is the hat industry that is involved, I feel just exactly the same way as about any other. It would not make a particle of difference whether it was hats or any other commodity produced in the United States.

The domestic production in 1927 amounted in value to \$99,299,648. Of this total of production the finished hats amounted to \$73,304,477. Of hat bodies and hats in the rough, for sale as such, the amount was \$18,870,523. All other products—that is, all novelties in the hat trade—amounted to \$7,124,648.

There has been an increase since 1922. The importations in that year averaged from 15,000 dozen to 20,000 dozen a year. In 1927, five years later, approximately 94,000 dozen were imported, or an increase of 74,000 dozen. In 1928 there were 127,000 dozen imported. So we recognized that there ought to be an increase in the present duty. Therefore, on the hats that have been increasing in numbers in importation, in three of those brackets we gave the increase.

Mr. COPELAND. That is, the Senate did?

Mr. SMOOT. The Senate did; yes. The House gave even a higher increase than we did; but, as the Senator noticed, it is about as big a percentage of increase as asked in the bill. If I felt for a moment that it was necessary to give a bigger increase, or if it is demonstrated to me as a conferee that that should be done and the House provision should be agreed to, I should yield immediately.

Mr. COPELAND. I thank the Senator for what he has said; but it is a very serious thing when we see what has happened. The average number of wage earners in the domestic industry in 1924 was 22,047, while in 1927 the number of wage earners had decreased to 15,927. There is a decrease of probably 30 per cent.

Mr. SMOOT. The increased importations amounted to about 9 per cent from 1922 up to 1929.

Mr. COPELAND. But if we had such an encouragement of the industry as would justify us in making these hats in competition with foreign importations, we could put these men back to work.

Mr. SMOOT. Mr. President, my heart goes out to such a statement as that. I like it; but it ought to apply to everything.

Mr. COPELAND. That is, the Senator from Utah feels that as a Representative of the United States he is a better representative than the Senator from New York?

Mr. SMOOT. I did not say that.

Mr. COPELAND. No; of course not.

Mr. SMOOT. In other words, I am not a spotty protectionist. I am a protectionist all through.

Mr. COPELAND. I want the Senator from Utah to consider the situation in my city and in my State.

Mr. SMOOT. I am glad to do so, Mr. President, and to tell the facts just as they are.

Nine per cent of the hats used in the United States are imported into this country, and 91 per cent are made in this country. Not only that, but the 9 per cent is an increase from about 3 per cent in 1922; so during that period there has been an increase of 6 per cent in all hats imported into the United States that were not imported into the United States in 1922. I recognize that there should be an increase, and that is why we gave the increase.

Mr. COPELAND. What does the Senator find to be the experience of the last two or three years, or, say, four years, of importation?

Mr. SMOOT. I will furnish those figures in just a moment.

Mr. FLETCHER. Mr. President, if 91 per cent of the commodity is manufactured in the United States, and only 9 per cent is imported, I do not see any basis at all for this duty.

Mr. COPELAND. I will say to my friend from Florida that, of course, I am not nearly so much excited over fur hats as I am over straw hats. When it comes to straw hats, we can show that the country is being flooded with European products. It is not so urgent a matter here. I know that; but, at the same time, I would not be true to my own people if I did not present these facts to the Senate.

Mr. SMOOT. Mr. President, in the case of fur-felt hats, the imports for consumption for 11 months of the past year show that the brackets in which we decreased the rate from the House rate do not amount to anything at all, the unit value is so small. The entire quantity of the two brackets was only 368,952; the unit value was \$2.87, and the whole value of all of those hats was only a million dollars.

In the case of hats for women and children, covered in the latter bracket, in which we have not made any change, there were twice as many in that one bracket as there were in the other two brackets.

The Senator can see that we tried to do what was right.

Mr. COPELAND. I think that is true.

Mr. WATSON. Mr. President, if the Senator will yield, I dislike to interfere with this very charming and delightful personal conversation that is going on, but really we have not been able to hear one word that has been said, not a word;

and we would like to know what is being said, because we are all interested.

Mr. COPELAND. Mr. President, I want to allay the fears of my friend the Senator from Indiana.

Mr. FESS. And the rest of us.

Mr. COPELAND. And my friend the Senator from Ohio. They need have no anxiety that the Senator from Utah has said something which the Senator from Indiana and the Senator from Ohio would not indorse. I am sure they may accept my statement that if they had heard the conversation they would agree that it was one that would not have needed their attention.

Mr. SMOOT. I will say this to the Senator from New York, that if he can present any information that would justify the \$1.50 rate I will be glad to vote for it, and if during the conference it can be pointed out I will be glad to yield.

Mr. COPELAND. Mr. President, I am disposed on this particular paragraph to let the matter rest as it is, because we have already developed the argument to some extent, and if upon further study I find it wise to present individual amendments I will do so, because, as I have said, I am really not so much concerned about the felt hats and the wool hats and the fur hats as I am about the straw hats. As to them, I am convinced that we must do something to give relief to the American manufacturer, otherwise that industry will die utterly. It must be given attention. So far as this item is concerned, I do not feel justified in taking the time of the Senate any longer.

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

The amendment was agreed to.

The next amendment was, on page 218, line 19, before the words "per dozen" where they occur the second time, to strike out "\$3" and insert "\$2.50," so as to read:

Valued at more than \$6 and not more than \$9 per dozen, \$2.50 per dozen.

Mr. THOMAS of Oklahoma. Mr. President, the senior Senator from Massachusetts is out of the Chamber, and I suggest the absence of a quorum.

Mr. SMOOT. Mr. President, will not the Senator withhold that for just a moment?

Mr. THOMAS of Oklahoma. I withhold the suggestion.

Mr. SMOOT. I think the senior Senator from Massachusetts agrees with the committee amendment now before the Senate. If the Senator will allow it to be acted on and the senior Senator from Massachusetts should desire to comment on it, I will immediately ask for a reconsideration of the vote.

Mr. THOMAS of Oklahoma. With that understanding I withdraw my suggestion of the lack of a quorum.

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

The amendment was agreed to.

The next amendment was, on page 219, line 6, after the word "parts," to strike out "thereof), composed wholly or in chief value of gold or platinum, 80 per cent ad valorem; if composed wholly or in chief value of any other material" and insert "thereof)," so as to read:

PAR. 1527. (a) Jewelry, commonly or commercially so known, finished or unfinished (including parts thereof):

(1) Composed wholly or in chief value of gold or platinum, or of which the metal part is wholly or in chief value of gold or platinum, 80 per cent ad valorem.

Mr. COPELAND obtained the floor.

Mr. SMOOT. Mr. President, will the Senator yield and let me give an explanation of the amendment? Perhaps it would shorten the discussion.

Mr. COPELAND. Certainly.

Mr. SMOOT. In the act of 1922 the rate was 80 per cent ad valorem. On gold and platinum the House provided a rate of 80 per cent ad valorem. The Finance Committee rate was the same as that in the bill as it passed the House.

In 1923 there were 1,622 establishments with 26,354 workers making jewelry in the United States. In 1927 the number had decreased to 1,367 establishments with 24,116 workers.

Domestic production of jewelry in 1927 was \$164,000,000, a decrease of \$10,000,000 since 1923. It is estimated that \$45,000,000 of the \$164,000,000 in 1927 was novelty jewelry, with a decreased production in 1928.

After adding duty and other charges to the foreign invoice value of imports of novelty jewelry it is estimated that at least \$10,000,000, or about 25 per cent, of domestic production of novelty jewelry on a value basis—and even a greater percentage on a quantity basis—has been replaced by imports.

Imports of novelty jewelry since 1923 have doubled in value and increased about threefold in quantity.

In considering what part of the imports is novelty jewelry it must be remembered that novelty jewelry is a very cheap article and is classified under two sections of the jewelry paragraph, namely, jewelry commonly or commercially so known and articles worn on or about the person. From these two groups must be excluded those articles made of gold or platinum. The total imports of these two groups for 1928 were 31,966,435 pieces, valued at \$5,049,842.

Of the section known as jewelry there were in 1928, 25,024 pieces, valued at \$325,696, made of gold and platinum, with 19,919,685 pieces, valued at \$3,495,973 made of other metals.

Of the section known as articles of adornment there were estimated to be 1,201,977 pieces, valued at \$122,817, made of gold and platinum, with 10,817,799 pieces, valued at \$1,105,356, made of other metals.

Thus the 1928 imports of jewelry commonly or commercially so known and articles designed to be worn on or about the person, made of metals other than gold or platinum, and known in the trade as novelty jewelry were 30,737,484 pieces, valued at \$4,601,329.

The Senate will remember that we put an increased duty also upon platinum and metals generally used in the manufacture of jewelry.

For these reasons the changes were made. It is better wording, it is better classification, and I think without a doubt will prove of great advantage to the industry and to the Government in the administration of the law.

Mr. COPELAND. Mr. President, I have no fault to find with this paragraph except on page 219, from the beginning of the paragraph to the end of line 21.

I do not want my friend the junior Senator from Pennsylvania [Mr. GRUNDY] to be jealous. I have a store to-day and wish to present certain exhibits. Of course, the purpose of the tariff is to give protection in this country against the cheap labor of Europe and equalize the differences in the costs of production here and abroad. What I desire to speak to the Senate about is known as novelty jewelry, covered by the first three divisions of this paragraph.

The people in Europe have a knack of making novelty goods. I hold in my hand a pair of earrings. They seem to me to be pretty flashy and gaudy, and I do not think I would recommend them, but they are beautifully made. The one in my left hand was made abroad, of base metal. The reproduction of it in the United States is made from silver plated with gold.

The low-paid artisans on the other side of the ocean make a product which is sent over here, and the market is tested. If it becomes popular, the dies are made and it is reproduced by American jewelers.

I call attention, for instance, to the two articles I hold in my hand. I am not quite sure what these things are called. I dare say one is a diamond pendant. My friend the senior Senator from Florida will correct me if I am wrong. The one from abroad is made of base metal. It proved popular in the United States, and the result was that the American manufacturers reproduced it, and reproduced it in a very superior form. I can say here in all truth that our American manufacturing jewelers are doing a finer job than can be done on the other side. When Senators come to examine these articles, if they do examine them, they will find that the domestic article is made of sterling silver, it is beautifully cut, and the stones are beautifully mounted.

The same state of affairs relates to all sorts of jewelry. Here is another pendant which looks as if it would cost a million dollars. One is made in Europe and the other reproduced in Providence, R. I.

This is what I want to bring out. The novelty is brought in, and because it is a novelty it is purchased at any kind of price that may be placed upon it. Here is a remarkable thing, and no one knows it better than the Senator from Utah. Here is an article made abroad which sells here for \$4.25, while, on the other hand, the domestic article exactly like it sells for \$1. That is true all along the line. Notice these flashy earrings. The imported article costs the American consumer \$2.70, while exactly the same thing made here costs \$1. Here is the necklace which I showed before. The imported article sells for \$3, while the domestic sterling silver article with the same stone sells for \$1.42.

Why do we need any protection? It is perfectly absurd that on this novelty jewelry we should charge an importation rate. It is a kindness to the manufacturers of American novelty jewelry that the foreigners are willing to bring in here these articles and test out the market, and, then, if there is a popular demand for them, the American jeweler makes them and sells them in large quantities for half the money.

Here is what looks like a very elaborate set of earrings which sells at \$4 for the domestic article and \$9 for the foreign article. What excuse is there for it?

Mr. SMOOT. Evidently the importer has not told the Senator the trade practices. The articles which the Senator mentions now are novelties. They come from Europe. Europe makes us pay for them when they first come over here. After the American begins to produce them, and there is any demand for them thereafter at all, then the situation is changed. The demand for the novelty does not exist for longer than one or two years, sometimes for only one year; but, before the American can make his dies and make the patterns, the harvest has been reaped at the high prices of the foreign importer, and then he has something else which is new and he brings that in, while here in this country we are making the dies and getting ready to make the previous article. By the time we can reach mass production they do not ship any more of them in here, but they are here with other novelties. We take the market then because of the fact that they have made 300 to 500 per cent upon what they shipped in here as novelties. That is understood by the jewelry trade from one end of the country to the other.

That is true not only of jewelry but I could name other items that are dealt with in the same way. It is the novelty that comes in which has been created in a foreign country and which takes hold here in our market and the purchases are made in large numbers, and then, two years afterwards or perhaps only one year afterwards, a woman will not wear them because they are old and out of date. They are novelties pure and simple.

Mr. FLETCHER. Is not that the effect of the tariff?

Mr. SMOOT. Oh, no. The price is higher than the local producer can get. That is the reason in the first place. For instance, novelties of every kind, when they first come in, are bought in large quantities. The foreign manufacturer reaps his profit then. After they are worn a few months the price goes down. In New York the women would not wear the same novelty jewelry two years in succession. They would have to have something new. That is the reason why these particular items appear as being made and sold by the domestic manufacturer at less than the foreign-made article.

Mr. COPELAND. I am very much obliged for the comments of the Senator from Utah, but I repeat that the American manufacturer of jewelry should be very grateful to the foreigner who designs these novelties, sends them to our people, and establishes a market for what we manufacture, as the Senator said, by mass production. These are articles which are sold in the stores to the working girls and the poor girls. These articles constitute their jewelry.

Mr. SMOOT. But it is not the imported article that is sold to them. It is the domestic article that is sold to them after the American manufacturer gets his dies made and can produce them for \$1 instead of \$4.

Mr. COPELAND. But why does the Senator worry about the situation as regards importation? All he has to do is to look at his figures and he will find that in 1925 the value of the domestic manufactured articles of this type was \$166,000,000 and the importations were \$1,183,000, while in 1927 the domestic value was \$164,000,000 and the imports \$2,000,000. At the same time that we were making 95 per cent of the total jewelry purchased in the United States we were exporting, as we did in 1927, \$1,177,000 worth.

Mr. SMOOT. That is all kinds of jewelry. It is not merely novelty jewelry. The domestic production in 1927 was \$164,000,000, which was a decrease of \$10,000,000 since 1923. These figures represent not only novelties but take in every piece of jewelry that is manufactured in the United States and sold here. The items the Senator has mentioned would not amount to very much at all.

Mr. COPELAND. Then it is not worth while to discuss it really. The Senator is apparently willing to go back to the present law, and if he is I will sit down and not say another word. Eighty per cent ad valorem is what should be placed on novelty jewelry. That is the present rate.

Let me ask the Senator from Utah a question. Where do the stones come from that are used in this jewelry?

Mr. SMOOT. I suppose they are rhinestones.

Mr. COPELAND. They come from Czechoslovakia.

Mr. SMOOT. Yes; I think they do.

Mr. COPELAND. Then we are proposing to prohibit, if we can, the very limited importation of these cheap novelty goods from Europe, taking chances all the time on a reprisal which will place such a high price on rhinestones used in the manufacture of this jewelry that we can no longer make them in America.

Mr. SMOOT. Let me say to the Senator that he has not offered any amendment. The increase the Senator refers to is found in subparagraph 2, line 14, down to and including line 17.

Mr. COPELAND. That is correct.

Mr. SMOOT. That is what the Senator complains of; but we have no amendment there. That is the House provision, so the Senator would have to offer his amendment as an individual amendment.

Mr. COPELAND. Could I not do this: What I want to do is to introduce my amendment as it affects jewelry, commonly or commercially so known, finished or unfinished, including parts, making the rate 80 per cent ad valorem. I want to make the rate 80 per cent ad valorem. That will place everything of this type of jewelry at the one rate of 80 per cent. I think I might do that under the rule.

Mr. SMOOT. What the Senator desires to get at is to reduce the duty as provided by the House in subparagraph (2); that is an increase in rate, but the 80 per cent is not an increase, though it is a far better classification both as to keeping the importations and the class of importations on value. The other is virtually a basket clause covering them all, and that is where the increase is made by the House.

Mr. COPELAND. What I want to do is to have the Senate disagree entirely to paragraph 2.

Mr. SMOOT. Oh, no. What the Senator seeks to do, if he wants to decrease the 110 per cent, because that is what it is in ad valorem equivalent—

Mr. COPELAND. I know that.

Mr. SMOOT. The Senator should wait until we reach individual amendments, and he should then offer his amendment to cut down the rate in lines 15 to 17 and make it whatever rate he wants. The rate named by the House is equivalent to 110 per cent.

Mr. COPELAND. That is true.

Mr. SMOOT. That is the only way the Senator can do it at this time.

Mr. COPELAND. Let me test this with the Presiding Officer. I desire to offer an amendment to have the first portion of paragraph 1527 read as follows:

Jewelry, commonly or commercially so known, finished or unfinished, including parts, 80 per cent ad valorem.

Is it proper for me to offer that amendment now?

The VICE PRESIDENT. The way the Senator stated it would be to amend a part of the House text, and therefore it would be in the nature of an individual amendment and would have to be offered after the committee amendments are disposed of.

Mr. COPELAND. I think the Chair is entirely correct in that ruling. I shall at the proper time suggest the amendment which has been proposed to me by the Senator from Utah, because I am unwilling that the poor girls of America who desire to have some of these beautiful pieces of novelty jewelry shall have the rates increased from 80 per cent to 110 per cent. There is no economic reason in the world for the increase in the rate. I hope when the time comes that the Senate will agree with me.

Mr. SMOOT. I want to say to the Senator that while considering the rate which is to be placed upon this jewelry and also while considering the poor girls who wear it, I wish he would go to the retailers in New York and other places, where they are making 200, 300, and 400 per cent profit upon this class of jewelry, and ask them if they would not be a little more lenient toward the poor girls who wear this jewelry and not charge them more than 100 per cent profit? I think that is the greatest relief the Senator could get for the working girls. I want to admit that when I was in the merchandising business and sold this class of goods, there was no question about how much profit we made. We did not even hold our breath and say how much it would be. The profits were great, more than they ought to have been, and I will admit that.

Mr. COPELAND. I am very sorry that is the attitude of the merchants of Utah.

Mr. SMOOT. And of New York, too, where they are worse even than that.

Mr. COPELAND. Of course, in New York one can go into any of the 5,000 or 10,000 little shops and buy all of this jewelry at the right price. I am not seeking at all to aid the people in my city. I am seeking to help those who live in Utah and other parts of this great country in order that they may buy novelty jewelry at the same price the girls pay for it in the city of New York.

Mr. SMOOT. We would not want to pay that much, I can assure the Senator.

Mr. WALSH of Massachusetts. This paragraph deals with jewelry, and subdivides jewelry into two classes: First, jewelry composed wholly or in chief value of gold or platinum. Upon that class of jewelry it fixes a rate of 80 per cent ad valorem. To that classification and rate, I assume the Senator from New York has no objection?

Mr. COPELAND. No.

Mr. WALSH of Massachusetts. The second class of jewelry dealt with in this paragraph is all other kinds of jewelry of whatever metal made, not including gold or platinum. This paragraph contains the jewelry upon which the domestic manufacturers request an increased duty.

The Senate committee amendments are of such a character that they do not give an opportunity at this stage of the proceedings for a discussion of the rates. I assume it is that class of jewelry, known as novelty jewelry, which the Senator wants to deal with at the proper stage of the proceedings?

Mr. COPELAND. Yes.

Mr. WALSH of Massachusetts. The Senator is prevented from doing so now by reason of the fact that the Senate committee has approved of the rates imposed by the House but has merely made some changes in the classification and in language. Therefore, it seems to me, that the proper proceeding now is to permit the Senate committee amendments to this paragraph to be adopted, the Senator reserving the right for himself to offer whatever changes or modifications he may deem best at a later stage of the consideration of the bill.

Mr. COPELAND. I thank the Senator. He has stated exactly my position. I am forestalled, I am prevented by the action of the Senate committee in accepting the outrageously high rate of 110 per cent presented to us in the bill and by the parliamentary situation from submitting an amendment which, if adopted, would leave the duty on novelty jewelry at the present rate of 80 per cent ad valorem. At the proper time I shall submit an amendment seeking to restore the present rate on that character of jewelry.

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

The amendment was agreed to.

The next amendment was, in paragraph 1527, page 219, line 18, to strike out the proviso down to and including the word "paragraph" in line 21, as follows:

Provided, That none of the foregoing shall be subject to a less amount of duty than would be payable if the article were not dutiable under this paragraph.

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

The amendment was agreed to.

The next amendment was, in paragraph 1527, on page 220, line 16, after the word "platinum," to insert "or of which the metal part is wholly or in chief value of gold or platinum," so as to read:

(1) Composed wholly or in chief value of gold or platinum, or of which the metal part is wholly or in chief value of gold or platinum. 80 per cent ad valorem.

Mr. WALSH of Massachusetts. I call the attention of the Senator from New York to the fact that the pending amendment and the following one are related to the amendments which he has just been discussing and that there can be at this stage no opposition to these amendments, because they practically impose the same rates which have already been adopted in subdivision (a).

Mr. SMOOT. In other words, Mr. President, having agreed to the amendment on line 10, down to and including line 13 on page 219, it is necessary to agree to this amendment?

Mr. WALSH of Massachusetts. Yes.

Mr. COPELAND. Mr. President—

Mr. WALSH of Massachusetts. However, the same question arises as in the other paragraph.

Mr. COPELAND. If I may say so to my friend from Massachusetts, here is the absurdity: The amendment which we are about to act on in line 16 proposes to place on jewelry the chief value of which is gold or platinum a duty of 80 per cent; but when a poor girl buys a piece of jewelry made of silver or some base metal, if this paragraph shall be adopted as proposed, she will have to pay a duty of 110 per cent. That is the point I make, but I shall interpose no objection to the pending amendment.

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

The amendment was agreed to.

The next amendment was, in paragraph 1527, page 220, line 22, after the word "metal," to insert "and if not dutiable under clause (1) of this subparagraph."

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

Mr. WALSH of Massachusetts. In view of the fact that clause (2) of subdivision (a) has been retained in the bill it is necessary to adopt this amendment?

Mr. SMOOT. Yes.

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

The amendment was agreed to.

The next amendment was, in the same paragraph, on page 222, line 16, after the word "figured" and the semicolon, to insert "lace window curtains."

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

Mr. WALSH of Massachusetts obtained the floor.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. WALSH of Massachusetts. I yield.

Mr. WAGNER. I should like to make an inquiry of the Senator of Utah. As I understand the effect of paragraph 1529, it raises the ad valorem duty which is now levied upon hand embroidered or decorated household linens, for instance, from 75 per cent ad valorem to 90 per cent ad valorem. If that is its effect, what is the reason for the increase?

Mr. SMOOT. The pending amendment only has reference to lace window curtains.

Mr. WAGNER. Are not hand-embroidered linens included somewhere within the provisions of paragraph 1529?

Mr. SMOOT. The Senate committee made no change in the House bill in that respect.

Mr. WAGNER. I do not think the duty which is now levied on hand-embroidering decorative household linens should be increased, for the reason that there is no domestic production of that type of article at all.

Mr. SMOOT. The Senate committee did not change the House provision. When individual amendments shall be in order, then the Senator can offer his amendment to the House provision.

Mr. WAGNER. I want to ask, if I may, the Chair whether or not it would be in order for me now to offer an amendment adding an additional subdivision to paragraph 1529, to be known as subdivision (d), and to provide for hand embroidered or decorated linen, such as napkins, and so forth, at a rate of 75 per cent ad valorem.

The VICE PRESIDENT. Such an amendment would not be in order at this time.

Mr. WAGNER. Very well; I will offer it when the section shall again be reached and individual amendments shall be in order.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator from Utah will not insist upon the amendment in paragraph 1529 inserting the words "lace window curtains." In my judgment it is not necessary. Such lace curtains are made on Nottingham lace-curtain machines. The domestic production of Nottingham lace curtains—

Mr. WAGNER. Mr. President, I was not referring to laces. I was speaking of hand embroidered or decorated household linen, which is an entirely different matter.

Mr. WALSH of Massachusetts. I am referring to the amendment now under consideration.

Mr. WAGNER. I beg the Senator's pardon; I thought the Senator was addressing himself to the amendment which I proposed to offer.

Mr. WALSH of Massachusetts. No. I am referring to the amendment now under consideration.

Mr. WAGNER. I beg the Senator's pardon.

Mr. SMOOT. I do not see really why there is any necessity for the amendment, and I have no objection to the amendment being disagreed to.

Mr. WALSH of Massachusetts. Very well. Then I will not discuss the amendment but will ask to have inserted in the RECORD a memorandum in regard to the matter.

The VICE PRESIDENT. Without objection, the memorandum will be printed in the RECORD.

The memorandum is as follows:

PAR. 920. NOTTINGHAM LACE CURTAINS—PAR. 1430. LACE WINDOW CURTAINS
N. S. P. F.

Most lace curtains are made on the Nottingham lace curtain machine. The domestic production of Nottingham lace curtains and lace curtain nets amounted in 1927 to \$16,316,233, compared with an importation of \$56,822. The present duty of 60 per cent is, therefore, practically an embargo. An investigation of the cost of production of Nottingham lace curtains in 1923 was made by the Tariff Commission. Representative firms were covered in England and the United States. The preliminary computation of the figures obtained indicated a radical reduction in the duties of the tariff act of 1922. The investigation was never completed.

The principal lace curtains that enter under paragraph 1430 are Swiss embroidered curtains. The total importation of lace window cur-

tains under paragraph 1430 was \$515,011 in 1928, of which amount Switzerland supplied \$407,674.

The VICE PRESIDENT. The question is on agreeing to the amendment in paragraph 1529, page 222, line 16, to insert the words "lace window curtains."

The amendment was rejected.

Mr. COPELAND. Mr. President, may I ask what became of the amendment on page 209 defining the word "toy"?

Mr. SMOOT. To what page does the Senator refer?

Mr. COPELAND. To the amendment beginning on line 17, page 209.

The VICE PRESIDENT. That amendment was agreed to.

Mr. COPELAND. Then, that means that a rubber ball such as this [indicating] will be classified after this as a toy and not as an article for use in gymnasiums?

Mr. WALSH of Massachusetts. About what amendment is the Senator inquiring?

Mr. COPELAND. The amendment at the bottom of page 209, which reads:

As used in this paragraph the term "toy" means an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development.

That amendment was adopted, was it?

Mr. WALSH of Massachusetts. It was adopted in the absence of the Senator.

Mr. COPELAND. I am entirely satisfied with the action taken; I think it is very wise.

The VICE PRESIDENT. The next amendment will be stated.

The LEGISLATIVE CLERK. In paragraph 1529 (b) on page 223, line 24, after the word "composed" it is proposed to insert "valued at not over 60 cents per dozen, 3 cents each, and 40 per cent ad valorem; valued at over 60 cents per dozen."

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

Mr. WALSH of Massachusetts obtained the floor.

Mr. BARKLEY. Mr. President—

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

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

Mr. BARKLEY. I do not desire in any way to interfere with the Senator from Massachusetts who has this schedule in charge.

Mr. WALSH of Massachusetts. I am glad to have the Senator proceed.

Mr. BARKLEY. The amendment which has just been stated, Mr. President, ought not to be agreed to.

Mr. SMOOT. It is a decrease from the House rate.

Mr. BARKLEY. In some particulars it may be a decrease.

Mr. SMOOT. The amendment reads, "valued at not over 60 cents per dozen, 3 cents each and 40 per cent ad valorem." The House rate is 4 cents each and 40 per cent.

Mr. BARKLEY. The duty proposed represents an increase above that of the present law. I desire to offer a substitute for the amendment reenacting the present law.

Mr. WALSH of Massachusetts. Let the amendment be reported at the desk.

The VICE PRESIDENT. Will the Senator from Kentucky send his amendment up to the desk?

Mr. BARKLEY. Mr. President, I have not my amendment prepared. If the Senator from Utah will allow the committee amendment to be passed over for a few minutes I will prepare the amendment I desire to offer. The rates of the present law are carried in two or three separate sections, and it has been a little bit difficult to find the figures which I want to offer as a substitute.

Mr. SMOOT. The present rates are 90 per cent ad valorem if ornamented with lace, and 75 per cent ad valorem if ornamented with embroidery or drawn work.

Mr. BARKLEY. Seventy-five per cent is the present law on the handkerchiefs included in this paragraph. I wish to offer a substitute—

The VICE PRESIDENT. Is it desired that the amendment be passed over?

Mr. BARKLEY. I wish to offer a substitute striking out the Senate committee amendment—

The VICE PRESIDENT. Will the Senator please state his amendment?

Mr. WALSH of Massachusetts. It is an important amendment, I will say to the Senator from Kentucky.

Mr. BARKLEY. This section is somewhat complicated and I should be glad if the Senator from Utah would let it go over for a little while until I can prepare the amendment which I wish to offer. I desire to offer an amendment reenacting the

present law. It is not quite certain whether the House provision is subject to amendment because it provides a rate of 4 cents each and 40 per cent ad valorem; and then the Senate committee has added another classification bearing a rate of duty of 3 cents and 60 per cent ad valorem. It may be necessary to offer a substitute both for the committee amendment and the House provision which has not been changed so far as the rate of 4 cents and 40 per cent is concerned.

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

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

Mr. BARKLEY. Yes.

Mr. HARRISON. If the Senator desires to offer a substitute fixing the rate of the present law, which is 75 per cent ad valorem, as a substitute for the committee amendment, he would be in order.

Mr. SMOOT. The Senator can offer an amendment to the committee amendment, but the Senator can not offer the entire amendment as he desires, as I understand, because of the fact that the House provision of 4 cents each and 40 per cent ad valorem has not been changed by the Senate committee.

Mr. BARKLEY. I understand that in order to get at what I want, it is necessary to strike out the words "4 cents each and 40 per cent ad valorem" in the House text, so that to offer a substitute simply for the Senate amendment would not reach what I want to undertake to do.

Mr. WALSH of Massachusetts. That is the difficulty we have had as to nearly every paragraph in this schedule.

Mr. SMOOT. Why can we not agree to the pending amendment, and then let the Senator from Kentucky offer his amendment when individual amendments may be offered? I am afraid that is what the Senator from Kentucky will have to do.

Mr. BARKLEY. Why not agree now that I may offer a substitute for both the Senate and House provisions?

Mr. SMOOT. I promised the Senator from Washington that I would not agree to change the rule under which we are operating unless a quorum was called and he were present.

Mr. BARKLEY. I do not want to waste time on that score. I suggest that the whole paragraph go over until later.

Mr. SMOOT. I think the proper way would be to agree to the amendment and then strike out all of the amendment and insert other matter.

Mr. HARRISON. I hope the Senator will not insist on agreeing to the Senate committee amendment. If no one else expects to do so, I am going to offer a substitute for the whole proposition letting the 75 per cent ad valorem apply. That is the present law. Of course, that takes out the classification as to embroidered handkerchiefs and lace handkerchiefs.

Mr. BARKLEY. Also in the Senate amendment there is a provision—

That any of the foregoing made with hand rolled or handmade hems shall be subject to an additional duty of 1 cent each.

That ought not to be—

Mr. SMOOT. That is another amendment.

Mr. BARKLEY. It is all part of the same thing.

Mr. SMOOT. Oh, no. That could be agreed to without affecting the other amendment at all.

Mr. BARKLEY. Of course, this 75 per cent minimum affects all that goes before it. None of it can come in at less than 75 per cent.

Mr. SMOOT. Let it go over.

Mr. HARRISON. Does the Senator want it to go over?

Mr. SMOOT. I do not want it to, but I should like to accommodate the Senator.

Mr. HARRISON. Of course, if the Senator from Kentucky wants it to go over, I shall not object.

Mr. SMOOT. Yes; he asked to have it go over.

The VICE PRESIDENT. The amendment will be passed over. The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 225, line 9, it is proposed to strike out "12½ per cent" and insert "15 per cent."

Mr. WALSH of Massachusetts. That is in the leather schedule.

Mr. SMOOT. Mr. President, we had an agreement that I should give notice when this paragraph would be taken up.

Mr. WALSH of Massachusetts. This amendment opens up the whole question of a duty on hides, leather, and shoes; and I hope the Senator will give the notice to which he has referred.

Mr. SMOOT. I give notice now that to-morrow morning, as soon as the Senate convenes, we will begin the consideration of paragraph 1530, which reads as follows:

Hides and skins of cattle of the bovine species (except hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles), raw or uncured, or dried, salted, or pickled, 10 per cent ad valorem.

Mr. WALSH of Massachusetts. I think the Senator ought to follow up that notice by a request for unanimous consent to treat that paragraph *ab initio*.

Mr. SMOOT. I will do that.

Mr. WALSH of Massachusetts. In other words, to permit amendments to every part of it to be offered independently of the amendments presented by the Senate Finance Committee.

Mr. SMOOT. I thought I would leave that until to-morrow morning, because I should have to call for a quorum if I should do it now.

Mr. WALSH of Massachusetts. The danger the Senator would be in, if I may suggest it to him, is that we will meet here to-morrow morning, and everybody will say they did not know that hides were coming up, and they will not be prepared. I think it is important enough to have a quorum called now, and let notice be given that amendments to the hides schedule should be offered to-morrow morning and debated to-morrow morning.

Mr. SMOOT. Mr. President, I now suggest the absence of a quorum for the purpose of carrying out the agreement I have already entered into, that before proposing unanimous consent to vote upon any House provision that the Senate committee had not amended I would call for a quorum, and I shall make the request as soon as the presence of a quorum is developed.

Mr. SMITH. Mr. President, may I ask the Senator from Massachusetts if members of the Finance Committee are prepared to give to us the facts as to why all leather goods have advanced so tremendously in price during the last 8 or 10 years?

Mr. SMOOT. I think leather goods have advanced the same as almost every other article in the United States.

Mr. SMITH. Oh, Mr. President, taking the raw material into account, I do not think there is any other article of universal use that is so ridiculously high to the ultimate consumer as are leather products.

Mr. SMOOT. That I am not going to discuss now. I know they have advanced greatly in price.

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

Mr. SMITH. Before the Senator does that—

The VICE PRESIDENT. Does the Senator from Utah withhold the suggestion for a moment?

Mr. SMOOT. Yes.

Mr. SMITH. I hope some one here will take the time to discuss this subject from the raw material and the sources of our supply of raw material and the cost of the raw material up to the finished article that we have to purchase.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. SMOOT. I do.

Mr. WALSH of Massachusetts. I will say for the information of the Senate that that is the reason why the Senator from Utah, at my suggestion, is about to ask for unanimous consent. We can not fix any duty upon leather or upon shoes without first knowing what duties shall be levied on the basic raw material, hides. The Senator is proposing now, before any discussion is entered upon about a duty upon leather or a duty upon shoes, that we settle and determine what duty shall be levied upon hides. I think the information which the Senator from South Carolina asks, and very properly asks, will be presented during the debate on this very important paragraph.

Mr. SMITH. I want to know what is the domestic supply of hides available—

Mr. WALSH of Massachusetts. That will all be developed.

Mr. SMITH. What is the average price paid to those who produce the hides, the length of time it takes to develop a hide sufficient for this purpose, and the length of time it takes to tan that hide and get it in shape for conversion into the finished article? I have some facts that I think I shall take occasion to present if the subject is not covered by some one else.

Mr. WALSH of Massachusetts. I hope the Senator will.

Mr. SMITH. This is one of the most important items in the whole bill, and we want to know the facts before we begin to fix these duties.

Mr. SMOOT. Mr. President, I desire to call the attention of the Senator from South Carolina to the fact that the price of shoes can not be attributed to the tariff. It is true that shoes have advanced greatly in price, perhaps more than any other commodity in the United States, but they are on the free list; so do not charge that up to the tariff.

Mr. SMITH. If they are on the free list, and this exorbitant price has been charged to the American public, I do not see how we are going to better the condition by trying to doctor it by putting on an additional duty. Let us get the facts in reference to this matter; and if we have a monopoly here, let us try to convert some of our commissions that look after the

Sherman antitrust law and the Clayton Act and get them to do something other than draw their salaries and make gestures.

Mr. FLETCHER. Mr. President, I desire to ask the Senator from Utah a question. There is no committee amendment to this paragraph. How is the question of the duty going to be raised?

Mr. SMOOT. I am going to ask unanimous consent to do so, as I gave notice yesterday I would; but before I can ask unanimous consent I must call for a quorum, as I promised the Senator from Washington [Mr. DILL] I would do before any unanimous-consent agreement was entered into, after what occurred last evening.

Mr. FLETCHER. What I am getting at is, What is the proposed unanimous-consent agreement? Is it that amendments to the paragraph will be in order by unanimous consent?

Mr. SMOOT. Yes; just the same as if they were committee amendments to the paragraph.

Mr. COPELAND. Mr. President, just a moment.

The VICE PRESIDENT. Does the Senator from Utah withhold his request?

Mr. SMOOT. Yes.

Mr. COPELAND. Have we not had enough to-day? We are going to take up leather now, are we not?

Mr. SMOOT. No; I want to get this matter over, anyway.

Mr. WALSH of Massachusetts. Mr. President, if the Senator from Utah will permit an interruption, I desire to state to the Senator from New York that the Senator from Utah is suggesting the absence of a quorum in order to notify the Senator from Washington [Mr. DILL], and other Senators who objected yesterday, of action he is about to take; namely, to give notice to the Senate and ask unanimous consent to take up the hides, leather, and shoe paragraph in this schedule to-morrow morning—not now.

Mr. SMOOT. That is the object of the call of the quorum.

I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum is suggested. The clerk will call the roll.

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

Allen	Fletcher	Jones	Schall
Asburt	Frazier	Kean	Sheppard
Baird	George	Kendrick	Shortridge
Barkley	Gillett	Keyes	Simmons
Bingham	Glass	King	Smith
Blense	Glenn	La Follette	Smoot
Borah	Goff	McCulloch	Steck
Bratton	Goldsborough	McKellar	Sullivan
Brock	Greene	McMaster	Swanson
Brookhart	Grundy	McNary	Thomas, Okla.
Broussard	Hale	Metcalf	Townsend
Capper	Harris	Norbeck	Trammell
Caraway	Harrison	Norris	Vandenberg
Connally	Hastings	Oddie	Wagner
Copeland	Hatfield	Overman	Walcott
Couzens	Hawes	Patterson	Walsh, Mass.
Dale	Hebert	Phipps	Walsh, Mont.
Dill	Heflin	Pine	Watson
Fess	Johnson	Robson, Ky.	Wheeler

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

Mr. SMOOT. Mr. President, I desire to give notice that at the convening of the Senate to-morrow at 11 o'clock I shall ask the Senate to consider, first, paragraph 1530, covering "Hides and skins of cattle of the bovine species (except hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles), raw or uncured, or dried, salted, or pickled, 10 per cent ad valorem."

There is no amendment to this paragraph submitted by the Finance Committee, and therefore I ask unanimous consent that amendments may be offered to this paragraph. I make the request for this reason, that we must decide, first, whether there shall be a duty upon hides and skins of cattle before we can proceed to the consideration of the rates on leather of all kinds made from that kind of a hide, and shoes of every description. It would be perfectly useless to undertake to pass upon the shoe rate before we had agreed upon the hide rate. It is necessary that we agree upon the rate on hides before we agree upon the rate to be imposed upon leather.

Therefore I now ask unanimous consent that we may consider paragraph 1530 before we take up for consideration any of the other paragraphs relating to leather.

Mr. DILL. Mr. President, I want to know whether that would apply to all the sections of paragraph 1530.

Mr. SMOOT. It applies to all of the sections that are involved in the consideration of hides.

Mr. DILL. There are a large number of amendments in that section. The Senator just said there were no committee amendments, and that that is the reason why he makes the request.

Mr. SMOOT. I referred to paragraph 1530 (a), the first one to be considered. The same will apply to every paragraph into which the consideration of hides enters.

Mr. NORRIS. Mr. President, I would like to ask the Senator from Utah why we do not finish the schedule we are considering?

Mr. SMOOT. We have reached the hides paragraph now.

Mr. NORRIS. Is it the intention, then, to proceed with this schedule?

Mr. SMOOT. I expect to have this schedule proceeded with. We can not consider the other paragraphs in which leather is involved, anyway, until we settle the rate on hides.

Mr. NORRIS. I understand that, but perhaps I did not understand the Senator's request. I gathered from what he said that he was going to take up some different schedule than the sundries schedule.

Mr. SMOOT. No; we will go right along with that schedule.

Mr. NORRIS. I have no objection.

Mr. WALSH of Massachusetts. Mr. President, representing the minority of the Finance Committee on this schedule, I will say that it is my opinion that the suggestion of the Senator from Utah is the only orderly one that could be followed. It is necessary that we should determine first of all what duty we are to levy on hides before we can intelligently discuss the duty we shall levy on leather and on boots and shoes. I hope the unanimous-consent request will be agreed to.

Mr. WALSH of Montana. Mr. President, I concur in that. It is perfectly obvious that nothing can be done with this section at all unless first a duty on hides is disposed of.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

Mr. ODDIE. Mr. President, I send to the desk an amendment providing for a tariff on hides and give notice that to-morrow morning, when this item is before the Senate, I shall discuss it.

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent to have inserted in the RECORD following the unanimous-consent agreement just entered into all amendments that have been offered fixing a duty upon hides, so that information will be printed in the RECORD to-morrow morning.

Mr. SMOOT. Mr. President, does the Senator desire to have printed in the RECORD all of the proposed amendments?

Mr. WALSH of Massachusetts. Yes; those dealing with the rates on hides.

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

The amendments follow:

Amendment intended to be proposed by Mr. ODDIE May 29, 1929: Strike out all of paragraph 1530 (a) and insert in lieu thereof the following:

"PAR. 1530. (a) Hides and skins of cattle of the bovine species, green, salted, or wet salted, 6 cents per pound; dried, 15 cents per pound."

Amendment intended to be proposed by Mr. ODDIE January 10, 1930: Strike out all of paragraph 1530 (a) and insert in lieu thereof the following:

"PAR. 1530 (a) Hides and skins of cattle of the bovine species (except hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles), green, salted, or wet salted, 6 cents per pound; dried, 10 cents per pound."

Amendments intended to be proposed by Mr. GOLDSBOROUGH October 21, 1929:

On page 224, lines 21, 22, 23, 24, and 25, strike out all of subdivision (A).

On page 225, lines 9 and 10, strike out "15 per cent" and insert in its place "20 per cent."

On page 279 insert a new paragraph to be known as paragraph 1816 and reading as follows:

"Hides of cattle, raw or uncured, or dried, salted, or pickled."

Amendment intended to be proposed by Mr. BRATTON June 17, 1929: On page 196, line 7, strike out "10 per cent ad valorem" and insert in lieu thereof "25 per cent ad valorem."

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry executive messages from the President of the United States, which were referred to the appropriate committees.

INTERAMERICAN CONFERENCE ON BIBLIOGRAPHY (H. DOC. NO. 262)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted to authorize an appropriation of \$5,000

for the expenses of participation by the United States in the Inter-American Conference on Bibliography, to be held at Habana, Cuba, on February 26, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, January 21, 1930.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a list of documents and files of papers which are not needed or useful in the transaction of current business of the department, and asking for action looking toward their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSON and Mr. FLETCHER members of the committee on the part of the Senate.

RECOMMITTAL OF BRIDGE BILLS

Mr. DALE. On yesterday I reported from the Committee on Commerce three bridge bills, being Senate bills 2564, 2565, and 2566. Since then some matters have come up which make it important to hold hearings on those bills, and with the consent of the author of the bills I ask unanimous consent that they may be rereferred to the committee.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bills will be recommitted.

The following are the bills recommitted to the Committee on Commerce:

A bill (S. 2564) granting the consent and authority of Congress to the States of Texas and Oklahoma, and the counties of Cooke and Love, respectively, in said States, to construct, maintain, and operate free highway bridges between said States across Red River, ratifying the agreement of said States to construct the same;

A bill (S. 2565) granting the consent and authority of Congress to the States of Texas and Oklahoma, and the counties of Grayson and Bryan, respectively, in said States, to construct, maintain, and operate free highway bridges between said States across Red River, ratifying the agreement of said States to construct the same; and

A bill (S. 2566) granting the consent and authority of Congress to the States of Texas and Oklahoma, and the counties of Montague and Jefferson, respectively, in said States, to construct, maintain, and operate free highway bridges between said States across Red River, ratifying the agreement of said States to construct the same.

PHILIP W. TURNER

Mr. FESS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably without amendment Senate Resolution 202, submitted by the Senator from Colorado [Mr. WATERMAN] to pay Philip W. Turner for services rendered in connection with the so-called Vare-Wilson senatorial contest.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. DILL. What does the resolution provide? The Senator did not state how much is involved.

Mr. FESS. The amount is \$8,000.

Mr. WALSH of Montana. I ask that the resolution may be read.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for Expenses of Inquiries and Investigations, contingent fund of the Senate, fiscal year 1929, to Philip W. Turner \$8,000 in full payment for services rendered the Committee on Privileges and Elections as chief supervisor and statistical expert during the hearing and determination of the contest between William S. Vare and William B. Wilson for membership in the Senate from the State of Pennsylvania.

Mr. DILL. What other expenses have been paid or are to be paid in connection with that matter?

Mr. FESS. I call the attention of the Senator from Arkansas to the question.

Mr. CARAWAY. Quite a large number of expenses. It has been one of the most expensive contests that has been before the committee.

Mr. DILL. Not all the expenses have yet been approved?

Mr. CARAWAY. No.

The VICE PRESIDENT. Is there objection to the consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. SMOOT. Mr. President, I ask unanimous consent that at the conclusion of business to-day the Senate take a recess until to-morrow at 11 o'clock.

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

Mr. SMOOT. Mr. President, I would like now to turn to page 237, paragraph 1550 (b), relating to fountain pens, which went over at the request of the Senator from Iowa [Mr. BROOKHART]. The Senator from Iowa came to me a short time ago and called my attention to the fact that this had gone over, but he said that after further investigation of the matter, he desired to withdraw his request that it go over, and was willing that it should be acted upon.

The PRESIDING OFFICER (Mr. Fess in the chair). The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 237, line 7, after the words "Fountain pens," strike out the words "mechanical pencils," so as to make the provision read:

(b) Fountain pens, fountain-pen holders, stylographic pens, and parts thereof, 72 cents per dozen and 40 per cent ad valorem: *Provided*, That the value of cartons and fillers shall be included in the dutiable value.

Mr. WALSH of Massachusetts. Mr. President, I would like to have action on that amendment go over until it is reached in the regular order.

Mr. SMOOT. The only one before that which was passed over was on page 234, relating to carillons. I did not expect that to come up to-day, and did not bring my papers with me. I would like to have that go over until to-morrow morning.

Mr. WALSH of Massachusetts. Where is that?

Mr. SMOOT. That is in paragraph 1541 (c), found on page 234.

Mr. FLETCHER. I think carillons ought to go on the free list.

Mr. WALSH of Massachusetts. Previous to the amendment now being considered there are two amendments on pencils not mechanical pencils.

Mr. SMOOT. What page?

Mr. WALSH of Massachusetts. Page 236.

Mr. SMOOT. Both those amendments have been acted upon.

Mr. WALSH of Massachusetts. They are both slight reductions.

Mr. SMOOT. They are both reductions, and were both agreed to. We restored the existing law.

Mr. WALSH of Massachusetts. I have an amendment to offer to one of those paragraphs, but it is not in order at the present time.

The amendment that is pending on page 237 is one relating to mechanical pencils, 45 cents per gross, and 40 per cent ad valorem.

Mr. SMOOT. The first one is in subdivision (b), where we strike out "mechanical pencils," and we fix the rates in subdivision (c).

Mr. WALSH of Massachusetts. The amendment strikes out the words "mechanical pencils" in subdivision (b) and makes a new classification fixing the duty at 45 cents per gross and 40 per cent ad valorem. I can not agree to this amendment without some further information. I will tell the Senator from Utah what my understanding about the amendment is.

The Senate committee rate is an increase over the rates of the present law except in the case of mechanical pencils of "base metal." It is a reduction of the House rate. Under the present law mechanical pencils are listed under various paragraphs according to the component material of chief value at the following rates: Paragraph 31, pyroxylin, 60 per cent ad valorem; paragraph 33, galalith, 40 cents per pound and 25 per cent; paragraph 353, base metal, 72 cents per dozen and 40 per cent; paragraph 1451, not specially provided for, 45 cents per gross and 25 per cent ad valorem; House rate, 72 cents per dozen and 40 per cent ad valorem; Senate rate, 45 cents per gross and 40 per cent ad valorem.

It seems to me the Senate committee rate is too high.

Mr. SMOOT. I want to say to the Senator that I suppose there is no amendment in this bill about which I have received more complaints. Nearly every one of the complaints was to the effect that the Senate committee has made the rate too low.

Mr. FLETCHER. Mr. President, what is being considered now, the amendment on lines 12 and 13?

Mr. SMOOT. Yes; lines 12 and 13.

Mr. FLETCHER. I just want to say to the Senator from Utah that I would like to have him notify me when the amendment relating to carillons is to be taken up. I want to be present.

Mr. SMOOT. I will be glad to send word to the Senator.

Mr. WALSH of Massachusetts. Mr. President, my information is that there is no possible way of aiding the American manufacturers of mechanical pencils through the curtailing of importations of mechanical pencils to this country. There are not many of them imported anyway, and because of the peculiar character and type of the imported pencil, they are going to come in, whatever rate we may levy in this bill. There is really no competition between the imported mechanical pencil and the American-made mechanical pencil.

Mr. SMOOT. The idea of the Senate committee was to bring all the items together. In existing law they are in different paragraphs of the bill, and what we tried to do was to bring them into one paragraph and treat them all alike as nearly as we can, so there will not be the different classifications, perhaps one month classified one way and another month something come up to cause it to be classified in another way. If the Senator wants it to go over, I am willing.

Mr. FLETCHER. If we strike out "mechanical pencils," in line 7, page 237, and insert it in lines 12 and 13, we would get a reduction of the rate.

Mr. WALSH of Massachusetts. No.

Mr. FLETCHER. Yes. The rate at the lower point is 45 cents per gross, while in the first paragraph it is 72 cents per dozen.

Mr. SMOOT. Yes; it is quite a reduction.

Mr. FLETCHER. If we strike them out in paragraph (b) and then insert a separate provision and make them 45 cents per gross and 40 per cent ad valorem, it is a much less rate.

Mr. WALSH of Massachusetts. I appreciate the difficulty the Senator from Utah is having and that I am having, too, in regard to this schedule, namely, the limitation put upon us confining us to the consideration of amendments which have been recommended by the Senate Finance Committee. In most paragraphs it is necessary to have the basic rate established first and then the classifications built up on a basic rate. That is the difficulty we have in the particular case now before us. I will agree that the amendments may be accepted now and then may be reconsidered hereafter if we find it necessary.

The PRESIDING OFFICER. Without objection, the amendment in line 7 is agreed to, and the clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 240, paragraph 1553, thermostatic bottles, in line 8, strike out "5 cents" and insert "15 cents," so as to read:

Having a capacity of more than 2 pints, 30 cents each, and in addition thereto 15 cents for each pint or fraction thereof by which the capacity exceeds 2 pints.

Mr. WALSH of Massachusetts. This is an increase of the present rate of 30 cents each and 45 per cent ad valorem on this class of thermostatic bottles. The House rate is 30 cents each and 5 cents for each additional pint over 2 pints capacity, and 45 per cent ad valorem. The Senate rate is 30 cents each and 15 cents additional over 1 pint capacity, and 45 per cent ad valorem. On a bottle of 4 pints the present rate would be 30 cents and 45 per cent ad valorem; the House rate would be 40 cents and 45 per cent ad valorem and the Senate rate 60 cents and 45 per cent ad valorem. I think the Senate rate should be rejected and the lower rate in the House bill should be approved.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The PRESIDING OFFICER. That completes the amendments in the sundries schedule.

Mr. WALSH of Massachusetts. Mr. President, the Senator from Oklahoma is ready to take up gloves, on page 229.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 229, paragraph 1532, gloves, in line 7, after the word "length," strike out the words "(including the unfolded length of cuffs or other appendages)."

Mr. THOMAS of Oklahoma. Mr. President, I propose to strike out the entire paragraph and substitute the existing law. Under the rule it will be in order to perfect the paragraph before my motion will be in order, and for that reason I suggest that the matter go over until to-morrow.

Mr. SMOOT. We are to take up hides to-morrow.

Mr. THOMAS of Oklahoma. Then until some subsequent date.

Mr. SMOOT. If the Senator wants it to go over to some subsequent date it will be all right.

Mr. THOMAS of Oklahoma. There are some data and samples which I expected to receive to-day, but have not yet done so. I should like to have it go over until at least to-morrow.

Mr. WALSH of Massachusetts. I hope the Senator from Utah will never again agree, in view of the difficulties we have had here to-day, to confine discussion to Senate committee amendments. The whole paragraph ought to be open for discussion.

Mr. COUZENS. Mr. President, when will the Senator take up paragraph 1505? I understand that went over for some reason when I was absent this morning. It relates to rayon braids.

Mr. SMOOT. Is not the Senator ready to take it up now?

Mr. WALSH of Massachusetts. I am not. I raised the question that there are no pedaline braids manufactured here. I presented some evidence from the hat manufacturers to the effect that they had to import the braid, that the increase in duty from 15 to 90 per cent was extreme, and that the manufacturers were protesting against it. We were unable to get definite information as to whether the particular braid is made in this country. There are affidavits that it is not made, and at least one affidavit that it is made here. I think, therefore, we will save time by letting it go over until we get the information.

Mr. SMOOT. Then we might as well go on with the free list for a while this evening.

Mr. COPELAND. Mr. President, I hope the Senator from Utah will not go further to-night.

Mr. SMOOT. We can go on with the free list and consider amendments to which there is no objection. If there is any objection to an amendment, I will ask that it go over.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator from Utah if amendments are now in order to the free list?

Mr. SMOOT. No; no individual amendments are yet in order; only committee amendments.

The PRESIDING OFFICER. The first amendment under Title II, free list, will be stated.

The amendment was, under the heading "Title II—Free list," on page 243, line 3, after the name "Virgin Islands," to strike out "and the islands of Guam and Tutuila" and insert "American Samoa, and the island of Guam," so as to read:

TITLE II—FREE LIST

SEC. 201. That on and after the day following the passage of this act, except as otherwise specially provided for in this act, the articles mentioned in the following paragraphs, when imported into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam), shall be exempt from duty.

The amendment was agreed to.

The next amendment was, under the subhead "Schedule 16," on page 243, line 7, before the words "sulphuric acid," to insert "nitric acid," so as to make the paragraph read:

SCHEDULE 16

PAR. 1601. Acids and acid anhydrides: Hydrofluoric acid, hydrochloric or muriatic acid, nitric acid, sulphuric acid or oil of vitriol, and mixtures of nitric and sulphuric acids, valeric acid, and all anhydrides of the foregoing not specially provided for.

Mr. SMOOT. This was stricken out of the paragraph on page 3. It was put on the dutiable list by the House and we returned it to the free list.

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

The next amendment was, on page 244, line 3, after the word "than," to strike out "\$50 each" and insert "\$40 each," so as to make the paragraph read:

PAR. 1604. Agricultural implements: Plows, tooth or disk harrows, headers, harvesters, reapers, agricultural drills and planters, mowers, hoes, cultivators, threshing machines, cotton gins, machinery for use in the manufacture of sugar, wagons and carts, cream separators valued at not more than \$40 each, and all other agricultural implements of any kind or description, not specially provided for, whether in whole or in parts, including repair parts: *Provided*, That no article specified by name in Title I shall be free of duty under this paragraph.

Mr. WALSH of Massachusetts. The farm bloc is interested in this amendment.

Mr. SMOOT. They want it rejected.

Mr. COUZENS. I suggest to the Senator from Massachusetts that it should be rejected.

Mr. WALSH of Massachusetts. That is satisfactory.

Mr. SMOOT. When the Senator from Wisconsin [Mr. BLAINE] brought it up it was not then under consideration, but I think the consensus of opinion was that it should be rejected.

Mr. COUZENS. I think that is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment was, on page 245, line 20, before the word "brought," to strike out "Animals, poultry, and fish" and insert "Animals and poultry," so as to make the paragraph read:

PAR. 1607. Animals and poultry, brought into the United States temporarily for a period not exceeding six months, for the purpose of breeding, exhibition, or competition for prizes offered by any agricultural, polo, or racing association; but a bond shall be given in accordance with regulations prescribed by the Secretary of the Treasury; also teams of animals, including their harness and tackle, and the wagons or other vehicles actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration, under such regulations as the Secretary of the Treasury may prescribe; and wild animals and birds intended for exhibition in zoological collections for scientific or educational purposes, and not for sale or profit.

The amendment was agreed to.

The next amendment was, on page 246, line 18, after "Par. 1612," to strike out "Arrowroot in its natural state and not manufactured" and insert "Arrowroot, crude or manufactured, including starch and flour," so as to make the paragraph read:

PAR. 1612. Arrowroot, crude or manufactured, including starch and flour.

Mr. HARRISON. My recollection is there was quite a controversy over this item. Will not the Senator let it be passed over?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. FLETCHER. When the item comes up again I should like to have some explanation of what is meant by "starch and flour."

Mr. WALSH of Massachusetts. I call the attention of the Senator from Florida and of the Senator from Mississippi to the fact that in the comparative print there is a note which reads as follows:

NOTE.—Arrowroot starch and flour have been transferred from House bill, paragraph 85 (Senate bill, par. 84, p. 40 of this print)—House rate, 1½ cents per pound. Other manufactured arrowroot has been transferred from House bill, paragraph 1557 (Senate bill, par. 1558, p. 315 of this print)—House rate, 20 per cent ad valorem.

It appears to be a transfer to the free list of a commodity that was given a rate in the House.

Mr. SMOOT. I ask that it go over.

The PRESIDING OFFICER. The amendment will be passed over, and the next amendment will be stated.

The next amendment was, on page 247, line 2, after the word "means," to strike out "if imported by or for the account of the person who exported them from the United States," so as to read:

PAR. 1615. Articles the growth, produce, or manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means.

Mr. SMOOT. The paragraph provides for articles the growth, produce, or manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means. Then the House put in the words "if imported by or for the account of the person who exported them from the United States." There is no necessity for that language at all. It seems to me perfectly useless.

Mr. WALSH of Massachusetts. I know of no objection.

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

The next amendment was, on page 247, line 14, after the name "Secretary of the Treasury," to strike out "but the exemption of bags from duty shall apply only to such domestic bags as may be imported by the exporter thereof," so as to read:

Steel boxes, casks, barrels, carboys, bags, and other containers or coverings of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks and staves when returned as barrels or boxes; also quicksilver flasks or bottles, iron or steel drums of either domestic or foreign manufacture, used for the shipment of acids or other chemicals, which shall have been actually exported from the United States; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, and if any such articles are subject to internal-revenue tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded.

The amendment was agreed to.

The next amendment was, on page 248, line 12, after the word "of," to strike out "law" and insert "law; except that it shall apply to articles (not dutiable under section 504 as unusual coverings and containers) used as coverings or containers for merchandise not subject to an ad valorem rate of duty," so as to make the proviso read:

Provided, That this paragraph shall not apply to any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed; or to any article manufactured in bonded warehouse and exported under any provision of law; except that it shall apply to articles (not dutiable under section 504 as unusual coverings and containers) used as coverings or containers for merchandise not subject to an ad valorem rate of duty.

Mr. WALSH of Massachusetts. May we have an explanation of the amendment?

Mr. SMOOT. There is a question about this amendment and I will ask to have it go over.

The PRESIDING OFFICER. It will be passed over.

The next amendment was, on page 249, line 19, after the word "its" to strike out "preparation" and insert "preparation, and unless it was light raised, and is commonly known as bread," so as to make the paragraph read:

PAR. 1623. Bread: *Provided*, That no article shall be exempted from duty as bread unless yeast was the leavening substance used in its preparation, and unless it was light raised, and is commonly known as bread.

Mr. SMOOT. That has reference to Swedish bread.

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

The next amendment was, on page 252, after line 4, to insert:

PAR. 1640. Burrstones, manufactured or bound up into millstones.

Mr. SMOOT. That has already been agreed to when we brought it up in Schedule 2.

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

The next amendment was, on page 252, line 17, after the words "typesetting machines" to insert "typewriters," so as to make the paragraph read:

PAR. 1643. Linotype and all typesetting machines, typewriters, shoe machinery, sand-blast machines, sludge machines, and tar and oil spreading machines used in the construction and maintenance of roads and in improving them by the use of road preservatives; all of the foregoing whether in whole or in parts, including repair parts.

Mr. WALSH of Massachusetts. I would like to have that go over.

The PRESIDING OFFICER. The amendment will be passed over.

The next amendment was, on page 254, line 14, after "Par." to strike out "1652" and insert "1653," and in the same line, after the word "cacao" to strike out "beans" and insert "beans, and shells thereof," so as to make the paragraph read:

PAR. 1653. Cocoa or cacao, and shells thereof.

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

Mr. WALSH of Massachusetts. I have no objection to the amendment.

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

Mr. COPELAND. Mr. President, was not this item considered in connection with the argument presented by the Senator from Massachusetts [Mr. GILLET]?

Mr. SMOOT. Oh, no.

Mr. COPELAND. When he discussed the cocoa amendment did he not refer to this item?

Mr. SMOOT. This item is left upon the free list; it is not proposed to put it on the dutiable list.

Mr. COPELAND. I have no objection.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment was, on page 254, line 16, after "Par.," to strike out "1653. Coffee" and insert "1654. Coffee, except coffee imported into Porto Rico and upon which a duty is imposed under the authority of section 319," so as to make the paragraph read:

PAR. 1654. Coffee, except coffee imported into Porto Rico and upon which a duty is imposed under the authority of section 319.

Mr. WALSH of Massachusetts. That provision authorizes the Legislature of Porto Rico to impose a duty.

Mr. SMOOT. That is its purpose, and in the administrative features of the bill, as the Senator will remember, a similar provision was virtually agreed to.

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

The next amendment was, on page 255, line 14, after "Par.," to strike out "1663. Metallic mineral substances in a crude state, and metals unwrought, whether capable of being wrought or not, not specially provided for" and insert "1664. Metallic mineral substances in a crude state, such as drosses, skimmings, residues, brass foundry ash, and flue dust, not specially provided for," so as to make the paragraph read:

PAR. 1664. Metallic mineral substances in a crude state, such as drosses, skimmings, residues, brass foundry ash, and flue dust, not specially provided for.

Mr. WALSH of Massachusetts. Will the Senator from Utah explain that amendment?

Mr. SMOOT. The term "metals unwrought" is deleted because most of the alloys and minerals now classified under that term have been given specific mention in the chemical and metals schedule. The Senator will remember that we took up almost every item and specifically mentioned it in the different paragraphs. This amendment is put in the bill at this place for that reason.

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

The next amendment was, on page 255, line 23, after the word "thiocyanates," to strike out "and nitroprussides" and insert "nitroprussides, ferrocyanides, ferricyanides, and cyanates," so as to make the paragraph read:

PAR. 1667. Cyanide: Potassium cyanide, sodium cyanide, all cyanide salts and cyanide mixtures (not including sulphocyanides or thiocyanides, thiocyanates, nitroprussides, ferrocyanides, ferricyanides, and cyanates).

Mr. SMOOT. These items were under consideration in the chemical schedule and this amendment merely carries out what we agreed to in the consideration of that schedule.

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

The next amendment was, on page 256, line 1, after "Par.," to strike out "1667. Glaziers' and engravers' diamonds, unset; miners' diamonds" and insert:

1668. Diamonds and other precious stones, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken, glaziers' and engravers' diamonds, any of the foregoing not set, miners' diamonds, and diamond dust."

Mr. WALSH of Massachusetts. I understand that puts uncut diamonds on the free list. They now bear a duty of 10 per cent.

Mr. SMOOT. That is correct.

Mr. WALSH of Massachusetts. Diamonds that are cut bear under the present law a duty of 20 per cent, and this bill reduces the rate to 10 per cent.

Mr. SMOOT. That is correct.

Mr. WALSH of Massachusetts. That is due to the complaints of excessive smuggling.

Mr. SMOOT. Yes; as I explained this morning.

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

The next amendment was, on page 257, line 13, after "Par.," to strike out "1671" and insert "1672," and in line 14, after the word "artificial," to strike out "abrasives" and insert "abrasives, not specially provided for," so as to make the paragraph read:

PAR. 1672. Emery ore and corundum ore, and crude artificial abrasives, not specially provided for.

Mr. SMOOT. That is merely a clerical amendment.

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

The next amendment was, on page 258, line 9, after "Par." to strike out "1681. Game animals and birds imported by United States or State game officials for stocking game preserves, under such regulations as the Secretary of the Treasury and the Secretary of Agriculture shall prescribe," and insert:

1682. Live game animals and birds, imported for stocking purposes, and game animals and birds killed in foreign countries by residents of the United States and imported by them for noncommercial purposes; under such regulations as the Secretary of Agriculture and the Secretary of the Treasury shall prescribe.

The amendment was agreed to.

The next amendment was, on page 259, line 9, after the word "copal," to insert "chicle."

The amendment was agreed to.

The next amendment was, in paragraph 1686, on page 259, line 10, after the word "tragacanth," to strike out "tragasol."

Mr. SMOOT. Tragasol has already been taken care of in the chemical schedule. The amendment on page 259, in line 10, striking out "tragasol," should be disagreed to. As Senators will remember, we have previously taken action which makes it necessary to disagree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question.] The amendment is rejected.

Mr. FLETCHER. The amendment is to strike "tragasol" out?

Mr. SMOOT. We put it on the free list by action of the Senate in connection with the chemical schedule.

Mr. HARRISON. Does the Senator want the amendment in line 10, striking out the word "tragasol," disagreed to?

Mr. SMOOT. That has been done. Therefore tragasol is now on the free list.

Mr. HARRISON. I understood the Chair to announce that the amendment had been disagreed to.

Mr. SMOOT. That is right; the amendment should be disagreed to.

The PRESIDING OFFICER. The amendment is disagreed to. The next amendment will be stated.

The next amendment was, on page 259, line 13, after the word "explosive," to strike out "substances not specially provided for" and insert "substances, not specially provided for, and not wholly or in chief value of cellulose esters," so as to read:

PAR. 1687. Gunpowder, sporting powder, and all other explosive substances, not specially provided for, and not wholly or in chief value of cellulose esters.

The amendment was agreed to.

The next amendment was, on page 260, line 7, after "Par.," to strike out "1691. Hones and whetstones" and insert "1692. Hones, whetstones, and grindstones," so as to make the paragraph read:

PAR. 1692. Hones, whetstones, and grindstones.

Mr. WALSH of Massachusetts. In the House bill grindstones bore a duty, while the Senate committee recommended that they be put on the free list.

Mr. SMOOT. Yes; and when we were considering Schedule 2 we put them on the free list.

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

The next amendment was, on page 261, line 5, after "Par.," to strike out "1702. Junk, old," and insert "1703. Waste rope," so as to make the paragraph read:

PAR. 1703. Waste rope.

Mr. HARRISON. May I ask the chairman of the committee what becomes of old junk?

Mr. SMOOT. The committee amendment strikes out the provision for the free entry of old junk. On account of numerous administrative difficulties in classifying articles under this paragraph, it is believed that any small item which under existing law falls under this paragraph would under the committee amendment properly be classified as waste, under paragraph 1555. In view of the fact that a small amount of tarred rope not suitable for fiber making, but used for making oakum, is being imported, the committee amendment leaves the item on the free list as waste rope.

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

The next amendment was, on page 261, after line 6, to insert "Par. 1705. Kieserite."

The amendment was agreed to.

The next amendment was, on page 262, after line 19, to insert "Par. 1723. Muzzle-loading muskets, shotguns, rifles, and parts thereof."

Mr. HARRISON. Mr. President, in regard to this item, affecting muzzle-loading muskets, shotguns, rifles, and parts thereof, I notice they are all placed on the free list. Are they not manufactured any more in this country?

Mr. SMOOT. I have not heard of any being manufactured in this country for I do not know when.

Mr. HARRISON. I do not know as to that, but they were mighty good when they were used.

Mr. SMOOT. Yes.

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

Mr. FLETCHER. What becomes of the amendment on page 261 inserting "Manganese ores and manganese concentrates"?

Mr. SMOOT. That has been taken care of. The Senate took manganese from the free list and placed a duty on it and at the same time disagreed to the amendment referred to by the Senator from Florida.

The next amendment was, on page 262, line 23, after "Par.," to strike out "1721" and insert "1725"; and in line 25, after the word "manila," to strike out "or vegetable fiber," so as to make the paragraph read:

PAR. 1725. Nets or finished sections of nets for use in otter trawl fishing, if composed wholly or in chief value of manila.

The amendment was agreed to.

The next amendment was, on page 263, line 9, after "Par.," to strike out "1723" and insert "1727"; in line 10, after the word "hempseed," to insert "kapok seed"; and in line 11, after the word "rapeseed," to insert "rubber seed," so as to make the paragraph read:

PAR. 1727. Oil-bearing seeds and nuts: Copra, hempseed, kapok seed, palm nuts, palm-nut kernels, tung nuts, rapeseed, rubber seed, perilla and sesame seeds; seeds and nuts not specially provided for, when the oils derived therefrom are free of duty.

The amendment was agreed to.

The next amendment was, on page 263, line 14, after "Par.," to strike out "1724. Nux vomica" and insert "1728. Nux vomica, gentian, sarsaparilla root, belladonna, digitalis, henbane, stramonium, and ergot," so as to make the paragraph read:

PAR. 1728. Nux vomica, gentian, sarsaparilla root, belladonna, digitalis, henbane, stramonium, and ergot.

Mr. SMOOT. That amendment is merely for the purpose of carrying out the action taken by the Senate in Schedule 1.

The amendment was agreed to.

The next amendment was, on page 264, line 3, after the word "ice," to strike out "and frozen" and insert "frozen, and with fins removed," so as to read:

PAR. 1731. (a) All products of American fisheries (including fish, shellfish, and other marine animals, and spermaceti, whale, fish, and other marine animal oils), which have not been landed in a foreign country or which, if so landed, have been landed solely for transshipment without change in condition: *Provided*, That fish the product of American fisheries (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) landed in a foreign country and there not further advanced than beheaded, eviscerated, packed in ice, frozen, and with fins removed, shall be exempt from duty.

The amendment was agreed to.

The next amendment was, on page 264, line 11, after "Par.," to strike out "1728" and insert "1732," and in line 13, after the word "citronella," to insert "eucalyptus," so as to make the paragraph read:

PAR. 1732. Oils, distilled or essential: Anise, bergamot, bitter almond, camphor, caraway, cassia, cinnamon, citronella, eucalyptus, geranium, lavender, lemon grass, lime, lignaloe or bois de rose, neroli or orange flower, origanum, palmarosa, pettigrain, rose or otto of roses, rosemary, spike lavender, thyme, and ylang ylang or cananga: *Provided*, That no article mixed or compounded with or containing alcohol shall be exempted from duty under this paragraph.

The amendment was agreed to.

The next amendment was, on page 264, line 20, after "Par.," to strike out "1729" and insert "1733"; in line 21, after the word "almond," to strike out "olive oil and palm-kernel oil rendered" and insert "olive, palm-kernel, rapeseed, sunflower, and sesame oil, rendered."

Mr. SMOOT. I think that amendment had better go over until we finally dispose of the oil paragraph.

The PRESIDING OFFICER. The amendment will be passed over.

The next amendment was, in paragraph 1733, on page 265, line 1, after the word "him," to strike out "Chinese and Japanese tung oils" and insert "tung oil."

The PRESIDING OFFICER. The Chair will inquire if that amendment should go over?

Mr. WALSH of Massachusetts. That amendment should go over also, I presume.

Mr. SMOOT. This amendment will not be affected by what may be done in connection with the oil paragraph.

Mr. WALSH of Massachusetts. Very well.

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

The next amendment was, on page 265, line 7, after "Par.," to strike out "1731" and insert "1735," and in line 8, before the word "ores," to insert "nickel oxide," so as to make the paragraph read:

PAR. 1735. Ores of gold, silver, or nickel; nickel matte; nickel oxide; ores of the platinum metals; sweepings of gold and silver.

Mr. SMOOT. That has already been agreed to.

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

The next amendment was, on page 265, line 13, after "Par.," to strike out "1734" and insert "1738," and in the same line, after the word "green," to insert "and London purple," so as to make the paragraph read:

PAR. 1738. Paris green and London purple.

The amendment was agreed to.

The next amendment was, on page 267, line 18, after "Par.," to strike out "1749" and insert "1753," and in line 19, after the word "canned," to strike out "soups" and insert "foods," so as to make the paragraph read:

PAR. 1753. Patna rice, cleaned, for use in the manufacture of canned foods.

The amendment was agreed to.

The next amendment was, on page 268, line 1, after "Par.," to strike out "1753. Fresh sea herring, not frozen naturally or artificially, whether or not whole. Smelts and" and insert "1757. Sea herring, smelts, and," so as to make the paragraph read:

PAR. 1757. Sea herring, smelts, and tuna fish, fresh or frozen, whether or not packed in ice, and whether or not whole.

The amendment was agreed to.

The next amendment was, on page 268, line 5, after "Par.," to strike out "1754. Sugar" and insert "1758. Chickpeas or garbanzos, cowpeas, and sugar," so as to make the paragraph read:

PAR. 1758. Chickpeas or garbanzos, cowpeas, and sugar-beet seed.

Mr. SMOOT. Mr. President, I wish to make an inquiry of the Chair as to paragraph 1758. I offered an amendment after the word "peas" to insert the words "not specially provided for," but my book does not show whether the amendment was agreed to as amended. I will inquire if the amendment has been agreed to as amended.

The PRESIDING OFFICER. It does not appear at the desk that the amendment as amended has been agreed to.

Mr. SMOOT. But the amendment to the amendment was agreed to.

The PRESIDING OFFICER. The Chair understands that the record shows that the amendment in lines 5 and 6 has been agreed to.

Mr. SMOOT. I refer to an amendment to the amendment. The amendment reported by the committee strikes out "1754. Sugar" and insert "1758. Chickpeas," and so forth. That amendment was amended, so it seems to me it ought to be agreed to as amended.

Mr. FLETCHER. Will the Senator state how it was amended?

Mr. SMOOT. In line 6, after the word "cowpeas," I offered an amendment to insert the words "not specially provided for." I want to be sure that the amendment is agreed to as amended; that is all.

Mr. HARRISON. An amendment in paragraph 1754 strikes out the one word "Sugar." That meant sugar-beet seed, did it?

Mr. SMOOT. That is what it meant.

Mr. HARRISON. It did not refer to sugar.

Mr. SMOOT. No; but to sugar-beet seed.

Mr. WALSH of Massachusetts. We know the state of mind of the Senator from Utah on the subject of sugar.

Mr. SMOOT. What I asked the Chair was whether the amendment to which I have referred as amended has been agreed to?

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

The next amendment was, on page 268, after line 8, to insert:

PAR. 1761. Shingles of wood.

Mr. WALSH of Massachusetts. That is in conformity with the action already taken.

Mr. SMOOT. That has been put in paragraph 403. That has already been agreed to.

Mr. WALSH of Massachusetts. Shingles are on the free list.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

Mr. SMOOT. Wait just a minute, until we look at paragraph 403.

Mr. HARRISON. My recollection is that shingles were placed on the free list, and that it is proper to adopt this amendment.

Mr. COUZENS. Mr. President, this amendment is proper.

Mr. SMOOT. I thought it had been agreed to at 10 per cent.

Mr. WALSH of Massachusetts. This is in accordance with the previous action of the Senate.

The PRESIDING OFFICER. Does the Senator wish this amendment agreed to?

Mr. SMOOT. Yes, Mr. President.

The amendment was agreed to.

The next amendment was, on page 268, line 22, after "Par.," to strike out "1762" and insert "1767"; in the same line, after the word "Sodium," to strike out "Nitrate or" and insert "Nitrate, crude or refined"; and in line 23, after the word "or" to insert "crude," so as to make the paragraph read:

PAR. 1767. Sodium: Nitrate, crude, or refined; sulphate, crude, or crude salt cake, and niter cake.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I have had some communications with regard to salt cake, and I should rather like to have this paragraph go over, as is being done with some others, until I can look into it.

Mr. SMOOT. I think every letter the Senator has received is in favor of the action of the committee. I have not received a single protest.

Mr. FLETCHER. In favor of putting it all on the free list?

Mr. SMOOT. Why, certainly. I have received dozens and dozens of letters of that kind.

Mr. FLETCHER. That is my impression.

Mr. SMOOT. If it is not so, we will return to it.

Mr. FLETCHER. Very well, with that understanding.

Mr. SMOOT. I have not had a letter opposing it.

Mr. ASHURST. Mr. President, have we reached the item of sodium or salt cake?

Mr. FLETCHER. That is what we are talking about now.

Mr. ASHURST. My colleague, Mr. HAYDEN, had an amendment to offer to that item; but, as the Senator from Utah knows, he has been called West to an important conference. I will present the item for him, if the Senator wishes, this afternoon.

Mr. SMOOT. Does the Senator want it to go over?

Mr. ASHURST. I presume it could be presented this afternoon, but I have no objection at all to its going over.

Mr. SMOOT. Is the Senator ready to present it now?

Mr. ASHURST. Not at this hour.

Mr. SMOOT. If not, I will ask that it go over.

Mr. ASHURST. Let it go over, then.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. COPELAND. Mr. President, I am glad to see that spunk has been left on the free list. [Laughter.]

Mr. SMOOT. It has never been off the free list.

Mr. COPELAND. It has not been used at times, I take it.

Mr. SMOOT. I suppose it is used here more than at any other place in the world.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 270, line 6, after the word "statuary," to insert "(except casts of plaster of Paris, or of compositions of paper or papier-mâché)," so as to make the paragraph read:

PAR. 1774. Altars, pulpits, communion tables, baptismal fonts, shrines, or parts of any of the foregoing and statuary (except casts of plaster of Paris, or of compositions of paper or papier-mâché), imported in good faith for presentation (without charge) to, and for the use of, any corporation or association organized and operated exclusively for religious purposes.

Mr. HARRISON. Let that go over.

Mr. BARKLEY. Mr. President, I should like to ask the Senator from Utah a question about that amendment.

Mr. SMOOT. The amendment is going over.

Mr. BARKLEY. Very well.

The PRESIDING OFFICER. The amendment will be passed over.

The next amendment was, on page 270, line 13, before the words "cliff stone," to insert "silica," so as to make the paragraph read:

PAR. 1775. Stone and sand: Burrstone in blocks, rough or unmanufactured; quartzite; trap rock; rottenstone, tripoli, and sand, crude or manufactured; silica; cliff stone, freestone, granite, and sandstone, unmanufactured, and not suitable for use as monumental, paving, or building stone; all the foregoing not specially provided for.

Mr. WALSH of Massachusetts. Mr. President, this is transferred from the House bill, where it bore a duty of 40 per cent, and is put on the free list.

Mr. SMOOT. This is sand.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BROUSSARD. Mr. President, I was called away from the Chamber for a moment. May I inquire what disposition was made of paragraph 1753, page 267?

Mr. WALSH of Massachusetts. It was adopted.

The PRESIDING OFFICER. That was agreed to.

Mr. BROUSSARD. I ask unanimous consent that we may reconsider that matter.

Mr. SMOOT. Mr. President, I can not do that without calling for a quorum. If the Senator desires, when the individual amendments are up or when the bill reaches the Senate he can offer an amendment to it.

Mr. BROUSSARD. I wish the Senate to reject the Finance Committee amendment.

Mr. SMOOT. I know; but it has been already agreed to.

Mr. FLETCHER. We can reconsider it.

Mr. HARRISON. Mr. President, there was no question about any of that part of the bill. It was not discussed. It was not supposed that anybody was interested.

Mr. SMOOT. I am simply saying that I do not want to call for a quorum to-night, and I promised the Senator from Michigan that I would do so if—

Mr. BROUSSARD. Why should a quorum be called for that? I was just notified that the Senate had reached the free list.

Mr. HARRISON. It was merely a change from the word "soups" to "foods," and it was agreed to because no one thought there was any question about it. We can move to reconsider it, because it was done just a minute ago. That is a different matter from what the Senator said he had to call a quorum for.

Mr. BROUSSARD. I was called from the floor for a moment. I hope the Senator from Utah will agree to change that word. I can make a short explanation of it.

Mr. SMOOT. What does the Senator desire—to reject the committee amendment?

Mr. BROUSSARD. Yes; I merely want to reject the Finance Committee amendment.

Mr. SMOOT. Very well; then I ask a reconsideration of it.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and paragraph 1753, on page 267, is reconsidered.

Mr. BROUSSARD. Mr. President, I should like to state the reasons why I am asking the rejection of this amendment:

In 1922, when this matter first came before the Congress, the Campbell Soup people claimed that they used Patna rice, which is a sun-dried rice produced in India. They have used it for a long time. It comes here, and it is very high priced. In 1922 they had "Rice imported to be used in the manufacture of canned foods." I objected to it, and my amendment prevailed, and it was limited to Patna rice. The word "Patna" was introduced in the law of 1922 in order to limit it to that special form of rice. The original proposition was, "Rice imported to be used in the manufacture of canned foods."

Mr. President, I have on my desk two bills that have passed the House and that affect the definition of canned foods. The bill passed the House last year, and it is pending now in the House. It is sought to define any food that is put up in a sealed container to be a canned food.

The English way is to call it "tinned food," but under this definition, if the Congress passes the House measure, White House rice or any rice that is sold in any grocery store in package form is a canned food.

The objection that my people have to this, and the rice people of other States—I will say of Arkansas, Texas, and California—is that we want to limit it to canned soups. There has been no request from anybody but the Campbell Co. that this rice be imported free of duty. It is an unjust discrimination against the rice producers of this country, and it is unfair; but the amount is so small that it does not affect us.

If, however, we put the words "canned foods" there, the rice may be brought into this country in cartons, and under the bill which has been introduced in the House and of which I have a copy here the definition would classify it as a canned food, no matter what sort of a container it came in. If it was sealed

in paper it would be classified as canned food; so we are very desirous, in addition to the word "Patna," to retain the word "soups," in order that there may be no imposition and no question of the interpretation of this tariff duty.

House bill 15218, Seventieth Congress, is entitled "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. On page 2 of this bill, Senators will find this language:

For the purposes of this paragraph, the words "canned food" mean all food which is in hermetically sealed containers and is sterilized by heat.

So that definition is very broad.

Mr. WALSH of Massachusetts. Mr. President, the Senator from Louisiana seems to have made a very excellent explanation. He is fearful that the change of the word "soups" to "foods" may lead to putting upon the free list some articles in the food line that ought to bear a tariff duty.

Mr. BROUSSARD. Any rice that anybody outside wishes to send in here.

Mr. WALSH of Massachusetts. I hope the Senator from Utah will accept the suggestion made by the Senator from Louisiana and allow the present language to remain.

Mr. FLETCHER. Mr. President, it seems to me very clear that the Senator from Louisiana has made out a plain case.

Mr. SMOOT. Mr. President, I see the position of the Senator. He does not want them to use Patna rice in foods of any kind, but they can use it in soups.

Mr. BROUSSARD. No, Mr. President; the chairman of the committee does not understand my position. I want it limited to Patna rice, and then I want it limited to soups, because—

Mr. SMOOT. That is what I said.

Mr. BROUSSARD. Because, if we make it read "foods," we will not only admit Patna rice free but we will admit all rices free.

Mr. SMOOT. That is exactly what I said.

Mr. BROUSSARD. I misunderstood the Senator.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 271, after line 4, to insert:

Par. 1782. Tar and pitch of wood.

Mr. FLETCHER. That amendment ought to be rejected.

Mr. SMOOT. This amendment will have to be rejected, on account of the action of the Senate in placing a duty upon tar and pitch of wood.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. COPELAND. Mr. President, I desire to ask a question about silica, on line 13 of the preceding page. Why was that put on the free list?

Mr. SMOOT. Sand?

Mr. COPELAND. Yes.

Mr. SMOOT. Because the Senate has already agreed to put it on the free list.

Mr. COPELAND. We have already taken action?

Mr. SMOOT. The Senate has voted upon it.

Mr. COPELAND. It is in the interest of the plate-glass concerns?

Mr. SMOOT. Do you produce sand in New York?

The PRESIDING OFFICER. The clerk will state the next amendment?

The next amendment was, on page 271, line 8, after "Par.," to strike out "1778. Tea" and insert:

1784. (a) Impure tea, tea waste, and tea siftings and sweepings, for manufacturing purposes in bond, pursuant to the provisions of the act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, and acts amendatory thereof and supplementary thereto.

So as to read:

PAR. 1784. (a) Impure tea, tea waste, and tea siftings and sweepings, for manufacturing purposes in bond, pursuant to the provisions of the act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, and acts amendatory thereof and supplementary thereto.

Mr. SMOOT. That is to carry out the action of the Senate already taken in Schedule I.

The amendment was agreed to.

The next amendment was, on page 271, line 14, before the word "not," to insert "(b) Tea," so as to read:

(b) Tea not specially provided for, and tea plants.

The amendment was agreed to.

The next amendment was, on page 271, line 23, after the word "thereof," to insert "or supplementary thereto," so as to make the further proviso read:

Provided further, That nothing herein contained shall be construed to repeal or impair the provisions of an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, and any act amendatory thereof or supplementary thereto.

The amendment was agreed to.

The next amendment was, on page 272, line 11, after the word "pigs," to strike out "and" and insert "alloys in chief value of tin not specially provided for, and," so as to make the paragraph read:

PAR. 1787. Tin in bars, blocks or pigs, alloys in chief value of tin not specially provided for, and grain or granulated and scrap tin, including scrap tin plate.

Mr. SMOOT. That is already on the free list, but it is brought here because it is a better classification.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 272, after line 15, to insert:

PAR. 1789. Truffles, fresh or dried, or otherwise prepared or preserved.

Mr. SMOOT. That is in Schedule 7 and has already been agreed to.

The amendment was agreed to.

The next amendment was, on page 272, after line 21, to strike out:

PAR. 1786. Typewriters.

Mr. SMOOT. Let that amendment go over.

Mr. WALSH of Massachusetts. I should like to have that go over, because we have already passed over a similar subject.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. HARRISON. Mr. President, before that goes over may I ask the Senator a question? Under the present law typewriters carry a tariff duty; do they not?

Mr. SMOOT. No; they are on the free list, but this amendment must go over because of the fact that we have asked that paragraph 1643 go over. They must both be considered together. One is the question of parts and the other is the question of the typewriter itself; and they must both be considered together.

Mr. WALSH of Massachusetts. Mr. President, I will say to the Senator from Mississippi that through inadvertence typewriter ribbons bear a duty and have been removed from the free list. I shall seek later to put them on the free list as being parts of typewriters.

The PRESIDING OFFICER. The amendment will be passed over. The clerk will state the next amendment.

The next amendment was, on page 274, line 5, after the word "exceeding," to strike out "\$100" and insert "\$200," so as to make the further proviso read:

Provided further, That up to but not exceeding \$200 in value of articles acquired abroad by such residents of the United States for personal or household use or as souvenirs or curios, but not bought on commission or intended for sale, shall be admitted free of duty.

Mr. SMOOT. Mr. President, I have been asked to let that amendment go over; so let it go over. I will say to the Senator that the reasons given to me were that if we increase the amount to \$200 it will allow people along the Canadian border to go over there, and they will get most of their goods in free. I simply say that now; but I want the amendment to go over at this time because I have been asked to make that request.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. WALSH of Massachusetts. Mr. President, I have had a large number of requests from tailors and clothing makers protesting against this increase, claiming that people who travel abroad and buy expensive clothes abroad should not be given this exception when people who buy them here have to pay a duty. I am glad the Senator has asked that the amendment go over.

Mr. SMOOT. The Retail Dry Goods Association have unanimously disapproved of it and have passed resolutions to that effect. I do not know of anything in the bill that I have received more protests to than this very item. Therefore I ask that it go over.

Mr. WALSH of Massachusetts. I assume that the Senator later will recommend restoration of the present exemption of \$100.

Mr. SMOOT. I want the Senate to decide that.

The PRESIDING OFFICER. The clerk will report the next amendment.

The next amendment was, on page 274, line 13, after the word "Witherite," to insert a comma and "crude, unground," so as to make the paragraph read:

PAR. 1802. Witherite, crude, unground.

The amendment was agreed to.

The next amendment was, on page 275, line 18, after the name "United States," to strike out "There shall not be classified under this paragraph any form of cedar or of any wood enumerated in paragraph 402 or 405, except maple and birch logs," so as to make the paragraph read:

PAR. 1804. Wood: Logs; timber, round, unmanufactured, hewn, sided, or squared otherwise than by sawing; pulp woods; round timber used for spars or in building wharves; firewood, handle bolts, shingle bolts; and gun blocks for gunstocks, rough hewn or sawed or planed on one side; sawed boards, planks, deals, and other lumber, not further manufactured than sawed, planed, and tongued and grooved; clapboards, laths, ship timber; all the foregoing not specially provided for: *Provided,* That if there is imported into the United States any of the foregoing lumber, planed on one or more sides and tongued and grooved, manufactured in or exported from any country, dependency, Province, or other subdivision of government which imposes a duty upon such lumber exported from the United States, the President may enter into negotiations with such country, dependency, Province, or other subdivision of government to secure the removal of such duty, and if such duty is not removed he may by proclamation declare such failure of negotiations, and in such proclamation shall state the facts upon which his action is taken together with the rates imposed, and make declaration that like and equal rates shall be forthwith imposed as hereinafter provided; whereupon, and until such duty is removed, there shall be levied, collected, and paid upon such lumber, when imported directly or indirectly from such country, dependency, Province, or other subdivision of government, a duty equal to the duty imposed by such country, dependency, Province, or other subdivision of government upon such lumber imported from the United States.

Mr. SMOOT. That simply carries out the action of the Senate already taken.

Mr. McNARY. Mr. President, there are two or three amendments pending to this paragraph, one offered by the Senator from Washington. Assuming, however, that the Senator's amendment might take timber from the free list and put it on the dutiable list, what effect will the striking out of this language have?

Mr. SMOOT. We will have to come back and reconsider this.

Mr. McNARY. Probably so.

Mr. SMOOT. I assure the Senator that I will call his attention to it.

Mr. McNARY. I am sure of that. I thought probably it would simplify the matter if that language were passed over for the present pending the decision on the other amendment.

Mr. SMOOT. I want the schedule completed, because if we pass it over, there would be one provision one way and another different.

Mr. McNARY. I yield to the wisdom of the Senator.

Mr. SMOOT. If the Senate finally changes its action on lumber, we will come back to this.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. COPELAND. Mr. President, was the discussion just now about the amendment on page 275, lines 18 to 20?

Mr. SMOOT. Yes.

Mr. COPELAND. What action did we propose taking?

Mr. SMOOT. We agreed to the amendment. If a duty is put on lumber, we will ask that this be reconsidered and disagreed to.

Mr. COPELAND. It will be considered at a later time?

Mr. SMOOT. This is in conformity with the action already taken, but when the bill gets into the Senate, if there is a change, I shall ask that this be changed.

The PRESIDING OFFICER. The clerk will report the next amendment.

The next amendment was, on page 276, line 21, after the word "painting," to strike out "and" and insert "'drawing,'" "sketch," and in line 23, after the word "utility" to insert "or for industrial use," so as to make the paragraph read:

PAR. 1808. Original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen, ink, pencil, or water

colors, artists' proof etchings unbound, and engravings and woodcuts unbound, original sculptures or statuary, including not more than two replicas or reproductions of the same; but the terms "sculpture" and "statuary" as used in this paragraph shall be understood to include professional productions of sculptors only, whether in round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal, or whether cut, carved, or otherwise wrought by hand from the solid block or mass of marble, stone, or alabaster, or from metal, or cast in bronze or other metal or substance, or from wax or plaster, made as the professional productions of sculptors only; and the words "painting," "drawing," "sketch," "sculpture," and "statuary" as used in this paragraph shall not be understood to include any articles of utility or for industrial use, nor such as are made wholly or in part by stenciling or any other mechanical process; and the words "etchings," "engravings," and "woodcuts" as used in this paragraph shall be understood to include only such as are printed by hand from plates or blocks etched or engraved with hand tools and not such as are printed from plates or blocks etched or engraved by photochemical or other mechanical processes.

The amendment was agreed to.

The next amendment was, on page 279, line 2, after the word "at," to strike out "\$15" and insert "\$35," so as to make the paragraph read:

PAR. 1811. Works of art, productions of American artists residing temporarily abroad, or other works of art, including pictorial paintings on glass, imported expressly for presentation to a national institution or to any State or municipal corporation or incorporated religious society, college, or other public institution, including stained or painted window glass or stained or painted glass windows which are works of art when imported to be used in houses of worship, valued at \$35 or more per square foot, and excluding any article, in whole or in part, molded, cast, or mechanically wrought from metal within 20 years prior to importation; but such exemption shall be subject to such regulations as the Secretary of the Treasury may prescribe.

Mr. HARRISON. Let that be passed over.

Mr. SMOOT. Does the Senator really want that to go over?

Mr. HARRISON. Yes; I want to look into it. There may be discussion of it.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The amendment will be passed over. The clerk will state the next amendment.

The next amendment was, on page 279, line 7, before the word "Works," to strike out "1806" and insert "1812"; in line 8, after the word "carpets," to insert "made after the year 1700"; in line 12, after the word "produced," to strike out "more than 100 years prior to the date of importation" and insert "prior to the year 1800"; and in line 16, after the word "prescribe" to insert "Violins, violas, violoncellos, and double basses, of all sizes, made in the year 1800 or prior year," so as to make the paragraph read:

PAR. 1812. Works of art (except rugs and carpets made after the year 1700), collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art of ornamental character or educational value which shall have been produced prior to the year 1800, but the free importation of such objects shall be subject to such regulations as to proof of antiquity as the Secretary of the Treasury may prescribe. Violins, violas, violoncellos, and double basses, of all sizes, made in the year 1800 or prior year.

Mr. COPELAND. Mr. President—

Mr. McKELLAR. That date has already been agreed to.

Mr. SMOOT. A similar amendment was agreed to in another case. From the letters I have received from New York, I think this is what the Senator's constituents want. They want it fixed beginning with the year 1800.

Mr. COPELAND. That is right.

The amendment was agreed to.

The next amendment was, on page 279, after line 18, to insert "Par. 1813. Gobelin tapestries used as wall hangings."

The amendment was agreed to.

The next amendment was, on page 279, after line 19, to strike out "Par. 1807. Venetian glass mosaics which are works of art."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the free list.

RECESS

Mr. SMOOT. In conformity with the action of the Senate heretofore taken, I move that the Senate now take a recess, the recess being until 11 o'clock to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.), under the order previously entered, took a recess until to-morrow, Wednesday, January 22, 1930, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate January 21 (legislative day of January 6), 1930

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Franklin Mott Gunther, of Virginia, now envoy extraordinary and minister plenipotentiary to Egypt, to be envoy extraordinary and minister plenipotentiary of the United States of America to Ecuador.

JUDGE OF THE POLICE COURT, DISTRICT OF COLUMBIA

Gus A. Schuldt, of the District of Columbia, to be a judge of the police court, District of Columbia. (He is now serving in this office under an appointment expiring January 22, 1930.)

COMPTROLLER OF CUSTOMS

John J. Deane, of San Francisco, Calif., to be comptroller of customs in customs collection district No. 28, with headquarters at San Francisco, Calif. (Reappointment.)

HOUSE OF REPRESENTATIVES

TUESDAY, January 21, 1930

The House met at 12 o'clock noon.

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

Almighty God, draw us toward Thyself with growing knowledge and bring us to righteousness and virtue out of our sin and transgression. What a friend Thou art, blessed Father; no one in all the world waits for us with such patience and sympathy. Thou art ever wakeful, ever labor-bearing, and ever enduring to the end. May we be kept very near to Thee with better and better refreshment of soul. Thou hast infinite rest within Thyself; give peace and rest to all, especially the unfortunate ones. Through sunshine and storm, through strife and struggle, over wave and through the sea, lead us on, and we will ascribe to Thee praises forever. 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. 3392. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn.;

H. R. 3655. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River near Kingston, in Roane County, Tenn.; and

H. R. 6125. An act authorizing and directing the Secretary of War to lend to the Governor of Mississippi 250 pyramidal tents, complete; fifteen 16 feet by 80 feet by 40 feet assembly tents; thirty 11 feet by 50 feet by 15 feet hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Biloxi, Miss., in June, 1930.

The message also announced that the Senate agrees to the amendments of the House of Representatives to a bill and joint resolution of the Senate of the following titles:

S. 1784. An act authorizing an appropriation for improvements upon the Government-owned land at Wakefield, Westmoreland County, Va., the birthplace of George Washington; and

S. J. Res. 91. Joint resolution to amend sections 3 and 4 of the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a bill and joint resolution of the House of the following titles:

January 20, 1930:

H. R. 6344. An act to amend title 28, section 192, United States Code, in respect to the terms of court in the western judicial district of Virginia; and

H. J. Res. 204. Joint resolution making an appropriation for participation by the United States in the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland.

ADDRESS OF HON. EDITH NOURSE ROGERS, OF MASSACHUSETTS

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by the lady from Massachusetts [Mrs. ROGERS] over the radio.

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

There was no objection.

Mr. TREADWAY. Mr. Speaker, under leave to extend my remarks in the RECORD I include an address by EDITH NOURSE ROGERS, Member of Congress from Massachusetts, over National Broadcasting system on January 20, 1930.

The address is as follows:

THE EFFECT OF A PROTECTIVE TARIFF ON THE AMERICAN HOME

There is an old household adage, "The proof of the pudding is in the eating."

When the present tariff law was being debated by the Congress in 1921 and 1922 Democratic opponents of that law made many predictions in both the House and Senate as to what would be the direful results in event the tariff bill then being debated became a law, which it did in September, 1922.

They predicted that it would destroy our foreign trade. The report of the Department of Commerce, issued last week, of the total imports and exports for the calendar year of 1929 shows both our imports and exports for that year to have been greater than any peace-time year in the history of the United States. Furthermore, the reports from year to year, since the present tariff became effective in 1922, show a gradual increase in both our exports and imports, of which last year was merely the culmination. In round figures our foreign trade last year was 40 per cent greater than it was the year the present tariff became a law. This is true because a protective tariff means active industries. Active industries consume more imported raw material than do idle ones. They produce more goods to be bartered and sold abroad than do idle ones. They employ more people at good wages than idle ones; and a prosperously employed people buy more goods, foreign as well as domestic, than people without employment.

It was predicted by Democratic opponents of the present tariff law, when that law was being debated, that it would increase living costs, just as it is being predicted now that if the present tariff bill becomes a law it will increase living costs.

For a number of years the United States Department of Labor has been publishing the wholesale prices of over 400 standard commodities, embracing all lines of production. Wholesale prices are an accurate index of prices charged by the manufacturer. If the manufacturer increases his prices because of a protective tariff, that fact is immediately and inevitably reflected by an increase in wholesale prices. These lists of wholesale prices are issued monthly by the United States Bureau of Labor Statistics, and they show that the wholesale or factory prices of virtually every class of manufactured goods have steadily declined under the present tariff law. This includes cotton goods, woolen goods, silks, iron and steel, building material, household furniture and furnishings. It is impossible to give these tables over the radio, but they are accessible to anyone who desires to inform himself regarding the actual trend in wholesale or factory prices of manufactured goods under the present tariff law.

But it needs no quotations from Government statistics to convince the American housewife that she is getting more and better values today for her money than she did in 1922, when the present tariff law became effective.

Democratic opponents of the present tariff law predicted that the law would add from \$4,000,000,000 to \$5,000,000,000 to the ultimate consumer's cost of living. Similarly absurd and grotesque figures are being issued now in making similar predictions regarding the contemplated law. The duties collected under the present tariff at our customhouses amount to between \$500,000,000 and \$600,000,000 annually. It is the height of absurdity to claim that the tariff collections of this amount in the customhouses become \$5,000,000,000 by the time the goods and the bill are delivered to the ultimate consumer. Such a charge is a libel upon America's system of wholesale and retail distribution. Furthermore, if it were true, instead of being false, it would be just as easy for such a grasping distributive system to profiteer between the foreign factory and sweatshop and the American consumer, as the Democrats now allege—by making such a change—they do between the American factory and the American consumer.

Self-preservation is the first law of nature, and in order to preserve her job the American woman should be interested in having a protective tariff.

The girl in an insurance office asks herself what effect a protective tariff has upon her except to make her pay more for certain commodi-

ties. She does not stop to realize that lack of protection from foreign competition means closed industries—and idle industries mean lack of salaries for the employees and no dividends for the stockholders. In that event a large part of the insurance business will be done in foreign countries and she may be out of a job.

Every consumer is a producer. You can not legislate against the producer unless you at the same time legislate against the consumer. Any proposition which seeks to prosper the consumer at the expense of the producer is dangerous. If adopted, it brings ruin to everyone, which is exactly why hard times have always resulted from every low tariff law.

Wherever a tariff practice with cheapness as an economic ideal prevails, it has

BROUGHT DECAY AND RUIN

Cheap nations with cheap goods and cheap prices and cheap wages are impoverished and illiterate, having low, cheap standards of living. Nowhere are women and children more degraded and the home life more miserable than in countries having such economic standards and following such economic practices.

Just contrast the lot of the American woman with the lot of the woman in some of the foreign countries. Take for example, the woman in America who has a washing machine as contrasted with the foreign woman who must wash her clothes in a near-by stream, using stones as a washboard. Higher wages bring the luxuries of life.

If we accept the selfish viewpoint of the tariff and look upon it from a sectional standpoint, with attendant greed and the desire for the success of one section at the expense of another part of the United States, then the tariff, perhaps, is not all that I claim for it.

American industry is hard hit in spots by the competition from abroad. It would be incorrect to say that all industry is suffering. That is not true. It was the desire of President Hoover in asking Congress to embark upon tariff revision that these bad spots be remedied. To say that all phases of agriculture are in bad shape would not be true, for in many lines the farmers are prosperous.

Efforts are made by opponents of a protective tariff to incite the American housewife against a protective tariff by picturing to her the alleged increase in living costs such a tariff would bring. A protective tariff never brings increased living costs, in so far as the price of manufactured articles is concerned, and, therefore, this argument has no foundation. But even were the argument true, and if a protective tariff law should increase prices of manufactured articles and thereby increase living costs, if we are to prosper and develop as a people, the American housewife must view our economic policies from some other angle than the bargain counter. In determining what is best purely from the material standpoint account must be taken as to what will be the effect of proposed legislation upon that budget in the long run.

Every housewife knows that the more money she is given to run her home the greater is her opportunity to store up the nest eggs, for it is more often the housewife than the wage earner that saves from the family income.

The American husband is the most generous man in the world. He has faith in his wife's good judgment because she has proved worthy of that faith, and in nine times out of ten he allows her to manage the family budget. He earns the money; she spends it or saves it.

SHORT-SIGHTED POLICY

It is extremely shortsighted policy for an American housewife to turn her thumbs down on a piece of legislation which would increase the cost of her boots and shoes, if that piece of legislation assured the breadwinners of her family continuous employment at good wages.

At the present time boots and shoes come into this country on the free list. Recently I tried to order the shoes which I always have made in my own State of Massachusetts. The factory sent me word that they could not make my shoes, as the factory was closed due to lack of orders. Enormous numbers of shoes made by cheap foreign labor have come into this country from Czechoslovakia which competed with the sale of American shoes—and closed this factory.

I can not get my shoes, but what is far more important the workers of that shoe factory are out of a job. Of what avail is it to buy cheap European shoes for little Tommy if Tommy's father, whose trade is a shoemaker, is out of work and brings in no money to pay the doctor's bills for little Mary.

It would be the height of folly and the very opposite of household economy for the homemaker to support and vote for a tariff which would enable her to buy her cotton and woolen dresses for less money if the operation of that tariff would throw her husband out of employment. For it should be remembered that no matter how cheap goods may be under a Democratic tariff permitting a flood of foreign imports, it means nothing, if the wage earners are walking the streets with empty pockets because of the effects of that same law.

The farm wife has equally as much at stake. For, if, as a result of a protective tariff, she is compelled to pay more for a cream separator once in every five years or so, she also has received under this same tariff an increase of 15 per cent on every pound of butter she has sold

every week since the tariff became effective in 1922 over what she was receiving before the present tariff became a law.

The people of this country have great respect for those who framed the Constitution. How many realize that the first law enacted by the Congress after this Government was constituted was a protective tariff law? This young Republic developed and prospered under laws enacted by the American Congresses—America continues to-day to develop and prosper under a protective tariff. This is true because the protective tariff is essentially a constructive policy. It upbuilds; it does not tear down. It has made the United States the richest country in the world.

No protective tariff ever closed a factory. No protective tariff ever drove working men into idleness. No protective tariff ever destroyed an American industry.

Conversely, a protective tariff has made the United States economically independent; this fact enables it to remain politically independent. A nation that can supply what it needs is self-sufficient and prosperous. It is, therefore, far less likely to be attacked by foreign nations; since the ability to supply munitions was an all-important fact in the last war. A protective tariff furnished incentive to American initiative and inventive genius, security to the American investor, permanent and profitable markets to the American farmer, steady employment and the highest level of wages in the world to American labor, and the highest standard of living conditions civilization ever has known, a standard enjoyed by all classes of American citizens in the United States.

DAIRYING—AMERICA'S GREATEST INDUSTRY

Mr. GARBNER of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the dairy industry.

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

There was no objection.

Mr. GARBNER of Oklahoma. Mr. Speaker, members of the committee, the Dairy Advisory Commodity Committee recently adopted resolutions which have been approved by the Federal Farm Board, warning against overproduction of dairy products, urging farmers to use their own butter and other dairy products in their homes and cautioning dairy farmers to beware of promotional schemes for construction of physical facilities. The committee in the first of its resolutions asserted that there is a temporary overproduction of butter and other dairy products in the United States. Continuing, it said:

We advise farmers generally to consider carefully production methods from an economical and profitable standpoint. With the above in mind we recommend the sale for slaughter of all low-producing and unprofitable cows from the herd.

The resolution urging farmers to use their own dairy products follows:

Whereas the price of butter is now below the cost of production; and

Whereas the farmers of the country are themselves partly responsible for this condition, because of their failure to use their own butter and dairy products in their homes, and could materially improve market conditions by using more butter and dairy products: Therefore be it

Resolved, That we urge upon the farmers of the Nation to help improve the price of dairy products by using more butter and dairy products in every way that such products can be utilized as a food product.

Following is the resolution warning dairy farmers against promoters of schemes to construct facilities for handling dairy products:

Whereas the experience of many past years discloses that producers of farm products have much too often been victimized by schemes to construct and equip packing plants, creameries, and various kinds of factories for processing their products under conditions which did not reflect sound business judgment, and there is imminent danger that unscrupulous persons may seek to take advantage of the present sweeping cooperative-marketing movement by similar unsound schemes: Therefore be it

Resolved, That the farmers of the Nation be cautioned to scrutinize and examine most closely all plans for promotion of building facilities for handling dairy and other farm products, which are either originated or furthered by those whose chief, if not only, interest is to make a profit out of the promotion of the enterprise; also that cooperative organizations, individual farmers, and local commercial and financial interests everywhere be advised not to enter upon facility-building programs until a most careful survey has been made by disinterested advisers from the State governmental agencies, and especially not until the Division of Cooperative Marketing which is now with the Federal

Farm Board has been consulted and its recommendations have been most deliberately weighed.

The committee reported to the board that it had—

Unanimously indorsed the policy of the Federal Farm Board in making loans to local cooperative associations only through regional or central cooperative marketing or bargaining associations, in order that efficient cooperative marketing could be more effectively developed. It is the belief of the committee that it is desirable that the Federal Farm Board use its services and influence to eliminate as far as possible competition between cooperative marketing associations and hope that this will be the aim and purpose in all the examining sections of the Federal Farm Board when considering applications for loans.

The terrific slump in the butterfats affects every family on the farm—their purchasing power, the trade of every merchant in the town, and indirectly the interrelated prosperity of all. From 41 to 29 cents per pound within a week and now 15 cents lower per pound than the price prevailing in January, 1929! And yet the increase in butterfat this year is only 2 per cent more than the amount produced last year, and this increase does not exceed the proportion of increase in population.

It is estimated that there are approximately 50,000,000 pounds of butterfats in storage, which will be conceded to be a very close margin, indeed, as against a shortage. The presence of such necessary surplus should not cause the terrific depression. It is the substitutes for butterfats which crowd the market and depress the price. One billion seven hundred million pounds of oils from the Philippines alone last year, much of which went into the substitutes for butterfats, will account for this sudden and disastrous depression. If agriculture must continue to bear the brunt in free trade with the Philippines, then we should accept their contentions long since made that they are qualified and declare their independence. Such independence would enable us to protect our home market against the flood of oils and fats constantly pouring in from such possessions. With them as a part of our family we can not do this, and the terrific losses incurred to agriculture by such competition of cheap labor and cheap lands has continued, in ever-increasing volume, apace with their development.

The butterfat slump affects far more people than the wheat slump or the cotton slump. It is the most important of all the industries of agriculture. In fact, it almost exceeds in value the annual production of cotton and wheat. The following facts offer conclusive proof that dairying is to-day America's greatest industry:

In 1928 the contribution of dairying to the farm amounted to nearly \$3,000,000,000.

The milk produced on American farms in 1928 weighed 60,000,000 tons.

As compared with the output of pig iron, the milk produced is equal to twice the weight of all the pig iron produced by the greatest industrial nation on earth.

Gold: Would require 50 years at our present rate of gold production to equal the value of one year's dairy production; and the United States is the second largest gold-producing nation of the world. Our gold reserve is about four times as large as that of any other nation and just about large enough to pay for the milk annually yielded by American cows.

Cotton: We produce 60 per cent of the world's cotton.

Wheat: We grow enough wheat to satisfy all of our domestic needs and export annually an average of approximately 200,000,000 bushels.

Yet the combined value of all our cotton and all of our wheat only slightly exceeds the farm value of our dairy production.

Automobiles: Annual output of automobile factories of America is about three and one-half billion dollars. It has been called America's greatest industry.

Steel: The value of the output of the steel industry is less than that of the automobile industry, yet steel has been called the barometer of American business.

Building: The annual value of all building done in the United States is less than either of the foregoing so-called leaders.

Summarizing these three—automobiles, steel, and building: The product of no one of the three is equal to the value of the manufactured products based upon milk as a raw material.

Food: One-fifth of our annual expenditures for food goes for dairy products.

Employment, capital invested, value produced: Measured in terms of people employed, capital invested, or value produced, dairying is our greatest agricultural pursuit. The dairy industry accounts for 16 per cent of the gross income of all agricultural pursuits, including both crops and livestock.

WADE HAMPTON

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from Virginia [Mr. TUCKER] for 45 minutes.

Mr. TUCKER. Mr. Speaker, I esteem it one of the highest honors of my life that I have been requested to receive on behalf of the Government of the United States this statue of Senator Wade Hampton, of South Carolina, which portrays with wonderful accuracy the features of one of the greatest of South Carolina's statesmen and warriors. The vacancy in yonder Hall for years from South Carolina's quota has at last been filled most worthily; and for the State to have deemed him worthy to stand by the side of John C. Calhoun is sufficient evidence of the fitness of the choice.

Gen. Wade Hampton was born in the city of Charleston on the 28th of March, 1818. His great-grandfather, Anthony Hampton, was born in Virginia, moved to the colony of South Carolina previous to the Revolutionary War and settled in the Spartanburg district. He and many of his family were murdered by the Indians in 1775. One of his sons, Wade Hampton, who escaped the massacre of his family in 1775, was a colonel in the Revolution under Washington, and served with distinction in the War of 1812. His son, the father of Senator Hampton, served on the staff of General Jackson at the Battle of New Orleans, and became the messenger of General Jackson to the President conveying the news of the Battle of New Orleans to him. He rode overland to Columbia, S. C., over 700 miles, in 10 days, over swollen rivers, marshes, and almost impassable roads, and from there continued his trip to Washington, which brought the first news to the President of the great victory at New Orleans. It was said of his grandfather in the War of 1812:

In all the fighting of those stirring days his cavalry was ever prominent, and the swish of Hampton's saber was always heard in the charge.

He fought throughout the war, attaining a high reputation as a soldier. It is said of him that—

To his dying day he retained an imperious will which would brook no interference with his own rights nor tolerate it if attempted against weaker neighbors. To maintain right and fair play, and in doing this not to count closely the odds against him in war or peace were his actuating principles, and those disposed to give heed to the laws of heredity, inexorable for weal or woe, are not surprised to recognize the same traits in his distinguished grandson. (Wells.)

Col. Wade Hampton, father of Senator Hampton, who served with great distinction in the War of 1812, was a planter; his place of residence was "Millwood," within 5 miles of Columbia, the beautiful estate where he indulged his fondness for fine horses and cattle. "Millwood" was burned by General Sherman in his march to the sea; but here at "Millwood" he whom we honor to-day passed his early childhood and learned his first lessons, common to boys of that day, "to ride, to shoot, and to speak the truth." The atmosphere of this hospitable home was imbued with refinement and scholarship, and most of the men and women of that day who have added luster to South Carolina have shared its lavish hospitality and its loyal friendships.

Senator Hampton's mother was Anne Fitzsimons, daughter of Christopher Fitzsimons, of Charleston, S. C., an importer. She was a typical southern woman—possessed of many feminine graces.

The principle of atavism was never more strikingly delineated than in the life of Senator Wade Hampton. He entered the Civil War with the rank of lieutenant colonel. Commanding the Hampton Legion, he marched to the capital of the Confederacy, the city of Richmond, at the head of this gallant band. A study of his ancestry made it easy to foresee on the day he left Columbia at the head of the Hampton Legion that the highest military honors awaited him if only the opportunity was given him. His great-grandfather, Anthony Hampton, was a distinguished officer in the early part of the Revolutionary War, who showed the highest qualities of leadership as a soldier up to the day of his death. His grandfather, Wade Hampton, the son of Anthony, fought in the Revolutionary War as a colonel, was elected to Congress several times, and became a general in the War of 1812, showing the highest qualities as a soldier. His father, Col. Wade Hampton, was a distinguished colonel in the War of 1812. So that in the War of 1812 his father was a colonel and his grandfather a general. In the War of the Revolution his great-grandfather was a distinguished officer and his grandfather a distinguished colonel, while he himself became a lieutenant general in the Confederate Army.

Sprung from such a lineage, trained in a school where the amenities of life as well as "the humanities" were taught in their highest excellence, he practiced from his earliest childhood a scrupulous regard for the rights and feelings of others, and an indulgence to all faults except his own.

With self-control and equipoise which were never disturbed under the most trying circumstances, and a graciousness of manner which broke down all barriers, giving to the humblest as well as to the highest the assurance of his friendly consideration, and a mind well disciplined by education in the highest schools, it was impossible that he could have been other than a man of mark and influence in his State.

It is not claiming too much to say that Senator Wade Hampton was the natural product of the civilization existing in the South during his boyhood and early manhood, which, alas, except here and there in certain localities, is fast passing away. The home, not the club, was its center; the family, with the father at its head and the mother as its unchallenged queen, its unit. The father was the head of the family, not the joint tenant with the wife of a house nor the tenant at will of his wife. The wife and the mother was the queen of the household, not merely a housekeeper for a husband and the family.

Obedience to those in authority was the first lesson exacted of the boy. Inculcated with tenderness, it was enforced with severity if need be, until the word of the father or the expressed wish of the mother carried with it the force of law as completely as the decree of a court or the mandate of a king.

Reverence—the word may still be found in the old dictionaries—for superiors in age and deference to all rather than an arrogant self-esteem was magnified as a cardinal virtue, not as teaching humility and enforcing a lack of proper self-respect but rather to exalt high ideals and stimulate an admiration for "the true, the beautiful, and the good."

Fidelity to truth, the maintenance of personal honor, deference for the opinions and feelings of others, without abating one's own or aggressively thrusting them on others; a kindness of manner to dependents, a knightly courtesy to all, but with special and tender regard in thought, word, and action toward woman were in turn patiently taught in all the lessons of the fireside and at the family altar, and earnestly insisted upon in the formation of the character of a true gentleman. "Any man will be polite to a beautiful young woman, but it takes a gentleman to show the same respect to a homely old woman," was the stinging rebuke of a father to his son who failed to remove his hat in passing a forlorn old woman on the public highway. [Applause.]

The old field school, the private tutor, the private school, whose excellence in the South I can not praise too much, the college, and the university led the young mind by easy stages to its full intellectual maturity.

Nowhere was the principle, "Mens sana in sano corpore" more scrupulously taught than in the South. The rod and stream, the gun, the "hounds and horns," the chase with the music of the pack, the bounding steed, all lent their ready aid in developing the physical manhood of the boy. In the pure atmosphere of his country home, amid its broad fields and virgin forests, contracted houses in narrow streets had no charm for him. To join the chase was the first promotion to which the boy looked as evidencing his permanent release from the nursery. The gun and dog became his constant companions, while "Old Betsy," his father's trusted double-barreled gun of many years' usage, standing in the sitting-room corner, or hanging on stag horns or dogwood forks on the side of the wall, was the eloquent subject of nightly rehearsals of her prowess and power in the annual deer hunt "over the mountains." [Applause.] Skill in horsemanship was essential, and breaking colts was naturally followed by broken limbs; but manhood found a race of trained horsemen, both graceful and skillful in the saddle, unexcelled. I dare venture to assert, by any civilized people. A child of nature, the southern boy communed with her as his mother, and from her purest depths drew the richest inspirations.

How vividly the picture comes to me now—never to be effaced—of a learned professor in one of Virginia's highest schools, a kinsman of Senator Hampton's first wife, himself threescore years and ten, a soldier of two wars, as he led the way through a quiet Virginia town on horseback, followed by two sons, distinguished ministers of the gospel, and they in turn, by a younger son and the grandson of the leader with a goodly train of friends, amid the blasts of horns and baying of hounds, who followed eager for the chase among the beautiful hills that surround the town of Lexington, even as the mountains stand "round about Jerusalem."

Religion—the duty of man to his Creator, not sectarianism—was scrupulously taught, and Sunday morning found the family

alive in preparations for attending religious service at Mount Zion or Trinity, as it might happen to be the first or the fourth Sunday of the month. From this duty none were exempt from the least to the greatest. The pastor was the friend on whom all troubles, both temporal and spiritual, were cast, and his visits were long remembered and talked of in the life of each family. Deference to his wishes and reverence for his character were well-nigh universal.

A man he was to all the country dear,
And passing rich with 40 pounds a year;
Remote from towns he ran his godly race,
Nor e'er had changed, nor wished to change his place.

Such was the atmosphere in which Senator Wade Hampton was reared, and such were the influences that controlled his future life. His broad sense of justice, the perfect poise of his nature, his intrepid courage, and his tender sympathies fitted him for the great event which was to make him the cynosure of all eyes and an outstanding leader in one of the most critical periods of our history.

History has never done justice to this great man in the great crisis of the Reconstruction Period. If there was nothing else in his record to record, for this one act he would be entitled to the highest place in American history. "Than whom none worthier deserves the wreath of immortality."

Then in his State stood arrayed against each other—grasping their weapons—on one side education, intelligence, property, and civilization; on the other, the reverse of all these—the negro and the carpet-bagger, leaning for support on the then existing Federal administration. The former demanded either a return of representative government, or else the rule of the naked bayonet pure and simple. This was no vague threat of noncombatant politicians or idle boys, but the stern—if despairing—resolve of veteran soldiers, well proven on many a historic field. If the fires of civil war had been then relighted, no one can say where or when they would have been extinguished, but it is certain the effect on the North, as well as on the South, would have been lamentable, and not improbably subversive, eventually, of free government throughout the entire land. There was no man then living except Hampton able to stand forth from among his fellows as the great pacificator, who could extract out of chaos a *modus vivendi* between the discordant elements. This was rendered possible by his previous record, and largely by that indefinable personal influence which men, for lack of a better term, call "magnetism," and the conviction among all classes that he would act with generosity as well as with justice, and that the weak were as safe as the strong under the aegis of his protection. The inner history of this period properly written would prove very interesting, and it is to be hoped it will be taken up by some competent hand while there is yet time, for death is constantly at work removing the actors and those behind the scenes. Such an account of mere facts would, indeed, be stranger than fiction; would abound in pathos and romance, thrilling adventures, almost incredible situations, revealing much that is most exalted as well as most debased in human nature. It would exhibit a vivid picture of the most remarkable descent for a time to primitive conditions which has probably ever been witnessed among western nations since the days of 1793. Imagine the necessity imposed on every man, however averse to violence, of always—day and night, at his office or club, his home or at church—being armed to the teeth, ready at any moment to protect his own family or assist his neighbors, well aware that no remedy from law existed, but that a constant menace from its perverted forms was ever present. (Wells.)

But for Senator Hampton's superb courage and control over his people there is no doubt that South Carolina would have been deluged in blood at that time. A wink, a nod, a gesture from him would have been sufficient, but he remained calm and self-possessed in his faith that the God of nations would not forsake us in that extremity, and his victory was complete and the whole country saved from disaster. [Applause.]

Senator M. C. Butler, jr., Senator Hampton's colleague in the Senate of the United States, in speaking of this trying ordeal following his election as governor in 1876, says:

He was calm, sedate, firm, counseling patience and moderation, the central figure of a great momentous political upheaval, skillfully guiding the movements of the excited multitude through the storm of political and social redemption—he made a place in the hearts of his countrymen more enduring than any monument his grateful and admiring countrymen and countrywomen can ever erect to his memory.

I served in the House of Representatives during the Fifty-first Congress as Senator Hampton was serving the last of his second term. I knew him quite well and he honored me with his friendship. His record as a Senator was most creditable and his influence among his colleagues, by reason of his great victory in saving the country in 1876, was equal to that of any man in the Senate.

As a soldier in the Civil War his record was superb.

As a soldier he can stand unbowed to as proud a claim as the most enthusiastic friendship dares assert for others. For four years—

"The flinty and steel couch of war
Has been his thrice-driven bed of down."

When the storm arose over his devoted State, at the head of the Hampton Legion, he made his way to "Old Virginia," in defense of the Southland, to join the Army of Northern Virginia, "the goodliest fellowship of famous men whereof the world holds record."

His record in the Confederate service, if complete, would require the recounting of practically every cavalry battle during the war in which the Confederates were engaged, while his military skill and prowess at Brandy Station and Trevilian Station were of the highest excellence. Indeed—

From the rising of the sun at Manassas even unto the going down of the same at Appomattox, his place in every picture was near the flashing of the guns, and for four years his life was a battle and a march, and never-ending, restless, he drove across this war-convulsed land. He was like the knights of Branksome Hall—

"Who always wore their armor bright
During the day and through the night;
Who carved at their meals
In gloves of steel,
And drank red wine through the helmet barred."

[Applause.]

The spirit which animated Senator Hampton through life was beautifully exhibited when closing his eyes just as his spirit took its flight, turning to those about him he said: "God bless all of my people, white and black."

With just pride in the accomplishments and patriotism of America's sons whose statues are year by year placed in yonder Hall, with unfeigned pleasure the Government of the United States accepts this beautiful production of the artist who has so faithfully portrayed the features of South Carolina's great soldier and Senator, and with this acceptance unites the hope and prayer that coming generations of American youth in visiting these Halls and looking upon these noble faces may receive renewed inspiration for a higher American life, and with new resolves will strive for a purer and nobler patriotism in "this land of the free and home of the brave." [Applause.]

ERNEST O. THOMPSON

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore (Mr. HOLADAY). The gentleman from Texas asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. JONES of Texas. Ladies and gentlemen of the House, there is in the gallery to-day a man who bears an unusual distinction. He was the youngest lieutenant colonel in the United States Army during the World War, which is quite a distinction when the size of the Army is considered.

Colonel Thompson was a citizen soldier. He went to Leon Springs training camp at the opening of the first camp, went to France a captain in command of the Three hundred and forty-fourth Machine Gun Battalion, and was promoted at the front in action to grade of lieutenant colonel at age of 26. As division machine-gun officer of the Ninetieth Division he planned and executed the largest machine-gun barrage fired during the war, on November 2, 1918, at Halles on the Meuse in the Argonne; went to the Army of Occupation in Germany; and later commanded the One hundred and forty-sixth Infantry Regiment, from Ohio. Colonel Thompson was a member Fidae congress, Brussels, 1923, as American Legion delegate. [Applause.]

DENATURANTS IN INDUSTRIAL ALCOHOL

The SPEAKER pro tempore. Under the special order of the House the gentleman from Michigan is recognized for 10 minutes.

Mr. CRAMTON. Mr. Speaker and Members of the House, I ask unanimous consent that my time be extended to 15 minutes.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that his time be extended to 15 minutes. Is there objection?

There was no objection.

Mr. CRAMTON. And further, Mr. Speaker, may I have permission to revise and extend my remarks, including certain extracts and quotations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. BLACK. Reserving the right to object, I wish the gentleman would make his second request so that we may know what the extracts are.

Mr. CRAMTON. It is up to the gentleman to object if he wishes, but I am making the customary request. If the gentleman desires, he can make an unusual objection; I do not know at the moment just where they come in.

Mr. BLACK. I will make no objection.

Mr. CRAMTON. I felt sure the gentleman would not.

DEATHS OF OFFICERS OF THE LAW IN LINE OF DUTY

Mr. Speaker—

National prohibition entered its second experimental decade in America to-day with the wets stridently demanding modification, but hoping for nullification; and the dries fighting for reforms in enforcement and trusting that education will bring about more general observance.

That very accurate and illuminating statement of the present prohibition situation I quote from the opening of the prominent front-page story in the Washington Times a day or two since. "Demanding modification but hoping for nullification," condenses into six words the wet appeals that go on here six days a week.

Supremacy of law is essential to liberty and the protection of man's most essential rights. Without enforcement law does not exist and without law no man's rights are safe. Lawmakers should be the first to respect law and to appreciate the oft-times hazardous and heroic services of those sworn to enforce the laws. I have heard here, day after day, the sobbing oratory of a few highly vocal wets bemoaning the death of bootleggers and rum runners, armed to kill defenders of law, reckless in endangering the lives of the general public, but losing their own lives while resisting or fleeing from arrest. Sudden death is always shocking, a death while in conflict with law discreditable, but still shocking to our instincts of humanity. The death which should shock us most as lawmakers is that of a sworn defender of the law upon which civilized society is founded. [Applause.] But these eloquent defenders of the slain bootlegger or rum runner voice little or no regret when such a civic hero dies at the hand of the bootlegger and rum runner, and while in the very discharge of his sworn duty. Upon such faithful and heroic discharge of duty has depended the very development of society from barbarism and the rough rule of might to this highly-developed civilization when, as we experienced this morning, hearing in Washington the opening speeches in London, by King George and Premier MacDonald, the whole world sits in at one great peace conference for the peace of the world. When such a man so dies the news of his death should be received and is received by the great majority of this House with genuine sorrow.

THE ATTACKS OF THE WET BLOC ON INDUSTRIAL ALCOHOL

But my main purpose in rising to-day is to discuss very briefly the problem of alcohol used in legitimate industry. Such use of alcohol containing poisonous denaturants has again been the subject of attack by the gentleman from New York [Mr. SIROVICH] and the gentleman from Maryland [Mr. LINTHICUM]. In fact, the main strategy of the wet program in the House seems now to be directed against such denaturants in alcohol for industrial use. I desire for a few moments to discuss this matter not from the standpoint of prohibition and its enforcement but from the standpoint of industry. Adequate denaturation of alcohol for industrial use was required in our laws long before prohibition was adopted, as it has been in England for over 70 years and in France and Germany for over 50 years. It was stated a little time ago that the United States was perhaps the last of the civilized nations of the earth to adopt this simple but essential method of supplying the arts and industries with the necessary raw material while at the same time protecting the Government revenue, and all nations find it advisable to use practically the same basic denaturant materials that are prescribed in our country.

THE SIROVICH DENATURANTS BILL WOULD BRING CHAOS IN INDUSTRY

Following his recent address on this subject, the gentleman from New York [Mr. SIROVICH] has introduced H. R. 8815, to provide for the discontinuance of all denaturants in such alcohol except pyridine, malachite green, and diethylphthalate, and expressly eliminating the use of methyl alcohol, commonly known as wood alcohol. If the Sirovich bill, H. R. 8815, should become law, it would not only destroy the industrial-alcohol industry but would destroy many highly important industries to which such industrial alcohol is absolutely indispensable, throw thousands of persons out of work, and bring chaos into the industrial processes of the Nation.

The Sirovich bill, H. R. 8815, reads as follows:

A bill to provide for the discontinuance of the use of poison in the denaturation of alcohol

Be it enacted, etc., That for the purposes of section 1 of the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, as amended, and of sections 10 and 11 of Title III of the national prohibition act of October 28, 1919, as amended, the terms "denaturing material" and "denaturing materials," as used in such sections in such acts, shall mean only pyridine, malachite green, or diethylphthalate.

SEC. 2. The first paragraph of section 1 of the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, as amended, is amended by striking out the words "methyl alcohol or other."

LEADING CHEMISTRY AND INDUSTRIAL AUTHORITIES AGAINST SIROVICH BILL

I am not a chemist but I have discussed the Sirovich proposals with authorities of the greatest standing, including Dr. Harrison E. Howe, editor of the official organ of the American Chemistry Society, an organization of 20,000 chemists, and Dr. M. H. Hertel, formerly secretary of the faculty of the University of Wisconsin, formerly representative of the Wood Chemical Industry, and a writer of note, as well as with Doctor Doran, Commissioner of Prohibition, and as a chemist the greatest authority in the country on this subject. While I have not discussed the matter with him personally, I am advised that Father Coyle, dean of the department of chemistry of Georgetown University, and for 35 years a noted teacher of chemistry, supports these same views, as does Mr. H. S. Chatfield, president of the National Paint, Oil, and Varnish Association, the largest trade organization in the United States, an industry second only to banking in total capitalization. With the support of these authorities I am able to assure the House that the denaturants suggested by Mr. SIROVICH would not only fail as a protection to the Government in connection with its revenues and prohibition enforcement but would wreak havoc in industry.

Pyridine, recommended by the gentleman from New York [Mr. SIROVICH], was used for a number of years by the Government as a denaturant, but had to be discontinued because the bootleggers found it so easy to remove. Diethylphthalate is now used in a special formula for barber supplies, and one of the greatest troubles the Government has had in the past has been because it was so easy for the bootlegger to remove this. Malachite green is a dyestuff. To remove this from alcohol not even distillation is necessary; simply filter it through charcoal and every bit of it comes out. The Government has tried all of these denaturants and found them absolutely perfect for the bootlegger. All that the gentleman from New York [Mr. SIROVICH] needs to add to his recipes, apparently, is a little dash of bitters and a sprig of mint to please the most thirsty or fastidious. [Laughter.] The gentleman suggests emetics be added. Doctor Doran assures me that no emetic is known to chemistry that can not be removed.

The Sirovich bill enacted into law would not only destroy enforcement of national prohibition, but it would destroy highly important industries as well. What use is made of alcohol in legitimate industries? The following incomplete list will suggest to you something of the magnitude of these industries: Paints and varnish, lacquer, pharmaceutical supplies, special soaps, perfumes, dyes, rayon, solvents, artificial leather, synthetic resin, explosives, T. N. T. and smokeless powders, flavoring extracts, essential oils, waxes and polishes, airplane dope, anæsthetic ether. Billions of dollars is the value of the annual production of these important and essential industries.

The following letter and accompanying inclosures received by me to-day from the Department of Commerce demonstrate this:

DEPARTMENT OF COMMERCE,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, January 21, 1930.

Hon. LOUIS C. CRAMTON,

House of Representatives, Washington, D. C.

DEAR MR. CRAMTON: Herewith is the material compiled in accordance with your request by our Chemical Division, indicating the industries utilizing denatured alcohol. Of course, we are not in a position to point out precisely the dependence upon that commodity in the case of each industry, nor can our department, for obvious reasons, indicate definitely how readily any of these industries could adjust itself to changes in or abolition of the present formulae. However, the figures present, it seems to me, a pretty impressive picture of the extent to which this commodity enters into American industrial life.

Cordially yours,

JULIUS KLEIN.

DEPARTMENT OF COMMERCE,
BUREAU OF FOREIGN AND DOMESTIC COMMERCE,
Washington, January 21, 1930.

To: Doctor Klein.
From: Chemical Division.
Subject: Denatured alcohol.

In accordance with your verbal instructions of this morning, I am transmitting herewith memoranda covering (1) production of denatured alcohol and (2) a list of industries using denatured alcohol, together with data showing the magnitude of each industry.

It will be noted that the statistical data apply to each industry taken as a whole. The employment of denatured alcohol may be in one or more branches of the industry. For example, large quantities of denatured alcohol are used in the paint and varnish industry, while the hat industry would utilize alcohol only in cases where it was used as a solvent for some adhesive substances used in binding different parts of the hat together.

It is thought that the data submitted relative to the industries which use denatured alcohol will indicate the extent of dislocation which might be brought about through a change in or abolition of formulae.

C. C. CONCANNON,
Chief Chemical Division.

Production of completely and specially denatured alcohol

	Denatured alcohol produced			
	Denatur- ing plants	Completely	Specially	Total
Fiscal year:		Wine gallons	Wine gallons	Wine gallons
1919.....	45	9,976,720.62	28,294,218.97	38,270,939.59
1920.....	52	13,528,402.99	15,907,947.18	29,436,350.17
1921.....	67	12,392,396.02	9,996,229.90	22,388,625.92
1922.....	77	16,193,523.60	17,152,224.31	33,345,747.91
1923.....	76	27,128,229.54	30,436,913.14	57,565,142.68
1924.....	83	34,602,003.72	33,085,292.04	67,687,295.76
1925.....	91	46,983,969.88	34,824,303.28	81,808,273.16
1926.....	97	65,881,442.43	39,494,443.80	105,375,886.23
1927.....	94	56,093,748.16	39,354,928.48	95,448,676.64
1928.....	82	46,966,801.28	45,451,424.28	92,418,225.56
Calendar year:				
1928.....		50,179,120.58	49,426,169.61	99,605,290.19
1929 ¹		53,737,354.27	49,442,083.26	103,180,037.53

¹ 11 months.

Industries using denatured alcohol, year 1927

Industry and branch	Number of estab- lishments	Persons engaged in the industry		Salaries	Wages	Value of products	Value added by manu- facture
		Total	Wage earners (average for year)				
Blacking, stains, and dressings.....	176	2,577	1,716	\$1,771,845	\$2,180,733	\$22,548,235	\$13,362,692
Chemicals, not elsewhere classified.....	457	60,615	50,519	27,462,989	75,261,188	548,535,935	263,741,131
Cigars and cigarettes.....	1,997	128,346	116,174	19,800,453	94,589,211	965,523,702	690,167,627
Cleaning and polishing preparations.....	341	3,993	2,403	3,549,621	2,988,430	41,234,466	26,014,831
Cloth sponging and refinishing.....	52	941	736	604,017	1,502,111	3,457,938	3,297,159
Combs and hairpins, not made from metal or rubber.....	36	1,474	1,259	491,550	1,249,064	4,436,056	2,563,653
Druggists' preparations.....	373	14,770	10,138	10,372,755	11,942,469	110,309,139	69,809,747
Dyeing and finishing textiles.....	743	83,457	73,851	27,002,701	91,697,219	406,047,372	195,366,472
Enameling and japanning.....	111	2,609	2,259	913,556	3,017,200	9,142,869	5,843,461
Engravers' materials.....	17	245	178	186,464	293,962	2,168,737	879,476
Engraving (other than steel, copperplate, or wood), chasing, etching, and die-sinking.....	173	2,295	1,805	949,841	2,612,434	7,930,688	5,852,528
Explosives.....	100	6,690	5,803	2,272,514	8,131,234	72,489,668	35,596,092
Fireworks.....	36	1,710	1,564	367,070	1,395,024	5,884,939	3,261,267
Flavoring extracts and flavoring sirups.....	500	7,887	5,011	7,137,333	7,134,274	107,219,395	56,128,668
Fuel, manufactured.....	20	331	274	152,748	445,511	7,203,410	2,330,215
Hat and cap materials, men's.....	96	3,116	2,762	934,499	2,658,871	22,339,341	7,667,649
Hats and caps, except felt and straw.....	568	8,015	6,300	2,436,033	9,126,438	41,213,965	20,511,669
Hats, fur-felt.....	146	17,574	15,927	4,573,177	22,887,317	99,299,648	48,194,530
Hats, men's, straw.....	48	3,772	3,263	1,289,630	4,232,332	21,717,939	9,934,733
Hats, wool-felt.....	17	2,297	2,185	297,350	2,284,018	9,381,645	4,397,070
Ink, printing.....	123	3,282	2,288	3,313,582	3,665,199	37,734,493	21,680,383
Ink, writing.....	24	787	491	629,090	576,091	5,342,027	3,133,192
Leather goods, not elsewhere classified.....	413	8,784	7,188	2,937,367	8,379,080	43,291,552	21,751,982
Linoleum.....	7	6,147	5,364	1,757,082	8,176,644	47,442,441	23,226,823
Lithographing.....	309	20,127	16,348	12,060,439	27,465,552	97,050,124	64,346,352
Lubricating greases, not made in petroleum refineries.....	45	1,061	598	1,452,955	798,926	11,655,999	5,341,907
Mucilage, paste, and other adhesives, not elsewhere classified.....	80	885	502	817,712	679,468	7,945,403	3,675,042
Oils, essential.....	14	225	169	189,726	258,036	4,641,861	1,214,527
Oils, not elsewhere classified.....	187	5,005	3,441	3,801,425	4,076,600	163,388,445	30,710,038
Oilcloth.....	8	1,264	1,072	511,558	1,745,575	17,042,442	5,823,818
Paints and varnishes.....	1,006	40,953	28,061	33,310,287	40,184,732	519,000,842	211,285,472
Patent and proprietary medicines and compounds.....	1,282	24,167	15,071	21,362,430	16,667,425	278,242,829	199,602,079
Perfumes, cosmetics, and other toilet preparations.....	705	16,250	10,463	12,593,978	10,965,085	161,245,659	108,480,313
Petroleum refining.....	354	83,305	71,234	30,900,277	113,716,705	2,142,648,503	389,651,460
Photographic apparatus and materials.....	122	15,266	12,120	6,855,724	18,310,992	90,827,737	61,807,502
Pocketbooks, purses, and cardcases.....	287	10,003	8,570	3,170,059	13,169,509	57,344,655	27,726,131
Rayon.....	19	27,697	26,341	3,993,947	28,649,441	106,888,336	84,140,544
Rubber goods, other than tires, inner tubes, and boots and shoes.....	385	43,009	36,893	15,047,926	45,930,934	230,781,250	113,004,599
Rubber tires and inner tubes.....	109	95,422	78,256	40,430,162	120,063,854	869,688,063	370,467,421
Soap.....	256	17,681	13,432	9,766,393	19,715,931	287,059,935	114,815,805
Tobacco, chewing and smoking, and snuff.....	159	14,548	13,125	3,520,768	10,661,420	198,244,677	112,934,239
	11,871	808,341	655,115	321,079,033	840,386,239	7,829,201,810	3,373,940,249

COMPLETELY DENATURED CARRIES WARNING SIGN

In addition to these uses in manufacturing as enumerated by the Department of Commerce, practically every citizen utilizes denatured alcohol in antifreeze solutions for his automobile. In this field alone 40,000,000 gallons are consumed annually. In fact, the only denatured alcohol that is available to the general public is that known as completely denatured alcohol, which is required by the Government to be labeled with the terrifying skull-and-cross-bones poison label. Even the most illiterate, unable to read the English language or any other language, understand the warning conveyed by the skull and cross bones. That such warning is effective is proven by the official records of the home city of the gentleman from New York [Mr. SIBOVICH], such as the health department, Bellevue Hospital, and the like.

THE REAL POISON IN ALCOHOL IS THE ALCOHOL

As a matter of fact, the real poison to be feared is the ethyl alcohol itself, as was so well emphasized in the following state-

ment to be found in a letter of March 7, 1928, to my colleague, Hon. GRANT M. HUDSON, from Dr. Harrison E. Howe, to whom I have already referred as the editor of the official organ of the American Chemical Society. I quote as follows:

So far as poisoning is concerned, if you will take the trouble to examine the records available in many publications, you will find that the greatest poison in the alcohol of the day is the alcohol itself, which, unfortunately, is being taken by some in much higher concentrations than in the older days, and when taken to excess the result is what might be expected. The old expression "dead drunk" is not far from the truth, for the difference between the extreme stage of intoxication and actual death is an extremely small margin, indeed.

This is confirmed by Dr. Reid Hunt, of Harvard Medical School, unquestionably the leading toxicologist in this country, who published his views in the New England Journal of Medicine, holding, among other things, that a content of five parts of wood alcohol does not increase the toxicity of the ethyl-methyl mixture.

WHERE THE INDUSTRIAL ALCOHOL GOES

In the Sunday Star, of Washington, of last Sunday, January 19, 1930, was an authoritative article on the industrial-alcohol problem by Rex Collier. Therein is quoted W. V. Linder, head of the technical division of the Prohibition Bureau, in part as follows:

A very important fact frequently overlooked in this connection, Linder said yesterday, is that approximately half of the commercial alcohol produced in the past fiscal year was completely denatured, so that it was not potable and was impossible of being made so, except by highly intricate and expensive processes not practical for the bootleg trade to undertake.

Analyses of seized liquor has failed to show, in any instance, evidence that this completely denatured product is a factor in the diversion problem. It is cheaper for the bootleg interests to make their own alcohol than to try to remove the denaturants from the alcohol known in industry as "C. D." grade, or "completely denatured."

That leaves 54,456,000 wine gallons of what we call "specially denatured" commercial alcohol to be accounted for. This type of alcohol has a thousand legitimate uses in industry. Unfortunately, it can be made drinkable, and it is this alcohol which is being diverted.

Of the specially denatured product more than 67 per cent, or 36,851,474 wine gallons, went to 39 outstanding American firms whose names are a byword and whose reputations are beyond question. I mean such concerns as the Du Pont Corporation, the Ford Motor Co., the Eastman Kodak Co., Lambert Pharmacal Co., the American Tobacco Co., and so on through the list.

Certainly no one suspects any of these large firms of diverting alcohol. We check on them, nevertheless, and we have never found any cause for suspicion. They are all using alcohol legally in industries that are above reproach.

Let us, then, eliminate these users from the list. There are left a group of some 3,800 smaller concerns using approximately 18,000,000 wine gallons. The majority of these firms, all using small quantities, are just as well known to the public and just as reputable as the companies I have mentioned as being large users.

A careful study of the group enables most any one to separate these small users into two groups—one composed of firms whose integrity is unquestioned and another made up of concerns whose names are less familiar or strange to the average person. It is found that a grand total of 132 best-known users, large and small, account for 83 per cent of the specially denatured product.

SMALL CONCERNS NOT DISHONEST

It is unreasonable to believe that all the other small concerns are dishonest. As a matter of fact, the closest supervision by Federal inspectors has failed to produce definite evidence of law violation on the part of any of the firms now licensed to use alcohol. This same supervision eliminated 100 firms from the list of permittees last year.

There are, however, a few independent firms whose activities are under suspicion. They are using not more than 3,000,000 gallons of commercial alcohol yearly and the products which they are manufacturing are not so apparent as in the cases of other prominent firms. They are being watched closely.

WHY LEGITIMATE INDUSTRY DOES NOT WANT THE SIROVICH DENATURANTS

There are three reasons why these legitimate industries do not want denaturants that can be easily removed. First, they want to be free from suspicion of unlawful use of the alcohol permitted them and free from onerous supervision by the Government that would have to be imposed to accomplish use of the Sirovich denaturants. Second, they do not desire their employees exposed to the constant temptation of drinkable liquor while at their labors. Third, in many cases industries built up upon the use of certain formulas would find it impossible to adjust themselves to the radical changes that the Sirovich program would require, and in many cases could not carry on under the changed formulas. For instance, the paint and varnish industry finds it necessary to use a proportion of wood alcohol in combination with ethyl alcohol to secure the most desirable solvent. They would not use the straight ethyl alcohol even if the Government offered it to them tax free, and the Sirovich bill barring any use of methyl alcohol would be disastrous to this great industry. Mr. Chatfield said in his letter of October 26, 1928, to Captain Stayton, head of the Association Against the Prohibition Amendment:

As a matter of fact, our processes require those very ingredients that you condemn. These materials are selected, not out of regard for the human stomach, for which they are not intended, but for the reason that they are best suited for the purpose of producing paints, varnishes, and the innumerable other articles of everyday use which can hardly be thought of in connection with beverages. If such materials should be selected from the point of view that you suggest it would result in destroying long-established formulas and generally bring about demoralization in lawful trade circles.

That this danger is not chimerical is shown by the serious alarm expressed by all industries that use denatured alcohol. Since this agitation arose great scientific and commercial bodies, such as the National Paint, Oil, and Varnish Association and the American Chemical Society, have made their position altogether clear in support of the Government's policy regarding enforcement of the tax-free denatured alcohol law. Succinctly stated, they are not exercised because the Government requires effective denaturation. This is done in accordance with their own wishes. Their real concern is based on the attempt to hook up denaturation and prohibition. The former is entirely an industrial manufacturing proposition, the latter a great social question. Any attempt to solve the problems of one in terms of the other can not be seriously considered.

He further quoted from the report of the committee on legislation of the National Wholesale Druggists Association, unanimously adopted at their annual convention in Atlanta, Ga., in October, 1928:

Chiefly for partisan political advantage a contingent of so-called wets brought forward the slogan "Take the poison out of denatured alcohol," and not only endeavored to secure the passage of special measures to this end but also sought to attach riders to appropriation bills prohibiting the expenditure of any part of the funds allocated to prohibition enforcement in the authorization of any alcohol formula in which a substance "deleterious to health" should be employed. It goes without saying that to secure the best results and to protect the Government in the enforcement of the policy of the prohibition of the manufacture, sale, and use of all alcoholic beverages many substances deleterious to health must be employed in some of the 75 formulas necessary to meet the requirements of the countless industries which employ alcohol as a raw material.

The slogan "poison alcohol" has an appeal to the unthinking as shouted on the floor and carried in the headlines, but enactment of the Sirovich bill would be a catastrophe to industry.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. If I have the time.

The SPEAKER pro tempore (Mr. HOLADAY). The gentleman has the time.

Mr. CRAMTON. Very briefly for a question. I do not care to indulge in further argument.

Mr. SIROVICH. The gentleman said that the Government had 75 formulas—

Mr. CRAMTON. Oh, the gentleman misunderstood. I was quoting from the report of the National Association of Wholesale Druggists, who say the trade has 75 formulas that would be embarrassed seriously if the gentleman's program went through.

Mr. SIROVICH. Would the gentleman remove his objections if I take those formulas with which the Government denatures alcohol and show that I can remove as many of them from alcohol as the Government uses?

Mr. CRAMTON. Whenever the gentleman can convince Doctor Doran, Commissioner of Prohibition, and Doctor Howe, the editor of the official journal of the organization of 20,000 chemists, and Father Coyle, the head of the department of chemistry of Georgetown University, and the Association of Wholesale Druggists, and Mr. Chatfield, the head of the paint and varnish industry, men who have spent their lives in chemistry and the study of chemistry, then I shall be convinced by the gentleman and not before. [Applause.]

The SPEAKER pro tempore (Mr. HOLADAY). Under special order the Chair recognizes the gentleman from New York [Mr. LAGUARDIA], for eight minutes.

Mr. LAGUARDIA. Mr. Speaker, inasmuch as the time of the gentleman from Michigan [Mr. CRAMTON] was extended, I ask unanimous consent to have my time extended two minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, I expected that the gentleman from Michigan [Mr. CRAMTON] when discussing the subject of prohibition would depart from his usual calm and restraint and make some unwarranted charge. I deny the indictment and resent the allegation that the wets of this House are urging modification but hoping for nullification. There is nothing in the record of any Member of this House that warrants any such charge.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. In just a moment.

Mr. CRAMTON. On that point?

Mr. LAGUARDIA. In just a moment.

Mr. CRAMTON. I will be glad to ask that the gentleman have further time.

Mr. LAGUARDIA. We will do it afterwards.

The gentleman from Michigan very skillfully and guardedly brings in the matter of the killing of agents or the killing of violators of the law, together with statements made by people

who are against prohibition, and it is on that, Mr. Speaker, that I desire to make a statement this morning.

In view of the statement made by Commissioner Doran, who holds a high and responsible position under the Federal Government, and a like statement made by a distinguished and eminent Senator, indicating by innuendo that the recent use of violence and acts of violence growing out of resistance to attempted enforcement of the prohibition laws are due entirely to so-called inflammatory statements made, I deem it necessary to state my position and, I believe, that of others opposed to the eighteenth amendment and seeking its repeal.

We shall not cease in our efforts nor in our utterances in exposing existing conditions; in pointing to the wholesale, universal disregard and violations of the law to sustain our contention that the law is incapable of enforcement; that enforcement has entirely broken down; and to use every legitimate means and all of our rights under the Constitution to make these statements at any time, in any place, for the purpose of bringing about the repeal of the amendment and the modification of existing prohibition law.

If there is violence, if there is murder, it is not the fault of any statement made in opposition to the eighteenth amendment but it is due entirely to prohibition itself. There is no other law on the statute books of our country that has created so much trouble. There is no other law that compels the use of armed forces, semimilitary organizations of the Government, the use of machine guns and cannon to attempt its enforcement. We are going to put an end to this intolerable condition. The continuance of prohibition will only increase such occurrences which may result in disorder of a grave nature unless terminated.

Unrestricted, unlicensed, and untaxed control of liquor traffic can not be safely left in the hands of the criminal element. Prohibition does that. Huge profits made possible by large demands for liquor, now untaxed, put millions of dollars into the pockets of the criminal element. Prohibition does that. We believe that, as in all countries of the world, control of liquor traffic should be under strict Government supervision, intrusted to people of known and good character and under direct supervision, and liquor so taxed as to abolish the enormous margin of profit which prohibition makes possible. Prohibition has brought disobedience of law and disorder. We are seeking to establish law and order. The bootlegger is the creature of prohibition. The wets did not create him. We want to abolish the bootlegger.

We are seeking to maintain the rest of the Constitution by the repeal of the eighteenth amendment, and we charge that many would rather maintain the eighteenth amendment and let the rest of the Constitution go. We have concrete examples of disregard of several fundamental principles and guaranties contained in the Constitution in the attempted enforcement or in the efforts to carry out the provisions of the eighteenth amendment.

We start off with the fourth amendment, guaranteeing to the people of the United States protection against unreasonable searches and seizures, and we now have a condition where, through practice, court rulings, and even legislation the guaranties of the fourth amendment have been entirely destroyed.

At this very moment we have in the Committee of the Judiciary bills which in effect will, or, rather, destroy the guaranties contained in the fifth and sixth amendments of the Constitution.

The fifth amendment guarantees to the people of the United States charged with any offense to have the charge presented to a grand jury and to be placed on trial only after indictment by a grand jury. Yet in order to continue the eighteenth amendment it is now proposed to destroy the purpose of the fifth amendment and to abolish the guaranty of an indictment by grand jury. Not only that, we have the sixth amendment, which guarantees to all charged with felony a trial by jury, and it is now proposed in a bill under consideration in this House to abolish a trial by jury in prohibition cases and through a clumsy, artificial method compel a defendant to go to trial before an employee of a court, not even having the dignity of judicial office.

Now, judging from the last pronouncements of the prohibition czar and the champion of the dries so-called inflammatory utterances are to be suppressed. Anything criticizing prohibition or the breakdown of enforcement or the impossibility of prohibition is immediately labeled "inflammatory." Therefore it is suggested all statements must be stopped and the guaranties and provisions of the first amendment to the Constitution are to be abolished and brushed aside, all for the sake of the eighteenth amendment.

We shall continue our opposition. We shall continue talking frankly and exposing conditions and we shall continue our efforts to bring about the repeal of this amendment. I am sure that the small group in the House who are fighting for the cause

of the repeal of the eighteenth amendment will not be intimidated by violence charges or by threats or by being pointed out as making inflammatory statements. History shall simply repeat itself. The ridicule, the abuse, the violence used against William Lloyd Garrison did not stop that great man in his efforts to abolish slavery. He, too, was charged with the making of inflammatory statements.

The names of the small group who rallied around William Lloyd Garrison, the Lovejoy brothers, James G. Binney, Benjamin Lundy, Arthur Tappan, Gerrit Smith, John G. Whittier, Wendell Phillips, Gamaliel Bailey, Harriet Beecher Stowe, and others will live long in the memory of men and in history; while the names of their traducers, the selfish, narrow-minded, who heaped abuse and violence upon them, have long since been forgotten, even in the comparatively short time that has elapsed.

No matter what is said, we shall not submit to the suppression of free speech, to the exercise of every constitutional right to amend the Constitution as it has been amended heretofore, to invoking every proper parliamentary strategy to appeal to the American people to realize the danger to the rest of the Constitution, and in our devotion and loyalty to the Constitution seek to repeal the one amendment which endangers the entire sacred document.

Mr. OLIVER of New York. What other laws will fail if you do not use poison? I think that is the most extreme statement I ever heard—that you have got to poison industrial alcohol in order to enforce the law. I never heard such an extreme statement in my life. I think that is what caused the murders in Florida—statements like that, and policies like that.

Mr. LAGUARDIA. It takes extreme measures when it is necessary to disregard the provisions of the fourth amendment, now the sixth amendment, then the fifth amendment, and you will see in a short time an attempt to brush aside the first amendment to the Constitution in order to repress freedom of speech.

This matter is more important than the use of alcohol. It goes to the vitals and fundamentals of the Constitution.

We in the House will continue our opposition and will reserve the right to resort to every kind of strategy. We propose to present the facts and continue our effort until the eighteenth amendment is repealed in order to save the rest of the Constitution. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the gentleman may have one minute more. I want to ask him a question.

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

There was no objection.

Mr. CRAMTON. When the gentleman referred to the statement with which I began my remarks, did not the gentleman know that that was a statement made by the Washington Times, a Hearst newspaper, which is not noted for its prohibition sympathies? It pronounced the activities of the gentleman from New York and his associates as tending toward nullification.

Mr. LAGUARDIA. I think the gentleman is distorting that for his own purpose.

Mr. O'CONNOR of New York. As to the charges of intimidation of the wets, is it not the fact that the stock in trade of the dries, the Anti-Saloon League, has always been intimidation? That is the way, to a large extent, they have got legislators to support their cause.

Mr. LAGUARDIA. They are not going to suppress our expressing our opinions.

Mr. O'CONNOR of New York. Not the men here.

RURAL POST ROADS

Mr. PURNELL. Mr. Speaker, I call up House Resolution No. 124, which I ask the Clerk to report.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 124

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5616, to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with

such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. PURNELL. Mr. Speaker and ladies and gentlemen of the House, if I may have your attention for three or four minutes I should like to state the purpose of this resolution.

This resolution, if agreed to, as I have no doubt it will be, almost unanimously, will make in order the immediate consideration of the bill 5616, reported by the Committee on Roads. The purpose of it, in brief, is to increase by \$50,000,000 the authorization for the fiscal years 1931, 1932, and 1933. For your information, or rather for the purpose of refreshing the memory of most of you, I shall remind you that the original Federal aid road act, which passed July 11, 1916, created a 5-year road-building program and appropriated \$75,000,000. In 1919 an additional \$200,000,000 was appropriated, making a total of \$275,000,000 for the first 5-year program under the original Federal aid road act of July 11, 1916.

The next steps in this road-building program came on November 9, 1921, when the act of that date was passed, which carried a further \$75,000,000 appropriation for 1922. This was the last direct appropriation, all later ones having followed the authorization as funds were needed. In 1922 a 3-year program was provided for, authorizing \$50,000,000 for 1923, \$65,000,000 for 1924, and \$75,000,000 for 1925. Since then we have provided for three 2-year programs, providing for authorizations of \$75,000,000 for each year.

Now, the bill H. R. 5616, which this resolution from the Committee on Rules seeks to make in order, increases that \$75,000,000 per year by \$50,000,000, thus giving for 1932 and 1933 each a total of \$125,000,000 as the Federal Government's contribution to the program of road construction throughout the United States. For 1931 there is provided in section 2 of the bill an authorization of an additional \$50,000,000, so that, beginning with the fiscal year 1931, if this bill is passed, we shall have \$125,000,000 for the next three fiscal years.

I just want to call the attention of the House to one or two other points that I think are of interest and should be mentioned in this connection.

Three urgent contingencies, in my judgment, warrant the passage of this bill. In the first place, the Federal Government's appropriations have not kept pace with the money that has been spent by the several States. In 1921, by way of comparison, the States spent of their own money \$397,000,000. At the same time the Federal Government spent, in round numbers, \$88,000,000. That is 1921. In 1929 the States' contributions to the general road-building program throughout the United States had increased from \$397,000,000 to \$860,000,000, while the Federal Government's contribution had decreased from \$88,000,000 to \$75,000,000.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. MORTON D. HULL. If, as the gentleman states, the States are so willing to contribute these large amounts, far in excess of the contributions by the Federal Government, why is there any further necessity for Federal aid in road building?

Mr. PURNELL. The gentleman surely is not advocating the abandonment of Federal aid for our highway systems?

Mr. MORTON D. HULL. I am not sure it is necessary or desirable. Contributions by the Federal Government were originally made in order to induce the State to build roads, but it would seem that contributions on the part of the Federal Government are unnecessary as an inducement.

Mr. PURNELL. If the gentleman will permit, I am not on the legislative committee that drafted the legislation. I presume the chairman of the committee, as well as the other members of the committee, will be able to give the gentleman all the enlightenment he wants. I am merely presenting this resolution for and on behalf of the Rules Committee. However, I desired to call attention to the failure of the Federal Government to keep pace with the individual States.

Now, another thing. At the last session of Congress we completed the first great step in our effort to rehabilitate American agriculture by the passage of what I believe to be some very helpful farm-relief legislation. I know of nothing that contributes more to that general farm-relief program than improved highways which aid so materially in our efforts to bring the farm and the market closer together. That contingency, of course, arises in connection with this bill. I know of no money spent by the Federal Government that reaches out and affects helpfully so many people as the funds which we appropriate, and have been appropriating for the past several years, for the improvement and extension of our good-roads system.

One other thing enters into the consideration of this resolution. Only a short time ago the President of the United States made a general appeal to the country and to business everywhere to join in a movement to stabilize business and maintain adequate employment throughout the country. He made an appeal in his message to Congress for a "prudent-expansion" program. This is part of the President's "prudent-expansion" program. [Applause.]

I have no doubt the rule will be adopted and the bill passed in order that we may add this extra \$50,000,000 per year to the Federal Government's contribution to our road-building program.

Mr. Speaker, I reserve the balance of my time and yield to the gentleman from Alabama [Mr. BANKHEAD] such time as he may wish to use.

Mr. BANKHEAD. Mr. Speaker, I shall make a very brief statement myself with reference to this matter; but at the conclusion of my remarks, by the kindness of the gentleman from Indiana, I desire to yield five minutes to the gentleman from Illinois [Mr. SABATH], a member of the committee.

As has been stated to the House by the gentleman from Indiana, I imagine this bill will meet with practically the unanimous support of the Members of the House. It is too late now to undertake any argument in favor of the advantages of this Federal-aid appropriation. It has become, in my opinion, the permanent policy of our Government. In looking back over the progressive achievements of the last Democratic administration under President Wilson and some of the great things which were initiated and put into effect for the benefit of the people of this country, I regard this act of Federal aid to highways as one of the outstanding accomplishments of that administration. I think the results of this expenditure upon the part of the Federal Government have contributed more largely to the economic as well as the social advantage of all of the people of this country than any piece of legislation of similar character ever enacted.

This resolution came before our committee with the unanimous report of the Committee on Roads, as I understand it. It is a program consistent with the suggestions made by the President of the United States, not only for the promotion of the development of the country but also for meeting in some measure the unemployment situation unfortunately now upon the country.

The bill has my entire approval and support, as has the rule. I do not think it necessary for me to make any further suggestions with reference to the propriety of passing it at this time, and I will now yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SIROVICH. Mr. Speaker, I would like to talk for 10 or 15 minutes after the gentleman from Illinois has finished.

Mr. SABATH. Mr. Speaker, would the gentleman be in order to make that request?

The SPEAKER. The Chair will recognize the gentleman to make a unanimous-consent request if the gentleman from Illinois will yield?

Mr. SABATH. I yield for that purpose.

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent that after the disposition of these two bills I may speak for 10 or 15 minutes in answer to the gentleman from Michigan.

The SPEAKER. The gentleman from New York asks unanimous consent that after the disposition of the two matters which have been announced to come before the House this afternoon he may be permitted to address the House for 15 minutes. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I agree with the gentleman from Indiana and the gentleman from Alabama that the resolution before us, making in order the good roads bill, is meritorious and is entitled to the immediate consideration of the House. The gentleman from Indiana states that we should do our part to reestablish stability and confidence and aid in the elimination of the unemployment, and I agree with him. Outside of the fact that I am in favor of any policy of aiding, encouraging, and enlarging construction of roads, I favor the resolution because it will extend aid in giving employment to some out of the millions who now for the past four or six months have been unemployed. I feel that it is the duty of this House to do all within its power to bring about improvement and reestablish confidence in the United States. For that reason I feel we should, in the first place, endeavor to ascertain the underlying reason or causes responsible for the deplorable condition not only of labor but that the commerce of the Nation has suffered. I feel that the House should pass a resolution to investigate and obtain information that will enable it to legislate in a manner that will prevent in the future "crashes"

that the country is suffering from and as described by President Hoover and others. I myself am of the opinion that overspeculation—yes; gambling—as practiced on the stock market is responsible for the existing condition brought about by the “crash” that destroyed over forty billions of market value of properties, ruined millions of investors, crippled thousands upon thousands of business men and manufacturers, and caused thousands of bankruptcies and hundreds of suicides. I fear that it will be a long time before confidence is reestablished. I feel if the House could ascertain the reasons for this “crash” we could legislate intelligently and prevent such a catastrophe in the future.

I, myself, after careful investigation, am of the opinion that unrestricted gambling and stock manipulation in a great measure were responsible for the “crash,” and it is to be deplored that former President Coolidge, President Hoover, and Secretary of the Treasury Mellon should have placed themselves in a position in 1928 and 1929 to have been used by the gambling fraternity for their destructive game; as we must recollect that President Coolidge and Secretary Mellon had repeatedly stated in 1928 and early 1929 that the country was prosperous and that it would continue to be prosperous and that prices of stocks were not too high, that money was plentiful and that there was nothing to fear. These statements gave confidence to millions of American citizens to invest and participate in the purchase of the tremendous increase of the capital stock of all companies and in the stock of new companies; and after the public had invested their all by purchasing these stocks at unjustifiable high prices the money changers began to increase their rates and the Wall Street shorts started to sell stock, which they never owned, with the result that the country has witnessed the most disastrous “crash” in history. It forced the banks to call in their loans from legitimate channels to enable them to weather the storm as they were not able to force repayment of loans made on stock collateral, which collateral in many instances suffered depreciation as high as 75 per cent.

In view of these conditions I feel that a thorough investigation is required, not only for the purpose of placing the responsibility, but to prevent any future such recurrence. [Applause.]

Mr. SNELL. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin [Mr. NELSON].

Mr. NELSON of Wisconsin. Mr. Speaker, the McDowell bill (H. R. 5616) provides for a continuance of Federal aid to the States for the construction of good roads by authorizing an appropriation of \$125,000,000 for each of the fiscal years ending June 30, 1932, and June 30, 1933, and an additional sum of \$50,000,000 for the fiscal year ending June 30, 1931.

I realize that there will be little, if any, opposition to the passage of this bill. However, as a member of the Committee on Roads, I think it proper to express my views on the policy of Federal aid.

HISTORY OF APPROPRIATIONS FOR FEDERAL AID

The original Federal aid road act of July 11, 1916, carried an appropriation of \$75,000,000 for a 5-year program of cooperation with the several States. Following the war, in 1919, an additional \$200,000,000 was appropriated, making a total of \$275,000,000 for the first 5-year program. The Federal highway act of November 9, 1921, which provided for the so-called 7 per cent Federal-aid highway system, carried a further appropriation of \$75,000,000 for the fiscal year 1922. The act of June 19, 1922, provided for a 3-year program and authorized appropriations of \$50,000,000 for the fiscal year 1924 and \$75,000,000 for the fiscal year 1925. Since then, three 2-year programs have been provided for, with authorizations of \$75,000,000 for each fiscal year.

PENDING BILL INCREASES APPROPRIATION

The pending bill authorizes an increase in the annual appropriation from \$75,000,000 to \$125,000,000 for the fiscal years of 1932 and 1933, and, for the fiscal year of 1931 an additional sum of \$50,000,000 over the appropriation of \$75,000,000, heretofore made, thereby making a total of \$125,000,000 for the year 1931.

THE NEED FOR AN INCREASE

The need for an enlarged appropriation for continuing the interstate road construction is generally recognized.

(1) Accumulated balances have been spent

As above stated, the Federal aid act was first passed in 1916. The operation of this act was delayed by war, shortage of labor, and freight transportation. As a result of this delay the appropriations for the earliest years were not expended within the years they were made, and a balance was thereby accumulated.

This accumulation has permitted in recent years a rate of improvement greater than would have been possible within appropriations authorized.

These balances have now been practically expended, and this program of improvement will be curtailed unless an appropriation in proportion to the needs of our increased automobile traffic be made.

(2) Constantly increasing motor transportation demands larger appropriation

Despite the great program in road building made during the last decade, the increased use of motor transportation has brought with it a demand for increased appropriations for road construction and improvements. Statistics show that in 1918 there were 17 motor vehicles registered per mile of improved highway, while in 1928 there were 40 registered motor vehicles per mile. This is an increase of 130 per cent in 10 years. The ratio of automobiles to improved highway mileage is increasing from year to year. Governmental statistics on the registration of automobiles in the United States in 1929 are as yet not available. From nongovernmental sources we have the following figures: The Literary Digest, in the January 11, 1930, issue states that during the year 1929, 26,400,000 motor vehicles were registered in the United States, and that the increase of registration in 1929 over the registration for the year 1928 was 8 per cent. The United States Daily, in its January 14, 1930, issue states that 26,700,000 automobiles were registered in the United States in 1929, which was an increase of 2,200,000 registered automobiles over the year 1928.

(3) Less than one-half of project completed

Traffic on modern highways has grown astonishingly; road building, however, has not kept pace with it.

There are 3,000,000 miles of legally established highway in this country. The Federal-aid system comprises a total of 188,857 miles of main interstate and intercounty roads. At the close of the fiscal year of 1929 the actual length of roads in the system improved with Federal aid was 78,096 miles, or about 41 per cent of the total mileage. Of this 78,096 miles of improved roads, about 25 per cent are paved and about 50 per cent graveled or better. An increased appropriation will hasten the completion of this project.

In Wisconsin, under the 7 per cent Federal-aid system, there are 5,514 miles to be improved with Federal funds. Up to June 30, 1929, there were 2,056 miles of road improved. We still have 3,458 miles, or about five-eighths of the project, to complete.

EXPENDITURES BY NATIONAL AND STATE GOVERNMENTS ON ROAD CONSTRUCTIONS

The increased use of motor vehicles has brought about a basic change in the highway industry, and this change has been reflected in the attitude of the public. At the beginning of road improvement the public had to be begged to provide funds for highway building; now conditions are reversed; the public want improved highways and they are prepared to pay the costs.

State and local governments are now expending the enormous sum of over \$1,600,000,000 annually for the construction of roads. To this amount the Federal Government is contributing only \$75,000,000, or less than 5 per cent.

NATIONAL EXPENDITURE NOT PROPORTIONAL TO BENEFITS

While the Federal Government has, heretofore, contributed only 5 per cent of the total building costs, the benefits of good highways are national as well as local. This expenditure of Government funds is necessary to national prosperity and the public welfare. It is an economic expenditure, and the benefits therefrom to the commercial, industrial, and agricultural interests, by furnishing a better means of transportation, has a wider application than any other form of internal improvement. In my opinion it is an investment; no other Government expenditure has brought so large a return to the benefit of so great a number of people of the United States. Our National Government should, therefore, assume its just proportion of responsibility to continue and increase these benefits and not leave the burden of the costs rest almost entirely on the States who are now shouldering 95 per cent thereof.

BENEFITS OF BETTER ROADS

First. The Federal Government Postal Service and rural free delivery of mails can render more efficient service.

Second. There will be better access to churches and to the larger and better equipped, centralized schools.

Third. It forms a part solution of the farm problem: (a) By affording farmers the quickest and cheapest method of

transporting their products to bigger and better markets; (b) by giving the farmer more time at home, reducing his labor hire and increasing his production and profits.

Fourth. Good roads unite the States into a homogeneous whole; social intercourse is promoted, and thus provincialism, sectionalism, and isolation are broken down.

Fifth. Forest preservation and fire damage prevention are aided.

Sixth. Manufacturers are benefited by facilitating the acquisition of raw products and the delivery of manufactured goods. Every mile of unimproved road along their way of transportation and distribution adds to the cost and must be included in the selling price to the consumers.

Seventh. Railroads are provided with freight. They receive 9.1 per cent of their freight from the automotive industry and from material moved for road building.

Eighth. The unemployment situation will be somewhat relieved. Our road program is a major factor in the prosperity of a basic industry employing 3,956,138 people directly and 385,000 indirectly.

Ninth. A saving in vehicle operating costs will result. In 1928, 25,000,000 motor vehicles in use upon our highways spent \$7,230,000,000 for operating costs in service and repair shops. It is estimated that it costs from 1 to 3 cents per mile more to travel over unpaved roads than on paved ones.

Tenth. Military movements in case of war are aided. I wish to quote from President Hoover's annual message to Congress, on December 2, 1929:

Federal aid in the construction of the highway systems in conjunction with the States has proved to be beneficial and stimulating. We must ultimately give consideration to the increase of our contributions to these systems, particularly with the view of stimulating the improvement of farm-to-market roads.

And further:

* * * And that a special effort shall be made to expand construction work in order to assist in equalizing other deficits in employment.

The people of Wisconsin are heartily in accord with a larger program of road construction under Federal aid. In April, 1929, the Legislature of Wisconsin memorialized Congress to pass legislation increasing Federal aid for highway construction.

Mr. SNELL. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. FRANK M. RAMEY].

Mr. FRANK M. RAMEY. Mr. Speaker, being a member of the Committee on Roads, I wish to say that at the hearings there was present a member of the American Automobile Association, who expressed the sentiments of that organization and urged the passage of this bill. There was also present a member of the legislative committee of the American Federation of Labor, who recommended and urged the passage of this bill.

There were also present before the committee governors of various States and members of various State highway departments, and they all, in turn, gave testimony and advocated the passage of this bill.

As has been ably said, this is a vital and important bill and should be unanimously passed.

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FRANK M. RAMEY. Mr. Speaker, Congress has now before it legislation regarding Federal-aid roads and bills calling for appropriations therefor.

H. R. 5616 provides that the United States shall aid the States in the construction of rural post roads and authorizes an appropriation amounting to the sum of \$125,000,000 each for the three fiscal years ending June 30, 1931, June 30, 1932, and June 30, 1933.

The expenditure of public money by appropriations for the building of Federal-aid roads in conjunction with the States is considered by many as one of the most useful and most far-reaching of Federal expenditures.

Good roads can not be regarded as a problem to be solved by local authorities, but has grown to be a national problem, and it has become a national necessity that good roads be constructed in each State of the Union.

There is a strong demand for uniformly good roads throughout the country, and it is hoped that finally we will have a great national system of roads, which naturally will be of tremendous benefit and advantage to the people of our Nation.

For several years the building of good roads has been given careful thought and consideration by the Federal Government and by the several States. All are agreed in the necessity and

soundness of the proposition of constructing good, durable roads by the States with Federal aid.

The use to which the roads will be placed in the future is beyond the conception of anyone at this time.

Traffic on the modern highways, both freight and passenger, has, in the last few years, grown by leaps and bounds, and the end is not in sight.

Transportation of freight by truck, and passenger transportation by bus and automobile are now the main ways of transportation.

In order to show the progress of the proposition of construction of roads by Federal aid from its beginning to the present time, I desire to quote from the testimony of Samuel Eckels, president of the American Association of State Highway Officials, given before the Committee on Roads, December 16, 1929, by showing the following tabulations, submitted by Mr. Eckels.

Total State road mileage improved

[Prepared by the American Association of State Highway Officials]

State	With Federal funds, June 30, 1929	Without Federal funds, Jan. 1, 1929
Alabama	1,960	1,793
Arizona	887	831
Arkansas	1,745	5,403
California	1,625	2,697
Colorado	1,137	5,479
Connecticut	229	1,829
Delaware	212	473
Florida	449	2,221
Georgia	2,564	1,674
Idaho	1,144	1,487
Illinois	1,888	4,813
Indiana	1,266	3,206
Iowa	3,009	3,103
Kansas	2,539	2,895
Kentucky	1,314	3,249
Louisiana	1,321	4,887
Maine	480	612
Maryland	627	2,081
Massachusetts	570	1,037
Michigan	1,470	5,496
Minnesota	3,872	1,737
Mississippi	1,656	1,000
Missouri	2,278	4,383
Montana	1,538	
Nebraska	3,628	924
Nevada	1,081	250
New Hampshire	332	989
New Jersey	462	641
New Mexico	1,868	3,535
New York	2,182	8,160
North Carolina	1,711	5,363
North Dakota	3,676	
Ohio	2,013	8,491
Oklahoma	1,823	2,270
Oregon	1,147	2,575
Pennsylvania	2,072	10,303
Rhode Island	165	351
South Carolina	1,813	3,034
South Dakota	3,310	1,316
Tennessee	1,148	4,657
Texas	6,064	4,003
Utah	918	2,490
Vermont	229	1,202
Virginia	1,345	3,702
Washington	854	2,016
West Virginia	683	2,498
Wisconsin	2,056	6,471
Wyoming	1,674	224
Total	78,063	137,762

Unobligated balance of Federal-aid funds as of December 2, 1929

State	Balance of old funds available on new projects	Apportionment for the fiscal year 1931	Total Federal-aid funds available on new projects
Alabama	\$1,824,530.50	\$1,557,372.00	\$3,381,902.50
Arizona	1,453,087.57	1,062,190.00	2,515,277.57
Arkansas	1,483,323.79	1,293,086.00	2,776,409.79
California	10,514.84	2,501,170.00	2,511,684.84
Colorado	1,088,521.26	1,390,524.00	2,479,045.26
Connecticut	541,678.71	477,893.00	1,019,571.71
Delaware	22,619.12	365,625.00	388,244.12
Florida	689,938.48	921,558.00	1,611,496.48
Georgia	1,985,785.21	1,983,632.00	3,971,417.21
Idaho	428,465.44	932,594.00	1,361,059.44
Illinois	2,543,083.24	3,100,781.00	5,643,864.24
Indiana	21,891.93	1,909,505.00	1,931,396.93
Iowa	18,307.71	2,005,944.00	2,024,251.71
Kansas	13,394.85	2,048,585.00	2,061,979.85
Kentucky	399,162.72	1,414,610.00	1,813,772.72
Louisiana	1,066,019.00	1,040,195.00	2,106,214.00
Maine	959,686.98	675,105.00	1,634,792.98
Maryland	172.41	631,911.00	632,083.41
Massachusetts	1,470,152.10	1,090,022.00	2,560,174.10
Michigan	83,191.89	2,200,177.00	2,283,368.89

Unobligated balance of Federal-aid funds as of December 2, 1929—Contd.

State	Balance of old funds available on new projects	Apportionment for the fiscal year 1931	Total Federal-aid funds available on new projects
Minnesota	\$107,000.00	\$2,102,986.00	\$2,209,986.00
Mississippi	1,333,444.49	1,323,897.00	2,657,341.49
Missouri	162,507.80	2,382,383.00	2,544,890.80
Montana	1,942,147.00	1,552,865.00	3,495,012.00
Nebraska	811,707.25	1,586,526.00	2,398,233.25
Nevada	51,250.63	960,845.00	1,012,095.63
New Hampshire	83,528.36	365,625.00	449,153.36
New Jersey	154,890.08	936,234.00	1,091,124.08
New Mexico	428,071.56	1,190,296.00	1,618,367.56
New York	3,232,815.99	3,605,965.00	6,838,780.99
North Carolina	1,296,891.54	1,722,673.00	3,019,564.54
North Dakota	54,589.22	1,203,060.00	1,257,649.22
Ohio	637,313.97	2,753,528.00	3,390,841.97
Oklahoma	41,796.93	1,751,015.00	1,792,811.93
Oregon	362,815.05	1,197,667.00	1,560,482.05
Pennsylvania	39,601.35	3,314,707.00	3,354,308.35
Rhode Island	475,876.33	365,625.00	841,501.33
South Carolina	329,756.67	1,065,105.00	1,394,861.67
South Dakota	39,192.88	1,232,962.00	1,272,154.88
Tennessee	910,574.21	1,608,802.00	2,519,376.21
Texas	296,619.67	4,545,830.00	4,842,449.67
Utah	197,950.58	850,752.00	1,048,702.58
Vermont	62,872.48	365,625.00	428,497.48
Virginia	20,330.88	1,420,253.00	1,440,583.88
Washington	210,960.87	1,156,219.00	1,367,179.87
West Virginia	9,119.69	792,826.00	801,945.69
Wisconsin	25,976.12	1,849,169.00	1,875,145.12
Wyoming	12,314.17	942,455.00	954,769.17
Hawaii	1,072,664.16	365,625.00	1,438,289.16
Total	30,508,107.68	73,125,000.00	103,633,107.68

Illinois has 1,163 miles of road on the Federal-aid system ready for surfacing, which work would be greatly expedited if the Federal-aid authorization were increased.

The need of hard-surfaced roads is now recognized everywhere, and the extensive use of the roads is making road building a question of national importance.

Federal road building extends into every State in the Union; materials are bought in every State; labor is employed in every State.

It has been estimated that in building roads 40 per cent of the cost goes to labor.

Good roads help the public schools, the farmer, and the truck grower, and thousands of persons in numerous walks of life. Of all the expenditures of public money there is no program which is more effectual, more beneficial, or more far-reaching than the proposed expenditures for the construction of rural post roads by Federal-aid contributions.

Mr. SNELL. Mr. Speaker, I yield two minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Speaker, I wish to speak briefly in favor of the rule and at the same time in favor of the bill to increase Federal aid for roads from the standpoint of the Western States, having within their boundaries large areas of public lands, and which are also of very extensive area themselves while having comparatively scant population.

The situation with regard to Montana, which I use as an example, is this: Montana has an area of 146,997 square miles, which is about as great as that of the New England States, plus the State of New York, plus the State of South Carolina. To give another illustration, it is more than three times the size of such a State as New York or Pennsylvania, but has a population of not more than 600,000 or 700,000 people.

We have within our boundaries the Glacier National Park, and various entrances to the Yellowstone National Park. We lie on the transcontinental routes east and west across the United States.

With this tremendous problem of area, with scant population, and with tremendous national travel, it is of the utmost importance to us and to all other States of the West similarly located that this Federal aid be increased and continued. Roads that are of value to all the people of the country must be carried forward to completion. In this way their extreme burden will be lifted and the local and State roads can be more easily completed out of the tax funds raised by the people of these various States.

Mr. GARNER. Will the gentleman yield?

Mr. LEAVITT. I am pleased to yield.

The SPEAKER. The time of the gentleman from Montana has expired.

Mr. SNELL. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. GARNER. I know the gentleman is thoroughly familiar with the State of Montana, and especially its public parks and

its roads. I wonder if the gentleman is as familiar with the public domain in that State?

Mr. LEAVITT. Yes.

Mr. GARNER. Then I wonder why it is his committee wants to surrender its authority to speak on the subject to 25 supermen that you propose to create here next Thursday by a rule.

Mr. LEAVITT. We have a rule that will be brought out on Thursday and I expect at that time to discuss the question very much in detail.

Mr. GARNER. I just wondered whether the gentleman from Montana, if he is thoroughly familiar with the public domain, is not as well qualified to recommend to the House of Representatives legislation pertaining to it as these 25 supermen will be when they complete their work and report.

Mr. LEAVITT. I will say I feel to some extent qualified to pass on that matter, and I do feel that, perhaps, there should be on that commission Members of the House and the Senate in addition to those representing the States and the Nation at large more directly; but that will be brought to the House and it will be discussed in connection with the other rule Thursday, and at that time I shall be very glad, Mr. Speaker, to enter into a rather complete discussion of the very point that has been raised by the gentleman from Texas. I now ask unanimous consent to extend my remarks with regard to the present rule and the bill for an increase of appropriation for the Federal-aid road system.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin, Mr. BROWNE.

Mr. BROWNE. Mr. Speaker, the Federal aid system of roads consists of only about 7 per cent of the entire road mileage in the United States. Upon the Federal road system the United States Government has appropriated since 1916 only 43 per cent of what the roads in this system have cost. The States have contributed the balance, or 57 per cent of the costs of these roads.

While this bill is a step in the right direction, I feel we are going too slow. The Bureau of Roads informs me that only one-third of the Federal system, which consists of 7 per cent of the road mileage, is completed. We have been having Federal aid since 1916, and you can figure how long it will take to complete the Federal system. The trouble is we are wearing out our automobiles on poor roads. Our auto vehicles are practically 100 per cent perfect. We drive them over roads which are not more than 25 or 30 per cent perfect, and the result is we are losing money every day. The poor-road tax is the highest tax we pay. The extra wear and tear on the twenty-six and one-half million auto vehicles is estimated at over \$500,000,000 a year.

THE IMPROVEMENT OF THE ROADS IN THE UNITED STATES HAS NOT KEPT PACE WITH THE INCREASED NUMBER OF AUTOS AND TRUCKS

Our highways are inadequate to meet the demands of traffic. The only way that the completion of our Federal system can be hurried is by larger appropriations by the Federal Government. Before the invention of the automobile, when traffic moved slowly over our roads in horse-drawn vehicles, the improvement of roads might have been considered of only local concern. The invention of the automobile revolutionized transportation over our highways. As I have stated, the situation has changed very materially since the Federal aid road law was passed in 1916, when we only had 3,500,000 motor vehicles in the United States. It will continue to change with the increased production of auto-motor vehicles. The year 1929 registered the production of over 5,000,000 automotive vehicles.

FEDERAL ROADS—INTERSTATE ROADS

Included among the 26,500,000 automobiles and trucks which are being operated over our highways there were 86,000 motor busses operated in 1928. There were also 263,000 miles of common carrier bus routes and 48,362 miles of exclusive interstate carrier bus routes in operation. A total of over 2,000,000,000 bus-miles were traveled in 1928. There are 64 steam railroads using busses as auxiliaries to their railroads.

FEDERAL ROAD SYSTEM CONSTITUTES LESS THAN 7 PER CENT OF THE ROADS IN THE UNITED STATES

It should be remembered that the Federal road system includes less than 7 per cent of the roads. The remainder, or 93 per cent of the roads, which means over 2,000,000 miles of roads, are built, maintained, and kept in repair entirely by the States and political subdivisions of the States. These roads are used very much more than they were before the automobile came in such general use, and many of these roads are rural

free-delivery roads over which These roads must necessarily be kept in better repair than formerly, to avoid accidents by travelers in interstate traffic, which places an additional burden on the counties and the smaller units under the counties. By sides the road systems which the States and subdivisions are obliged to build and keep in repair and open to travel at all times each State has to maintain and keep the Federal highways in repair, safe for travel winter and summer. As an illustration of the large amount of money which the States are contributing toward the construction and maintenance of roads as compared with the Federal Government, I will take the State of Wisconsin as an average State. In 1928 Wisconsin received \$1,872,455 Federal aid. The State raised and contributed \$16,200,697.67, over \$8,000,000 of which was spent on primary and secondary roads, all hard-surfaced and most of them concrete. The counties and local units in addition contributed approximately \$24,000,000. The State and local subdivisions of the State, which derived the greater portion of their money from direct taxation on real estate and personal property, are at present contributing as much as they are able. Increased taxation for the building of roads has been one of the causes of high taxation of farm property. Therefore, if our Federal highway system is to be completed within a reasonable time the Federal Government must appropriate larger amounts for Federal highways.

The scientific building of roads should have been continued by the Federal Government from Washington and Jefferson's administrations, when the first Federal road was built. It is a belated movement 100 years faster. The Federal road system, which is an interstate system, should be built entirely with Federal money. When we take into consideration that there are 86,000 busses which are being operated on these roads and that these busses carried passengers over 2,000,000,000 miles of roads last year; that 689,945 auto passenger motor vehicles were operated over these roads in visiting the national parks alone; that the United States mail carried 300 days in the year by 43,719 Government mail carriers, who traverse daily 1,319,576 miles of road; that 981,240 school children are transported daily in school busses, most of them over Federal highways; that 64 steam railroads are operating these busses over these highways, it is the duty of the Federal Government to pay the entire costs of the Federal interstate highways.

INTERNAL IMPROVEMENTS HAVE IN THE PAST BEEN LOCAL

The Federal Government has appropriated hundreds of millions of dollars for harbors which have helped the localities where the improvements were made. It has also appropriated hundreds of millions of dollars for the improvement of rivers which has helped certain localities. These internal improvements have, of course, indirectly helped every locality in the United States. Thousands of localities which have never received a penny from the Federal Government, not even a small post-office building, have contributed their share toward the improvement of rivers and harbors. Is it not fair at this time for the Federal Government to appropriate money for a great internal improvement like the building of Federal interstate highways which all of the people of the United States use and help to wear out, and over which are constantly driven, and the United States mail daily and the interstate trucks use day and night? The autoist from New England is interested in the Federal roads in Iowa, California, and Texas and Florida, and the autoists from those States are interested in the Federal roads in New England.

FEDERAL AID TO RAILROADS

The Government at an early date recognized the benefits of efficient transportation. July 1, 1862, an act was passed by Congress granting the Central Pacific and the Union Pacific corporations vast tracts of public land, more than enough for the building of their roads. Later the Northern Pacific Railroad by act of Congress was granted 47,000,000 acres of land for the building of its road, and the Atlantic & Pacific Railroad was granted 42,000,000 acres.

I am not criticizing these grants of land—both political parties favored this legislation—but I do maintain there is more justification for the Federal Government at this time appropriating money to build interstate Federal highways over which all the people have an equal right to freely travel without paying toll or tribute to anyone.

TOTAL AMOUNT OF FEDERAL APPROPRIATION

The Federal Government passed a sales tax taxing auto vehicles 5 per cent, later reducing it to 3 per cent, and then repealing

the United States mail is carried. The Government received from this tax, which was paid by the people who purchased automobiles, \$1,081,845,555. The Federal Government has appropriated for roads \$990,000,000. So if the books were balanced to-day the Federal Government would owe the people who have bought automobiles over \$90,000,000 more than the Federal Government has placed back on the roads.

Mr. JOHNSON of Texas. Will the gentleman yield?
Mr. BROWNE. I yield.
Mr. JOHNSON of Texas. This allocation of \$50,000,000 will be made in the same proportion as it is now made?
Mr. BROWNE. Yes; the apportionment of money is very fair; it is the same that was made when the road law was passed in 1916. I had the privilege of being a member of that committee which drafted the law. One-third of the money is apportioned to each State according to the area, one-third according to the population, and one-third according to rural routes. [Applause.]
Mr. SNELL. Mr. Speaker, as all the debate seems to be on one side, I do not think it necessary to detain the House longer and 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.

CONSTRUCTION OF RURAL POST ROADS

The SPEAKER. Under the rule the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RAMSEYER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5616, which the Clerk will report.

The Clerk read the title of the bill.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. Under the rule the time is equally divided between the gentleman from Iowa [Mr. DOWELL] and the gentleman from Alabama [Mr. ALMON].

Mr. HASTINGS. Mr. Chairman, will not the chairman of the committee enlarge his request so that all Members who speak on the bill may have permission to extend their remarks in the RECORD?

The CHAIRMAN. That request can not be entertained in the committee. It will have to be made in the House.

Mr. DOWELL. Mr. Chairman, the bill before the House provides for the authorization and appropriation of Federal aid to the several States in the construction of roads. The distribution of the Federal aid is provided in the legislation adopted by Congress November 9, 1921:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States * * * one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States.

The present bill is an enlargement of the Federal-aid program. For some years past Congress has authorized \$75,000,000 per year. This bill authorizes an appropriation of \$125,000,000 for the fiscal year ending June 30, 1932, and \$125,000,000 for the fiscal year ending June 30, 1933. The bill also authorizes an additional appropriation for the fiscal year ending June 30, 1931, of \$50,000,000, making the total authorization for this year \$125,000,000.

Prior to 1912 road building throughout the United States was principally a local matter and of little more than local interest. With the appearance of the automobile came the demand for a system of highways throughout the country. In 1912 Congress took note of the travel conditions throughout the country and a joint committee of the House and Senate was appointed to investigate the subject and make a report to Congress. In 1915 this committee reported to Congress, and on July 11, 1916, a bill was passed authorizing appropriations for a period of years to aid the States in the construction of roads.

Later on, however, after a careful investigation of the benefits growing out of appropriations made by the Federal Government, in 1921 Congress took up the subject with the view of providing a definite and comprehensive Federal-aid program in the con-

struction of highways. This legislation provided for a program of road construction throughout the entire Nation embracing 7 per cent of the roads in each State. This 7 per cent provided aggregates approximately 200,000 miles of primary and secondary roads.

Following the law passed by Congress in 1921, authorizations and appropriations have been made of approximately a billion dollars. I submit herewith a table showing the authorizations and actual appropriations of Congress under the Federal-aid system.

Apportionment and appropriations for Federal highway construction by fiscal years, as of March 16, 1929
AUTHORIZED TO BE APPROPRIATED FOR CONSTRUCTION AND ADMINISTRATION

Authorized by Congress	Fiscal years 1917-1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	Total
Act of July 11, 1916 (39 Stat. 355)	\$75,000,000											\$75,000,000
Act of Feb. 28, 1919 (40 Stat. 1200)	200,000,000											200,000,000
Act of Nov. 9, 1921 (42 Stat. 212)		\$75,000,000										75,000,000
Act of June 19, 1922 (42 Stat. 660) ¹			\$50,000,000									50,000,000
Act of Feb. 28, 1923 (42 Stat. 1321) ²				\$65,000,000								65,000,000
Act of June 5, 1924 (43 Stat. 460) ³					\$75,000,000							75,000,000
Act of Feb. 12, 1925 (43 Stat. 889)						\$75,000,000	\$75,000,000					150,000,000
Act of June 22, 1925 (44 Stat. 760)								\$75,000,000	\$75,000,000			150,000,000
Act of May 26, 1928 (Public 519, 70th Cong., 1st sess.)										\$75,000,000	\$75,000,000	150,000,000
Total	275,000,000	75,000,000	50,000,000	65,000,000	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	990,000,000
APPROPRIATIONS												
Act of July 11, 1916 (39 Stat. 355)	\$75,000,000											\$75,000,000
Act of Feb. 28, 1919 (40 Stat. 1200)	200,000,000											200,000,000
Act of Nov. 9, 1921 (42 Stat. 212)		\$75,000,000										75,000,000
Act of Jan. 22, 1923 (42 Stat. 1157)			\$25,000,000									25,000,000
Act of Feb. 26, 1923 (42 Stat. 1321)				\$29,300,000								29,300,000
Act of June 5, 1924 (43 Stat. 460)					\$13,000,000							13,000,000
Act of Feb. 10, 1925 (43 Stat. 852)			25,000,000	35,700,000	15,300,000							76,000,000
Act of Mar. 3, 1926 (44 Stat. 171)					22,900,000							22,900,000
Act of May 11, 1926 (44 Stat. 530)					23,800,000	\$51,200,000						75,000,000
Act of Jan. 18, 1927 (44 Stat. 1007)						23,800,000	\$47,200,000					71,000,000
Act of May 16, 1928 (Public 392, 70th Cong., 1st sess.)							27,800,000	\$43,200,000				71,000,000
Act of Feb. 16, 1929 (Public 769, 70th Cong.)								31,800,000	\$42,200,000			74,000,000
Total	275,000,000	75,000,000	50,000,000	65,000,000	75,000,000	75,000,000	75,000,000	75,000,000	42,200,000			807,200,000
Balance unappropriated									32,800,000	\$75,000,000	\$75,000,000	182,800,000

¹ Act of June 19, 1922, carried authorization for fiscal years 1923, 1924, and 1925.
² Acts authorizing apportionment of funds previously authorized.

Under the law the Federal Government apportions the funds appropriated for Federal aid, to the several States, and these funds are used in the construction of roads recommended by the State highway commission and approved by the Secretary of Agriculture. Federal participation under the law can not exceed 50 per cent of the cost of the construction of the road nor can it exceed \$15,000 per mile of road. These roads are constructed under the direction of the State highway commissions, but the law empowers the Secretary of Agriculture to withhold Federal aid on any given project if it does not come up to the proper standard in compliance with the requirements of the department, and if it does not in the same respect comply with the general system or policy of highway construction as provided in the Federal law.

When these roads have been built with the Federal-aid funds, it becomes the duty of the State in which it is located to maintain the highway in a proper manner, and if the State fails to so maintain any highway constructed with Federal-aid funds, the Secretary of Agriculture may maintain such highway from Federal-aid funds allotted to that State, or he may withhold Federal aid from that State until the highway has been placed in proper condition by the State.

The adoption by Congress of the Federal-aid policy in the construction of roads has given a remarkable impetus to road building throughout the entire country, which has resulted in a network of highways reaching to nearly every section of the United States. At present there are approximately 3,000,000 miles of established roads in the United States, of which only about 10 per cent are in the State highway systems and only 200,000 miles, or 7 per cent, are in the Federal-aid system. Approximately 626,000 miles of road have been improved by various stages of improvement and approximately 100,000 miles have been hard surfaced.

While the Federal Government has participated in the construction of roads but for a little more than a decade, it is interesting to note that a little more than seven years ago more than 40 per cent of the rural mail carriers were using horse-drawn vehicles on their routes, while to-day less than 15 per cent are using horses, and the time involved in the delivery of rural mail has been reduced more than one-half, and by reason of the improved road construction the Post Office Department is

able to consolidate many of the rural routes, greatly reducing expenses in delivery of the rural mail.

Both the political parties in their last national conventions in 1928 gave utterance to their views in the following language:

THE REPUBLICAN PLATFORM

Under the Federal aid road act, adopted by the Republican Congress in 1921 and supplemented by generous appropriations each year, road construction has made greater advancement than for many decades previous. Improved highway conditions is a gage of our rural development and our commercial activity. We pledge our support to continued appropriations for this work commensurate with our needs and resources.

THE DEMOCRATIC PLATFORM

Improved roads are of vital importance not only to commerce and industry but also to agricultural and rural life.

President Hoover in his message to Congress at the beginning of the second session of the Seventy-first Congress in speaking of Federal aid to road construction said:

Federal aid in the construction of the highway systems in conjunction with the States has proved to be beneficial and stimulating. We must ultimately give consideration to the increase of our contribution to these systems, particularly with the view to stimulating the improvement of farm-to-market roads.

I am pleased to quote this high authority on the Federal-aid road program which has accomplished so much in the past years in the development of a splendid highway system throughout the Nation and which is now so vital to the commerce, industry, and agriculture of our country.

When Congress enacted the Federal-aid legislation in 1921, which was designated the "farm-to-market roads" legislation, it was the hope to improve the roads from the farms to the market places throughout the country and thus aid in facilitating the marketing of farm products. Much more has been accomplished along this line at the present time than was anticipated, as is shown by the various hearings before the Committee on Roads. Road improvements are not only bringing this about but better road facilities are bringing the producer and consumer closer together to the great benefit and profit of both.

As remarkable as the development in highway improvement has been, it has not kept pace with the development in the automobile industry and in the transportation demands. The country to-day is faced with a traffic congestion which must be met. This can only be met by a broader and a larger program of road construction and unless this is done now industry, commerce, and agriculture will suffer.

In 1900 there were but 14,000 automobiles in the United States; in 1910, 10 years later, the number had increased to 500,000; in 1920 this increase had reached 9,000,000; in 1930, 10 years later, this number has more than trebled with more than 27,000,000 motor vehicles on the streets and highways of the United States. With this vast increase what may we expect in the next 20 years of automobile development?

At present there are almost 4,500,000 people employed directly or indirectly in the automobile industry producing more than 4,500,000 automobiles, trucks, and busses each year. In 1928 there were more than 92,000 busses in operation. During 1928 it is estimated that 12,000,000 head of livestock were hauled by truck over an average of 50 miles to five of our great markets. At the same time 36,000 school busses were transporting a million children to and from school daily.

The importance of the improved highways in the educational and recreational life of our Nation is reflected in the fact that it is estimated \$3,500,000,000 was spent during 1929 by automobile tourists in education, recreation, and pleasure.

With the great increase in highway construction and the great increase in automobile traffic the problem of better traffic regulations has become an important factor in the economic use of highways throughout the country. It is apparent that uniform laws and regulations must be adopted in the several States for the protection of motorists, pedestrians, and others on the streets and highways. The 27,000,000 motor vehicles now on the streets and highways have brought to our attention in a vivid way the appalling rate of accidents, injuries, and deaths. In 1921 automobile fatalities aggregated approximately 12,500. This has been steadily increasing every year as traffic congestion has increased. In 1929 it is estimated that more than 29,000 persons lost their lives in automobile accidents and some 750,000 persons received serious injuries. It is apparent to all that every effort possible must be made to curb this awful destruction of human life.

When we take into consideration that each car in operation involves an expenditure of five or six hundred dollars for its yearly operation, and multiply this by 27,000,000, the number of motor vehicles in operation in 1929, we have a huge annual outlay that can hardly be imagined or understood. While the Federal-aid program is far from completion, great strides have been made in the past few years in the improvement of this system, and more progress is being made to-day in all of the States of the Union than has ever been made before. It is estimated that approximately \$1,700,000,000 was expended last year in road construction of every kind.

President Hoover in his recent message to Congress, speaking of the economic situation, said:

I have therefore instituted systematic, voluntary measures of cooperation with the business institutions and with the State and municipal authorities to make certain that fundamental businesses of the country shall continue as usual; that wages and therefore consuming power shall not be reduced; and that a special effort shall be made to expand construction work in order to assist in equalizing other deficits in employment. Due to the enlarged sense of cooperation and responsibility which has grown in the business world during the past few years the response has been remarkable and satisfactory. We have canvassed the Federal Government and instituted measures of prudent expansion in such work that should be helpful, and upon which the different departments will make some early recommendations to Congress.

Road improvement is of great benefit to all of the people, and Federal-aid construction is a benefit to every section of the country as well as a great help to industry, commerce, and agriculture.

Mr. Fred R. White, chief engineer of the State Highway Department of Iowa, has compiled a statement of the average cost of a mile of paved road in that State in which he shows the cost to be \$26,184, of which \$13,706, or 52 per cent, goes to labor. The cost on this basis is distributed as follows: Stone aggregate, \$3,441; cement, \$5,856; reinforcing steel, \$850; freight, \$5,520; grading, \$2,000; miscellaneous contractor's costs, \$8,517; total, \$26,184. It is estimated that the percentage which goes to labor is much greater in the lower-grade surface roads.

During the coming fiscal year, with the added stimulus road building is receiving in all sections of the United States and with the added stimulus which this legislation will provide, and with the demand for more and better improved highways throughout the country to relieve the congestion which now ex-

ists, the expenditure may approximate the huge sum of \$2,000,000,000. This will mean a distribution not only to industry in all sections of the United States, but a total distribution to labor of more than a billion dollars.

If industry and agriculture are to grow and prosper, improved roads must be constructed, and labor will be greatly benefited in the construction. There is no public work or Government expenditure in which money is so helpfully and equitably distributed among all of the people and which will produce such vast returns in the prosperity and welfare of our people as road construction.

There never has been so great a demand for the building of roads as there is at the present time. Every member of a highway commission who appeared before the Committee on Roads in the hearings on this legislation urged this increase of Federal aid if we are to care for the traffic congestion throughout the country.

This bill has been indorsed by the following organizations, through their representatives, before the Committee on Roads: Automobile Association of America, American Association of State Highway Officials, National Grange, United States Chamber of Commerce, American Farm Bureau Federation, National Automobile Chamber of Commerce, National Association of Manufacturers, American Federation of Labor, and American Motorists' Association.

This bill has been reported to the House by the unanimous vote of the Committee on Roads, and I am hopeful it may have the unanimous support of the House.

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

Mr. DOWELL. Yes.

Mr. BACON. Could the gentleman put in his remarks figures showing how much each State has received since 1916?

Mr. DOWELL. I have not that tabulation at present. The Government has authorized approximately \$1,000,000,000 in all since it started the program of road building, and that has been distributed through all of the States.

Mr. O'CONNELL of New York. And how long a period does that cover?

Mr. DOWELL. All of the time since the first appropriation was made in 1916.

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

Mr. DOWELL. Yes.

Mr. ANDRESEN. Part of the allocation is made on the number of miles of rural routes in the various States?

Mr. DOWELL. Yes.

Mr. ANDRESEN. Is it the purpose of the original enactment that a part of that allocation should be expended on all of these post roads?

Mr. DOWELL. I will answer that in this way: Every road is a post road. As we extend the mileage of the Federal-aid system we extend the mileage over the post roads. There are approximately 1,000,000 miles of road over which the rural carriers are traveling each day. In the Federal-aid system, which is 7 per cent of the entire road system, there are approximately 200,000 miles. One can readily see that the small appropriations which the Government may make can reach only a few of the numerous rural routes throughout the country, as I think the actual mileage is 1,300,000 miles.

Mr. MORTON D. HULL. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. MORTON D. HULL. What distinguishes a Federal-aid road from any other road?

Mr. DOWELL. When this system was inaugurated the law provided that 7 per cent should be designated by the Highway commissions of each State, and that in turn be submitted to and approved by the Bureau of Roads, and on that 7 per cent system which was inaugurated by the commissions of each State and approved by the Bureau of Roads, the Federal aid is applied.

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

Mr. DOWELL. Yes.

Mr. YON. In regard to States that have practically completed their Federal-aid system, I desire to ask a question. For instance, in my State, evidently the State road department did not include enough to last as it has in other States. We are practically worked out. What are the steps necessary now to enlarge or take on new Federal-aid projects?

Mr. DOWELL. Your highway department can add to this system another 7 per cent and submit it to the Bureau of Roads. And then the appropriation of the Federal Government can give aid to other roads than the 7 per cent now designated.

Mr. YON. Does the committee consider offering any increased authorization for roads and trails in national parks now?

Mr. DOWELL. There is a bill before the committee providing for an increase in the appropriations or authorizations for

forest roads. That will be under consideration in a short time and a report will be made to the House.

Mr. YON. The reason I asked this question is that I have observed a very great need for increased amounts for our road construction in these reserves.

Mr. MORTON D. HULL. Do these roads designated by the State highway commissions have to be approved by the Federal board?

Mr. DOWELL. In order to receive Federal aid, yes. They have to be a part of the Federal aid system which must have the approval of the Bureau of Roads.

Mr. MOORE of Virginia. As I understand, in every State the mileage of the road system of the State, the highway system, is much less than might be provided and receive the approval of the Federal authorities.

Mr. DOWELL. Certainly; that is correct.

Mr. MOORE of Virginia. For instance, in my State recently under the administration of a very remarkable official, Governor Byrd, the State highway commission has been extended, I think, a matter of 2,000 miles.

I understand that that action has the approval of the Federal authorities and the money that is allocated to Virginia may be expended on any mileage included in the highway system?

Mr. DOWELL. That is correct. Whenever a system has been completed the highway commission will certify another system of roads to the Bureau of Roads, and when it has the approval of the Bureau of Roads the Federal aid will be applied to those roads. In other words, this system, starting with 7 per cent and going on to the improvement of the highways, is a continuing system.

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

Mr. DOWELL. Yes.

Mr. LEAVITT. That takes the place of the law to increase the percentage.

Mr. DOWELL. Yes. This is to continue the highway construction when the 7 per cent has been constructed.

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

Mr. DOWELL. Yes.

Mr. STOBBS. What happens if any one State can not absorb its share of Federal appropriation for any one year?

Mr. DOWELL. This law provides that the appropriation shall be continuous, and that appropriations may be made at any time under the authorization.

Mr. STOBBS. I understand the State of Massachusetts is not able to absorb the additional appropriation for 1931 which is hereby authorized. Do you provide that money will be available according to its proportion in the following year, without any loss of any rights under the law?

Mr. DOWELL. Without loss of any rights. I see, however, no reason why the State of Massachusetts should not be able to meet this. I understand that the State of Massachusetts has under the Federal highway system 1,308 miles. It has completed at this time 673 miles by Federal aid. I herewith incorporate a table submitted to the committee giving mileage and percentage of improvement on Federal-aid system.

Improvement on Federal-aid system

State	Approved Federal aid system mileage	Improved with Federal aid	Per cent	Improved by State or other agency	Per cent	Unimproved	Per cent
		<i>Miles</i>		<i>Miles</i>		<i>Miles</i>	
Alabama.....	3,884	2,211	58	1,379	35	294	7
Arizona.....	1,498	1,034	69	297	20	167	11
Arkansas.....	5,019	1,942	39	2,110	42	967	19
California.....	4,781	2,014	42	1,936	40	831	18
Colorado.....	3,332	1,380	41	1,415	42	537	17
Connecticut.....	835	248	30	576	69	11	1
Delaware.....	486	266	54	220	46		
Florida.....	1,927	556	29	1,312	68	59	3
Georgia.....	5,377	2,770	50	2,121	38	686	12
Idaho.....	2,770	1,254	45	887	32	629	23
Illinois.....	6,619	2,471	37	2,838	43	1,310	20
Indiana.....	4,701	1,577	33	2,751	59	373	8
Iowa.....	7,212	3,165	44	4,034	55	13	1
Kansas.....	7,917	3,006	38	1,325	17	3,586	45
Kentucky.....	3,710	1,654	45	1,794	48	262	7
Louisiana.....	2,713	1,491	55	1,070	39	152	6
Maine.....	1,444	559	39	762	53	123	8
Maryland.....	1,576	682	43	862	55	32	2
Massachusetts.....	1,308	673	51	635	49		
Michigan.....	5,243	1,819	35	2,513	48	911	17
Minnesota.....	6,884	4,308	61	2,576	39		
Mississippi.....	3,632	1,885	52	1,591	43	156	5
Missouri.....	7,530	2,566	34	3,171	42	1,793	24
Montana.....	4,692	2,196	46			2,496	54
Nebraska.....	5,530	4,076	74	1,097	20	357	6
Nevada.....	1,541	1,341	87			200	13
New Hampshire.....	981	355	36	547	56	79	8
New Jersey.....	1,181	543	46	589	50	49	4
New Mexico.....	3,465	2,043	60	365	10	1,057	30
New York.....	5,558	2,681	48	2,686	48	191	4

Improvement on Federal-aid system—Continued

State	Approved Federal aid system mileage	Improved with Federal aid	Per cent	Improved by State or other agency	Per cent	Unimproved	Per cent
		<i>Miles</i>		<i>Miles</i>		<i>Miles</i>	
North Carolina.....	4,059	1,840	44	2,195	52	24	4
North Dakota.....	7,396	4,489	61			2,907	39
Ohio.....	5,899	2,381	40	3,493	57	25	3
Oklahoma.....	5,594	1,953	35	917	16	2,724	49
Oregon.....	3,247	1,336	41	1,694	52	217	7
Pennsylvania.....	5,058	2,464	49	2,594	51		
Rhode Island.....	365	193	53	152	41	20	6
South Carolina.....	3,230	2,006	62	1,022	32	202	6
South Dakota.....	6,088	3,943	65	1,578	26	567	9
Tennessee.....	3,253	1,307	40	1,664	51	282	9
Texas.....	11,692	7,132	60	1,631	15	2,929	25
Utah.....	1,751	1,015	58	181	10	555	32
Vermont.....	1,043	267	26	757	72	19	2
Virginia.....	3,493	1,517	43	1,748	50	228	7
Washington.....	2,928	1,019	35	1,708	58	201	7
West Virginia.....	2,214	790	36	1,362	62	62	2
Wisconsin.....	5,493	2,438	44	2,796	51	259	5
Wyoming.....	3,097	1,901	61	924	30	272	9
Hawaii.....	174	46	26	121	70	7	4
Total and average.....	189,620	90,803	48	69,996	37	28,821	15

As I understand it, last year the Federal funds given to that State amounted to \$825,636.10. The amounts used by the State of Massachusetts last year aggregated \$16,477,000 appropriated by the State of Massachusetts. In the next year, 1930, there has been set aside for use in that State \$17,500,000 for road purposes. Though the report shows that the first 7 per cent has been practically completed, I can see no reason why the State of Massachusetts, with a \$17,000,000 plus budget, should not be able to absorb Federal appropriations, even if it is necessary to extend the 7 per cent Federal-aid mileage in that State.

Mr. STOBBS. As I understand, your Federal aid is applied to certain specific projects which the highway commission of the State has approved and of which the Federal board approves.

Mr. DOWELL. Exactly.

Mr. STOBBS. It may be that there are other projects, for example, that have come in since, which will demand completion before the program is followed out which is laid out by the Federal board.

Mr. DOWELL. That is a matter resting with the highway commission in Massachusetts.

Mr. STOBBS. Your Federal project would necessarily be a rural project, must it not?

Mr. DOWELL. Yes; outside the city.

Mr. STOBBS. And in the case of congested cities, as in Massachusetts, it would be necessary to complete, under the appropriation, the rural projects.

Mr. DOWELL. If the highway commission sees fit, they can utilize all of the \$17,000,000 without Federal aid. But if they wish to have Federal aid they must enter upon projects approved by the Bureau of Roads.

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

Mr. DOWELL. Yes.

Mr. ALDRICH. How does Rhode Island stand with reference to Massachusetts?

Mr. DOWELL. I think it is quite well advanced.

Mr. ALDRICH. There is doubt whether they will be able to absorb their full amount. Do you think it would be fair to raise the original act, to raise the amount of the Federal percentage, or in some other way make it possible for Rhode Island to absorb its share?

Mr. DOWELL. In answer to the question of the gentleman from Rhode Island, I will say I have not the figures at hand with reference to Rhode Island, but I do appreciate the situation there, where this will be absorbed soon, if it has not already been, so that all roads will be improved.

Mr. STOBBS. Following the suggestion of the gentleman from Rhode Island, it is true, is it not, that although Rhode Island is on the 50-50 basis, yet if the expense for 1 mile is excess of \$30,000 the Federal Government will pay only \$15,000? Is it not so?

Mr. DOWELL. The Federal Government allocates not to exceed 50 per cent of the cost of construction, and not to exceed \$15,000 per mile.

Mr. STOBBS. Mr. Chairman, may I finish my inquiry?

Mr. DOWELL. Yes.

Mr. STOBBS. Then it is true that the cost of building roads differs in different parts of the country?

Mr. DOWELL. Yes.

Mr. STOBBS. And it is true that in some of the Eastern States it costs more to build roads than in other parts of the country?

Mr. DOWELL. That may be true.

Mr. STOBBS. Is it not true that the Federal Road Bureau in the interest of a more equitable arrangement is willing to recommend that all these roads be built on the 50-50 basis without the maximum of \$15,000 a mile?

Mr. DOWELL. The States this year expended approximately \$1,700,000,000 in the building of roads. What the Government is trying to do is to complete a system approved by the highway commissions, and it is placing its appropriations under this 7 per cent system.

Mr. STOBBS. It is the basis of contribution between the States and the Federal Government. Now, if it costs our part of the country more to build roads than it costs in the South or the Middle West, is it fair that we should be obliged to pay more than our 50 per cent in the way of contribution?

Mr. DOWELL. So long as the State can absorb the Federal appropriations on Federal-aid roads.

Mr. STOBBS. My information from the head of our public works department in Massachusetts is that it costs us practically \$70,000 or \$80,000 a mile to build a road, and that the contribution of the Federal Government is not more than 25 per cent instead of 50 per cent.

Mr. DOWELL. There are many places in the United States where it costs much more to build a mile of road. The Federal Government is trying to do something to aid in the construction of roads. It allocates this to the State and permits the State to use this on certain projects, and on other projects the State can use all of the money they desire to use.

Mr. PALMER. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. PALMER. I want to ask the gentleman from Massachusetts a question.

Mr. DOWELL. My time is getting short and I wish the gentleman would not take up the time just now.

Mr. WILSON. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. WILSON. I would like to have a little information relative to bridges across navigable streams that are being constructed by State highway commissions on Federal-aid highways. Can a portion of this fund be allotted to that bridge construction?

Mr. DOWELL. I think it is being done.

Mr. TREADWAY. Will the gentleman yield?

Mr. DOWELL. Well, I will yield, but my time is getting short.

Mr. TREADWAY. I think this is a very important subject. There are two questions I would like to ask the chairman of the Committee on Roads. The first is to what extent the use of Federal money is limited under the language in line 5, which reads, "in the construction of rural post roads"? The gentleman has been talking about very high-priced roads, costing \$80,000 and \$100,000 per mile, but is not the expenditure of Federal money very materially limited under that language to come within the constitutional right to provide for State roads in the language "rural post roads"?

Mr. DOWELL. They are all post roads.

Mr. TREADWAY. What about the word "rural"?

Mr. DOWELL. That is because the law creating this entire system does not permit the appropriation of funds for a city.

The CHAIRMAN. The gentleman has consumed 20 minutes.

Mr. DOWELL. Mr. Chairman, I will take five additional minutes.

Mr. TREADWAY. The other question I would like to ask the gentleman is with reference to the definition of the word "additional," the first word in line 1 at the top of page 2.

Mr. DOWELL. I will explain that.

Mr. TREADWAY. Does that mean that \$125,000,000 is the total sum for the year 1932 and continuing, or does it mean \$125,000,000 in addition to some previous appropriation?

Mr. DOWELL. There are two parts to this bill. The first one authorizes \$125,000,000 for the fiscal year 1932 and \$125,000,000 for the fiscal year 1933. That is the regular authorization. Heretofore a bill has been passed authorizing \$75,000,000 for the fiscal year ending June 30, 1931. This bill, in section 2, adds \$50,000,000, and that, with the \$75,000,000, makes it \$125,000,000 for the fiscal year 1931.

Mr. TREADWAY. Then I suggest that the word "additional" should be stricken out. Otherwise you are getting \$175,000,000 instead of your intentional appropriation under section 2 of \$125,000,000.

Mr. DOWELL. I think if the gentleman will read it carefully he will see it is only in addition to the \$75,000,000, making it \$125,000,000.

Mr. TREADWAY. Why does it not say so?

Mr. LEAVITT. Does it not definitely say so?

Mr. DOWELL. I think so. I believe it will stand that construction.

Mr. MONTET. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. MONTET. The gentleman just quoted the figure of \$1,700,000,000 as the total sum spent by the States for road building last year. Can the gentleman tell us whether all of that money was spent entirely on Federal-aid projects?

Mr. DOWELL. It was not.

Mr. MONTET. Could the gentleman tell how much of that was expended on Federal-aid projects?

Mr. DOWELL. I am unable to give that to the gentleman just now. I am sorry.

Mr. WIGGLESWORTH. Will the gentleman yield?

Mr. DOWELL. Yea.

Mr. WIGGLESWORTH. There was one question asked by my colleague which the gentleman did not answer. That is, whether or not the Bureau of Public Roads has not recommended for several years that the 50-50 basis be eliminated; in other words, that the \$15,000 per mile be set aside.

Mr. DOWELL. In the way the gentleman puts it I am unable to answer him. I think, however, they have favored taking that off.

Mr. STOBBS. Would the gentleman himself favor an amendment to the present law eliminating the \$15,000 maximum as the contribution of the Federal Government?

Mr. DOWELL. I would not, and for this reason—

Mr. STOBBS. I would like to know the reason.

Mr. DOWELL. Until the State has absorbed all of the Federal-aid funds that have been appropriated and allocated to it, the Federal-aid road should extend as far as possible into the State with the Federal-aid fund.

Mr. STOBBS. The gentleman is well aware of the fact that each State must decide for itself what part of its road-building program it wants to carry into effect in any particular year, and the Federal Government has no right to come into Massachusetts, Connecticut, Rhode Island, Nevada, or any other State and say the State must build specific roads this year.

Mr. DOWELL. Under the Federal aid act no road will be appropriated for by the Federal Government unless the project is approved by the Bureau of Roads.

I want to say just a few words more, and then I will close.

The CHAIRMAN. The gentleman has now used 25 minutes.

Mr. DOWELL. There are 27,000,000 automobiles to-day on the streets and highways of the United States.

As I stated a moment ago, last year the States expended one billion and approximately seven hundred million dollars in the construction of roads. The Federal Government appropriated \$75,000,000 of this amount.

This bill provides for an increase in this authorization. The Government, as we believe, has not been giving its proper share to the Federal-aid system, and under this additional appropriation it is our hope that the building program of next year may even be enlarged beyond what it has been in the past year.

These roads are badly needed, and their construction will make a distribution to labor in every section of the country. Their improvement will greatly benefit the farmers, the business men, and industry everywhere. The program should certainly be carried forward. [Applause.]

Mr. ALMON. Mr. Chairman, I recall that when we discussed the original national aid act, in 1916, there was considerable opposition to the bill. This opposition came especially from the cities claiming they would not be benefited. We made the argument, and it was very true, that the rural districts built the cities and whatever is of benefit to agriculture and the rural districts will surely inure to the benefit of the cities.

This has been proven true. One evidence of it is that I hear but little, if any, objection to this appropriation, which is far greater than we were asking in 1916. There is now very little, if any, objection from the cities. Time has demonstrated the wisdom of this legislation.

For half a century or longer Federal aid was discussed in this country, but not until 1916 did the Congress of the United States begin making appropriations to aid the States and the counties in the building of their highways.

Federal aid to roads is now and has been for some time a fixed policy of our Government. It is one of the greatest achievements of the Democratic Party under Woodrow Wilson and benefits more people than any similar amounts appropriated by Congress. The heavy increase in motor vehicles has increased public sentiment for good roads. Twenty-six million seven hundred thousand motor vehicles were registered in 1929. This was an increase of 2,200,000 over 1928. Much of the success of Federal aid to roads is due to the able and efficient management of the director, Mr. Thomas H. MacDonald. [Applause.]

Beginning with 1916, Congress has appropriated \$815,000,000 as Federal aid to the States in road construction. Of this amount about \$20,000,000 was allotted to the State of Alabama which I in part represent. Alabama has been receiving \$1,554,221 under the \$75,000,000 annual appropriation and will receive \$2,595,620 under the \$125,000,000 appropriation provided in this bill. I am glad that I had an opportunity in 1916 as a member of the Committee on Roads to aid in writing our first national aid road bill and in securing its passage.

It has been said that no nation can be really great that does not have three modes of transportation—railways, waterways, and highways. They are all important.

Mr. WILSON. Will the gentleman yield?

Mr. ALMON. I will.

Mr. WILSON. I just wanted to ask the gentleman to add airways.

Mr. ALMON. I thank my friend from Louisiana, for the suggestion.

Mr. Chairman, I am very glad there is no opposition to this measure. Beginning July 1, 1930, \$125,000,000 as national aid to roads for each of the three successive years is provided in this bill, and as has been said by our distinguished chairman, by that time, no doubt, the Congress of the United States will appropriate \$200,000,000.

We must keep pace with the progress of the age. I am glad that the people and the lawmakers of America are keeping pace with the progress of the times.

I hear no objection, and I trust I will not hear a single vote against this bill providing for this very great increase. I am not going to take the time to tell you the advantages of good roads. You and the people know it as well, or better, than I do. I do not believe there is any money that we can expend that will be of more benefit to the people than that which is spent in road construction. We hear much talk about farm relief. Building good roads is real farm relief. We have enacted an agricultural marketing act which I believe has done some good, but it is going to take time and if the farmers will cooperate with the Federal Farm Board, appointed by the President, I am expecting agriculture to receive great relief in the years to come through that instrumentality. [Applause.]

Mr. ARENTZ. Will the gentleman yield?

Mr. ALMON. I will.

Mr. ARENTZ. There is one peculiarity in connection with this appropriation for Federal aid. There is no appropriation that reaches so many people in need of work, the itinerant labor, of which there are from two to five million, as this appropriation. Everywhere this money is applied, all over the entire United States, and goes to pay men who are generally itinerants in their labors. It is a wonderful thing that this amount of money should be applied to that kind of labor.

Mr. ALMON. That is true.

Mr. Chairman, there are others here who desire to speak on this question, and I shall take no further time except to say that our Committee on Roads held extensive hearings on this bill. We had State highway commissioners and State highway engineers from various States, and without a single exception these highway officials approved this increase. Each one said that their States were able to match dollar for dollar the money that would be allotted to them under the provisions of this bill during the next three years. Some of the State officials said that they could make it four or five times as much. The State of North Carolina, through its Representative [Mr. Doughton] who appeared before the committee, said the State of North Carolina could contribute four or five times as much as would be allotted to that State under this bill. [Applause.]

There is a growing sentiment all over this country in favor of the completion of this system of national highways. People are getting tired of traveling over bad roads and are demanding the construction of good and permanent roads. [Applause.]

Mr. HASTINGS. Mr. Chairman, the legislation in aid of good roads is universally commended throughout the country. A great emphasis was given to road building by the act of July 11, 1916. That bill only authorized a small appropriation. Since then from time to time the authority for increased appropriations has been made.

I was a Member of the House and assisted in the enactment of the act of 1916 and made a speech in favor of it during its consideration in the House. The enactment of this measure enabled the United States to assume leadership in the building of roads. Federal assistance has been given the States in the construction of 78,063 miles of roads. Government leadership has not only been of great benefit in encouraging road building throughout the country, but these roads have been laid out and built under plans formulated which have led to the building of transcontinental roads connecting the important commercial cen-

ters, requiring certain standards as to width and grade to be observed, resulting in better and more durable roads.

The average Federal-aid fund contribution per mile in the construction of roads has been given as \$9,000. There have been 80,889 miles of roads constructed without any Federal aid. The States have received, since 1916, from the Federal Government, \$728,001,000. The total amount authorized to be appropriated under all acts of Congress aggregates \$990,000,000, and of this amount \$802,200,000 have actually been appropriated, leaving a balance of \$182,800,000 unappropriated. Each State is increasing its budget annually for road-building purposes.

My State of Oklahoma estimates a total expenditure for 1930 for construction and maintenance of highways of \$37,400,000—\$16,400,000 under State supervision and \$21,000,000 under supervision of cities, townships, and counties. The estimated average cost for paving and draining in Oklahoma is placed at \$30,000 per mile. We have an automobile license tax, a tax of 4 cents per gallon on gasoline, of which 1 cent goes back to the county where it is collected and 3 cents goes to the State to be expended under the supervision of the State highway commission.

In addition, we have a 3 per cent gross production tax on oil and gas produced, two-thirds of which goes to the general fund, one-sixth goes to the county where collected for the use of the county in road building, and one-sixth goes to the State highway commission. Our State, being a comparatively new one, appreciates perhaps more than any other State the necessity for increased highway construction. At the time of statehood on November 16, 1907, the eastern part of the State had no Territorial organization, was occupied by the Five Civilized Tribes of Indians, and had only recently been surveyed and roads laid out. Within the last few years the State has made wonderful progress in building roads, but much more remains to be done.

I was the author of section 4 of the act of Congress of February 12, 1925, authorizing the Government to increase its contribution above 50 per cent where "nontaxable Indian lands, individual and tribal" are in excess of 5 per cent of the lands of the State. While this provision does not increase the total prorated to Oklahoma, it does authorize more than 50 per cent contribution in eastern Oklahoma because the nontaxable Indian lands there are in excess of 5 per cent of the lands of the State.

Oklahoma has built and is building, either through State aid or in conjunction with Federal aid, permanent highways connecting the commercial centers of the State, and with Federal highways from other States. The question of road maintenance is being emphasized and all State highways are being patrolled and regularly inspected and maintained. We now have approximately 6,200 miles of State roads, with, of course, a large mileage of unimproved roads. The first effort has been to improve roads of major importance. The county authorities have greatly improved the lateral roads leading to the State and Federal highways. These lateral roads reach into the rural communities over which the farmers haul their farm products to market. The question of transportation is one of the major farm problems. Every effort is being made before the Interstate Commerce Commission for a reduction in freight rates. The improvement of roads into the rural communities will greatly lessen the cost of getting farm products to the railroads, and to that extent be a saving to the farmers.

Oklahoma received as its portion of the \$75,000,000 appropriated \$1,751,015, and with this additional \$50,000,000 per annum authorized will receive \$2,918,358. Oklahoma can many times match and absorb this increased Federal authorization.

Everyone appreciates the advantages of good roads, and in my judgment there is less criticism against increased appropriations for good roads than against any other appropriation by Congress. All classes of our people, including business men, professional men, and laborers are as anxious for good roads as are the people in the rural communities, whose lands are enhanced in value by good roads. The use of millions of automobiles has added to the necessity for good roads and is responsible for the better grade of roads, the elimination of sharp corners and dangerous curves. Good roads not only add value to farm lands by lessening the cost of transporting farm products to market, but they make possible daily rural mail service, enabling the farmers to receive letters, daily papers, and magazines, keeping up with the markets and current events. They make possible better school facilities, not only enabling the children to attend the rural schools, but make it possible for them to attend consolidated schools in the cities and towns, giving them better educational advantages than they are able to receive in the rural communities and at the same time remain at home under the guiding influence of their parents. Good roads make it possible for them to attend Sunday school and church service more regularly.

We welcome this legislation authorizing an increase of Federal aid from \$75,000,000 to \$125,000,000 per annum.

The chairman of the Oklahoma State Highway Commission, accompanied by the State engineer, appeared before the committee in support of this increase in Federal aid. I know of no more important service being rendered the people of our country than the intensive study being given the building of roads, transcontinental, interstate, State, and county, and we should not be satisfied until all these major highways are constructed, and until each county seat in each State is connected up with a permanent road, and lateral roads are built radiating into every community.

Nothing will more greatly add to the solution of the farm problem. It will lead to diversified farming and make it possible for the small farmer to raise not only the major products of corn, wheat, oats, and cotton but engage in dairying, poultry raising, and fruit growing, and be enabled to get their products to a market cheaper, and thereby greatly add to the happiness, prosperity, and contentment of the people in our rural communities.

We are alarmed at the great loss in our rural population. These people are seeking better wages and to free themselves from the disadvantages found on the farm. Within the past 30 years the farm population has actually been reduced by approximately 2,000,000. It was estimated that at the close of the Civil War two-thirds of the people of the Nation lived in the country. Now the estimate is reversed, with about one-third living in the country. This is due in a large measure to bad roads and the disadvantages of living on the farm. Good lateral roads into every community will bring the advantages of rural mails, schools, and churches to the people on the farm and make it possible for them to enjoy every kind of entertainment as those who live in the cities and towns. The radio, good roads, and motor transportation will bring all of these advantages to the people of the rural communities and, we hope, will greatly strengthen the movement to leave congested centers and search for happiness and contentment in the country.

With legislation such as this and with additional legislation to reduce transportation charges and legislation placing the farmers on an equality with the industrialists of the East, the farmers will be as prosperous as those who live in the cities and towns and far happier and more contented. [Applause.]

Mr. ALMON. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. FULLER].

Mr. FULLER. Mr. Chairman, ladies and gentlemen, in view of the apparent favorable sentiment of the House, I did not contemplate making any remarks in behalf of this bill. As a member of the Public Roads Committee, I strongly advocated its passage. For over 15 years I have been actively advocating, engaged in building, and assisting in the construction of good roads. Since the Federal Government has taken a hand and has been making appropriations for Federal roads it has acted as a wonderful incentive to take the United States out of the mud and has done more than any other one progressive congressional action to build up the country. When you improve the agricultural portion of this country you help those who live in the cities and towns. In Arkansas we have developed a wonderful road program, and there are very few States in the Union that have made as rapid strides as Arkansas in the last 10 years. We realize no community can be what it was intended it should be if it does not build good roads, good schools, and good churches. We have our wonderful churches in every community and have advanced a policy of building good roads to good schools, and this procedure not only in our country but all over this Nation tends to advancement, prosperity, better civilization, and Christianity.

In answer to the gentleman from Massachusetts, Mr. Luce, the reason the title of this bill refers to rural post roads is because it is the only way under our Constitution by which we can make appropriations for roads. While it is true the Federal appropriation only covers 7 per cent of the rural post roads of the United States, yet this is the only way by which we are authorized to appropriate this money. Before the committee, of which I am a member, I have advocated, and in the future will continue to advocate, a measure which will go further than the provisions of this bill. It may be the time has not yet arrived when my ideas should be enacted into law, but the time is soon coming when the Government should appropriate money for the real intent and purpose of this bill, and that is to appropriate money in conjunction with the counties and States, to improve and maintain the rural mail roads all over this Nation. Under present conditions only 7 per cent, as a maximum, of the rural mail routes of this Nation are included in the Federal appropriations for good roads.

In a great many cases a small per cent of the population are directly receiving the benefits under this appropriation, yet it

tends to build up the county, State, and Nation. I believe by building up the rural mail roads the mail carrier can go farther in a day and at less expense to the wear and tear of his vehicle and serve more people, thus in the long run it will be economy on the part of the Government and serve more people. By building up these rural post roads you not only help the mail service and accommodate more people, but you build up a farm-to-market road and enable the farmer living in the rural district to haul 2 tons over a road which in many instances he can now haul only a half a ton in bad weather.

After all the real intent and purpose of this bill is to help the farmer in the rural country, and when you help the farmers in the rural communities you carry out the policy of both political parties in giving aid to the farmer, and at the same time you offer him an opportunity which he could not otherwise enjoy. We have advanced far along this line and in many communities the farmers can take their families, after a day's work, and drive 15 or 20 miles to attend a show in the city and return and retire at his usual time. But we have not gone far enough; we need to go farther into the rural and urban sections of the country and give aid to those who need aid. If this country prospers, as it has in the past and as we know it will in the future, we must reach the tiller of the soil; we must do everything within our power to furnish him facilities and accommodations in order that he may satisfy his boys and girls so they will be content to remain upon the farm, to offset the tendency of to-day, which is to obtain an education and go to the cities and towns where they can receive more pleasures, make more money, and better enjoy life. During my stay in Congress it shall be my ambition and desire for the Government to go further than is contemplated in this most worthy bill in giving aid to the rural post roads.

I can not concur with some of the membership of this House from a few smaller States in the Union who are anxious to build wide roads so two cars can go abreast each way, such as contended is necessary in Massachusetts, to limit the Federal allotment to \$15,000 a mile. In these communities on account of being so thickly populated they have more cars, therefore collect more automobile tax and can well afford to add to the Federal appropriation and build the kind of roads they want. When we improve the condition of the Middle, Southern, and Western States the manufacturing States of Massachusetts and Rhode Island reap a benefit.

In the State of Arkansas we have approximately 8,000 miles in our State road system. The Federal Government is only aiding in the building of 1,750 of this mileage, and yet we are well contented. This law contemplates building rural roads with Federal money, although the policy has been to connect county seat with county seat and State capitals with State capitals in order that we might have trunk lines running through this Nation and at the same time accommodate local people, and this policy is fair and just. If you remove the restriction of \$15,000 a mile which the Government will pay on any Federal road, you kill the real object and purpose of this bill. Those who live in the larger cities and towns, on account of the large vote and influence, will be an excuse and used for the purpose of building wide roads leading into and near these cities, thus sacrificing the opportunity to build roads into the country and through the State which is the object and purpose of this bill. I believe the limitation should not be removed at this time. At any rate this bill should not be amended, and if it develops in the future in some States, such as Massachusetts and Rhode Island, that the limitation of \$15,000 a mile should be removed, let the representatives from those States prepare an appropriate measure which would apply to their particular States.

The sole object and purpose of the pending bill is not to change the present law in any respect, except in the amount of the appropriation. We are now appropriating \$75,000,000 per year, and this bill increases that appropriation to \$125,000,000 per year for the next three years, or an increase of \$50,000,000 a year beginning July 1. For instance, Arkansas's allotment under the present law is \$1,293,086 per year, but under the proposed bill, we would receive \$2,155,143, or an increase of \$862,057.

I thought most everyone knew the only way to get Federal aid is through the Federal Highway Department, but it always goes, with scarcely an exception, upon the recommendation of the State highway department. In my State the highways are built from county seat to county seat, with a tendency for the through roads to reach the capital and are being built on the theory of trunk lines from north to south and east to west through the State, and I understand this is a general policy pursued all over the Nation. I know this is true in the adjoining States of Missouri and Oklahoma. I have never heard of an occasion when the Federal Government would not give

appropriations to meritorious roads, asked for by the State highway department.

This Congress was called into special session for farm relief. Nothing could be more in keeping with this policy than to increase the appropriation and build roads into the rural sections of the Nation. Nothing could do more to carry out our President's wish of a progressive building program.

"All roads lead to Rome" was the builder's motto which caused Rome to reach its great standing in the world's history. We are now rapidly approaching the time when all roads will lead to our State and National Capitals, trunk lines throughout the Nation. Let us complete them and go farther into the rural communities. I came 1,200 miles from my home to the National Capital in a car over a concrete road. We should keep up the good work in order that the rural farmer may enjoy the same benefit. When we help the rural communities the cities participate in the benefits.

Mr. ALMON. Mr. Chairman, I yield five minutes to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, I am heartily in favor of the bill. It is of striking interest that we have in our country considerably more than half of all of the motor vehicles in the world. We are the youngest republic, and the youngest country of any size to speak of, and yet we have over half the automobiles in all the world.

I have recently read that there was a 32 per cent increase in production of automobiles in the United States in the first nine months of 1929, as compared with the same period of 1928. There were produced in the United States in 1928 about 4,600,000 automobiles and trucks and in 1929 about 5,600,000. It has been estimated that in 1929 the automobile industry of our country used percentages of raw material as follows: Rubber, 85 per cent; plate glass, 67 per cent; iron and steel, 19 per cent; copper, 15 per cent; lumber, hardwood, 18 per cent; and lead, 27 per cent; therefore, it is easy to conclude the great importance that the automobile industry bears to the economic life of our country. The production of motor vehicles may not be as great in 1930 as it was in 1929, but if this industry keeps pace with expectations of construction and building along other lines, then we may expect a large output in 1930.

Our Government is contributing for roads about \$3 per year for each motor vehicle. There are something like 27,000,000 motor vehicles, and we are contributing about \$75,000,000 a year for good roads. This bill increases that amount to \$125,000,000 for roads and takes the amount for each motor vehicle up to about \$4.50 per year. In my State we have about a million dollars a month coming to our road fund from the gasoline tax, and we have then the tax which comes as a license tax, and together with the Federal aid it amounts in all from twelve to fifteen million dollars a year.

These are the chief sources of our State's participation in the building of roads, but the county units and subdivisions of the counties participate to a far greater extent than these funds before mentioned. Per capita, I believe that the State of Florida has a larger number of miles of improved and hard-surfaced highways than any State in the Union, and yet we have not nearly so much as we expect to have in the future. I would like to see the Federal Government contribute 50 per cent of the entire construction of roads, these funds to be met by the State. I believe it is a reasonable expectation for our Government to eventually come to. If your State can build a road, and if the citizens of a sister State use this road, then why would it not be fair for the Federal Government, which is all of the States, to participate to the extent of 50 per cent of this construction. I hope that our Government will soon do this.

My State is particularly interested in the completion of the Gulf Coast Highway. Many of my colleagues have traveled this magnificent highway. We are particularly interested also in the construction of the Lee Highway, adjacent to the newly acquired Osceola National Forest. These, I understand, are now Federal-aid projects. These two roads we hope to complete with State and Federal funds in a year or two.

In connection with this subject I would like to call to the attention of my colleagues the importance of at this time giving assistance and encouragement to commercial aviation. At this particular time the country is air minded. Throughout the country there is demand for air ports and for lights to guide night pilots of the air. I would like to see the Federal Government offer further assistance along this line; why not the Government contribute, say, 50 per cent of cost of landing fields and lighting?

Light transportation is rapidly going to the air, and in this way relieving the congestion on the highways and giving that rapid transit which the time now demands. Of course, heavy transportation will continue to demand paved highways. It seems to me a good investment for our Government—a thing

which would answer the needs of our people and the demand of the time—if the Federal Government would give 50 per cent toward the construction and maintenance and lighting of all landing fields throughout the United States. I hope our Interstate and Foreign Commerce Committee will take this into consideration.

This Federal assistance would not only encourage air transportation, but would make it so much safer.

Mr. ALMON. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. GLOVER].

Mr. GLOVER. Mr. Chairman, ladies and gentlemen of the committee, I want to add my hearty approval of this bill. I agree with the chairman when he said this sum ought to have been doubled instead of increased as it is now. In my opinion, the provision with reference to roads as is expressed in the Federal Constitution is in about as few words as it could be done, and I think has been found to be one of the most useful provisions in our Constitution.

No form of Government aid has been given to the States that is more helpful than this. This provision of Federal aid goes into every community of our land. Not only that, but it has been the incentive to our State governments to enlarge their programs of road building.

I remember very well when this matter was first submitted to the legislature of my State. I remember that my people were a little slow about taking hold of it. But after we saw the benefits of it we never had any hesitation about going forward with it, or heard of any complaint from anyone about the joining of the State and Federal Government for the use of public money in building roads under the Constitution.

As was stated by another gentleman a moment ago, this is an age when we are expressly advocating education. Our President in his message said we ought to do something to do away with illiteracy. Good roads and good schools go together. [Applause.] This proposition is in the interest of the upbuilding of our whole country. In our State we have so consolidated our schools that many of the children are now transported to and from school over these post roads, if you please to call them so, that are built by the State and Federal Government.

As was well said by the gentleman from Arkansas [Mr. FULLER], we have a provision in our State laws whereby we have no difficulty whatever in meeting any proposition you put up for good roads. We would have been glad if you had made the amount in this bill three times what it is. We would be able to meet it at any time. We are building a system of roads as fine as any in the land, and in a few years they will be completed.

Another thing resulting from the building of good roads is the conservation of property which our people possess. They have cars; practically all the people in the country and in the cities have cars, and if you have good roads and drive over them, it is a saving of property along that line. If the farmer has his wheat or cotton or other products to haul over roads, instead of hauling through the mud, as was the case before this system was brought about, when he could not carry one-quarter or one-half the quantity to market then as he can carry now, he can now do it with much less expense. It is a conservation of his stock as well as a benefit in other ways.

We should increase this amount, as suggested by the chairman. I certainly am with him in that. I would like to see it doubled. The States are ready to use it. There is no opposition to this bill. What we would like to do is to build roads as fast as possible.

We have a law in our State that taxes gas and taxes cars, and every mile of good roads that we build becomes a revenue producer for our State. We take that money and build more roads with it. That is what we want to do in the continuation of this road-building proposition.

Another thing, this bill carries a provision for rural post roads and roads for rural mail carriers. I want to say now that I am in hearty accord with the idea of extending rural mail routes. Those are the routes that are serving the country people, and those people appreciate it more than anyone here could possibly tell. [Applause.]

Mr. ALMON. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. WILSON].

The CHAIRMAN. The gentleman from Louisiana is recognized for five minutes.

Mr. WILSON. Mr. Chairman, my good friend the gentleman from Alabama, Judge ALMON, has just stated that it is essential that any nation should have three defined and adequate systems of transportation—railways, waterways, and highways. I suggest that we add to these the fourth system, that of airways.

As matters are progressing now, within a very short period we are going to see the transportation of passengers, mail, and

express freight not only by railways, waterways, and highways, but also by airways.

The fourth—the airways system—will not be confined to local or internal uses, but it will play an important part in transcontinental and international mail, passenger, and commercial service.

Airway lines will be lighted across the continent and to Central and South America for use by night as well as by day. The Post Office Department and the Department of Commerce are entitled to much credit for the services rendered by the establishment of transcontinental air mail routes. This will bring quicker mail service not only to the commercial centers, but also to those on rural post roads served from cities on the air lines. So this fourth system of transportation, especially as it relates to the mail service, has some connection with the bill under consideration providing additional appropriations to assist the States in building and maintaining modern highways.

With the previous act authorizing \$75,000,000, this measure makes available in all \$375,000,000 to be provided by the Federal Government to aid the States in the completion of public roads now under construction or that may be hereafter authorized.

I hope when these appropriations are provided that allotments may be made and approved in such a way as to assist the States and local communities in the completion of what is termed the "farm-to-market" roads; that is, the sections connecting the rural communities up with the main highways. Our entire population, whether in cities, small towns, or country, contribute in the way of taxes to provide the vast sums used in road construction. With this authorization by the Federal Government and the sums provided by the States and their local subdivisions, the annual expenditures for public road building will run over \$2,000,000,000. This vast sum is contributed by the entire population, and the road system should be so formulated and constructed as to afford equal service to all.

The general interest in this phase of the problem is indicated by a resolution recently adopted by the American Farm Bureau Federation at Chicago, Ill., from which I quote:

We are at that point in our development of transportation facilities in our Nation which requires not only more Federal appropriations to continue and finish the Federal-aid system of roads now under construction, but to expand Federal financial participation in the building of secondary or farm-to-market highways. * * * Highways are now arteries of commerce and must be constructed largely at the expense of the Nation as a whole and not wholly at the expense of local or State taxing units. The States are urged to extend their supplemental rural-road program by allocating more of the gasoline and vehicle taxes to farm-to-market highways.

The Federal Farm Board, recently created by Congress to assist in solving the problems of the farmer, is urging diversification and reduction of acreage heretofore devoted to wheat in the North and the Northwest and cotton in the South. It is highly important that if the cotton area is to be reduced to the extent of 8,000,000 acres, as recommended, and other products raised instead that the way should be opened and made available by which the farmer could reach the markets with his products, and this can only be done by the extension and completion of our public-road system in such a way as to reach every community for transportation service during all seasons of the year.

The chairman of this committee, Mr. DOWELL, of Iowa, has just informed us that allotments from these appropriations may also be made to assist the States in the building of bridges across navigable waterways where such bridges are part of a Federal-aid highway and are constructed by the State or a subdivision thereof. In my judgment, it is very important that there should be greater allotment from Federal appropriations for this purpose than heretofore. A navigable interstate stream is of more than local importance, and bridges across such streams are of national interest in connection with our system of transportation. So I urge that out of this increased appropriation by the Federal Government that there be greater allotments for the farm-to-market roads and also to assist the State highway commissions or other subdivisions in the construction of bridges over navigable waterways.

Mr. ALMON. Mr. Chairman, I yield five minutes to my colleague from Alabama [Mr. PATTERSON]. [Applause.]

Mr. PATTERSON. Mr. Chairman, ladies and gentlemen of the committee, it is not my purpose to discuss this legislation, because it has been better done than I could do it; but feeling as happy as I do in the opportunity to vote for such legislation as this, I should like to say just a word in its interest. I rejoice I have this pleasure and congratulate the committee on bringing forth such legislation as this. I especially congratulate the distinguished chairman of the committee, the gentleman from Iowa [Mr. DOWELL], who has worked so faithfully

and done so much along this line, as well as the ranking minority member, my good colleague from Alabama [Mr. ALMON].

Good roads touch all the important institutions of civilization. The homes of our people are made happier by reason of legislation such as this. Nothing in modern times is of more importance than the development of our homes and the contact that is made possible by the assistance of good roads. Good roads increase that contact with the outer world and make such contact easier. Good roads are also of great benefit in the modern movement for the consolidation of our public schools, the building of better schools, and the building of better institutions for the education and uplift of our children and our country. The construction of good roads is also important along the line of the development of education, through the increase of mail as well as the extension of rural mail routes. I consider that the Rural Mail Service generally is in its infancy.

As we recall, most of the mail routes now established were established under the old system of the horse and buggy, and it will only be when these good roads are completed that we can extend these routes much more and serve many millions more of our people. This is great from that standpoint. It is also important because of what it will do for our farmers. There is nothing of more importance in the Nation to-day than farm aid, and I am heartily in favor of farm aid at every turn. As I say, this is very important because of what it will do for our farmers. It will give them better marketing conditions, better transportation over short hauls, cheaper freight rates, and many other things. All of this will be brought about by these good roads. Just one other thing, and then I want to close in just a minute or two, and I trust I will not take up all of the five minutes that have been allotted to me. In the morning papers, fellow Members of this House, I noticed it is said that if this naval conference that is now in session in London, looking toward some readjustment in the building of navies in the world, fails, it will add many billions of dollars in just a few years to the naval budgets of the different countries and ours especially. My friends, I would hate to say to you just what my feeling about that is. But I will say this, that I am thoroughly in accord with the idea of naval limitations, it matters not what political party or who it is that starts these ideas.

I say, may God help us that this conference does not fail [applause], so that we may have more money to use in the construction of roads, and other upbuilding and constructive programs of legislation that this National Congress will undertake from time to time but which will necessarily have to be restricted if these disarmament conferences fail. Personally, I want to say that when it comes to these things I know no political party or persons [applause]; but my best and sincerest efforts are behind every honest effort to promote peace. We thereby promote happiness and development. I am glad to see the great Government, the Republic, join the States in building roads which are constructive and promote economic development in every relation in which our people are interested. [Applause.]

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

Mr. PATTERSON. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FULLER. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Chairman, ladies and gentlemen of the committee, I take the floor simply to express my approval and hearty indorsement of the bill now before the committee. I had the honor of being a member of the Committee on Roads for a number of years; in fact, I was one of the original members of the first committee that was ever created by Congress for the purpose of considering the matter of appropriations by the Federal Government for a national highway program.

I desire to congratulate the House and the country upon the fact that we have as chairman of this very important committee the gentleman from Iowa [Mr. DOWELL]. I had the pleasure of serving with him for a number of years on that committee. In fact, I was the ranking member on that committee for a number of years, and I have never known a man more sincere, more capable, or more devoted to his duties than the gentleman from Iowa. He has consistently and assiduously worked for the welfare of the entire country by doing all within his power and everything he properly and consistently could for an enlarged and extended program of national aid to our highway systems.

As has been stated frequently this afternoon in the discussion of this matter, in my humble judgment no appropriation that

has been made and no activity of the Federal Government has brought more universal and more general benefits to every section of the country, both urban and rural, than the appropriations that have been made by the Federal Government for the building and extension of our great national system of highways.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. DOUGHTON. Yes.

Mr. MOORE of Virginia. Is it true that your State of North Carolina is now contemplating the construction of some hard roads?

Mr. DOUGHTON. Well, I will say to my distinguished friend from Virginia who, to our great regret, has recently announced his retirement as a Member of this body, that in my judgment no Member of this House since I have been a Member has rendered more conspicuous or more valuable service than the gentleman from Virginia [Mr. MOORE]. [Applause.] Moreover, I will state that Virginia and North Carolina as sister States have in every vicissitude of the Nation's history stood together.

Side by side they fought in the American Revolution; side by side they took their places in the Southern Confederacy and in the great World War. The sons of the great Commonwealths of Virginia and of North Carolina marched proudly upon the battle fields of Europe in the defense of the honor of our common country.

I will say to my distinguished friend I can show him better than I can tell him, and if when he retires, and wants to take a real vacation which he will remember until his dying day, which I hope will be when he is at least 100 years of age, he will drive through North Carolina over our splendid highways; it will not only be conducive to his health and physical well-being but he can return to his great Commonwealth and tell them of the wonderful things we have done and say that the half had not been told.

Ladies and gentlemen of the committee, I want to say that in the State I have the honor to represent in part we are almost completing, so far as our present program is concerned, a great system of State highways, and this system, I might say, was inspired or encouraged by the appropriation made by the National Government. It has helped our State in so many ways that it would take hours to describe it. I am heartily in favor of the proposed legislation making an appropriation of \$125,000,000 per annum to carry on the present system of national highway building. I sincerely trust that the major portion of this appropriation may be used in constructing farm-to-market roads, as that is the crying need of the hour.

Mr. ALMON. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. OLIVER].

Mr. OLIVER of New York. Mr. Chairman and gentlemen, I am in favor of this bill because it helps the farmer. Whatever helps the farmer helps the city man in New York [applause], and it is with the utmost pleasure that I advocate its adoption, because in adopting this bill we are aiding transportation in the place where transportation is needed most.

I am in favor of more than this bill. Last night I was speaking with a gentleman named Lester Barlow, of Detroit, a fine thinker. He has a great plan which he has presented to many officials of the Government to build great motor speedways 200 feet wide with four 25-foot roadbeds for express and local, gasoline stations, repair shops, all overhead roads with no grade crossings, linking the great centers of population, and ultimately crossing and criss crossing the Nation. He made a calculation that these great motor speedways will be a profitable enterprise if the States will allow a toll to be charged. He thinks we ought to build for the traffic which will come during the next 25 years. I agree with him. He says if the States do not build these roads private enterprise is willing to do so.

I think these great motor speedways ought to be built by the States themselves. New York built the Holland Tunnel, in conjunction with the States of New Jersey under a treaty with that State. We created a port authority which issued bonds against the enterprise, and as the profits of the enterprise flow in the bonds are liquidated. I think the State of New York, the State of Connecticut, and the State of Massachusetts ought to enter into a treaty to build a great motor speedway of a commercial nature especially, and for pleasure cars too, to Boston. If this speedway could be built it would pay for itself in 25 years. This ought to be done under public auspices.

The building of roads unhappily causes the imposition of taxes and the time has come for the building of roads which are self-supporting. I believe it would be one of the greatest improvements in the interest of transportation to build a motor speedway between the two great centers of New England and

New York. From the Bronx to Boston by car in train time, is the motto!

If we can do this, I believe we can pass 5,000 cars an hour. I think the enterprise will be self-supporting. The roads are glutted with traffic now. It can be linked with the railroads. Their rights of way through large towns and small cities can be used. We can build an elevated highway over their right of way. We can have motor trucks delivering produce by elevators down into the main streets of the smaller towns and cities. I believe this ought to be seriously considered by the authorities of the country. The present road blockades and bottle necks discourage the use of the automobile. It takes 12 or 15 hours to go 200 miles on a Saturday or on a Sunday through New England or through New York State. We ought to be able to go to Boston in train time by motor cars. A motor car will carry four or seven people for one price. On a train you buy a ticket for each passenger, but in the automobile you just pay your gasoline and your rubber charge and that is all.

The truck traffic between New York and New England is tremendous. It thunders along day and night, slowly threading its way through crowded cities and villages. If we can build great motor speedways between great cities so that they do not interfere with any local roadway, I believe transportation will be served and commerce will be increased.

To-day's roads are not built for use 25 years from now, and the sooner we get into a program of self-supporting roads under State auspices, built for the tremendous traffic that is sure to come, the sooner we will really be building roads in America. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FULLER. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman, to vote in support of this measure gives me a most peculiar pleasure because there is living in my home city down in Georgia to-day a distinguished former Member of this House, a man who ably represented for four terms the district I now represent; who introduced in this body the first measure for Federal aid to highways, the Hon. William Schley Howard. It so happens I had the privilege of copying upon a typewriter, one hot summer night, at his apartment here in Washington that measure which he introduced, asking that the Federal Government aid the States in constructing hard-surface highways. At that time I was associated with Mr. Howard in a clerical capacity. That was in 1911 or 1912.

Mr. Howard, being a new Member in this body, received little encouragement for this new idea, but during the years the idea grew upon the Members of this body, and the plan was taken up by that distinguished gentleman from Alabama, the late Senator Bankhead, and the bill which we are amending here to-day was finally passed in 1916.

It has been a wonderful incentive to the States of this Nation in constructing these fine highways over which we ride with so much ease to-day. One of these great highways which runs across this great Nation is named for the late Senator Bankhead of Alabama, and passes through my home State. It has recently been paved through my county, with the aid of the Federal Government, and stands there as a monument to these men who advocated this great idea so many years ago.

It gives me great pleasure, Mr. Chairman, to raise my voice in support of this measure which I think has so much merit in it. [Applause.]

Mr. ALMON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from Alabama has 12 minutes remaining and the gentleman from Iowa 31 minutes remaining.

Mr. ALMON. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALLGOOD].

Mr. ALLGOOD. Mr. Chairman, ladies and gentlemen, I wish to call to your attention the matter of toll bridges. Our last legislature passed an act authorizing the State to build 14 toll bridges and authorized bonds to be issued whereby the 14 toll bridges could be built in the State of Alabama. I understand that a similar procedure has taken place in other States in the Union.

Where the toll bridges were built we formerly had free ferries for the people residing in the county or counties served by the ferries. The ferries took care of the local situation. The farmer could get to his market without toll by ferry across the stream. Good roads have caused thousands of tourists to visit every section of our country, and the tourists have demanded the bridges. The local farmer did not demand the bridges; it was the tourist. To-day the farmer, in order to get to his

market, is forced to pay toll. He has to pay toll to get to his market town or to get to his courthouse town. I think it is an injustice that is being worked on the farmer and the local community in order to accommodate the tourists of this country. I think we ought to have some Federal aid for the States in taking over these bridges throughout the country, so that not only the farmer can get to his market but the tourist can go unhindered on his way.

It is a nuisance to tax a man for a bridge across a stream that he does not ask for. In Alabama we are unfortunate in having so many streams to be bridged, and it is a heavy tax on our people locally.

At the proper time I expect to introduce a measure in the House taking care of this phase of the national road building. I would have offered an amendment to this bill, but I understand the committee will not permit this measure to be amended. So at the proper time I expect to introduce a bill to take care of the toll bridges of the United States. [Applause.]

Mr. FULLER. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. STOBBS].

Mr. STOBBS. Mr. Chairman, ladies and gentlemen of the House, 12 or 13 years ago there was a comparatively modest appropriation made on the floor of the House, of four or five million dollars, for Federal road building. Since that day the appropriation has increased year by year until we have this legislation offered us to-day, which provides for a program of \$300,000,000 in three years.

I am not here to-day to discuss the merits of this program for Federal contribution to road building, although I have certain definite ideas on the subject. It is perfectly useless at this time to protest against this policy, which has become so well established.

There is one aspect of this legislation to which I wish to call attention this afternoon which seems to me absolutely unfair, and that is the provision that the limit of expenditure that the United States shall be called upon or can be called upon to give for 1 mile of road construction is \$15,000.

There are a great many States in the United States that can construct roads for \$30,000 a mile. The purpose of this legislation is that the Federal Government shall pay one half of the cost of construction and the States pay the other half of the cost of construction. With the principle and that basis of division I am in hearty accord, but when you limit that contribution and say that if the cost of the construction of any one particular mile is in excess of \$30,000, the contribution of the Federal Government shall not be in excess of \$15,000, then I say that is an absolutely inequitable basis of division of contribution between the Federal Government and the State. Due to a variety of reasons there are some States that can construct their roads at a cost of not to exceed \$30,000 per mile. I come from a part of the country, and you would not respect me if I did not stand up for my part of the country, where it is impossible for a great number of the roads to be constructed for \$30,000 a mile. In fact, I have here in my hand a letter from the chairman of the public works of the Commonwealth of Massachusetts, which says that by reason of this limitation in this law that the Government can not go over a maximum of \$15,000 a mile, the State of Massachusetts instead of getting 50 per cent contribution from the Federal Government, is in most cases getting only 25 to 30 per cent for the building of these roads. I say that is inequitable. That is not only true of the State of Massachusetts but it is true of Connecticut and Rhode Island, and it is true of a lot of the States in the eastern part of the country. That is not the whole story.

When we talk about the States paying 50 per cent toward the cost of roads, and the Federal Government paying the other 50 per cent, that seems all right in theory, but who pays the 50 per cent that the Federal Government contributes? Where does that 50 per cent contributed by the Federal Government come from? It comes from something like only seven or eight States in this Union. We are not perhaps objecting to the fact that a few of our States have to carry the greater burden of taxes. We are not simply protesting to any great extent because New York, Pennsylvania, Illinois, Massachusetts, and a few other States carry the greater part of the burden, but when you load it down and say that not only have they to pay a greater part of the 50 per cent of the Federal contribution, but that we can not even get our 50 per cent back from the Federal Government on top of that, then I say that that provision of law is absolutely inequitable, and if it were possible at this stage of this legislation to offer an amendment to this bill to correct that, I would offer it, and eliminate from the law that provision. I serve notice on the honorable and very distinguished chairman of this committee that at the proper time and place that amendment or new legislation will be offered to correct that inequality in the present legislation. [Applause.]

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

Mr. STOBBS. Yes.

Mr. BURTNESS. I have understood that generally speaking all of the States exhaust the quota they get any way. Does not the gentleman's State exhaust all of the Federal quota that it gets?

Mr. STOBBS. We are not always able to absorb our share.

Mr. DOWELL. If the gentleman will build Federal-aid roads that his State highway commission has designated and sent to the Bureau of Roads, he will use every dollar of it and he can use more.

Mr. STOBBS. The State of Massachusetts has to determine for itself what roads it is in the best interest of the citizens of Massachusetts to build. It may be those roads which are designated to be recipients of Federal contribution or it may be some others, but the State of Massachusetts must decide for itself.

Mr. DOWELL. If the Highway Commission of Massachusetts designates roads and sends that designation to the Bureau of Roads and says it does not desire to build them, the Federal Government is not going to contribute to the other roads. It will contribute to the ones that the highway commission submits to the Bureau of Roads.

Mr. STOBBS. That is not the point. The State of Massachusetts wants to build the roads it has designated to the Federal Government, but tremendous pressure is brought to bear to take care of these big through highways. I picked up my local paper within a couple of days and I learned that there is a tremendous pressure being brought to bear to construct a 6-way highway between the city of Boston and the city of Worcester. The State was not quite ready to do as much as that, but its hand is being forced and it can not help itself. It has to spend the money where the pressure is being brought to bear upon it to spend it.

Mr. DOWELL. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. MANLOVE].

Mr. MANLOVE. Mr. Chairman, I have been very much interested in this discussion. I have learned a great deal from my friends from the different States who have come here and have told us of the beneficial effect of this Federal-aid system in connection with their road-building program.

I, too, take pride in having had a part in the committee deliberations which brought forth a favorable report on this measure. I believe in the merits of this kind of legislation. It seems to me entirely fitting that the Federal Government should take a more substantial part in the construction of our great highway system.

We must have such a system of connecting highways in order to bring the necessities of life to our doors and make it possible to carry to the markets the products of our factories, mines, and fields.

In the discussion of the rule and in the able presentation of the bill by the distinguished chairman of the committee the merits of the bill have been pretty well presented to the House. In keeping with these gentlemen from the other States I want to say a word about the State of Missouri. There was a time a few years ago when Missourians were ashamed of the situation that existed in the State. Practically all of the people who attempted to traverse the United States drove through or over the Missouri roads, because at that time it was necessary to drive through the roads instead of over them. In 1921 we put on a program and we raised the slogan, "Take Missouri out of the mud." Since that time we have expended an enormous sum of money, much more than the amount received from Federal aid. That to a certain extent seems to me to be an answer to the general question which is raised by some of the gentlemen from the seven or eight States, who tell us to-day that they are paying the majority of the taxes which make up the money that goes into the Federal-aid system.

Let me say to some of these distinguished gentlemen and to my distinguished colleague from Massachusetts that it seems only fair to these people out in the central and far West that when the people of the seven or eight States have such a handy and easy way of finally getting hold of everything we produce in the central and far West, they ought at least to help us build our roads on which we carry to them our commodities.

I do not think I can better present a picture of the situation in Missouri than to bring to you the story of the present distinguished chief highway engineer of Missouri, Mr. C. H. Cutler, who, in his discussion of this bill before the committee, said:

Missouri up until 1921 was a "mud-road" State. In 1921 Missouri passed a \$60,000,000 bond issue, all of which was spent. Last year we voted another \$75,000,000 bond issue. We have spent to date \$135,-

000,000 on our 7 per cent State system, of which approximately \$25,000,000 has been its allotment of Federal aid.

We passed this last \$75,000,000 bond issue with a much larger vote than our original \$60,000,000 bond issue, and all of our moneys now spent in Missouri for State roads are received from the automobile owner, with the exception of this Federal aid. In other words, we have no State taxes for our State roads.

We have already retired \$11,000,000 of our original \$60,000,000 bond issue. We now have in our State road-bond sinking fund the money to retire our next year's installment.

We are in a position to use all of the money that the United States Government will appropriate for the use of our State.

My friends, the people of the State of Missouri to-day are particularly interested in the completion of their Federal-aid 7 per cent road program. I want to say to some of these gentlemen that our people are much interested in the building of the roads in the far West and other States in order that there may be a national system of highways. I, coming here from the State of Missouri, have much interest in the bill that will be presented to the House by this distinguished gentleman from Utah [Mr. COLTON], a bill which will make it possible for the East and the Central West to pass over this system to the Golden Gate. [Applause.]

Mr. DOWELL. Mr. Chairman, I yield to the gentleman from Utah [Mr. COLTON] five minutes.

The CHAIRMAN. The gentleman from Utah is recognized for five minutes.

Mr. COLTON. Mr. Chairman and members of the committee, it seems almost useless at this stage of the debate to take much of the time of the committee. The road-building program is well understood throughout the country. It may be interesting, however, for me to call your attention to the number of miles, relatively speaking, of roads unimproved as compared with the roads that are improved. We have in this country about 3,000,000 miles of highways, about 670,000 miles of improved roads, and about 110,000 miles of paved roads.

You will notice by comparing the figures that I have just mentioned that there is a great deal of work ahead of us yet. However, I want to take the few moments at my disposal to talk of the road situation in the 11 Western States. A very great part of the land of those 11 States is still owned by the Federal Government. A great deal of it has been placed in the national forests. There is no way by which this land can be taxed. The people in those States are not in a position to match any of the Federal aid money that may be used upon these forest roads.

There is another phase of the matter we ought to consider. We are not only contributing to the building of the roads within the forests, that is the Federal-aid system, but we are also taking a long step toward the protection of our forests. The annual loss resulting from forest fires is appalling in the western part of our country. We are asking, in a bill that will be brought before the House for consideration in a short time, an increase of \$5,000,000 for the forest road-building program. As the bill is now drawn it would provide, however, that in allocating these funds the Secretary of Agriculture shall give preference to the projects within the national forests which are on the Federal system.

This bill, if passed in its present form, will not affect the allocation of the \$7,500,000 which has been appropriated and used for this purpose in the past. It will provide that as to whatever increase is made in the appropriation, the Secretary of Agriculture shall, in making the allocations, give preference to the projects within the national forests that are on the Federal-aid system. Our aim is to complete transcontinental highways as soon as possible.

We will therefore provide for the early construction of the Federal-aid system of roads within the national forests.

There is also a companion bill which I have introduced and which is now pending before the Committee on Roads that will enable the Government to build the connecting links in the Federal-aid system that cross the public domain—lands owned entirely by the Federal Government. The Government will be authorized to build the connecting links on these lands. In other words, the Federal Government will be authorized by this bill to hasten the work of constructing the connecting links on the Federal road system that crosses the country. There is no way now by which these roads crossing Government land can be built, and we fervently hope that within a very short time the committee can report on these two measures and that they will be brought before the House for consideration. [Applause.]

Mr. DOWELL. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CLANCY].

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. CLANCY. Mr. Chairman, the automobile is the thing that has brought good roads to this country. As a member of the Roads Committee of this House I say this Dowell bill, providing an appropriation of \$300,000,000 for good roads for the fiscal years 1931, 1932, and 1933, is a powerful answer to the propaganda of insidious lobbying organizations, such as the Anti-Saloon League, seeking to pit the rural communities of the United States against the big cities. For behind this bill the rural and the city people are working harmoniously and are fighting shoulder to shoulder against the pernicious doctrine that the interests of the rural and city groups are antagonistic. Behind this Dowell bill there is a united Republic. In this Dowell bill is clearly shown the beneficent personality and the patriotic handiwork of Detroit, the fourth largest city in the United States, and which was pictured last week to the country by the Anti-Saloon League as a wicked city and as a fortress and battle ground against sumptuary legislation. The automobile is the thing that has brought good roads in this country.

About 28 years ago the automobile industry, with its vision, genius, and its benevolent patriotism, united itself with farmers' organizations in leadership in the battle for good roads, which would eventually destroy sectionalism and provincialism in this country. World-famous Detroiters, such as Roy D. Chapin, Thomas P. Henry, Henry B. Joy, Alvan Macauley, H. H. Rice, Fisher brothers, Walter O. Briggs, Walter P. Chrysler, Graham brothers, Henry Ford, and other automobile magnates, went down into their own pockets for large sums of money to put over the propaganda, the campaign of education, and the legislative influence to bring about such large appropriations as this bill includes. Not only did they aim to unite the far-flung sections of this country in trade, intercourse, and fraternity but they conducted their propaganda throughout the world.

Detroiters have spent liberally of their funds even to journey to distant capitals of the world to put through their campaign for good roads. In 1924 we had a strenuous battle here in the House to secure the adoption of an item of \$15,000 for a convention at Buenos Aires, Argentine Republic, to gather together representatives of all the 19 Latin-American Republics to teach them the incalculable benefits of good roads. We wanted to sell them our automobiles and road-building machinery and materials to help develop their countries. Also through these good roads we wanted to enable them to sell us at a cheaper price many necessities of life, such as sugar, coffee, meat, copper, lumber, rubber, and so forth.

I took a prominent part in battling for that good-roads appropriation, which was opposed very strenuously by Mr. Blanton, of Texas. On the final passage 3 votes would have killed the bill but Mr. Blanton was able to secure only 2 because as fast as he obtained colleagues to object with him I ran over to them and successfully persuaded them to desist.

My colleague from Detroit, Mr. McLEOD, has also taken a prominent part in this House in fighting for good roads. His Pan American highway bill, which is a long step forward in the international good-roads campaign sponsored by Detroit, became a law in 1928. This road will pass through Texas.

Ever since I have been in Congress I have fought strenuously for good roads and through the powerful assistance of my colleague from Michigan, Mr. MAREX, I was placed on the Roads Committee of the House. In the last Congress I introduced a bill for \$100,000,000 per year and the committee granted \$75,000,000. In this Congress I introduced a bill for \$150,000,000 per year for the next two fiscal years and the committee granted \$125,000,000.

I now enjoy the honor of being Michigan's representative on the Roads Committee.

I never could understand the opposition of Mr. Blanton in 1924 to the \$15,000 item for developing good roads in the 19 Latin-American Republics, for his State, Texas, would benefit tremendously by roads to the south of this country. After our encounter on the floor over this \$15,000 item, which controversy was reported in the newspapers at that time, I demanded to know how he could get away with it in Texas by fighting with all his energy against this good roads movement, and, also, how he could oppose the best interests of his constituents by trying to kill the \$1,500,000 appropriation for the United States air mail in 1924.

The transcontinental United States air mail was then the hub of commercial aviation in this country and was doing more to develop aviation for the world than any other influence.

One of the great benefactors of aviation, Col. Charles A. Lindbergh, who was granted the congressional medal of honor, received most of his invaluable training in the United States air mail.

I also asked Mr. Blanton why he had opposed my campaign to kill the war excise tax on the sale of automobiles and motor trucks. This unjust tax amounted in 1924 to \$158,014,709.40.

With the increased sale of automobiles I estimate that it would now amount to something like \$200,000,000 per year or about \$1,000,000,000 every five years, if we had not killed this tax.

I pointed out to Mr. Blanton that the vast empire State of Texas could only be developed by good roads, automobiles, motor trucks, and aviation. He made the astounding reply to me "CLANCY, I have to oppose those measures because I am the Anti-Saloon League leader on the Democratic side."

Now, in view of the campaign to hold up Detroit to the country as a harmful influence, I want to call to the attention of this body that the American Automobile Association was founded in 1902 and immediately began a campaign for good roads. The National Automobile Chamber of Commerce was founded in 1905. This latter organization represented the automobile manufacturers of the country and has made large donations of money to the American Automobile Association, the organization of motorists to carry on propaganda and legislative activities in behalf of good roads, bridges, and especially bridges without tolls, and against all harmful legislation aimed against these developments.

The doctrine of good roads has not always been a generally accepted one in this country and most of the credit of the early and stubbornly fought campaigns must go to the automobile leaders of Detroit.

We are not only pioneers in the good-roads movement but we are pioneers in the doctrine of beautifying them with trees, shrubs, and flowers. We have always endeavored to sell the country the idea that money for good roads is the best possible investment and that good roads are the most tremendous stimulus to international prosperity. Good roads are the most effective weapons and antidotes against local, national, and international waste.

In support of the above statements and arguments I quote at length from a speech made by Roy D. Chapin, of the Hudson Motor Car Co., in 1913 before the National Association of Motor Car Manufacturers.

Some eight years ago (1905) the National Association of Automobile Manufacturers first interested itself in good-roads work. It appealed to your executive committee, even then, that eventually touring was to become much more common in this country than abroad, where the finest of roads obtain. We knew that good roads were bound to come here, but our aim has been to hasten their construction, to help shape the legislation, both State and national, bearing upon highways, and to study the best types of roads for motor-car travel.

We have had almost as many new models in highway ideas as we have had in motor cars. Basically, it has always been our hope that some time, in conjunction with other good-roads enthusiasts we could get the National Government to take up and institute a system of so-called national highways. Only by this means will we ultimately have the right kind of roads, and roads that will cover this country like a network, affording direct routes to all the bigger centers. Year after year, we have cooperated with a growing list of new interests who favored and were willing to work for better highways. Two years ago, your committee became convinced that from then forward the automobile user was perhaps the strongest factor, outside of the farmer, in the securing of good-roads legislation.

We, therefore, in conjunction with the American Automobile Association organized a good-roads board composed of R. P. Hooper, president of the American Automobile Association; A. G. Batchelder, chairman of the executive committee; G. C. Diehl, chairman of the good-roads committee; S. D. Waldon, representing the Automobile Board of Trade; C. J. Butler, representing the Motor & Accessory Manufacturers Association; and myself, representing the National Association of Automobile Manufacturers. Our purpose was to coordinate the good-roads work of the manufacturers and the users, bringing to bear the enormous influence of the organized body of users.

Since that time Mr. Batchelder, who has had active charge of the American Automobile Association work at headquarters in New York, has devoted more and more of his time to good roads. If you will hark back to the days of the League of American Wheelmen, you will probably remember that powerful organization gradually became almost exclusively a good-roads organization. To-day the American Automobile Association, cooperating with ourselves, and with our financial assistance, is carrying on very extensively good-roads work. Together we have gradually formulated the policies based upon our past experience, which are now being carried out as vigorously as our resources permit. Realization of the demonstrated fact that general road improvement requires the accelerating influence of local and State organizations which finally culminate in a national body, accounts for the close cooperation between the manufacturers and the users. Under the efficient administration of Robert P. Hooper and A. G. Batchelder the American Automobile Association, with our assistance, has accomplished many things

in the last two years. Not only the automobile laws in many States have been bettered, and in several instances actually created, but the use of motor-driven vehicles has been generously encouraged by the great wave of highway improvement which is sweeping from coast to coast.

Through the initiative of the American Automobile Association national good-roads board the first Federal-aid convention ever held in this country took place in Washington in January last. It was a notable gathering, country-wide in the complexion of its attendance, and including men who are leaders in the movement in their respective States.

The concrete result of the convention was a resolution adopted by Congress providing for a joint committee of House and Senate to take up the Federal-aid question in its entirety, and to evolve a concise proposition. This joint committee now consists of five members each from the Committees on Post Offices and Post Roads of the two branches of Congress.

Briefly summarized, the American Automobile Association plan is for a comprehensive system of national roads to supplement well-organized State systems, which shall include intercounty, market, and township roads, with adequate provision for upkeep and a gradually improved form of construction.

The keynote resolution adopted at the Washington Federal Aid Convention in January last, for which the American Automobile Association national good-roads board was sponsor, called for a joint committee of the two Houses and was the basis of a recommendation made to the Senate by its Committee on Post Offices and Post Roads as a substitute for the so-called Shackelford roads rental proposal which had passed the House. This recommendation provided that a joint committee be created composed of three Members of the Senate committee and three members of the House committee to make inquiry into the subject of Federal aid in the construction of highways and to report at the earliest practicable date. In the subsequent action of the conferees a change provided that the joint committee be made up of five each from the Senate and House Post Office and Post Roads Committees.

Writing on the subject of the Motor Transport Era, J. William James said in the Detroit Free Press of January 19, 1930:

So rapid has been the growth of motor transport that we do not and can not as yet appreciate its significance. Created since the turn of the century, scarcely 30 years old, it already affects vitally every business and every individual.

The milk delivered at our doors is brought to the city by motor truck. The privilege of having water in our faucets, electricity in the wires, gas for cooking, and fuel oil or coal for the furnaces—all are dependent upon the multitude of services performed by motor-driven vehicles.

PIONEERING WORK

In the development of our great resources the pioneering work is undertaken motorwise.

An hour of to-day covers as great activities as a month produced for our forefathers.

THREE MILLION THREE HUNDRED AND SEVENTY THOUSAND MOTOR TRUCKS

The business of the country in 1930 is using 3,370,000 motor trucks. There are 16,500 consolidated schools using 43,000 motor busses for the transportation of their students. There are 300 street railways using 11,500 busses and there are 75 railroads using fleets of trucks comprising 7,000 units as part of their shipping services.

All of this has developed within a brief 30 years.

ANCIENT ROAD SYSTEM

When the Roman Empire rose to the pinnacle of power, "all roads led to Rome." These famous highways penetrated to every part of the empire—eastward far into Asia, northward across Europe into the British Isles, and westward to Spain.

This greatest road system of all antiquity had an extent of scarcely more than 50,000 miles. In the United States alone surfaced highways now total more than 650,000 miles. We are building more of them at the rate of nearly 40,000 miles a year; and total mileage of all highways here totals more than 3,000,000.

The complete revolution in America's transportation system was emphasized in the stirring days of 1917 when troops marched and trucks rolled over highways, and long trains of railway cars were drawn over roadbeds built along routes blazed by century-old Indian trails and buffalo tracks.

The traveler who to-day drives over these great arteries of commerce, which cover the country like a net, is for the most part moving over historic ground. If the soil could speak, it would tell the story of the development of American overland transportation.

It was not until 1904 that the United States census first recorded production of trucks—410 units. It was not until 1910 that registrations reached 10,000. And for the most part those 10,000 trucks were simply haulage vehicles without any particular adaptations to special requirements. It was like the primitive sled—almost any kind of a makeshift to carry almost anything. The engineering specialist who designs

special truck equipment for the specific purposes was not yet on the pay roll of any manufacturer.

As a contrast, the current exhibit of one manufacturer includes, besides 14 different models of trucks, special equipment of different types made by 21 producers. There are sport delivery bodies, refrigeration units, hearses and ambulances, roll-off bodies, road scrapers, snowplows, a bed roller for lumber haulage, a 3-way dump body, an interurban bus, a "store on wheels," winch body and pole-setter outfits, a suburban street flusher, and many others.

Large fleet owners have their own mechanical and traffic engineers to increase efficiency, reduce costs, and expedite the movement of goods.

What motor trucks have contributed to business is indicated by their use. Regulations have climbed from 410 units in 1904 to 3,370,000 in 1930. Registrations in each of those 26 years have shown an increase.

Production in every year excepting one has been greater than in the year immediately preceding.

Organization of great transportation and service systems has been one of the spectacular developments. There are 12 of the country's largest public utility and distributing corporations employing upwards of 40,000 commercial vehicles. Included are the fleets of the associated Bell Telephone Cos., with more than 13,000 units, and those of the Standard Oil Co. of Indiana and the American Railway Express, with 7,000 to 8,000 units each. There are 75 railroads using trucks as a part of their shipping service.

Thomas S. Bosworth, writing in the *New York Times*, gives some interesting and important facts concerning the highways of Europe, particularly stressing the beautification of the Roman roads. His article reads in part:

The main highways across Europe, many of them still in use to-day after 2,000 years, remain as monuments to the supreme mechanical genius of the Americans of their day, the old Romans. Not only did they plan their roads on the principle that the straight line is the shortest between two points, but they built them so well that, with minor changes, the modern cities of Europe still depend upon them for their communication by automobile.

The Romans built their roads by first cutting parallel trenches through the soil to indicate the width of the roadway, removing loose earth until a solid foundation was reached. Upon this four layers of materials were beaten down, the lowest usually of flat stone sometimes laid in mortar, above which a layer of coarse concrete of smashed stones was superposed. Above this was a layer of finer stones or concrete, on which was laid a surface of fine stones carefully matched. The width of some of their roads was 14 feet, on each side of which were unpaved roadways half as wide again.

WHERE ROMANS MARCHED

Anyone who has motored in France will be grateful to the genius of those old Romans in planning their military roads—later to be repaired and lined with trees by Napoleon for his legions. Wherever the road in Europe straightens out and aims for a distant star the motorist may be sure that his car is following the path of that great Empire of Rome.

PLANTING SHADE TREES

The planting of shade trees along the highways, which came in with the repairs to the old roads in the time of Napoleon, when their supreme military necessity as a means of conquest was evident, has never been appreciated in this country. In France these trees not only gave welcome shade to the Emperor's "grogards" but drained the road itself. Wherever a line of trees follows the road in America it is an accident—or perhaps a survival of the fondness for elm trees of the builders of the wide streets which run through so many New England villages. Sentinel poplars and lindens haven't yet come to beautify the landscape on this side of the Atlantic.

In a very comprehensive article dealing with the proposed expenditure of \$2,240,000,000 on roads in 1930, William Ullman, in the *Detroit Free Press*, had this to say:

Another notable chapter was added to the history of the good-roads movement in the United States in 1929. Federal highway authorities see 1930 as promising even more. The United States Bureau of Public Roads estimates that \$2,400,000,000 will be expended by Federal, State, county, and municipal governments for road and street construction and maintenance this year. A markedly accelerated interest in highways also is anticipated as a logical outgrowth of the many efforts to maintain the economic equilibrium of the Nation.

States and counties were unusually active during 1929. Their activity, however, was not revealed altogether in the building of new and well-surfaced roads. As a matter of fact, the mileage of new construction showed a decrease for the year. It was not great, but engineers declare it was enough to be noticeable. They warn against the error of believing, however, that it was a slack year because of that fact. Balancing the decrease in construction, they assert, was a greater activity in road maintenance, a task that each year grows more important.

MORE FOR MAINTENANCE

The national phase of the problem of highway improvement is Federal aid. This system is 10 years old, but the last year of its brief existence has recorded a let down in the amount of work accomplished. During the fiscal year of 1929 there were 7,402 miles on which initial improvements were completed. In 1928 the mileage was 8,184.

Federal aid had its inception with the road act passed by Congress in 1916. This carried an appropriation of \$75,000,000 for a 5-year period. It was augmented three years later by the sum of \$200,000,000, allotted over a 3-year period. This latter action was taken in connection with the passage of the Federal highway act establishing the Federal-aid road system. And although nearly \$1,000,000,000 has been spent by the Federal Government during that time, it has not been sufficient to improve even the greater part of the system. Increase of the annual appropriation is urged by the United States Bureau of Public Roads and the American Association of State Highway Officials. The State officials' organization is on record as vigorously advocating the increase.

Another phase of national highway improvement is that accomplished in the national parks and national forests. Here, also, the sums available are held inadequate. Since 1925 the annual sum appropriated has been \$10,000,000. This is the amount again available for the current fiscal year. However, for the following year it will be increased 50 per cent because of an additional \$5,000,000 made available under authority of the 1929 appropriations act.

NATIONAL PARKS AND FORESTS

During the last year there were 315 miles of national forest roads built under supervision of the Bureau of Public Roads. This additional mileage increased the total of improved mileage to 4,090, of which 3,782 are in 12 western States and Alaska. The entire forest road system comprises 14,165 miles.

ACTIVE IN RESEARCH

During the last year highway engineers have been active in research. They have studied materials and as a result have found that in building a concrete road the coarse aggregate, the engineer's term for crushed stone, may be increased by 25 per cent, an item of considerable importance in reducing the cost of construction. Engineers at the Federal Bureau of Public Roads made this discovery, and they are carrying their work further on a stretch of experimental concrete road half a mile long on which a report will be made during the next six months. This road was laid and, after hardening, was immediately sawed into slabs for laboratory tests to determine the exact proportions that should be accorded the ingredients of a lasting hard-surface road.

Mr. DOWELL. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. SELVIG].

Mr. SELVIG. Mr. Chairman and Members of the House, the amount authorized in the bill now under consideration is as large as the State highway commissioners of the various States felt could be used under the original terms of the Federal aid act, which requires that the States shall match the Federal appropriation.

Speaking for my own State of Minnesota I can say that Minnesota is in a position to meet any appropriation that Congress sees fit to authorize. Having this in mind, I introduced a bill, H. R. 7678, which carries \$150,000,000 in place of \$125,000,000 annually. However, the situation as it exists in all the States must be considered. Therefore, I heartily joined in approving the pending bill as a member of the Committee on Roads, knowing that a future Congress will authorize a considerable increase over that sum.

Under the terms of the present bill, according to Minnesota's State highway commissioner, Hon. C. M. Babcock, that State would be able to increase her road-building program by 230 miles of paving and 400 miles of grading if Federal funds are increased. This is in addition to aid in building necessary bridges on the Federal system.

If we can reduce Federal taxes by voting decreases in income-tax rates, it is a certainty that we can build more roads. They are an important part in our economic and social development. These Federal-aided roads fit into a nation-wide farm-to-market highway system. The plan which has worked out so successfully must and will be continued until good roads connect farms with their nearest markets everywhere.

In my opinion the building of Federal transcontinental scenic automobile roads must await the more universal extension of farm-to-market highways. Before we undertake any new or different kind of a program the State and the Federal Governments must bring strictly rural roads nearer completion.

I am in full sympathy with the resolution adopted by the American Farm Bureau Federation at their last convention touching upon this matter, which I will read:

We are at that point in our development of transportation facilities in our Nation which requires not only more Federal appropriations to continue and finish the Federal-aid system of roads now under construction, but to expand Federal financial participation in the building of secondary or farm-to-market highways. In this enlarged program of highway building, we approve an appropriation of at least \$125,000,000 by the present Congress and such additional legislation and appropriations as will provide the active beginning on the part of the Federal Government in the construction of farm-to-market roads. Highways are now arteries of commerce and must be constructed largely at the expense of the Nation as a whole and not wholly at the expense of local or State taxing units. The States are urged to extend their supplemental rural road program by allocating more of the gasoline and vehicle taxes to farm-to-market highways.

In this connection I call the attention of the House to the plan advocated in the State of New York and elsewhere, where the State assumes the major part of the cost of all road maintenance and bridge construction in order to provide rural tax relief and equalization. The crushing burden of local taxes for rural roads and bridges presents a most urgent problem. It must be met courageously and wholeheartedly.

The farmer bears the brunt of local taxes which place upon him an unequal burden. When he purchases implements, machinery, fertilizer, feed, and other articles for use on the farm, or food, clothing, furniture, and the like for his home, he pays, in addition to the otherwise selling price, a portion of the taxes which the manufacturer, wholesaler, jobber, and retailer have been or will be required to pay. We do know that a part or all of the tax paid by the producer of a commodity or a dealer therein, or by the transportation agency which transports it, enters into the cost of doing business and is passed on to the ultimate consumer.

My plea is for a reduction in the farmer's road tax. It is well known that the farmer's wealth is usually represented by tangible property, land and tangible personal property, which does not escape the eye of the assessor. The farmer pays the general property tax, the most burdensome of our taxes, on a larger percentage of his property than any other American taxpayer.

The burden placed upon the rural communities in the form of road taxes requires that increasingly a larger share be borne by State and Federal Governments. While taxes have been increasing in the aggregate in both urban and rural communities at an astonishing rate, the true tax burden has increased more rapidly in the rural areas, where farms are situated. This condition exists because of the drift of population from the country to the city, and the resulting increase in city real-estate values, while values in the country remain relatively unchanged.

This is a problem that must and will receive the earnest attention of Congress and the various State legislatures in the near future.

The question will be asked, How far does the bill under consideration go in the direction of providing farm-to-market roads? This can be said: The increased Federal funds for highways carried in the pending bill will shorten the period within which the 7 per cent mileage project will be completed. Two-thirds is now done. The remainder is, for all practical purposes, farm-to-market roads. Future additions to the roads designated for Federal aid should be definitely those highways which will facilitate transportation of farm products. It is the intention and will of Congress that this be done.

This \$125,000,000 road authorization bill received the unanimous vote of the House Committee on Roads. It is generally approved by people throughout the country. The State highway officials indorsed the plan. Figures presented showed that the States have built more miles without Federal aid than with it, which denotes a most laudable interest in highway improvement on the part of the States.

I am interested particularly in one phase of this proposed legislation which I will point out shortly. It is important to stimulate and intensify road building. It is timely to provide employment on a large scale. It is highly desirable to complete the Federal highway system at an early date. All of these objectives are good and sound.

I hold that it is of the greatest importance to the welfare of our country at large to release State funds for county and rural roads which happens when roads are included in State and Federal projects. State funds released for county and rural roads decreases the mileage of farm-to-market roads financed exclusively by the local farm or village tax units. This is the ultimate objective of the entire highway-development program which must ever be borne in mind.

Waterways and good highways go hand in hand. They benefit the farmers with resulting economies to consumers as well. Motor trucks have come to stay. They enable the farmer to

reach better markets farther away than can be reached by horse and wagon. After all, I am sure that we agree that this Federal road aid bill can rightfully be regarded as an investment, a dividend-returning investment of the best, soundest, and most stable kind.

Under leave granted to extend my remarks, I will include figures regarding the Federal-aided roads in my own State of Minnesota.

MINNESOTA'S ROAD-BUILDING PROGRAM

The total State road mileage improved in Minnesota June 30, 1929, is 3,872 miles with Federal funds, and 1,737 miles without Federal funds, making a total of 5,609 miles.

The total amount disbursed by the Minnesota Highway Department in 1929 was \$18,411,993, of which \$2,241,020 was Federal money. Minnesota's share of \$50,000,000 additional for 1931 would amount to \$1,401,981. If the \$125,000,000 amount is voted the share, using the percentage of the 1931 appropriation for Federal aid, would be \$3,504,977, in place of \$2,102,986 now received.

Minnesota's estimated 1930 expenditures for construction and maintenance of highways are \$15,500,000 under State supervision, and \$24,200,000 under other supervision, including cities, counties, and townships, making a total of \$39,700,000.

Minnesota's mileage of Federal-aid projects completed and under construction, by major types of construction, as of June 30, 1929, presents a very satisfactory record.

Type of construction	Completed	Under construction	Total miles
Graded and drained.....	852	208	1,060
Sand-clay.....	6		6
Gravel.....	2,261		2,261
Bituminous concrete.....	33		33
Portland cement concrete.....	718	82	801
Total, all types.....	3,872	291	4,163

Mr. DOWELL. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. PALMER].

Mr. PALMER. Mr. Chairman, in the first place, I wish to say I am in hearty accord with this bill. In the second place I want to say that while in Missouri we have a smaller gas tax than any State which adjoins us, except Illinois, yet we have more hard surface roads than any State which adjoins us. We have at this time more than 4,037 miles of hard-surface roads. These roads were built at an expenditure of more than \$158,725,251. When our present building program is completed we will have more than 15,026 miles of hard-surface roads in our State. So we are in hearty accord with this building program. [Applause.]

Mr. DOWELL. Mr. Chairman, I yield three minutes to the gentleman from Nevada [Mr. ARENTZ].

Mr. ARENTZ. Mr. Chairman, I can not cover very much ground in three minutes on this road-building bill, so I am going to confine my remarks to just one little thing that is very important and that is this: Between Nevada and Utah is a strip of road on what is known as the Arrowhead Trail. It happens to be in the northern strip of Arizona, above the Grand Canyon on the Colorado River. Arizona is not interested in this strip because very few people live on it and consequently very little in taxes, if any, is collected from this strip. This road is on a transcontinental highway and is about 50 miles in length. Arizona will not build a road and Nevada and Utah can not.

I hope legislation will shortly be enacted, as provided in the Oddie-Colton bill, which will permit the building of unfinished links in our national highway system over public lands that can not be built in any other way. That is the situation in the northern strip of Arizona between Nevada and Utah.

The question was asked by the gentleman from Montana [Mr. LEAVITT] of the gentleman from Iowa [Mr. DOWELL], as to whether or not the 7 per cent should be increased to 8 per cent. The gentleman from Iowa answered no, because after the 7 per cent system has been completed it is easy enough to lay out an additional highway system to which can be applied the money appropriated under this act and every other act of a similar nature which will follow. I say that if the 7 per cent were increased to 8 per cent we could do just the thing which, for instance, Senator COPELAND spoke of. He said he hoped the time will soon come when roads will reach the farmhouse, when roads will go from the main highways to the man who has his letters delivered in a tin box alongside the road. Those are the people who should be reached by these post roads in due course of time, and I hope that time comes soon. [Applause.]

The CHAIRMAN. The time of the gentleman from Nevada has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That for the purposes of carrying out the provisions of the act entitled, "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be expended according to the provisions of such act as amended: The sum of \$125,000,000 for the fiscal year ending June 30, 1932; the sum of \$125,000,000 for the fiscal year ending June 30, 1933.

Mr. BROWNING. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee a question. I have had it contended to me that the money available herein could not be used for participation in the construction of approaches to toll bridges where a State or some subdivision of a State constructed the bridge.

Mr. DOWELL. Under the law Federal aid can not be used on a toll road. That was in the law adopted in 1921, and is the present law. The comptroller has held that this should be construed to mean that it can not be used upon a road which led up to or approached a toll bridge. This applied, however, to all toll bridges. On March 3, 1927, an amendment was passed by Congress that relieved toll bridges which were constructed by a State or a subdivision thereof. Therefore, as the law now stands, under the comptroller's ruling, Federal aid can not be used on a road which leads to a toll bridge other than one constructed by a State or subdivision thereof.

Mr. BROWNING. But it can be used on a road leading up to a bridge that is owned by a State and that is operated by a State?

Mr. DOWELL. Yes. I will read the law.

That notwithstanding any provision of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, or of the Federal highway act, the Secretary of Agriculture may extend, on the same basis and in the same manner as in the construction of any free bridge, Federal aid under such acts, in the construction of any toll bridge and approaches thereto, by any State or States, or political subdivision or subdivisions thereof, upon the condition that such bridge is owned and operated by such State or States, or political subdivision or subdivisions thereof, and that all tolls received from the operation thereof, less the actual cost of operation and maintenance, are applied to the repayment to the State or States, or political subdivision or subdivisions thereof, of its or their part of the cost of construction of such bridge, and upon the further condition that when the amount contributed by such State or States, or political subdivision or subdivisions thereof, in the construction of such bridge shall have been repaid from the tolls, the collection of tolls for the use of such bridge shall thereafter cease, and the same shall be maintained and operated as a free bridge.

Approved, March 3, 1927.

Mr. BEEDY. Will the gentleman permit me to ask a question?

Mr. BROWNING. Yes.

Mr. BEEDY. Is there not some further restriction in that? Does the gentleman recall the bill I introduced at the last session to permit the extension of Federal aid in the building of a road that leads to a toll bridge which had been built by a State, and which was guaranteed to be opened by the State as soon as the bonds had been retired from the receipts of tolls?

Mr. DOWELL. That is true.

Mr. BEEDY. This act you just referred to was passed in 1927.

Mr. DOWELL. This act was passed March 3, 1927.

Mr. BEEDY. My request came to you in the spring of 1929. Does the gentleman recall the instance? It was for Federal aid in constructing a stretch of road leading from Wiscasset, Me., to the toll bridge across the Kennebec River.

Mr. DOWELL. That may be true, but the law provides as I have read.

Mr. BEEDY. After conferring with me last year the gentleman suggested I introduce a bill to further amend the law, and the department drew a proposed amendment which would have permitted Federal aid to be extended in constructing road leading to a toll bridge, and the gentleman was even opposed to that. If the general law permits it, as it stands, what was the necessity of my bill?

Mr. DOWELL. The general law provides that it may be placed upon an approach to a bridge which has been constructed by a State or a subdivision of a State, as I have read.

Mr. BEEDY. And released from toll?

Mr. DOWELL. No; this does not provide that. If there are no tolls, there is no restriction whatever. The restriction is only in the event of a toll.

Mr. SMITH of Idaho. Is there any exception to that rule?

Mr. DOWELL. The law is as I have read it and applies to all instances.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. BROWNING] has expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee may have one additional minute.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. DOWELL. This was the Oldfield law which was passed to take care of the toll bridges that had been built by States that were providing for their being made free bridges.

Mr. BROWNING. And also any bridges that may be built in the future under the same plan.

Mr. DOWELL. Yes.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last two words.

I would like to supplement what my colleague from Massachusetts, Mr. STORRS, has said in relation to the condition that exists in certain States owing to the limitation placed upon Federal aid to \$15,000 per mile.

The intent and purpose, as I understand it, of the Federal road act was a 50-50 division between States and the Federal Government. I was here when the original act was passed, and I remember very well that was the intent of Congress—namely, to provide an equal division of the cost between the States and the Government. This was a fundamental principle on which we acted.

In the Sixty-seventh Congress, in paragraph 4, of a bill approved June 19, 1922, which was the post office appropriation bill, a limitation was placed on this appropriation whereby the Federal Government could only contribute to the extent of \$15,000 per mile. In other words, if any road cost over \$30,000 per mile, the State did not get its 50-50 share as originally intended, and this is the complaint that is before the House now.

We all are favorable to this bill, but we want it distinctly understood that the day is here when there should be additional legislation doing away with an amendment which is now obsolete. Thirty thousand dollars per mile does not cover the cost of good road construction in any State to-day, particularly when we take into consideration the additional width that we are obliged to provide to care for heavy traffic.

Our commissioner of public works has written to one of our colleagues that the State of Massachusetts can not absorb, under existing conditions, the additional money that should come to us, pro rata, under the bill that is under consideration to-day. This statement is authentic. I have it here before me in writing.

Further than this, I want to supplement my statement by saying that within a few moments I have consulted with the Federal Public Roads Commissioner, Mr. MacDonald, who authorizes me to say that he, in behalf of the Government, approves of the removal of this provision limiting the 50-50 division to \$15,000 a mile.

Here we have the request of the States, we have the authority of the representative of the Federal Government for such a change in the law, and therefore we think it is no more than right that the committee having charge of this type of legislation should not lie back in its traces and say that we have got to absorb it or not have it, but rather it should say that Congress by suitable legislation intends to keep up with the times. Highway construction is keeping up with the times, and in order to do so we can not afford to be picayunish as to the allowance to be made to the various States.

Therefore we ask this in all fairness to all States, not only the New England States, because what I am saying applies to many Western States where very extensive construction has been indulged in. This is not a local matter or a sectional matter. It is universal and applies throughout the country. The day has come when \$30,000 a mile is not a sufficient limit to place upon road construction.

Therefore, as the item under which this condition arises is not in the organic act at all, but is in an act as late as 1922, it should be repealed, and we make this request to you while this subject of good roads is before us this afternoon.

We are for this additional allotment of \$50,000,000 in the next fiscal year and \$125,000,000 total for the years 1932 and 1933, respectively. I am prepared and am glad to vote for the bill, but do not ask us to pay our full share of the requirements under the law and then at the same time prevent us from getting a fair return. We therefore ask the repeal of the clause which

prevents our getting a fair share and also prevents every other State that expends in excess of \$30,000 a mile for roads from getting a fair share. [Applause.]

Mr. BEEDY. Mr. Chairman, I move to strike out the last three words. Mr. Chairman, I have here an amendment which I had first thought to offer to this bill, but my second thought is that the amendment would not be germane. Therefore I do not care to take up the time of the House in that manner, and will lay it aside. The amendment would have provided for the elimination of the \$15,000 per mile limit to the sum which the Secretary of Agriculture under the existing law is authorized to pay over to the States.

I shall introduce to-morrow morning, or as soon thereafter as I may be able to determine the attitude of the department, a bill to accomplish this same purpose, and I shall ask the Committee on Roads to give those of us who are interested in this legislation a hearing so that we may get to the bottom of the merits of this demand for an increase in the \$15,000 per mile limit.

I want to say to the chairman that in Maine we are building a highway which will enable the Maine visitor entering our State at Kittery to ride with the utmost comfort on a modern 4-ply concrete boulevard straight through Maine to the Canadian border. There is a great demand for such a road. We want to build it for ourselves and for our visitors.

In Maine the winters are long and severe and the frost works such havoc that we are obliged to go down deep and lay the stone foundation before we build the surface of concrete. The result is—I have not the figures, but I think it would be within the facts if I say that the average cost per mile for main highways in my State is nearer \$75,000 than it is \$30,000.

In my State where there is not extreme wealth or congested population we are able to raise less money for road building than is the case in many other States.

Last year we raised and spent \$11,000,000 in building roads. We received only \$886,000 from the Federal Government. You will perceive why it is to our interest to have the \$15,000 per mile limit removed. I do not think there should be no limit at all, but I think the limit should be increased.

Mr. GARRETT. Will the gentleman yield?

Mr. BEEDY. I yield.

Mr. GARRETT. Does the gentleman mean that it costs \$75,000 to build the 4-section road?

Mr. BEEDY. Yes; it is a main trunk road. I do not say that it is exactly \$75,000.

Mr. GARRETT. I understood the gentleman was giving a rough estimate.

Mr. BEEDY. I have not the exact figures, but I believe it is nearer \$75,000 than it is \$30,000.

Mr. MANLOVE. Will the gentleman yield?

Mr. BEEDY. I yield.

Mr. MANLOVE. Can the gentleman tell us how wide this road will be and the full length of it?

Mr. BEEDY. I can not do so. But I know that four or five automobiles may pass at the same time. I should judge it was 50 to 75 feet wide. The wide road is already constructed from Kittery, on the southwest border, running through with slight breaks to Portland, Me., a distance of 55 miles.

Mr. DOWELL. Will the gentleman yield?

Mr. BEEDY. I yield.

Mr. DOWELL. The Federal-aid system, as reported by the highway commission, gives the State of Maine 1,443½ miles. The State of Maine has improved 559 miles of that 1,443 by Federal aid. However, the report shows that 762 miles have been improved without Federal aid.

Mr. BEEDY. That is what I have been arguing.

Does the gentleman get the point? It costs us so much per mile to build the Federal highways that we can build comparatively few miles, and so receive comparatively little Federal aid.

The Clerk completed the reading of the bill, as follows:

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in addition to the authorization approved in section 1 of the act of May 26, 1928, the additional sum of \$50,000,000 for the fiscal year ending June 30, 1931, to be expended in accordance with the provisions of the Federal highway acts and all amendments thereof, and supplementary thereto.

SEC. 3. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

Under the rule the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5616) to amend the act entitled "An act to provide that the

United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, and had directed him to report the same back without amendment, with the recommendation that the bill do pass.

Under the rule the previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Upon motion of Mr. DOWELL, a motion to reconsider the vote by which the bill was passed, was laid on the table.

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 10 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. The gentleman from Virginia asks unanimous consent that all Members may have 10 legislative days in which to extend remarks on the bill just passed. Is there objection?

There was no objection.

Mr. PALMER. Mr. Speaker, the American system of government was shaped by human experience in widely separated lands and ages. The American political ideas, usages, and organizations began the development of our Constitution in 1789, and to the present day have been busily engaged in analyzing, one by one, the several Governments—National, State, and local—under which we live.

Aristotle said that man is a political animal. Certainly all of us live under governmental organization. It is government that constructs our highways, builds our schools, lays our sidewalks, guards us against contagious disease, protects us when we travel abroad, delivers our mail, and safeguards our life and property. And under our system of government it is the people who govern, through their representatives, what laws shall be made and who shall make them, what taxes shall be levied, how the revenue shall be spent, how large an army shall be maintained, and the many other regulations involved in our great system.

The progress of our people, the highly developed modern appliances, machinery, and inventions bring the need of changes in a great many of our governmental branches. It is the duty of the representatives of the people to meet these conditions and effect the proper and necessary improvements and changes. The national, State, and local governments must advance simultaneously; each must support the other in the strides of progress by carrying on its share of fundamental work and expenditures.

The automobile has come to be a mighty factor in the present age. Its importance is ever increasing. To-day there are approximately 4,500,000 people employed in the automobile industry, either directly or indirectly, who produce more than 4,500,000 automobiles, busses, and trucks each year. There are over 27,000,000 motor vehicles running upon the streets and highways of the United States. A million school children are transported daily to and from school by thousands of school busses. Millions of head of livestock are yearly hauled by truck to our great markets. The automobile is opening up new avenues of travel throughout our country.

What makes this marvelous motor industry possible?

There can be but one answer—good roads. Admitting the existence of other concurrent reasons, nevertheless, unless the road of travel were improved as it is to-day, they would be equal to nothing. There must be roads—good roads. Think what they mean to the farmer, the merchant, the manufacturer, the laborer, and all the people within the United States. Last year nearly \$3,500,000,000 was spent by automobile tourists in pleasure, education, and recreation.

Travel on the highways has grown almost beyond our conception. It calls for prompt attention to our road system. It has brought about a great change in the highway industry. Until 1912 roads throughout the United States were almost principally of local interest. From that year Congress began investigations of the road conditions, and on July 11, 1916, passed a bill authorizing appropriations for a period of years to aid the States in constructing roads. Since that time Congress has made authorizations and appropriations of over a billion dollars.

In 1921 Congress enacted the Federal-aid legislation in the hope of improving the roads from the farms to the market places. The great trucking industry of to-day is the result of this effort.

The bill before Congress at present is an enlargement of the Federal-aid program. The public wants improved highways, and is willing to pay for them. For several years past Congress has been appropriating \$75,000,000 yearly for the construction of roads, while the State and local governments have been

spending over \$1,600,000,000. This has not been just. The benefits of good roads are national as well as local, and, therefore, the Federal Government should assume its just share of responsibility in meeting the building costs.

I am greatly in favor of the present bill authorizing an appropriation of \$125,000,000 for the fiscal year ending June 30, 1932, and \$125,000,000 for the fiscal year ending June 30, 1933, and for the additional appropriation of \$50,000,000 for the fiscal year ending June 30, 1931, making a total of \$125,000,000 for this year.

This bill will greatly benefit labor in the construction of roads.

At this time I wish to call attention to the activities of the highway department in Missouri, my State. The present State highway commission was created by the centennial road law in 1921. At the same time, the 7,640-mile State highway system was designated. The main function of this commission was and is to construct and maintain the State system of roads. Money to carry on this work was to come from current revenues, Federal aid, and a bond issue of \$60,000,000. At the general election in November, 1924, an act was passed to establish a gasoline tax of 2 cents per gallon and increased the automobile license fees 50 per cent.

At the general election in 1928 a \$75,000,000 bond issue was voted. The adoption of this constitutional amendment marks the beginning of a new era in road building in Missouri. The State road program has been materially extended in its scope. There has been superimposed upon the centennial road law program the addition of some 5,000 to 8,000 miles of State supplementary roads—"farm-to-market roads"—300 additional miles of State roads, and the widening and building of additional roads in the congested sections around St. Louis and Kansas City.

This program up to 1937 will include a total of 15,026 miles of road construction, with an estimated expenditure of \$158,725,251. To date there have been 4,073 miles of hard-surfaced roads completed under the centennial road law system. These roads have caused an annual saving at this time of \$30,000,000.

During the biennial period, 1927-28, the source of each dollar of revenue was as follows: 41 cents from license fees, 31 cents from gasoline tax, 13 cents from bonds, and 13 cents from Federal aid. The total revenues amounted to \$41,231,405.23.

Missouri's 2-cent gasoline tax for State road purposes is lower than her neighboring States, yet during the last six years she has built more roads than all of her neighboring States combined, leaving out Illinois.

Mr. MOORE of Virginia. Mr. Speaker, this bill, which has just passed the House, it may be confidently predicted will pass the Senate without any very material change and receive the President's approval. Its enactment will be of distinct and undeniable value in assuring the continuance of the policy of Federal aid to the States in highway construction, which was initiated in 1916 in the administration of President Wilson, and which since then has been the subject of a good deal of discussion and some, though not important, adverse criticism. In view of the overwhelming sentiment of Congress, which reflects the overwhelming sentiment of the country, we are fortunate in now being able to assume that any serious question as to the wisdom of the policy has disappeared, and that the only question at this time receiving or hereafter to receive consideration has reference to the extent of the financial aid which from time to time may be supplied.

Under this bill, when it becomes a law, the total annual appropriations for use by the States will be raised from \$75,000,000 to \$125,000,000. In the period since 1916 the amount has never been less than the former sum except that it dropped for three years to \$50,000,000 and for one year to \$65,000,000. Having always been an earnest advocate of the policy, I proposed in the last Congress an increase to an annual total of \$150,000,000 and would gladly support such an increase now, but it has been thought by those who are most responsible for the legislation that, due to the uncertainty of Treasury receipts and expenditures in the near future, the increase should not go beyond what the bill contemplates.

What will this increase mean to the State of Virginia? For the fiscal year ending June 30, 1931, Virginia will be paid out of the \$75,000,000 appropriation the sum, in round figures, of \$1,429,000, whereas in the two following fiscal years it will be paid annually out of the \$125,000,000 appropriation the sum of \$3,382,000. The requirements of the law as to the basis of distribution, which have proved very satisfactory, and as to how much of the Federal money may be applied per mile of construction, about which there is some controversy, need not be detailed, nor is it necessary to say that Virginia is in position to meet the requirement relative to State money being furnished to take care of the residue of the construction cost per

mile. There may be incidentally noted this encouraging fact: That enlarged Federal appropriations, which are confined to roads included in the State highway system, will conceivably enable the State in cooperation with the counties to contribute more substantially toward the construction and improvement of roads not included in that system, very many of which are of primary importance to the people, and particularly the farmers, in reaching the shipping points and markets where their outgoing products and incoming freight are handled.

It is interesting to find, as illustrating how definitely the Federal aid policy has been accepted and established, with a fair prospect of appropriations being hereafter increased, that when the bill was taken up for consideration by the House Committee on Roads no opposition developed. Those who appeared before the committee gave the measure in all of its essentials their unqualified support. It is useless, inasmuch as they are so commonly known, to rehearse the facts and arguments that were presented in urging the constantly growing necessity of more and better highways, the tremendous advantages which they afford and the stimulus to local enterprise which results from Federal aid and cooperation. Anyone who may care to see it can probably obtain from his Representative in Congress a copy of the report of the statements which were submitted to the committee. It will be seen that the witnesses were united in the opinion that hardly any other legislation has been of such direct and widespread benefit to the country. They stressed the fact that it has served such a splendid purpose in encouraging highway construction throughout the United States, that the Federal appropriation has become a comparatively small percentage of the vast total which is now being expended in providing hard-surfaced roads. Though not of major importance, the point was made that the Government itself in conducting its activities, is a large participant in the benefits which accrue. We of course already know the use of the highways by the War and Navy Departments in moving troops and equipment from place to place. They are likewise used by other Government agencies. So far as their use by the Post Office Department is concerned, I insert letters addressed to me by the Postmaster General which were brought to the attention of the committee:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 11, 1928.

HON. R. WALTON MOORE,

House of Representatives.

MY DEAR MR. MOORE: In reply to your letter of the 7th instant in regard to the increased use of the highways throughout the country by reason of the extension of rural-delivery and star-route service since January 1, 1921, I beg to state that the records show the aggregate length of rural routes on January 1, 1921, was 1,158,362 miles, while on December 1, 1927, the aggregate length of such routes was 1,278,424 miles. This is an increase of 120,062 miles, or 10.36 per cent.

On January 1, 1921, the aggregate length of the star routes in operation was 149,816.34 miles, while on December 21, 1927, the length of such routes was 186,850.27 miles, an increase of 37,033.93 miles, or 24.72 per cent.

Very truly yours,

HARRY S. NEW, *Postmaster General.*

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 2, 1929.

HON. R. WALTON MOORE,

House of Representatives.

MY DEAR MR. MOORE: In reply to your letter of November 29, I take pleasure in informing you that as of November 1, 1929, the aggregate length of rural routes was 1,329,972 miles. The aggregate length of the star routes on the same date was 207,887.78 miles.

Very truly yours,

WALTER F. BROWN.

No one, however, inclined to the strictest construction view, doubts that the policy in question is constitutional, inasmuch as the Constitution expressly authorizes Congress to establish post roads; and as all of the highways to which Federal aid is applied are of that character. But heretofore there has been an objection now and then raised which is perhaps worth noticing for a moment. It has been argued that the Federal revenue, largely derived from the taxation of incomes, is paid in much greater volume by certain powerful States than by many other States, and that there is therefore some injustice to the former group in making appropriations to spread out among all the States. Those who have thus argued suggest that there would be more justice in leaving each State to carry on its work of highway construction without any Federal assistance. The utter fallacy of this argument was shown in 1921 when a bill similar to the present bill was under consideration. It was then pointed out that the great corporations located in such centers as New York, Chicago, Pittsburgh, and Boston,

and in States which pay a heavy percentage of the revenue derived from the taxation of incomes, draw from the other States the basic products of the forests, mines, and so forth, which enter into their business and create the earnings which are subject to taxation. In other words, the revenue that goes into the Treasury, while it is paid by corporations and individuals in the States of their residence, represents the taxation of earnings made possible in large measure by the resources of outside States. On this point I quote from an editorial which recently appeared in a great periodical:

Big business has to a considerable extent drained the financial resources of the Nation into a few cities. General Motors may have small plants in many small places, but financially the business heads up in cities like Detroit and New York. In consequence, the resources of the country pour their tribute into the Federal Treasury in the form of income taxes from the offices of great corporations in the great cities.

When the 1921 bill was under discussion this phase of the subject was emphasized by a compilation for the year 1919 showing in one column the per cent of production of basic articles in each State and in another column the per cent of Federal aid for highway construction allotted to each State. Without intending to elaborate, it may be well to give one or two examples: The State of New York produced in 1919 3.05 per cent of the total basic products of the country and received 5.13 per cent of the Federal-aid appropriation; Massachusetts produced 0.46 per cent of the basic products and received 1.52 per cent of the appropriation; Iowa produced 4.85 per cent of the basic products and received 2.98 per cent of the appropriation; Oklahoma produced 3.98 per cent of the basic products and received 2.38 per cent of the appropriation. It is not believed that anyone can study the statistics pertaining to this feature of the matter without reaching the conclusion that no argument can be more fallacious in opposition to Federal aid for highway construction or for many other purposes than that to which allusion is now being cursorily made.

I hope I will not be regarded as disregarding or loosely construing the Constitution when I express the opinion first that Congress has unlimited authority over the expenditure of the public revenue, and, second, as a corollary that Congress has unlimited authority to extend aid from the Treasury to the States in support of their governmental activities, the States, of course, being at liberty to accept or reject the aid that is offered. For a very long period Congress has exercised such authority, controlled by its conception of what is expedient and wise, and the Supreme Court has declined to take jurisdiction of cases involving the effort to check its exercise. I believe that it is far too late in the day to deny that Congress possesses this authority; that it is too late to entertain any thought of disrupting the numberless processes of the Federal Government having relation to purely Federal activities and relation also to the activities of the States, by way of aiding them, which to such a great extent have been built up and are dependent on appropriations, the validity of which can be denied only by those who take the extreme position that no revenue can be expended except to carry out some purpose specifically set forth in the Constitution and can not be expended to promote the general welfare. How much reversal and disruption would occur is suggested by calling attention to some of the appropriations which run counter to the opinion of those who would confine the expenditure of revenue within the limits of the comparatively few specific grants of power contained in the Constitution, as, for example, appropriations for farm relief in various directions, including loans to farmers in drouth-stricken areas, the prevention of floods and aid to those who have suffered therefrom, the control of animal, crop, and plant diseases, the promotion of public-health work, and so forth. Even if the court should hereafter do what it has heretofore declined to do, and pass on the question as to how far Congress can go, my conviction is that in construing the Constitution as conferring the power on Congress which it is now exercising, in that connection it would give great weight to the fact that the legislative branch of the Government has for generations assumed and acted on the theory that revenue is subject to its disposal, except in so far as there may be express prohibitions in the Constitution, as completely as is the revenue of England at the disposal of the English Parliament. Time has a quieting influence on controversy, and a court can not escape the bearing upon an important judicial controversy of the fact that a congressional practice complained of on whatever ground, has been in effect and constantly recognized by every Congress during a very long period. Decisions might be cited, if that were important, as evidence that our own court has sometimes given recognition heretofore to what perhaps might be called the doctrine of historical estoppel.

I am not one of those who believe that a weak State or State of average strength and perhaps a State upon which circumstances have placed the responsibility of serving a large percentage of its people in various ways who contribute hardly anything to its revenue, makes any sacrifice of its political independence or integrity or its future progress by accepting aid from the Federal Government for highway construction or for many other purposes which might be enumerated. Such a State does not by so doing make a surrender of any fundamental principle of "states rights." It does not subject itself to any threat that its rights will vanish. It does not place itself in what some one has spoken of as a "twilight zone." It is simply rendered more capable of vigorously and effectively conducting its activities which are, of course, in the main financed by revenue from State and local taxation, which in many States has become already so heavy as to be almost intolerable.

PAY OF ARMY, NAVY, MARINE CORPS, COAST GUARD, ETC.

Mr. MICHENER. Mr. Speaker, by direction of the Committee on Rules, I call up Senate Joint Resolution 7, for the appointment of a joint committee of the Senate and House of Representatives to investigate the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate Joint Resolution 7

Resolved, etc., That a joint committee to be composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make an investigation and report recommendations by bill or otherwise to their respective Houses relative to the readjustment of the pay and allowances of the commissioned and enlisted personnel of the several services mentioned in the title of this joint resolution.

Mr. MICHENER. Mr. Speaker, the purpose of this resolution is the appointment of a joint commission or committee consisting of five Members of the House and five Members of the Senate for the consideration of the inequalities and differences in the pay now allowed in the services of the enlisted and commissioned personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service. A similar resolution was passed several years ago and a study was made, but other conditions have arisen which made it advisable to have this whole matter given thorough consideration. This resolution was introduced in the House by Mr. JAMES, chairman of the Committee on Military Affairs. A similar resolution was introduced in the Senate by the chairman of the Committee on Military Affairs of that body. The Senate resolution passed the Senate unanimously. This resolution has the unanimous report of the Committee on Rules, and I know of no opposition to it. Does the minority desire any time?

Mr. BANKHEAD. Mr. Speaker, I would like to have six or seven minutes given to me.

Mr. MICHENER. I yield seven minutes to the gentleman from Alabama.

Mr. BANKHEAD. Mr. Speaker, there was no opposition to this resolution on the part of the minority of the Committee on Rules. Those of us who have been here for some little time know that for a number of years there has been great pressure brought to bear upon the Committee on Military Affairs, and the Naval Committee, and probably the Committee on Interstate and Foreign Commerce, to pass various proposals with reference to the readjustment of the pay and allowances of all the personnel involved in this resolution. There is no question in my mind that there are some very grave inequalities in the pay and allowances of this personnel that need readjustment and correction, and I imagine that probably about the best way to arrive at some definite conclusion with reference to a sound policy in regard to it is to set up a joint committee of this sort, although as a matter of general legislative practice I do not think that we get very far by this procedure.

There is one proposition involved here that we may as well recognize frankly right now. Whatever may be the result of the recommendations made by this select joint committee, in the long run I make the prediction now that if these recommendations are carried into effect they will involve a very substantial and possibly a tremendous increase in the amount of compensation that will have to be paid under the terms of these proposed bills, and we may as well get ready for that proposition at this time. This is but a preliminary step in that direction.

There is another proposition involved here that my attention was not called to when we had this matter up before the Committee on Rules. It may be that I am putting too strict a con-

struction upon the phraseology of this resolution, but I think it is worthy of consideration before we pass it. Is it in the contemplation of the chairman of the Committee on Military Affairs and the chairman of the Committee on Interstate and Foreign Commerce that the jurisdiction given to this joint committee under the resolution is intended to confer on that joint committee final jurisdiction to report a bill to the House of Representatives, to be acted on by the House, as if it were a report by a regular standing committee of this House?

That question is suggested by this language in the resolution, and I think it rather important before we pass the resolution that we have a clear understanding of the exact purpose of that language. I read from the resolution:

shall make an investigation and report recommendations by bill or otherwise to their respective Houses relative to the readjustment—

And so forth.

I imagine it was in contemplation only that their recommendations should be so concrete as to be recommended in the form of direct bills to be referred to the different committees of the House for consideration and action. I would like to know the construction of the gentleman from Michigan [Mr. JAMES] with reference to this proposition.

Mr. JAMES. Mr. Speaker, a similar resolution was introduced in 1920, and a similar joint committee appointed in 1920, consisting of five Members of the House and five Members of the Senate. The House committee consisted of the gentleman from Illinois, Mr. McKenzie; the gentleman from Connecticut, Mr. Tilson; the gentleman from South Carolina, Mr. Byrnes; the gentleman from Indiana, Mr. Kraus; and the gentleman from Alabama, Mr. Oliver.

I understand it was their option at that time to report their findings or a bill, and in that case they reported a bill which went on the calendar and these five gentlemen had charge of that legislation before the House.

Mr. BANKHEAD. My interpretation is that if this committee desires to do so they may assume the jurisdiction of preparing and filing a bill from this committee to go directly to the calendar of the House.

Mr. JAMES. I understand that that was what was done at that time, and I think this is the same phraseology.

Mr. BANKHEAD. I think it is important to have that question cleared up, because if that is the case, these big committees are surrendering here their final jurisdiction over this legislation, and it is a matter that ought to be considered carefully before we agree to this resolution. I would like to have the opinion of the gentleman from Connecticut on that.

Mr. TILSON. Will the gentleman yield for that purpose?

Mr. BANKHEAD. Yes.

Mr. TILSON. The point to this resolution is that the subject matter is just one single thing, the pay, although it applies to a number of different services which ordinarily come under the jurisdiction of different committees of this House. But we touch only the one point in each of these services, and that is the pay. Therefore it is a matter that ought to be considered by one committee rather than by half a dozen committees, so that that one committee may adjust the pay of all the different services to the satisfaction of all, and it is not satisfactory to all unless they are fair and equal.

Mr. BANKHEAD. Does the gentleman's construction agree with the statement made by the gentleman from Michigan, Mr. JAMES?

Mr. TILSON. What was done in that case was this: The resolution under which we were originally appointed did not contain the words "report — by bill." It directed us to report recommendations.

When we reported our recommendation to the House in the form of a bill, immediately the Speaker referred it to this same committee of five—that is, the House Members of the joint committee. We met formally and promptly reported back to the House the very bill that Mr. McKenzie had introduced as an individual embodying our recommendations.

Mr. BANKHEAD. So that under this construction of the majority leader, under this resolution the select committee, so far as the House Members are concerned, will have authority to report a finished bill back to the House?

Mr. TILSON. Yes. I think that was the purpose in mind in putting in the word "bill," so that there would be no question about it.

Mr. BANKHEAD. I hope the members of the committee and the Members of the House will understand it.

Mr. BRITTEN. I would like the House and the gentleman from Alabama to understand that the Committee on Naval Affairs does not surrender any of its jurisdiction by the passage of this resolution. This resolution provides for only one thing, namely, an investigation and a recommendation. It does not

refer to the preparation and presentation and consideration of the bill by that committee.

Mr. BANKHEAD. If that is the construction of the gentleman from Illinois, there ought to be a meeting of minds between him and the gentleman's leader, so that hereafter there will be no confusion.

Mr. BRITTEN. Let me read a few words from the resolution:

That this subcommittee shall make an investigation and report recommendations by bill or otherwise.

It merely reports its recommendations to the Speaker of the House.

Mr. GARNER. Mr. Speaker, I want to suggest to the gentleman from Alabama that this matter may be cleared up by submitting a parliamentary inquiry to the Speaker.

Mr. BANKHEAD. Yes. I want to reserve five minutes of my time and submit this parliamentary inquiry to the Speaker of the House: Conceding that this resolution will be adopted, to what committee can the joint committee make recommendations as to the pay and allowances of the personnel of the Army and Navy and Coast Guard and report a bill to that committee? Would that joint committee have jurisdiction to report a bill to the House under the rules without the necessity of first having such a report submitted to the standing committees of the House having jurisdiction of the subject matter? I submit that as a parliamentary inquiry to the Speaker, if it is permissible at this stage.

Mr. SNELL. As I understand it, there was a direct decision on the question by former Speaker Cannon that is absolutely applicable to the present situation and came about in the same way.

There is no question but that, under this resolution, the House Members of the joint committee can report a bill to the House for consideration by the House. This resolution, as presented by the House, is exactly as introduced by the chairman of the Committee on Military Affairs, and exactly as the resolution that came over from the Senate, and the only people who have been specially interested in reporting it out are the members of the Naval and Military Affairs Committees. The Committee on Rules did not draw this resolution, but took it as it came to us, and, under the terms of the resolution, there is absolutely no doubt but that the House Members of the joint committee can present a bill here containing their recommendations, and that that bill may go on the calendar and be considered.

Mr. HOWARD. Mr. Speaker, will the gentleman yield for a question?

Mr. SNELL. Surely.

Mr. HOWARD. Under these circumstances, could a majority of the committee report a bill on their own account, or a bill that was approved by the Senate Members also?

Mr. SNELL. I think they would agree before they made their recommendations.

Mr. HOWARD. It seems to me that would deprive the regular constituted committees of their rights.

Mr. SNELL. I do not think in this case it would materially infringe on the rights of the standing committees. This whole proposition would involve three committees, namely, the Committee on Interstate and Foreign Commerce, the Committee on Military Affairs, and the Committee on Naval Affairs; and the reason why this is necessary is that heretofore these various committees have never agreed about the salaries paid in the different branches of the services.

Now, as I understand it, this bill is intended to coordinate these services, and when we get through we will have something fair and right, and this special committee will report it to the House.

Mr. HOWARD. If the gentleman from New York says the members of the Senate committee would be consulted and an agreement reached with them as to legislation, would not that be giving another body some power or advantage over the proceedings of our body?

Mr. SNELL. I do not quite understand the gentleman.

Mr. HOWARD. Well, in the absence of the requisite knowledge on the part of the chairman of the Committee on Rules, I can go no further. [Laughter.]

Mr. BANKHEAD. Mr. Speaker, inasmuch as this parliamentary question has been suggested, I would like to have more time.

Mr. SNELL. I will yield to the gentleman more time.

Mr. BRITTEN. When the Committee on Naval Affairs acted upon this resolution—and they acted upon it unanimously—it was of course on the basis that any recommendation made by this joint committee of ten would of course be considered by the

Committee on Naval Affairs and the Committee on Military Affairs and the Committee on Interstate and Foreign Commerce. It is a part of the recommendation. The question, as I see it under this rule, is not a question of reporting a bill, but a question of reporting a recommendation.

Mr. SNELL. Did the gentleman read the resolution?

Mr. BRITTEN. Yes. It says very clearly, "by recommendation."

Mr. SNELL. It says, "by bill or otherwise."

Mr. MICHENER. This resolution provides for either one of two things. It provides that the committee shall report either "by bill or otherwise." If it reports by bill, then that bill takes its position on the calendar. If it simply recommends, then the committee loses its vitality when the report is filed.

I think the precedent suggested by the gentleman from Connecticut [Mr. TILSON] is a bad precedent. I think it would be a violation of the rules of the House. I see no reason why a committee appointed to make an investigation and recommendation which has reported in accordance with the terms of the resolution creating it should later have referred to it a bill the subject matter of which is within the jurisdiction of one of the standing committees of the House. If the committee reports by bill, it is reasonable to assume that it may function further in the presentation of the proposed legislation to the House. If the committee reports recommendations only, then its purpose has been performed and then its recommendations must go before the regular standing committees of the House. I believe that is sound logic and I believe that is in keeping with every precedent of the House with the exception of the one referred to. The Muscle Shoals resolution is hardly a precedent; it provided that the committee should report by bill and it gave that bill a privileged status on the floor.

Mr. BANKHEAD. In that connection may I ask the gentleman a question?

Mr. MICHENER. Yes.

Mr. BANKHEAD. I think it will be admitted that this resolution is an effort to change the standing rules of the House, certainly as far as it deals with this question.

Mr. MICHENER. In effect it would do that.

Mr. BANKHEAD. And, although it is not set out in the terms of the resolution itself that a bill reported by the select committee will have a privileged status, does not the language of the resolution itself, by changing the standing rules of the House, confer a privileged status upon such report?

Mr. MICHENER. No. My interpretation of the resolution is this: That if this committee reported by a bill, that bill would be placed on the calendar of the House in its proper place, but that no privilege would be given to the bill. On the other hand, if the committee saw fit to report simply recommendations, then those recommendations would go to the standing committees of the House. Now, right in that connection, as a matter of expediency, I think we are all agreed that it would be much better to refer all of these matters to one committee than to have several committees consider the same matter, if we are attempting to get anywhere, but I am speaking now entirely about the parliamentary situation.

Mr. GARRETT. I will ask the gentleman this question, which is probably in the form of a parliamentary inquiry: You have a joint committee of the House and of the Senate, consisting of five Members of each. Just how is that joint committee going to get a bill into the House? Who is going to introduce it after they make their report?

Mr. MICHENER. Any member of the joint committee who is a Member of the House, following the previous precedent, would be permitted to introduce the bill.

Mr. GARRETT. He would introduce the bill as one Member of the House. The gentleman says any member of the committee who is a Member of the House could introduce the bill, a bill which carries with it the recommendations of the joint committee, or a part of the joint committee. Now, suppose he should introduce a bill that was not satisfactory to the people affected. Then you would have hearings before this special committee, and not before any standing committee of the House?

Mr. MICHENER. This is a special committee. This committee would investigate this proposition and hearings would be held. Then, after the investigation, including the hearings, the committee reports a bill to the House, and to that extent the functions of the regular committees of the House have been done away with in connection with the reporting of this particular bill.

Mr. GARRETT. Then where would that committee come in on a call of the committees of the House to get this legislation up, if you did not have a rule?

Mr. MICHENER. It would require a rule, in my judgment.

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

Mr. MICHENER. Yes.

Mr. McSWAIN. This resolution, as I understand it, undertakes to set up a joint committee of both bodies, a committee consisting of 10, 5 from each House. That joint committee would, as all such legislative bodies must, function by a majority. Suppose a majority consisting of the five Senators and one Member of the House agreed upon a majority report to both Houses in favor of certain action and the other four members of the committee, Members of the House, dissented; where would the joint committee's report be in the House?

Mr. MICHENER. That is a rather difficult question to answer and I can give no definite answer. I might say to the gentleman that my personal feeling is this: I have always been opposed to these joint commissions in so far as possible. There come times, however, when commissions of this kind seem necessary for the proper functioning of the House, and I think that is a general answer to the gentleman's question.

Mr. GARNER. Will the gentleman yield?

Mr. MICHENER. Yes.

Mr. GARNER. Do I understand that this is brought about on account of inefficiency and want of statesmanship existing in the Naval Affairs Committee, the Military Affairs Committee, and the Committee on Interstate and Foreign Commerce? I see the chairmen of these committees present. They are yielding their jurisdiction to consider the question of how much they will pay naval officers, marine officers, soldiers, and others connected with the service. Now, is that on account of the want of statesmanship?

Mr. MICHENER. No; it is not on account of anything of the kind, but I think it is on this account: After the World War we found various services considerably complicated as to the pay in the various ranks. We have attempted down through the years to iron out these things by reporting bills from the several committees. Now, as a matter of fact and practically speaking, just as soon as the Naval Affairs Committee brings in a bill correcting some of the inequalities affecting their service, it is immediately found that in the Army there is some similar inequality. That brings another bill. Then there is the Coast Guard, the Coast and Geodetic Survey, the Lighthouse Service, and others, and it was thought by all the departments interested that if these various committees through their representatives in the House and Senate were to get together, lay their cards on the table, and figure this thing out it could be done more efficiently.

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

Mr. MICHENER. Yes.

Mr. GARNER. The three committees I have mentioned, the Naval Affairs Committee, the Military Affairs Committee, and the Committee on Interstate and Foreign Commerce, would have jurisdiction of the question that will be involved in this special committee.

Would it not be a better practice if we appointed three members or five members from each of these committees for the purpose of considering this legislation, with a view to bringing a bill into the House to be considered in the regular order and then sent to the other body and let them deal with it as they saw fit, rather than to create a joint committee, which would have to be a small representation of this House—only five Members—to consider such important legislation, whereas five members from each of these three committees would mean 15 members who could give it intelligent consideration, report it back to the House of Representatives, and we could consider it in due order and send it to the other body and let them handle it as they thought proper.

Mr. SNELL. Will the gentleman yield to me?

Mr. MICHENER. Yes.

Mr. SNELL. I want to say to the gentleman from Texas that the chairmen of the very committees he is so very solicitous about at this time are the very members who introduced this resolution and came to the Rules Committee and asked us to pass it, and we did primarily on their recommendation.

Mr. GARNER. I notice the gentleman from Illinois [Mr. BRITTEN] did not understand the resolution.

Mr. SNELL. I know the gentleman from Illinois came before our committee and asked us to pass it, and if the gentleman from Illinois did not read and understand the resolution that is his mistake and not mine.

Mr. BRITTEN. The gentleman from Illinois did read the resolution, and the resolution is now the subject of considerable controversy on the floor of the House. The question arises from the use of the word "recommendations." Does that mean a bill, and, if it is to be a bill, is the committee of five solely in control of the bill, or would it go to the various committees of

the House that usually take care of matters of this kind? I contend the word "recommendations" does not mean a bill. This rule does not say they shall report a bill which will be final. It is to be a recommendation by a bill. I read the resolution, and it is very clear to me that the Committee on Naval Affairs is not surrendering any of its rights.

The SPEAKER. The Chair is prepared to rule.

The Chair thinks the first question to be determined is whether in cases of joint committees a part of such joint committee may report to one House and a part to the other.

The Chair recalls some years ago this matter was under debate, and the Chair recalls the general practice was that a joint committee could not divide into sections and report to its respective Houses, and that side of the question was forcefully argued by the gentleman from Illinois, the late Mr. James R. Mann. However, the question was directly decided by Mr. Speaker Cannon on January 7, 1907 (Hinds' Precedents, IV, 4432). The question was raised as to the right of the Members on the House side of a joint committee to report directly to the House itself, and the Speaker held:

A joint committee, as the Chair understands it, can report to either House; that is, the section of the committee composed of Members of the House may report to this House and the section of the committee on the part of the Senate may report to the Senate—

Which disposes of that question.

There are only two precedents of which the Chair is aware which cover this question on which the Speaker is asked to give his opinion to-day.

In 1920 a joint committee to examine into the precise question was created. The gentleman from Connecticut [Mr. TILSON] was a member of it. It was an act to increase the efficiency of the commissioned and enlisted personnel of the Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and provided for a special joint committee, to be composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House, and further provided:

It shall make an investigation and report recommendations to their respective Houses not later than the first Monday in January, 1922, relative to a readjustment of the pay and allowances of the commissioned and enlisted personnel of the several services herein mentioned.

This is precisely the language of the present resolution which we are considering except it provides not only that the joint committee may report recommendations but adds "shall make investigation and report recommendations by bill or otherwise." In other words, in so far as the right to report a bill is concerned, the language of this resolution confers even greater jurisdiction than the resolution of 1920.

Now, what happened in the case of the resolution of 1920? That committee sat and had hearings and a bill was introduced by Mr. McKenzie, a member of that committee. The bill was referred by the Speaker back to the committee set up under that act, and that committee reported a bill and it was referred to the calendar and a special rule was had for its consideration and it was agreed to and the bill was passed.

In that case, whether the committee properly had jurisdiction to report the bill or not, that jurisdiction was actually conferred upon it by the reference of the bill by the Speaker. That of itself conferred jurisdiction on the committee to report a bill.

In this case, while the Chair is expressing no opinion as to the merits of the question, as to whether this committee should go further than merely to report recommendations which might be referred to the various committees having charge of the subject matter, the Chair is of the opinion that if some member of this committee, under the wording of this resolution, should see fit to introduce a bill, it would be the duty of the Chair, acting under the precedent just quoted, to refer that bill back to this special committee, and then such disposition could be made of it thereafter as they deemed proper.

The Chair wants to add that if, on the contrary, instead of some Member introducing a bill and then having that bill referred by the Speaker back to the committee, the committee saw fit to report a bill as a committee, that bill would have the right to go on the calendar and would be referred to the calendar.

Mr. BRITTEN. Mr. Speaker, a parliamentary inquiry.

Mr. BANKHEAD. Well, Mr. Speaker, I do not think the gentleman can take me off the floor by such an inquiry. I want to make a brief statement and then yield to the gentleman from Texas. I am glad the Speaker has clarified the question and made plain just what this resolution means. If you are not in favor of parting with the jurisdiction conferred

upon this joint committee by this resolution, and which has been clarified by the ruling of the Speaker, the only way you can remedy it is to vote down the previous question, and then it can be amended by striking out the words "by bill or otherwise."

Now I yield to the gentleman from Texas.

Mr. GARNER. Mr. Speaker, under the ruling of the Chair, I want to ask you gentlemen if you want to function in this matter. I want to say that I am opposed to joint committees. I do not think it is a good parliamentary method of considering legislation. If you three gentlemen—and your colleagues on this side—are really anxious to solve the problem and pay these various people that you have jurisdiction over, why can not you let this resolution pass by without adopting it, and adopt a resolution authorizing five members from each committee to consider the question, and authorize them to report as a joint committee a bill on the subject? Why do you want to create a joint committee and take up the obligations of another body? This House of Representatives is capable of legislating. We have as much statesmanship as they have there. We have as much industry, we have as much patriotism, and, I believe, we can legislate for ourselves and send it over there and let them do likewise and not create a joint committee of the House and the Senate.

Mr. PARKER. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. PARKER. Is not the object to coordinate and pay these various departments?

Mr. GARNER. Yes.

Mr. PARKER. If three committees are going to decide it, do you think you can get as good coordination as you can by one?

Mr. GARNER. Certainly; 5 men from each committee will make 15 men, and they can report a bill to this House. You can introduce it and pass it in the House of Representatives and send it over to the other body. Why do you not adopt that method?

Mr. TILSON. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. TILSON. What about the other members of the committees—they are not allowed to function?

Mr. GARNER. They are represented by their own members.

Mr. TILSON. It seems to me that you are doing the same thing to the other members of these several committees that you complain of here.

Mr. BANKHEAD. I yield five minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, I wish to call attention to an omission in this resolution which I am sure has been caused by inadvertence. As I understand, the resolution brings within its scope all of the services that are a part of the military forces during war.

The omission I speak of is the absence of any reference to the Lighthouse Service. Under the act of Congress of 1917 that service by Executive order became a part of the military service during war, and it actually became a part during the World War. I am wondering if the gentleman from Michigan, in charge of the resolution, will not ask unanimous consent to correct this very important error by including the Lighthouse Service?

Mr. MICHENER. Mr. Speaker, in answer to the gentleman from North Carolina, I will say that the resolution was presented to the Committee on Rules with the indorsement of the several committees of the House having jurisdiction over the subject matter. The Lighthouse Service was not mentioned, and it was not included. The Committee on Rules accepted the resolution as it was presented to us. Since the gentleman has called our attention to the matter it has been taken up with the chairmen of the respective committees, and I am advised that they all agree that the Lighthouse Service should be included.

While I have no authority to speak for the Rules Committee, I am sure it was the intention of the committee to report out a resolution that would include all of the services similarly affected, and I see no reason why the amendment should not be adopted.

Mr. WARREN. I greatly appreciate the attitude of the gentleman from Michigan.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. RAYBURN. The gentleman from Michigan [Mr. MICHENER] said, "with the consent of the various committees." This matter was never mentioned in our committee.

Mr. MICHENER. I said with the consent of the chairmen of the various committees.

Mr. RAYBURN. The gentleman by inadvertence said committees. This matter was never mentioned in the Committee on Interstate and Foreign Commerce.

Mr. MICHENER. Then I misspoke.

Mr. BANKHEAD. Mr. Speaker, in view of the statement made by the gentleman from North Carolina [Mr. WARREN], I ask unanimous consent of the acting chairman of the Committee on Rules, the gentleman from Michigan [Mr. MICHENER] may be permitted to offer the amendment suggested by the gentleman from North Carolina without yielding the floor.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Mr. Speaker, this is a peculiarly drawn resolution. The various services are mentioned only in the title of the joint resolution. As I recall the rules of the House, the title to a joint resolution or bill can be amended only after the joint resolution or bill has been passed. If that is true, then would it not be proper to agree to the joint resolution, and after the joint resolution is agreed to then ask unanimous consent to amend the title?

The SPEAKER. That would be the proper procedure.

Mr. MICHENER. Then, Mr. Speaker, if there is no further debate, I move the previous question.

Mr. BRITTEN. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. MICHENER. Yes.

Mr. BRITTEN. Evidently, from the decision of the Chair, there was no comment and no objection when the Speaker in 1920 referred the bill that was reported by that special joint committee directly back to that joint committee. In other words, no contention was made at the time by anyone on the floor that that bill should go to the proper House committee.

The SPEAKER. The proceeding in that case was that not the committee itself, but a member of the committee, Mr. McKenzie, then chairman of the Committee on Military Affairs, introduced the bill and Mr. Speaker GILBERT referred the bill back to the joint committee.

Mr. BRITTEN. Was any contention made at the time that that bill should not go to that joint committee, but should go to various committees of the House?

The SPEAKER. The Chair does not recall any, and thinks there was not.

Mr. GARRETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. How long would this joint committee live, in a parliamentary sense, after it had made its report to the House?

The SPEAKER. As soon as it makes its report it expires.

Mr. GARRETT. If the committee expires when it makes its report and a bill is reported and goes on the calendar and then is referred to the committee, but by what process is the committee kept alive or resuscitated from the time it dies?

The SPEAKER. In the former case the committee had not made its report when the bill was introduced. It is very easy for the committee to avoid that calamity.

Mr. MICHENER. Mr. Speaker, I move the previous question on the joint resolution.

The previous question was ordered.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

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

The question was taken; and on a division (demanded by Mr. GARNER) there were—ayes 96, noes 40.

So the joint resolution was agreed to.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to amend the title by inserting after the comma following the word "survey," in line 5 of the title, the words "Lighthouse Service."

The SPEAKER. The Clerk will report the amendment to the title as suggested by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. MICHENER: Line 5 of the title, after the comma following the word "survey," insert "Lighthouse Service."

Mr. TILSON. Mr. Speaker, reserving the right to object, is the gentleman from North Carolina [Mr. WARREN] quite sure that this ought to be done? Should they be included with the military services? Of course, I wish to do the right thing toward the Lighthouse Service.

Mr. WARREN. This is the only service not included in this resolution, and this will include all of the military forces used during the war.

Mr. HALE. Has the Lighthouse Service been given military rank? All these other services included in this resolution are included because military rank has been established in those services. It is my information, though I may be in error, that there has been no military rank established in the Lighthouse Service. If that is true, before they are brought into this joint resolution there should be a military rank established in the service by a separate piece of legislation.

Mr. HOUSTON of Hawaii. Has this been asked for by the Lighthouse Service?

Mr. WARREN. I can not answer that question.

Mr. HOUSTON of Hawaii. Does the gentleman know that the men in the Lighthouse Service who correspond to the enlisted personnel of other services will lose money by the passage of this resolution?

Mr. WARREN. Of course, I know no such thing.

Mr. HOUSTON of Hawaii. I believe that is the fact.

Mr. WARREN. I can assure the Delegate from Hawaii that will not be the fact. It is a fact that the Lighthouse Service was taken over under Executive order of the President during the World War.

Mr. TILSON. That is correct, but how about it in time of peace?

Mr. WARREN. In time of peace, of course, it is not; nor is the Coast and Geodetic Survey nor the Public Health Service. The gentleman must know that one of the greatest lightships in the world was torpedoed off Cape Hatteras by a German submarine during the World War.

Mr. TILSON. My only inquiry is whether it belongs in there or not. If it does, I would like to see it in.

Mr. WARREN. The Coast and Geodetic Survey also ought to get in.

Mr. MICHENER. If this amendment is adopted, the resolution must go back to the Senate. If it goes back to the Senate and if it is found that the Lighthouse Service should not be included, then it can be taken out in the Senate. So far as the Committee on Rules is concerned, we are ready to include in this resolution what these service committees asked us to include. The chairman of the Committee on Interstate and Foreign Commerce, which has control of the Lighthouse Service, has asked for this amendment. I assume that he knows about the matter.

Mr. PARKER. I think this ought to be included because, as the gentleman from North Carolina [Mr. WARREN] says, this service all along the Atlantic coast was taken over during the war. While I am not entirely familiar with the proposition, before the amendment is adopted in the Senate I will assure the House whether the Interstate and Foreign Commerce Committee are going to do any injustice or not. I hope no one will object to the inclusion of this meritorious service.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER] to amend the title as suggested?

There was no objection.

LEAVE OF ABSENCE

Mr. COYLE, by unanimous consent, was granted leave of absence for to-morrow, Wednesday, on account of business of his district.

PRESIDENT'S MESSAGE—INTER-AMERICAN CONFERENCE ON BIBLIOGRAPHY (H. DOC. NO. 262)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted to authorize an appropriation of \$5,000 for the expenses of participation by the United States in the Inter-American Conference on Bibliography, to be held at Habana, Cuba, on February 26, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, January 21, 1930.

PERMISSION TO ADDRESS THE HOUSE

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on Thursday immediately after the remarks of the gentleman from Louisiana [Mr. ASWELL].

The SPEAKER. The gentleman from New York asks unanimous consent to address the House on Thursday for 20 minutes immediately following the remarks of the gentleman from Louisiana [Mr. ASWELL]. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House on Thursday for 20 minutes subsequent to the remarks of the gentleman from New York [Mr. SROVICH].

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 20 minutes on Thursday following the remarks of the gentleman from New York [Mr. SROVICH]. Is there objection?

There was no objection.

ENROLLED BILL SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6125. An act authorizing and directing the Secretary of War to lend to the Governor of Mississippi 250 pyramidal tents, complete; fifteen 16 feet by 80 feet by 40 feet assembly tents; thirty 11 feet by 50 feet by 15 feet hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Biloxi, Miss., in June, 1930.

The SPEAKER announced also his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 581. An act granting the consent of Congress to the Jerome Bridge Co., a corporation, to maintain a bridge already constructed across the Gasconade River near Jerome, Mo.;

S. 967. An act granting the consent of Congress to the construction of a highway bridge across the Hudson River between the cities of Albany and Rensselaer, N. Y.;

S. 1752. An act to grant extensions of time on oil and gas prospecting permits;

S. J. Res. 115. Joint resolution authorizing the appointment of an ambassador to Poland; and

S. J. Res. 118. Joint resolution to authorize additional appropriations for the relief of Porto Rico.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 22, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, January 22, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE TERRITORIES

(10 a. m.)

To consider bills affecting Alaska and Hawaii.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

(10.30 a. m.)

To transfer to the Attorney General certain functions in the administration of the national prohibition act, to create a Bureau of Prohibition in the Department of Justice. (H. R. 8574.)

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To amend section 407 of Title IV of the merchant marine act of 1928. (H. R. 8715.)

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10 a. m.)

To consider legislation concerning persons of the Western Hemisphere who wish to come to the United States.

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

For the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor (H. R. 159).

COMMITTEE ON APPROPRIATIONS

(2 p. m.)

Independent offices appropriation bill.
Navy Department appropriation bill.
Deficiency appropriation bill.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend section 9 of the Federal reserve act (H. R. 8877).

To amend sections 6 and 9 of the Federal reserve act (H. R. 8878).

EXECUTIVE COMMUNICATIONS, ETC.

280. Under clause 2 of Rule XXIV, a letter from the past adjutant general of the Grand Army of the Republic, transmitting the journal of the Sixty-third National Encampment of the Grand Army of the Republic, held at Portland, Me., September 8 to 13, 1929, which is submitted pursuant to Public Resolution No. 25, Sixty-eighth Congress, approved June 26, 1924 (H. Doc. No. 218), was taken from the Speaker's table and referred to the Committee on Military Affairs and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. KAHN: Committee on Military Affairs. H. R. 2021. A bill to authorize the establishment of boundary lines for the March Field Military Reservation, Calif.; without amendment (Rept. No. 288). Referred to the Committee of the Whole House on the State of the Union.

Mr. FISH: Committee on Foreign Affairs. S. J. Res. 40. A joint resolution authorizing and requesting the President to extend invitations to foreign governments to be represented by delegates at the International Congress for the Blind to be held in the city of New York in 1931; without amendment (Rept. No. 289). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. H. R. 1485. A bill for the relief of Arthur H. Thiel; without amendment (Rept. No. 286). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 1502. A bill for the relief of Arthur Daniel Newman; without amendment (Rept. No. 287). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLAN: A bill (H. R. 8912) to amend an act of Congress approved March 4, 1927, as amended by an act, May 23, 1928; to the Committee on Military Affairs.

By Mr. CHRISTOPHERSON: A bill (H. R. 8913) to amend the national prohibition act; to the Committee on the Judiciary. Also, a bill (H. R. 8914) to provide for summary prosecution of slight or casual violations of the national prohibition act; to the Committee on the Judiciary.

By Mr. BRIGHAM: A bill (H. R. 8915) to amend section 12 of the Federal farm loan act, as amended; to the Committee on Banking and Currency.

By Mr. CABLE: A bill (H. R. 8916) to create a Federal air commerce board to regulate interstate commerce by air carriers operating as common carriers of persons and property; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZPATRICK: A bill (H. R. 8917) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. EATON of New Jersey: A bill (H. R. 8918) authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city; to the Committee on Public Buildings and Grounds.

By Mr. GREEN: A bill (H. R. 8919) to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in one of the States of the Southeast; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 8920) to set aside certain lands for the Leech Lake Band of Chippewa Indians in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 8921) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians; to the Committee on Indian Affairs.

By Mr. FITZGERALD: A bill (H. R. 8922) to authorize the issue of postage stamps in commemoration of the sesquicentennial of the surrender of Cornwallis at Yorktown; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 8923) to authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial of the surrender of Cornwallis at Yorktown; to the Committee on Coinage, Weights, and Measures.

By Mr. SUMNERS of Texas: A bill (H. R. 8924) to authorize compacts or agreements between States relating to service of process and production of witnesses in criminal cases; to the Committee on the Judiciary.

By Mr. ZIHLMAN: A bill (H. R. 8925) to require contractors and subcontractors submitting bids for construction of public works of the United States to specify the scale of wages to be paid for certain occupations, and for other purposes; to the Committee on Labor.

By Mr. JOHNSON of South Dakota: Joint resolution (H. J. Res. 222), for the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war; to the Committee on Rules.

By Mr. PORTER: Joint resolution (H. J. Res. 223) to provide for the expenses of participation by the United States in the International Conference for the Codification of International Law in 1930; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BACHARACH: A bill (H. R. 8926) directing the Court of Claims to reopen the case of the city of Cape May, N. J., v. The United States (No. E-618), and readjudicate the issues therein upon the pleadings and the evidence heretofore submitted to said court in said cause; to the Committee on War Claims.

By Mr. BACON: A bill (H. R. 8927) for the relief of the children of William Wheeler Hubbell and his wife, Elizabeth Catherine Hubbell, both deceased; to the Committee on Claims.

Also, a bill (H. R. 8928) granting a pension to Evelyn R. Smith; to the Committee on Pensions.

Also, a bill (H. R. 8929) to authorize Lieut. Commander Edward O. McDonnell, United States Naval Reserve, to accept certificate and distinguished-service cross from the Italian Government; to the Committee on Naval Affairs.

By Mr. BARBOUR: A bill (H. R. 8930) for the relief of Dennis H. Sullivan; to the Committee on Military Affairs.

By Mr. BOWMAN: A bill (H. R. 8931) granting a pension to Jethro Davis, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8932) granting an increase of pension to Sina M. McElroy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8933) granting an increase of pension to Jennie C. Nordeck; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 8934) granting a pension to Carrie S. Favell; to the Committee on Invalid Pensions.

By Mr. CONNOLLY: A bill (H. R. 8935) granting a pension to Magelen Short; to the Committee on Invalid Pensions.

By Mr. EATON of Colorado: A bill (H. R. 8936) authorizing the promotion on the retired list of the Navy, of Stuart L. Johnson, ensign; to the Committee on Naval Affairs.

By Mr. ELLIS: A bill (H. R. 8937) granting a pension to Elijah T. Slaughter (with accompanying papers); to the Committee on Invalid Pensions.

Also, a bill (H. R. 8938) granting a pension to Flora I. Barbour (with accompanying papers); to the Committee on Pensions.

By Mr. EVANS of California: A bill (H. R. 8939) granting a pension to Florence Harding; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 8940) granting an increase of pension to Green Turner; to the Committee on Pensions.

By Mr. FULMER: A bill (H. R. 8941) to extend the benefits of the employees' compensation act of September 7, 1916, to Daniel C. Jeffcoat, a former employee of the Government as rural carrier; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 8942) to reimburse the William L. Gilbert Clock Co. for revenue erroneously paid; to the Committee on Claims.

By Mr. GUYER: A bill (H. R. 8943) granting a pension to Perry O. Buck; to the Committee on Pensions.

Also, a bill (H. R. 8944) granting a pension to John Davis; to the Committee on Pensions.

Also, a bill (H. R. 8945) for the relief of Arthur Moran; to the Committee on Claims.

By Mr. HOFFMAN: A bill (H. R. 8946) authorizing preliminary examination and survey of Compton Creek, Monmouth County, N. J.; to the Committee on Rivers and Harbors.

By Mr. HOPE: A bill (H. R. 8947) for the relief of Rosa E. Plummer; to the Committee on Claims.

By Mr. HOUSTON of Delaware: A bill (H. R. 8948) granting an increase of pension to Bridget E. Morgan; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 8949) providing for the appointment of Julia Johnston as a warrant officer, Quartermaster Corps, United States Army; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 8950) granting a pension to Thomas J. Miller; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 8951) granting an increase of pension to Phebe De Moranville; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 8952) granting an increase of pension to Barbera E. Black; to the Committee on Invalid Pensions.

By Mr. MANSFIELD: A bill (H. R. 8953) for the relief of Thomas C. Edwards; to the Committee on War Claims.

By Mr. MOREHEAD: A bill (H. R. 8954) granting a pension to Annis M. Lagel; to the Committee on Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 8955) for the relief of Doshia L. Bass; to the Committee on Claims.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 8956) granting an increase of pension to Mary Grogan; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 8957) granting an increase of pension to Maggie Hastaday; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 8958) for the relief of certain employees of the Alaska Railroad; to the Committee on the Territories.

By Mr. YATES: A bill (H. R. 8959) granting an increase of pension to Annie R. Brooker; 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:

3334. By Mr. BACON: Petition of the Federal Bar Association of New York, New Jersey, and Connecticut, in favor of a separate Federal courts building in the Borough of Manhattan, New York City; to the Committee on Public Buildings and Grounds.

3335. By Mr. BARBOUR: Petition of residents of Porterville, Calif., urging enactment of legislation increasing pensions of Spanish War veterans; to the Committee on Pensions.

3336. By Mr. BOYLAN: Petition of Izaak Walton League of America, opposing the Ouachita bill (S. 1494); to the Committee on the Public Lands.

3337. Also, petition from the Brooklyn Children's Museum, the Haaren High School, New York City, and others, favoring the bald eagle protection bill; to the Committee on Agriculture.

3338. Also, petition signed by Henry T. Peek, Smithtown, Long Island, branch of the National Committee on Wild Life Legislation, favoring the American eagle protection bills (S. 2908, by Senator NORBECK, and H. R. 7994, by Congressman ANDRESEN, of Minnesota); to the Committee on Agriculture.

3339. Also, resolution adopted at a meeting of the Federal Bar Association of New York, urging that a new Federal building be erected in the Borough of Manhattan, City of New York, to take the place of the Federal courts and post-office building at Park Row and Broadway; to the Committee on Public Buildings and Grounds.

3340. Also, letter from the Anaconda Wire & Cable Co. of New York, opposing Philippine independence; to the Committee on Insular Affairs.

3341. By Mr. BROWNE: Petition of citizens of Spencer, Wis., asking for an increased pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

3342. By Mr. CHASE: Petition of a number of citizens of Clearfield, Pa., twenty-third congressional district of Pennsylvania, urging action during the present session on legislation providing for increase in pensions of veterans of the Spanish-American War; to the Committee on Pensions.

3343. By Mr. COCHRAN of Pennsylvania: Petition of 82 citizens of St. Marys, Elk County, Pa., urging the enactment of House bill 2562 and Senate bill 476, providing for increased rates of pension for veterans of the Spanish War period; to the Committee on Pensions.

3344. By Mr. CONNERY: Petition of citizens of Lawrence, Mass., asking for increase in pensions for Spanish War veterans; to the Committee on Pensions.

3345. By Mr. CRAMTON: Petition signed by G. McNulty and 81 other residents of Port Huron, Mich., urging increase in pension for Spanish-American War veterans; to the Committee on Pensions.

3346. By Mr. DOWELL: Petition of citizens of Polk County, Iowa, relative to Civil War pension bill; to the Committee on Invalid Pensions.

3347. Also, petition of citizens of Dallas County, Iowa, relative to Robsion-Capper free public school bill; to the Committee on Education.

3348. By Mr. DUNBAR: Petition of George Sparks and 72 others, of Jeffersonville, Ind., urging the passage of House bill 2562, granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

3349. Also, petition of Samuel Reid Relief Corps, No. 160, Salem, Ind., urging immediate legislation for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

3350. By Mr. EATON of Colorado: Petition signed by 126 voters of Denver, Colo., petitioning for the passage of House bill 2562; to the Committee on Pensions.

3351. Also, petition signed by 55 voters of Denver, Colo., petitioning for passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3352. By Mr. ESLICK: Petition of citizens of Giles County, in behalf of veterans of the Civil War; to the Committee on Invalid Pensions.

3353. By Mr. EVANS of California: Petition of G. W. McCreery and approximately 275 others, to increase Spanish War veterans' pensions; to the Committee on Pensions.

3354. By Mr. FITZPATRICK: Petition signed by various citizens of Bronx County, requesting speedy consideration and passage of legislation providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3355. By Mr. GAMBRILL: Petition of citizens of Maryland, favoring the passage of Senate bill 476 and House bill 2562, for the relief of Spanish-American War veterans and their dependents; to the Committee on Pensions.

3356. Also, petition of M. Magill and a number of other citizens of Maryland, favoring the passage of Senate bill 476 and House bill 2562, for the relief of Spanish-American War veterans and their dependents; to the Committee on Pensions.

3357. By Mr. GARBBER of Oklahoma: Petition of Texas Cotton Seed Crushers' Association, urging support of the vegetable-oil tariff schedule as urged by the farm tariff advocates and as filed with both the Senate Finance Committee and the House Ways and Means Committee; to the Committee on Ways and Means.

3358. Also, petition of Commander Mills, Sand Springs, Okla., protesting against any action looking to independence of the Philippine Islands or any change in tariff which would interfere with free access of American cotton products to that market; to the Committee on Ways and Means.

3359. Also, petition of James S. Connell & Son, sugar brokers, New York City, expressing satisfaction in action taken by Senate on sugar tariff; to the Committee on Ways and Means.

3360. Also, petition of Texas Cotton Seed Crushers' Association, urging support of vegetable-oil tariff schedule as proposed by farm tariff advocates and filed with both the Senate Finance Committee and the House Ways and Means Committee; to the Committee on Ways and Means.

3361. By Mr. GLYNN: Petition of citizens and voters of the city of Waterbury, Conn., urging an increase in the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

3362. Also, petition of Joseph J. Kelley, George C. Carroll, and numerous other citizens of Waterbury, Conn., advocating an increase in pensions for the veterans of the Spanish-American War; to the Committee on Pensions.

3363. Also, petition of Robert M. Randolph and other citizens and voters of Ansonia, Conn., urging an increase in pensions for the veterans of the Spanish-American War; to the Committee on Pensions.

3364. Also, petition of Francis P. Guilfolle, Joseph T. St. Louis, and other citizens of Waterbury, Conn., urging an increase in pensions for veterans of the Spanish-American War; to the Committee on Pensions.

3365. By Mr. GREENWOOD: Petition from J. W. Guernsey and other citizens of Greene County, Ind., urging passage of the National Tribune's Civil War pension bill; to the Committee on Invalid Pensions.

3366. By Mr. GUYER: Resolution adopted by board of commissioners of Kansas City, Kans., memorializing the Congress

of the United States to enact House joint resolution 167 directing the President to proclaim October 11 as "General Pulaski's Memorial Day"; to the Committee on the Judiciary.

3367. By Mr. HADLEY: Petition of citizens of Mount Vernon, Wash., indorsing bills providing increased pensions for veterans of the Spanish War; to the Committee on Pensions.

3368. By Mr. HALL of North Dakota: Petition from several citizens of Jamestown, N. Dak., for the early consideration and passage of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3369. Also, petition from several citizens of Valley City, N. Dak., for the early consideration and passage of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3370. By Mr. HAUGEN: Petition of 71 residents of Mason City, Iowa, urging the passage of House bill 2562, for an increased rate of pension to the men who served in the armed forces of the United States during the Spanish-American War; to the Committee on Pensions.

3371. By Mr. HESS: A petition of various citizens of Cincinnati, Ohio, urging early consideration and passage of House bill 2562; to the Committee on Pensions.

3372. By Mr. HILL of Washington: Petition of Ben W. Wilson and 31 other residents of Addy, Wash., urging speedy consideration of Senate bill 476 and House bill 2562, granting an increase of pension to veterans of the Spanish-American War; to the Committee on Pensions.

3373. By Mr. HOFFMAN: Petition adopted by the board of commissioners, city of Perth Amboy, N. J., memorializing Congress to enact House Joint Resolution 167, directing the President to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero; to the Committee on the Judiciary.

3374. By Mr. IRWIN: Petition of William H. Ward and other citizens of Belleville, Ill., urging the enactment of Senate bill 476 and House bill 2562, in the Seventy-first Congress; to the Committee on Pensions.

3375. By Mr. KURTZ: Petition of the Altoona Methodist Ministerial, Altoona, Pa., favoring early passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3376. Also, petition of citizens of Blair County, Pa., favoring early passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3377. Also, petition of Altoona General Ministerial, Altoona, Pa., favoring early passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3378. By Mr. KVALE: Petition of State Agricultural Society of Minnesota, urging the adoption of the agricultural tariff rates as requested by the national cooperative farm and dairy organizations; to the Committee on Ways and Means.

3379. By Mr. McCLOSKEY: Petition signed by Patrick Smith and 21 other residents of San Antonio, Tex., favoring the passage of House bill 2562; to the Committee on Pensions.

3380. By Mr. MANLOVE: Petition of Israel Howard, of Goodman, Mo., urging the support of Congress in behalf of increased rates of pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

3381. By Mr. MENGES: Petition of Chester A. Cromleigh and other citizens of York, Pa., urging the passage of an amendment to the present law to extend the date of service-connected disability allowance to January 1, 1930, to allow the benefits of compensation to disabled veterans of the World War who develop active tuberculosis prior to the date of January 1, 1930; to the Committee on World War Veterans' Legislation.

3382. By Mr. MONTAGUE: Petition of 30 citizens of the third congressional district of Virginia, urging the passage of Senate bill 476 and House bill 2562, to increase the pensions of Spanish-American War veterans; to the Committee on Pensions.

3383. By Mr. MOUSER: Petition from Spanish-American War veterans and other citizens of Cleveland, Ohio, petitioning for favorable action on Senate bill 476 and House bill 2562; to the Committee on Pensions.

3384. By Mr. O'CONNELL of New York: Petition of John Cregan, of Richmond Hill, Long Island, N. Y., and 60 other citizens of Long Island, favoring the passage of House bill 2562 and Senate bill 476 increasing the pensions of Spanish War veterans; to the Committee on Pensions.

3385. Also, petition of Frank Gillmore, New York City, favoring the passage of House bill 7994, making it unlawful for any person to kill or capture any bald eagle; to the Committee on Agriculture.

3386. Also, petition of the Retired Men's Club, San Diego, Calif., favoring the passage of House bill 3041, amending the World War veterans' act, for hospitalization of Regular Army, Navy, and Marine Corps, and fleet reservists, and retired officers and enlisted men; to the Committee on World War Veterans' Legislation.

3387. Also, petition of Bay Cities of California Veterans Old Age Welfare Workers, Veterans of All American Wars, favoring increased pensions for all veterans; to the Committee on Pensions.

3388. By Mr. PALMER: Petition of G. M. Walker, 535 West Walnut Street, Springfield, Mo., and numerous citizens of Springfield, Mo., urging the passage of more favorable legislation regarding Spanish War veterans and widows of veterans; to the Committee on Pensions.

3389. Also, petition of C. H. Rice, 1822 East Blaine Street, Springfield, Mo., and numerous citizens of Springfield, Mo., urging the passage of more favorable legislation for Spanish War veterans and widows of veterans; to the Committee on Pensions.

3390. By Mr. ROMJUE: Petition of Edgar J. Knight, Mrs. J. E. Billingsley, et al., of Hannibal, Mo., asking for establishment of national department of public education; to the Committee on Education.

3391. By Mr. SANDLIN: Petition by some of the citizens of Bossier Parish, La., indorsing House bill 2562; to the Committee on Pensions.

3392. Also, petition signed by some of the citizens of Mansfield, La., indorsing House bill 2562; to the Committee on Pensions.

3393. By Mr. SELVIG: Petition of 15 residents of Winner, Penturen, and Hiwood, Minn., urging Congress to enact a bill increasing the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

3394. By Mr. SIMMONS: Petition of 134 citizens of Hooker and southern Cherry Counties, Nebr., asking for speedy consideration and passage of pending bills providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3395. By Mr. SNOW: Petition of Willis S. Leighton, of Brewer, Me., and many others, urging the speedy consideration and passage of House bill 2562, providing for increased rates in pensions for Spanish War veterans; to the Committee on Pensions.

3396. By Mr. THATCHER: Petition of Charles E. Lodewick and others, of Louisville, Ky., urging the passage of House bill 2562, granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

3397. By Mr. WIGGLESWORTH: Petition of sundry citizens of Mattapan, Mass., and vicinity, requesting early consideration and passage of House bill 2562; to the Committee on Pensions.

3398. By Mr. WILLIAMSON: Petition of Louis Mayer and 66 other residents of Meade and Lawrence Counties, S. Dak., praying for the passage of legislation providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

SENATE

WEDNESDAY, January 22, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

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

Allen	George	La Follette	Shortridge
Asburt	Gillett	McCulloch	Simmons
Baird	Glass	McKellar	Smith
Barkley	Glenn	McMaster	Smoot
Bingham	Goff	McNary	Steck
Blaine	Goldsbrough	Metcalf	Stetwer
Blease	Greene	Moses	Sullivan
Borah	Grundy	Norbeck	Swanson
Bratton	Hale	Norris	Thomas, Idaho
Brock	Harris	Nye	Thomas, Okla.
Brookhart	Harrison	Oddie	Townsend
Broussard	Hatfield	Overman	Trammell
Capper	Hawes	Patterson	Tydings
Caraway	Hebert	Philpps	Vandenberg
Connally	Heffin	Pine	Wagner
Copeland	Howell	Ransdell	Walcott
Couzens	Johnson	Robinson, Ind.	Walsh, Mass.
Dill	Jones	Robison, Ky.	Walsh, Mont.
Fess	Kean	Schall	Watson
Fletcher	Kendrick	Sheppard	Wheeler
Frazier	Keyes	Shipstead	

Mr. HARRISON. I desire to announce that my colleague the junior Senator from Mississippi [Mr. STEPHENS] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

Mr. TOWNSEND. My colleague the senior Senator from Delaware [Mr. HASTINGS] is absent on account of illness in his family. I ask that this announcement may stand for the day.

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

PETITIONS AND MEMORIALS

Mr. WALSH of Massachusetts presented petitions of sundry citizens of the State of Massachusetts, praying for the passage of legislation granting increased pensions to Spanish War veterans, which were referred to the Committee on Pensions.

Mr. JONES presented petitions of sundry citizens of Seattle, Wash., praying for the passage of legislation granting increased pensions to Spanish War veterans, which were referred to the Committee on Pensions.

Mr. WALCOTT presented resolutions adopted by the Foreign Missionary Society of Grace Methodist Episcopal Church, of New Haven, and the Woman's Foreign Missionary Society of the First Methodist Episcopal Church, of Middletown, in the State of Connecticut, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the board of trustees of Temple Beth El, of Stamford, and the Hartford section, Council of Jewish Women, of Hartford, in the State of Connecticut, opposing any change of the existing calendar which would include a blank day or disarrange the fixed periodicity of the Sabbath, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Foreign Missionary Society of the Grace Methodist Episcopal Church, of New Haven, the Woman's Foreign Missionary Society of the First Methodist Episcopal Church of Middletown, and the Lebanon League of Women Voters, in the State of Connecticut, favoring the passage of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, which were referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Hartford, Lebanon, Torrington, Wethersfield, New Britain, Waterford, West Hartford, Willimantic, Stafford, South Manchester, Glastonbury, Wilson, Watertown, Woodstock, Portland, and Windsor, all in the State of Connecticut, praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a resolution adopted by the City Council of Bristol, Conn., favoring the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. ROBINSON of Indiana presented the petition of D. M. Wills and sundry other citizens, being patients of the Walter Reed Hospital, Washington, D. C., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. SULLIVAN presented a resolution adopted by Fred Coe Post, No. 20, the American Legion, in the State of Wyoming, favoring the passage of legislation extending the time for filing application for adjusted service compensation certificates, which was referred to the Committee on Finance.

Mr. TYDINGS presented a communication from Dr. Arthur MacDonald, of Washington, D. C., relative to the retirement annuity of civil-service employees, which was referred to the Committee on Civil Service.

DUTIES ON CANADIAN GRAIN AT BUFFALO, N. Y.

Mr. BORAH. I have here a petition in the form of an affidavit, which I submit and ask to have read.

There being no objection, the affidavit was read and referred to the Committee on Finance, as follows:

My name is Edward J. Cunningham. I live at 186 West Chippewa Street, Buffalo, N. Y. My present occupation is construction foreman. For 17 years I was employed in various capacities with the Delwood, Marine, and other elevators. I hereby charge that through the so-called overrun system the United States Government is being defrauded of more than \$200,000 a year in customs duties on Canadian grain. I have brought this information to the attention of Fred A. Bradley, collector of customs, port of Buffalo; Richard A. Templeton, United States district attorney; and Harry Smith, deputy collector of customs, port of Buffalo. I first brought this information to them in October, 1926. I have corresponded with them, have gone to see them, and have used every means in my power to have some official action taken, and have been put off and delayed. I am willing to appear as a witness in any action that may be begun by the Government, either criminal or civil,