

Calendar No. 581

69TH CONGRESS }
1st Session }

SENATE

{ REPORT
No. 581

AMEND SECTION 220 OF THE CRIMINAL CODE

APRIL 5 (calendar day, APRIL 13), 1926.—Ordered to be printed

Mr. CUMMINS, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 3115]

The Committee on the Judiciary, having had under consideration the bill (S. 3115) to amend section 220 of the Criminal Code, recommends that it do pass without amendment.

The bill amends section 220 by inserting three words as follows: "or revenue stamp." It is already a crime to forge, counterfeit, or knowingly utter or use any counterfeited postage stamp issued by any foreign government, and the effect of the bill is to make it likewise a crime to forge, counterfeit, or knowingly utter or use any forged or counterfeited revenue stamp of any foreign government.

The need of the legislation is clearly set forth, first, in a letter written by the Department of State to the Treasury Department under date of January 26, 1926; second, in the reply of the Treasury Department to the foregoing communication; and, third, in a letter written by the Secretary of the Treasury to the chairman of the Senate Judiciary Committee. A copy of each of these communications is made a part of this report.

DEPARTMENT OF STATE,
Washington, January 26, 1926.

THE SECRETARY OF THE TREASURY.

SIR: I have the honor to inform you that I am advised by the American ambassador to Cuba that a letter sent to the embassy May 29, 1925, by Mr. Julian T. Baber, operative in charge, United States Secret Service, New Orleans district, indicates that May 23, one Charles E. Doran was arrested in New Orleans as he was about to take ship for Habana and that there was found among his effects a large amount of counterfeit revenue stamps of the Republic of Cuba. The letter further stated that Doran would be removed to St. Louis, Mo., and tried jointly with the printer and engraver of the counterfeit stamps.

The ambassador is interested in receiving details as to the trial of Doran and I should therefore be glad if you could find it convenient to furnish such details, including, of course, the outcome of the trial.

The ambassador further states that the Cuban Government has manifested great interest in the case mentioned and other attempts to counterfeit Cuban revenue stamps in the United States and has formed the opinion that it is not practicable under the existing statutes of this country to punish persons guilty of such an act. Therefore the ambassador asks whether, in case it is not already a crime to counterfeit the revenue stamps of a foreign government, it would be possible in connection with efforts which he understands your department contemplates making to obtain additional legislation concerning the counterfeiting of labels and internal revenue stamps in connection with the smuggling of liquor into the United States, at the same time to obtain an amendment to section 220 of the penal laws of this country extending the provisions concerning the counterfeiting of postage stamps of a foreign government to include the internal revenue stamps of a foreign government.

I should be glad to transmit to the ambassador any information which you may be disposed to furnish with regard to the last point mentioned.

I have the honor to be, sir,
Your obedient servant,

JOSEPH C. GREW, *Undersecretary*
(For the Secretary of State).

FEBRUARY 11, 1926.

The SECRETARY OF STATE:

SIR: Receipt is acknowledged of your letter of January 26, 1926, in which you refer to a letter to the Cuban Embassy on May 29, 1925, by Mr. Julian T. Baber, operative in charge, United States Secret Service, New Orleans district, advising of the arrest of one Charles E. Doran on a charge of counterfeiting Cuban revenue stamps; and you suggest that the Cuban Government is interested in the passage of legislation by the American Congress providing for the punishment of the counterfeiters of the revenue stamps of foreign countries; and I have to advise that this matter has been brought to the attention, respectively, of the chairmen of the Senate and of the House Judiciary Committees, with the suggestion of an amendment to section 220, Criminal Code of the United States, definitely making the counterfeiting of revenue stamps of foreign countries a crime, and copies of the letters to the chairmen are inclosed herewith.

Respectfully,

Inclosure No. 2215.

A. W. MELLON.
Secretary of the Treasury.

TREASURY DEPARTMENT,
Washington, February 11, 1926.

HON. ALBERT BAIRD CUMMINS,
Chairman Senate Judiciary Committee,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: There is transmitted herewith a copy of a letter from the Undersecretary of State, dated January 26, 1926, containing, among other things, a suggestion of the enactment of legislation making the counterfeiting of the revenue stamps of foreign countries by an American citizen a crime. A copy of the reply thereto is likewise inclosed, all for such consideration as your committee may feel disposed to give to the suggestion.

Respectfully,

A. W. MELLON, *Secretary of the Treasury.*

