7569. By Mr. ENGLEBRIGHT: Petition of Crawford Business Men's League of Chicago, protesting against chain stores; to the Committee on Interstate and Foreign Commerce.

7570. Also, petition of Siskiyou County (Calif.) Bar Association, indorsing the Curry bill, proposing to create a new Federal judicial district in the State of California; to the Committee on the Judiciary.

7571. By Mr. GARBER of Oklahoma: Petition of Oklahoma State Division of the Izaak Walton League of America, in full support and urging passage of Senate bills 2350 and 2351, by Senator THOMAS of Oklahoma, and House bills 6320 and 6321, by Hon. JED JOHNSON; to the Committee on Agriculture.

7572. Also, petition of Oklahoma Multigraphing Co., Oklahoma City, Okla., in opposition to House bill 11096 and in support of House bill 10344; to the Committee on the Post Office and Post Roads.

7573. Also, petition of Hollywood Technical Directors Institute, Hollywood, Calif., opposing further showing of the film All Quiet on the Western Front; to the Committee on Interstate and Foreign Commerce.

7574. Also, petition of Dorchester (Mass.) American Legion Post, urging Congress to not adjourn until constructive disabled legislation for immediate relief actually becomes law; to the Committee on World War Veterans' Legislation.

## SENATE

### MONDAY, *June 16, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty Father, in whose tender keeping are the hearts of Thy children and from whom all thoughts of truth and peace proceed, kindle, we pray Thee, in all men the true love of peace, and guide with Thy pure wisdom those who take counsel for the nations of the earth, especially all who bear rule in our beloved land.

Let humility triumph over pride and ambition, charity over envy, hatred, and malice, purity and temperance over lust and excess, meekness over passion, that we, with all the brethren of the Son of man, may draw together as one comity of peoples and evermore dwell in the fellowship of Him who is the Prince of Peace, Jesus Christ our Lord. Amen.

#### THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, June 9, 1930, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. William Tyler Page, its Clerk, announced that the House had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble;

S. 1447. An act for the relief of Pasquale Iannacone;

S. 1469. An act to quitclaim certain lands in Santa Fe County, N. Mex.;

S. 2371. An act to provide for the appointment of two additional justices of the Supreme Court of the District of Columbia; and

S. 3939. An act to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 29. Concurrent resolution to print and bind the proceedings in Congress, together with the proceedings of the unveiling in Statuary Hall, of the statue of Gen. John Campbell Greenway, presented by the State of Arizona; and

S. Con. Res. 31. Concurrent resolution authorizing the printing as a Senate document of House bill No. 2667, the tariff bill, as enrolled and presented to the President for approval.

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

S. 969. An act for the relief of Edna B. Erskine;

S. 3784. An act for the relief of John Marks, alias John Bell; and

S. 3866. An act for the relief of Joseph N. Marin.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4189) to add certain lands to the Boise National Forest; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12235) to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

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

H. R. 247. An act validating certain applications for, and entries of, public lands;

H. R. 456. An act for the relief of Hans Roehl;

H. R. 524. An act for the relief of the I. B. Krinsky Estate (Inc.) and the Fidelity & Deposit Co. of Maryland;

H. R. 531. An act for the relief of John Maika;

H. R. 574. An act for the relief of Moreau M. Casler;

H. R. 687. An act for the relief of John S. Conkright;

H. R. 1452. An act for the relief of Melissa Stone, widow of Francis Stone;

H. R. 1712. An act for the relief of the heirs of Jacob Gussin;

H. R. 1717. An act for the relief of F. G. Baum;

H. R. 1761. An act for the relief of John L. Friel;

H. R. 1882. An act for the relief of Harry Cinq-Mars;

H. R. 2120. An act for the relief of Malven A. Williams;

H. R. 2170. An act for the relief of Clyde Cornish;

H. R. 2173. An act for the relief of Thomas F. Nicholas;

H. R. 2464. An act for the relief of Paul A. Hodapp;

H. R. 2782. An act for the relief of Elizabeth B. Dayton;

H. R. 2831. An act for the relief of Jasper Johnson;

H. R. 2863. An act for the relief of Harvey O. Willis;

H. R. 3122. An act for the relief of William J. Frost;

H. R. 3231. An act for the relief of Walter P. Hagan;

H. R. 3238. An act for the relief of Martin E. Riley;

H. R. 3441. An act for the relief of Meta S. Wilkinson;

H. R. 3732. An act for the relief of Fernando Montilla;

H. R. 3950. An act for the relief of David A. Dehart;

H. R. 4159. An act for the relief of Harry P. Lewis;

H. R. 4176. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture;

H. R. 4269. An act for the relief of William L. Wiles;

H. R. 4564. An act for the relief of E. J. Kerlee;

H. R. 4595. An act for the relief of Maurice J. O'Leary;

H. R. 4731. An act for the relief of Frederick Rasmussen;

H. R. 4760. An act for the relief of Guy Braddock Scott;

H. R. 4907. An act for the relief of Thomas Wallace;

H. R. 4946. An act for the relief of Ned Anderson;

H. R. 5292. An act to authorize the city of Napa, Calif., to purchase certain public lands for the protection of its water supply;

H. R. 5810. An act to pay the Westinghouse Electric & Manufacturing Co. the sum of $1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act;

H. R. 5872. An act for the relief of Ray Wilson;

H. R. 6243. An act for the relief of A. E. Bickley;

H. R. 6264. An act to authorize the Secretary of War to donate a bronze cannon to the town of Avon, Mass.;

H. R. 6268. An act for the relief of Thomas J. Parker;

H. R. 6416. An act for the relief of Myrtle M. Hitzing;

H. R. 6453. An act for the relief of Peder Anderson;

H. R. 6627. An act for the relief of A. C. Elmore;

H. R. 6665. An act for the relief of B. C. Glover;

H. R. 6825. An act to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail;

H. R. 7013. An act for the relief of Howard Perry;

H. R. 7068. An act for the relief of Fred Schwarz, jr.;

H. R. 7664. An act to authorize payment of fees to M. L. Flow, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment;

H. R. 8117. An act for the relief of Robert Hofman;

H. R. 8127. An act for the relief of J. W. Nelson;

H. R. 8347. An act for the relief of the Palmer Fish Co.;

H. R. 8440. An act for the relief of Henry A. Levake, deceased;

H. R. 8491. An act for the relief of Bryan Sparks and L. V. Hahn;

H. R. 9267. An act for the relief of John A. Fay;

H. R. 10365. An act for the relief of Tracy Lee Phillips;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody;

H. R. 11212. An act to authorize a pension to James C. Burke;

H. R. 11268. An act for the relief of Mary C. Bolling;

H. R. 11297. An act for the relief of Arthur Edward Blanchard;

H. R. 11477. An act for the relief of Clifford J. Turner; and

H. R. 11493. An act to reimburse Lieut. Col. Charles F. Sargent.

ENROLLED BILLS SIGNED

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

H. R. 2667. An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes;

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

H. R. 12348. An act to provide for the partial payment of the expenses of foreign delegates to the eleventh annual convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. McMASTER. I wish to announce that my colleague the senior Senator from North Dakota [Mr. NORBECK] is absent on official business of the Senate in connection with the presentation of a statue of Leif Ericsson as a gift of the American people to the people of Iceland on the occasion of the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland. I ask that this announcement may stand for the remainder of the session.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

ORDER OF BUSINESS

The VICE PRESIDENT. The first order is the presentation of petitions and memorials.

Mr. BLACK. Mr. President, I desire to address the Senate for a few minutes.

The VICE PRESIDENT. That can only be done by unanimous consent. Is there objection? The Chair hears none. The Senator from Alabama is recognized.

MUSCLE SHOALS

Mr. BLACK. Mr. President, I desire to address the Senate for a few minutes with reference to the fact that Muscle Shoals is still undisposed of and to attempt, if I can, to show the reason why it is not disposed of, why it should be disposed of, and how it can be disposed of at this session of Congress.

I want to call attention first to one of the outstanding reasons why it is not disposed of, from a report just made by the Federal Trade Commission. The Southeastern Power & Light Co. is allied with the power companies securing the power from Muscle Shoals. In accordance with the report made to me in response to a letter addressed by me to the chief examiner of the Federal Trade Commission, the Southeastern Power & Light Co. made a dividend in the year 1927 of 3,102 per cent. If the Southeastern Power & Light Co. had been paid in advance a dividend of 8 per cent per year on its investment and had received this 3,102 per cent, it would have been paid its 8 per cent dividend on its investment for a period of 388 years. If it had been paid a 6 per cent dividend in advance on its investment in that year, it would have received payment in advance for 517 years.

With this preliminary reason given as to why Muscle Shoals has not been disposed of I desire now to tell the Senate very briefly the situation in which we find ourselves more than 10 years after the Muscle Shoals project was constructed.

The Senate passed a measure providing for straight Government operation of the power project and nitrate plant. The House passed a measure providing for a lease of the power project and the nitrate plant. In other words, the House has passed a straight leasing bill; the Senate has passed a straight Government operation bill.

The Senate conferees have agreed to divide the project and to permit the President to lease the nitrate plant for the manufacture of fertilizer. The Senate conferees agreed that this lease shall provide that every kilowatt of power may be used, if necessary, by the private lessee for the operation of the nitrate plant for the manufacture of fertilizer. That leaves as the only remaining question the disposition of the surplus power after the use of the necessary amount to manufacture fertilizer for the American farmer.

The Senate conferees insist that the Government shall continue to sell this power directly as it is doing now. Three of the five House conferees decline even to make this concession and insist that even after every kilowatt of the power is used for the manufacture of fertilizer which may be needed for that purpose, the surplus power shall go to private lessees. In other words, it would go to the power companies in the natural course of events.

That now is the sole question at issue between the conferees. The Senate has yielded and is ready to permit the House conferees to write such a fertilizer bill as they see fit, giving private business the opportunity to get every kilowatt of power that is needed for the manufacture of fertilizer for the benefit of the American farmer. The Senate conferees, however, take the position that if there should be surplus power the municipalities, counties, and States should have preference in the sale of the surplus power, which is exactly in line with the Federal water power act. That, stated briefly, is the only difference between the two Houses at this time on Muscle Shoals.

When President Hoover went into office it was widely stated throughout the country that Muscle Shoals would now be disposed of; that a business administration would guarantee a disposition of this project for the best interests of the American people. As a matter of fact, the President himself, in speaking in the South, at Elizabethton, Tenn., near this great project, made a statement which fits the proposition of the Senate conferees like a glove.

First, may I call the attention of the Senate, however, to what we shall lose if this question is not settled, and then let the country determine whether or not a business administration should remain silent while this loss continues.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. BLACK. I yield.

Mr. SIMMONS. I do not know that I thoroughly understand the Senator from Alabama. Am I correct in understanding the Senator from Alabama to say that under the proposed compromise the Government will retain control of the nitrate plant?

Mr. BLACK. Under the compromise the Government will lease the nitrate plants to private enterprise for the manufacture of fertilizer, but the Government will keep its hand on the power switch for the surplus power and will sell it, as it is selling it to-day, with the exception that under the compromise plan the surplus would not first be sold to the Alabama Power Co. but would be sold first to the municipalities, States, and counties which desire it.

Now, may I call the attention of the Senate to the fact that in a letter from the Chief of Engineers dated October 3, 1929, I was informed that the total power generated at Muscle Shoals during the year 1928 was 1,776,199,000 kilowatt-hours. The Alabama Power Co., which was the only company that bought any of that power, purchased 216,859,000 kilowatt-hours at about 2 mills per kilowatt-hour, or a total of one-eighth of the power. That much power purchased by that company at 2 mills would equal $433,718, sales price. If all the power developed had been sold at that price the Government would have obtained $3,552,398; so there has been a total loss per year by reason of in-

excusable delay of more than $3,000,000, which over a period of 10 years would amount to more than $30,000,000. If this question is not settled now, we know what it will mean in the future; that each year we shall be losing more than $3,000,000 per year, for one reason only, namely, that the present Republican administration is not willing to permit that power to be sold unless every kilowatt of it shall be sold to private power companies. I do not say that the administration favors that, but I do say that if this proposition shall not be settled at this term of Congress the evidence will be conclusive to any fair-minded man that this administration is willing for the Government to lose more than $3,000,000 a year rather than sell any power to a single municipality in the South. I call attention to the fact that the administration has declined to sell any of this power to municipalities. They have begged for it; they have pleaded for it; but they can not get it.

I also call attention to the fact that we lost about $75,824 in maintaining the nitrate plants alone in 1928; in other words, there has been a loss of about $4,000,000 a year, at a time when the word economy is flung about in presidential messages and in statements, and, unless something shall be done at this session of Congress, nearly $4,000,000 per year will continue to be wasted.

Not only that, but if this question is not settled the country can not escape the conclusion, and the people will not escape the conclusion that the only reason any sane man can assign for delay is that, rather than sell any of this power to a municipality, it is thought better to permit the Government to lose $4,000,000 per year income.

May I add in addition that we are paying the Government of Chile each year a tax of about $12,830,000 on nitrates? Germany is not doing that, because the Germans are using their war-time nitrate plants; other European countries are not doing it; but the American farmer is doing it. Why? There is one reason and one reason only—that somebody is opposed to letting a single municipality in America buy any power from Muscle Shoals. There is no other reason.

The conferees have agreed to divide this project. The Senate conferees and two of the House conferees have yielded; they have agreed to draw a bill providing for the manufacture of fertilizer under lease by private enterprise for the benefit of the American farmer, but providing also that the people may have preserved to them the right to buy some of their own power, in collective groups, as municipalities, States, or counties, rather than be compelled to buy through private power companies. That is the sole issue; it can not be escaped. It is at the door of the present Republican administration.

In other words, are we willing to permit delay to continue rather than reach a settlement which will permit private business to manufacture fertilizer and, if there be any surplus power, give the municipalities the benefit of it?

I may state here that many experts claim that the farmers of the country would save $50,000,000 per year by the operation of the nitrate plants. Whether that is true or not I do not know and I can not say, but I do know that by the enactment of a proper law we can ascertain the fact, and we can relieve ourselves from servitude to Chile in the purchase of nitrates.

Now, Mr. President, may I call attention to the profit of another company? In the year 1927 the Electric Bond & Share Co. exchanged its holdings of the common stock in the Lehigh Power Securities Corporation share for share for common stock in the present National Power & Light Co., and received a cash dividend of $1 per share on 428,710 shares, which, in the form of Lehigh Power securities stock, had cost $19,562.50. This is a return on the original stock of these particular shares of 2,191 per cent. In other words, if they had received a 6 per cent dividend every year on the investment in advance it would have taken them between 300 and 400 years to make that much profit on their investment.

If this question is not settled at this term of Congress it is for one reason, and one reason only: It is because this administration does not want the slightest competition for companies that make from 2,100 per cent a year to 3,000 per cent a year on their investments.

The sole issue, mind you, Mr. President, is the surplus power. Shall it be sold directly to power companies by private lease or shall the Government first give municipalities, States, and counties a chance to buy. I ask Senators, whatever may be their position on Government operation, if a municipality wants to buy some of that power at Muscle Shoals and it is for sale by the Government, why should not that municipality have the right to purchase it. What earthly reason can any man advance against such purchase? Shall we fail to legislate because companies that are interested in making from two to three thousand per cent profit per year out of the pockets of the masses of the people of this country oppose legislation? If we do not legislate that, and that alone is the reason.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Montana?

Mr. BLACK. I yield.

Mr. WALSH of Montana. I should like to inquire of the chairman of the Senate conferees on this measure whether the situation has been accurately described by the Senator from Alabama, namely, that the sole question at issue is as to whether municipalities shall be given the preference in the matter of leasing power from the Government. I understand the Senator from Nebraska [Mr. NORRIS] is chairman of the conferees.

Mr. NORRIS. Mr. President, if the Senator from Alabama will yield——

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

Mr. NORRIS. I am not chairman of the Senate conferees. However, I will state for the benefit of the Senator from Montana that, to be technical, that is not the sole question. The Senator from Alabama, I think, has fairly stated it, and at the conclusion of his remarks, speaking in behalf of the proposition made by the Senate conferees, I will add a few words to what he has said.

Mr. BLACK. Mr. President, the issue is this: The House passed a private operation measure for both projects; the Senate passed a Government operation measure for both projects; the Senate conferees have agreed to yield as to the nitrate plant for the manufacture of fertilizer. Therefore, it leaves only the surplus power to be considered. The question is, How shall that surplus power be sold? If it shall be sold, as provided by the House bill, it will inevitably go to the power companies; certainly municipalities would not be given a preference in the sale of that power directly from the Government. If it shall be sold as provided in the Senate bill, States, municipalities, and counties will be given a preference in the sale of the power directly from the Government.

Now, may I read what Mr. Hoover said when he was a candidate speaking in the South? I think I am safe in saying that thousands and thousands of votes in the South were brought to the President because of this speech, particularly when he followed it up with a statement which was accepted throughout the South as an indication that he favored preserving this great project for the benefit of the people. In his speech Mr. Hoover used these words:

> There are local instances where the Government must enter the business field as a by-product of some great major purpose, such as improvement in navigation, flood control, scientific research, or national defense, but they do not vitiate the general policy to which we should adhere.

That was the first general statement of the Republican presidential candidate.

When asked by newspaper men to interpret that statement Mr. Hoover said:

> You may say that means Muscle Shoals.

In a subsequent statement, in order that the people might be thoroughly satisfied about his position, he spoke as follows:

> There is no question of Government ownership about Muscle Shoals, as the Government already owns both the power and the nitrate plants. The major purposes which were advanced for its construction were navigation, scientific research, and national defense. The Republican administration has recommended that it be dedicated to agriculture for research purposes and development of fertilizers in addition to its national-defense reserve.

Bear in mind that the Senate conferees have taken the position that they are willing to have the plant dedicated by the Goverment for fertilizer purposes. That was in their joint resolution, but they have agreed to yield to the House, adhering only to the original dedication of the plant, and agreeing that the House may provide for a lease to private interests for the manufacture of fertilizer. That certainly fits this portion of the President's statement.

Further Mr. Hoover says:

> The Republican administration has recommended that it be dedicated to agriculture for research purposes and development of fertilizers in addition to its national-defense reserve. After these purposes are satisfied there is a by-product of surplus power. That by-product should be disposed of on such terms and conditions as will safeguard and protect all public interests. I entirely agree with these proposals.

There is a statement made by the President as a candidate down in the South, where he was seeking votes, and where he obtained more votes than any Republican presidential candidate had obtained since the days when Federal bayonets forced people to vote the Republican ticket. What did he say? "This by-product shall be disposed of for the interest of the people."

There is the issue. How can the people be best benefited? Must we believe that the President subscribes to the viewpoint—that the only possible way to dispose of this power in the public interest is to have it sold by the Government directly and exclusively to private interests? Or are we justified in believing, when the President made this statement, that, if it was for the benefit of the people that the municipalities of the South should purchase this power directly from the Government, they should be granted this privilege? Would any business be destroyed by permitting the Government to sell this power to municipalities, States, and counties as well as power companies?

The power companies have been purchasing only about one-eighth part of the power. We have been losing more than $3,000,000 per year. If this joint resolution should be enacted, we have every reason to believe that all this power would be sold; and, furthermore, we believe that in this period of general depression throughout this Nation it would result in turning over the wheels of industry, bringing about greater industrial progress, and thus help the acute unemployment situation.

Are we, the people of the South—are we, the people of the Nation—to be denied again by the Republican administration the operation of this project in order that power companies may continue to make from 2,000 to 3,000 per cent profit per year?

Mr. President, there can be no evasion of this issue. There can be no evasion by this administration.

A statement was published several days ago that the President had said he would not sign the Norris joint resolution in its original form. To whom that statement was made, I do not know. Evidently it was made to some one; and evidently, if it was made, it was made for the purpose of influencing legislation in these bodies. A statement later was given out that the President would not say whether he would or would not sign this compromise measure, but I noticed in the Washington Star of Saturday—the same newspaper that carried the statement that the President would not express himself on this subject—that the President would likely be compelled to attempt to bring about concessions on the part of the Senate and House conferees with reference to the lump-sum settlement for the District of Columbia. The story was to the effect that the President had indicated that he would not hesitate to take a hand if the conferees failed to agree finally.

I recall that there was no hesitancy on the part of the President about an expression on the flexible-tariff provision. I recall also that there was no hesitancy about an expression on the debenture plan. I recall that the statement has been published that the President would not sign the Norris joint resolution in its original form. Therefore, if precedent shall be followed—bearing in mind that for 10 years the party of which Mr. Hoover is the head must take the responsibility for keeping the Muscle Shoals nitrate plants idle and for continuing to make contributions to private power companies of millions of dollars a year—I say, Mr. President, that if this legislation is not passed at this session of Congress the responsibility lies at the doorstep of the present administration. It lies directly with the interests that prevent a reasonable and fair compromise on the part of the two branches of Congress.

Why, Mr. President, even on yesterday the President issued a statement about the tariff bill. What did he say? He said these matters were reached by compromise; that there were many things in the bill with which he did not agree—in substance, that is what he said—and yet they were compromised. Is Muscle Shoals the only piece of legislation on which a compromise can not be reached? Is it true that this great national asset, in which $150,000,000 of the people's money is invested, in which the stockholders of the American public are losing money day by day, week by week, and month by month—is it true that Muscle Shoals alone is the only legislation upon which a compromise can not be reached?

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. BLACK. I yield to the Senator.

Mr. SIMMONS. I regret very much that necessity called me out of the Chamber, and I have not heard all of the Senator's speech. What protection has the farmer of this country against high prices if this nitrate plant is put in the hands of private capital?

Mr. BLACK. Mr. President, that would depend upon the way the measure was drawn. As originally drawn in the House, the measure provides, or ostensibly provides, for limitation of profit to 8 per cent.

Mr. SIMMONS. Is that in the compromise arrangement, or is it left blank, so that we are forced to lease to private capital without any protection to the farmer against extortionate prices on the part of the manufacturer of nitrate?

Mr. BLACK. As I understand it, Mr. President—the Senator from Nebraska [Mr. NORRIS], of course, will make a statement later—the proposition made by the Senate conferees was this: "Draw up a proper provision for the lease of the nitrate plant, properly protecting the farmer."

Mr. SIMMONS. Who is to determine whether or not the farmer is properly protected?

Mr. BLACK. That would be determined first by the conferees, and next by the Senate and the House.

Mr. SIMMONS. But there is nothing in the compromise arrangement, as I understand the Senator, that limits the profits that the lessee of the nitrate plant shall be permitted to charge the consumer of nitrogen.

Mr. BLACK. I shall endeavor to make that clear.

Mr. SIMMONS. Then I desire to ask the Senator just one more question.

Mr. BLACK. Before I answer this one?

Mr. SIMMONS No; I shall be glad to have the Senator answer that one first.

Mr. BLACK. The House drew a measure providing for the leasing of all the project, including the power and the nitrate plant. They provided there certain safeguards for the American farmer. Some of them are excellent. If they are not sufficient, of course they can be amended; and I have no doubt but that both the Senate and House conferees are desirous of doing that. They intend to provide for a limitation of 8 per cent profit. I have no question in my own mind but that the conferees of the House and Senate can arrange that so that there will be no danger of injury to the American farmer.

Mr. SIMMONS. Then the conferees have not yet reached an agreement, and the Senator is just discussing the prospective action of the conferees?

Mr. BLACK. The conferees have not reached an agreement. That is the reason why I am talking now. The House stands directly and positively and unequivocally, by three of its Members, for private operation or nothing of both nitrate plant and power.

Mr. SIMMONS. I understand that.

Mr. BLACK. The Senate conferees say, "We will yield to you on the private operation of the nitrate plant for the manufacture of fertilizer, but we do insist that the surplus power be sold in accordance with the provisions of the Senate joint resolution, which gives a preference to municipalities, States, and counties." I may say to the Senator that there is no trouble whatever in properly safeguarding the rights of the American farmer on the private lease of the fertilizer plant.

Mr. SIMMONS. From what the Senator had said, or the part of what he said that I heard, I thought the conferees had already reached a conclusion; but it seems I was mistaken about that.

Now, I want to ask the Senator another question. Is the Senator in favor of the so-called compromise?

Mr. BLACK. Unequivocally.

Mr. President, I am in favor of settling Muscle Shoals legislation, and the country demands the settlement of Muscle Shoals legislation. It is a national disgrace and a national crime that for 10 years the great power interests and the great fertilizer interests of this country have been successful, by one camouflage and one subterfuge or another, in preventing the enactment of legislation which would put this great project to work for the people.

There is the situation. Can we legislate? Can we dispose of Muscle Shoals? Can we settle it? Are these two bodies and is the present administration tied down in any earthly manner in such a way as to prevent the passage of a law which disposes of this project in the interest of the people and the signing of that law by the Chief Executive of this Nation? Who will stand on his feet to say that the municipalities of the South do not have as much right to buy the power generated by the Government with the people's money as power companies wringing out two to three thousand per cent profit per year from the hard-earned money of the American people?

The present administration has been in office now for more than a year. The statement in the message of the President to the Congress was not clear and definite as to the Executive's position. The statement at Elizabethton, Tenn., in my judgment was made to fit a measure exactly like the compromise measure. The Senate will recall that when this joint resolution was up in this body I offered an amendment providing for the private lease of the nitrate plant. I stated at that time, in answer to a question of the Senator from Wyoming [Mr. KENDRICK], that in my judgment the President had made a statement which showed that he would sign that joint resolution, and that, in my judgment, he would keep his word given to the people of the United States during his campaign. I believe it now. It is my belief that if that joint resolution shall

be signed, the President of the United States will do that which he indicated at Elizabethton, Tenn., he would do, and Muscle Shoals will be disposed of.

Then are we longer to wait? Are the vast power possibilities of the Tennessee River longer to be shackled for use by the private power companies?

Mr. McKELLAR. Mr. President——

Mr. BLACK. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator will recall also that the President, after making that speech, talked to two distinguished Tennesseeans, one Mr. George Fort Milton, the editor and owner of the Chattanooga News, and Mr. Edward Meeman, who is the editor of the Knoxville Sentinel. He told those men, as has been published by them since, that he regarded Muscle Shoals as an exception to the general rule, and that it ought to be treated in a different way. Those gentlemen have stated in their papers that the President had indicated to them that he would sign this Muscle Shoals measure.

Mr. BLACK. I thank the Senator for directing my attention to that matter. Some time ago I placed in the RECORD an editorial written by Mr. George Fort Milton, in which he referred to his personal conversation with the President during the campaign, which confirms exactly the statement made by the Senator from Tennessee.

Before I sit down, may I read a statement of the profits made by other power companies during the year 1927, according to this letter from the Federal Trade Commission.

The smallest profit made was 27.42, received by the American Power & Light Co. The National Power & Light Co. made 63.14 per cent. The American Gas & Electric Co. made 56.22 per cent.

This is the issue raised for the public to consider. It is not only raised here; it will be raised at other places throughout this country. As the time comes when we are helpless, when the hands of the people are tied, when they must continue to pay extortionate prices for power, when they can not even purchase their own power without its going through the hands of private business, wringing unjust profits from the people, that will be the issue.

I say now, as I said when I began, if Muscle Shoals legislation is not passed at this session of Congress, if the Government continues to lose three to four million dollars a year by reason of the failure to sell power, if the farmers of this Nation continue to lose $50,000,000 a year by reason of the failure to manufacture fertilizer, the fault will lie with the present Republican administration and its leaders.

By one word they can settle this controversy. By one word the leader of that party can settle this controversy. Through the efforts of the leaders of the Republican Party in this body, and on the part of the Republican leaders in the House, this measure can be passed before to-morrow's sun shall set. A compromise can be reached, and the matter can be settled. Are the people helpless? Can no voice be heard except the siren tones of great aggregations of wealth claiming the right to make 3,000 per cent profit a year, or shall the still small voice of the people back at home now and then be heard? The future will tell, and if this measure, or some measure properly disposing of Muscle Shoals, does not pass within the next week, the responsibility will lie with the present adminstration and its leaders and its followers from bottom to top and from top to bottom.

The PRESIDING OFFICER (Mr. FESS in the chair). The presentation of petitions and memorials is in order.

Mr. NORRIS. Mr. President, if I may be permitted a few minutes, I would like to say just a few words about the Muscle Shoals matter as one of the conferees on the part of the Senate on the Muscle Shoals legislation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Nebraska will proceed.

Mr. NORRIS. Mr. President, the Senator from Alabama has stated the situation in substance, and I think stated it correctly. However, in order that there may be no question as to just what was done by the Senate conferees, I desire to restate it in perhaps briefer form.

Senators will remember that we passed a joint resolution providing for the operation of the power plants and the nitrate plants at Muscle Shoals by a governmental corporation to be set up under the joint resolution. Senators and the country I think are familiar with that legislation. With one unimportant exception, it was word for word the same measure that we passed in the preceding Congress.

We provided for the operation of Muscle Shoals through the instrumentality of a governmental corporation, for the building by the Government of the Cove Creek Dam, and for turning it over, when it was completed, to this governmental corporation; for the operation of the nitrate plants, and experimentation in the cheapening of fertilizer and fertilizer ingredients, on a scale that was broader and larger than anything that had ever been undertaken in the history of the world, realizing that what the country needed, in fact, what the civilized world wanted, was cheaper fertilizer.

The joint resolution passed by the Senate went to the House. The House struck out all after the resolving clause and added an amendment which in effect provided for the leasing of all governmental properties, including the power properties and the nitrate properties, and the other property owned by the Government, to private corporations or individuals.

When the conferees met, we realized, as the President himself has said, that all legislation is the result of compromise. After we ascertained, as we did very shortly after we met with the House conferees, that the House conferees under no circumstances would yield, that they were insisting upon the House measure, then the Senate conferees made a compromise proposition to the House conferees. That proposition was that the nitrate plants should be leased under the terms of the House joint resolution, that the power properties should be administered under the Senate joint resolution, that the only limitation we would make upon the leasing of the nitrate property was that the lessee or lessees should be confined to the manufacture of fertilizer or fertilizer ingredients to be used in the production of fertilizer, and that the corporation set up in the Senate joint resolution should be bound to supply to the private lessees of the nitrate plants all the power they needed or wanted in the operation of those plants, at a price which should be as low as the price at which any power under like conditions was sold to any municipality, State, or corporation.

Mr. President, we think we made a fair compromise proposal. Briefly, let me call to the attention of the Senate, and I hope of the country, the issue which has been before us all these 10 years. Those who are opposed to the Government operating its own property down there and experimenting in the cheapening of fertilizer and fertilizer ingredients have always contended that the Government could not do that business as economically and as cheaply as private individuals could do it, and hence they wanted to lease those properties. It was always claimed, in the main, that the object they wanted to attain by leasing the properties was, first, to get cheap fertilizer for the American farmer.

Great propaganda was put on through the instrumentality of some alleged farm leaders who were working in the interest of the power companies to carry out a leasing proposition, and they always said, "If you will take the Government out of the matter we can manufacture fertilizer at Muscle Shoals which will cheapen the product to the American farmer and carry out the real intent of the original act."

That was their contention. This proposition which the Senate conferees have put up to the conferees on the part of the House meets that proposition. We think that if they want to compromise, if they want to do what our own President has said is always necessary in the enactment of legislation, we have gone more than half way. We have practically said to them, "If you have been telling the country the truth, if you are not bluffing, if there is no Power Trust colored man concealed in the woodpile, you will jump at our proposition. You have said that all we need is to let private people operate the nitrate plants and the farmer will immediately get cheap fertilizer. This proposition gives you the opportunity. If you are not in reality trying to get from the Government of the United States the power and care nothing about fertilizer, and were only using that as a subterfuge to get the farmers of the United States behind your proposition to lease all the property, if you are not deceiving the farmer or the country, then this proposition meets you 100 per cent. If you decline to receive it, it is an admission that for all these years you have been deceiving the American farmer, you have been trying to deceive Congress, with the statement that you are interested only in cheap fertilizer for the farmer."

Mr. SIMMONS. Mr. President, I am very much interested in what the Senator is saying. I am very anxious to safeguard the agricultural interests of the country in this matter of cheap nitrogen, because I know it is the basic constituent of fertilizer. I understood the Senator to say that the proposition was that the farmers were to receive the benefit of as low prices as obtained in privately managed nitrogen plants. Am I correct about that?

Mr. NORRIS. The claim has always been that the operation of the Muscle Shoals plant for the production of fertilizer would cheapen fertilizer. If we would take the Government's "dead hand," as it is always called, off the nitrogen plants, and lease them to private people, then the farmer would be in clover at once with cheap fertilizer. That has always been the claim.

Mr. SIMMONS. The point I am making is that the only limit upon the price which can be charged is the lowest price charged by other manufacturers of the product.

Mr. NORRIS. No; the limitation fixed in the House measure is that the lessee shall not make a profit of more than 8 per cent.

Mr. SIMMONS. Is that in the compromise?

Mr. NORRIS. It is in the House measure already.

Mr. SIMMONS. Would that remain in the report?

Mr. NORRIS. That is our proposition. We say, "You may have the nitrate properties leased according to your own resolution."

Mr. SIMMONS. But the profits——

Mr. NORRIS. The profits are limited in the resolution to 8 per cent.

Mr. SIMMONS. The profits shall not exceed 8 per cent?

Mr. NORRIS. That is correct. I do not want anybody to get the idea that in making the offer of compromise to the House conferees the Senate conferees indicated that they believed that the farmers would get cheaper fertilizer by our following the House measure than by following the Senate joint resolution. Not by any means. We make it as a compromise. We make it not because we want it, but because we feel we are compelled to accept it in order to get anything.

I contend and I think I can demonstrate that, considering fertilizer alone, the Senate resolution is a thousand per cent better than the House resolution. It is the greatest proposition for cheap fertilizer that has ever emanated from any legislative or executive body anywhere in the civilized world. We are all anxious to cheapen fertilizer. In our proposition we surrender the theory which we have always maintained and take theirs simply because it is a matter of coercion, a matter of compulsion. We can not get anything done unless we do that. We, in effect, say to them, "Have your own way about this thing for which you have been contending so long and let the people know whether you have been bluffing before or whether you were in dead earnest."

Mr. President, in what I am about to say I do not refer to Members of the House or Senate, but I am referring to the great contest that has been going on over the world waged on the one side by the Power Trust. Assuming that our opponents love the farmer like they said they did, assuming that they were honest, assuming that they believe they could do what they claim they can do, here is their opportunity, and they will get 8 per cent profit on it. Under our proposition we do not even compel them to take power from the Government operation. Some of them said, "You will force the lessee to take power from the Government. We believe the Government can not make as cheap electricity as private parties." I said, "My friends, you do not understand our proposition. That is just what we permit the lessee to do. All we do is to say you can take power from the Government corporation; it will sell it to you as cheap as it sells it to any municipality or individual, the same kind of power under the same conditions. If you would rather buy from the Alabama Power Co., there they are right there with their transmission lines at Muscle Shoals. Buy it of them. Buy it of the Tennessee Power Co. or any other power company if you want to do so. You do not have to buy of us. If the Government can not make electricity as cheap as the Alabama Power Co. and sell it lower than they can, then go ahead and patronize the Alabama Power Co. God bless you, go to it!" They are not to be tied up to anyone. The proposal gives to those who are in favor of private operation of the plants by lessees all that they have ever claimed. The only thing is that we say, "Confine your operations to fertilizer and ingredients to be used in the manufacture of fertilizer. You can have all the power at Muscle Shoals if you want to go into it that extensively."

In conclusion I desire to read and comment upon an editorial from the last issue of Labor, which bears somewhat upon the question which the Senator from Alabama [Mr. BLACK] discussed. The editorial is headed "Sample of Work of Financial 'Experts,'" and reads:

Here's another example, taken from the Federal Trade Commission records, of financial juggling by the power interests:

On May 31, 1921, the American Power & Light Co., the biggest holding concern in the Electric Bond & Share group, issued $3,500,000 of 20-year gold bonds, bearing 8 per cent interest.

Mark you, they issued $3,500,000 of bonds bearing 8 per cent interest due in 20 years. Keep that in mind.

These were sold to "insiders" at so low a rate that after commissions and all were paid, they brought in only $3,021,891.41, or a trifle over 86 cents on the dollar.

They were to run 20 years and were sold to insiders at 86 cents on the dollar, drawing 8 per cent interest.

On October 31, 1922—

A little over a year afterwards—

the American Power & Light Co. called these bonds at a premium.

That is the company which issued them.

The total bill for redemption—principal, interest, and premium—was $4,141,519.18. This means that the company had paid $1,119,537.77 for the use of $3,021,981.41—the sum which the sale of the bonds brought into the corporation treasury—for a period of 17 months.

The payment works out at 37.05 per cent for the entire term, or at the rate of 26.16 per cent per year.

One of the excuses made for holding and "management" companies is that they furnish their subsidiaries with expert financial and engineering advice. This is expert financial advice of the highest, or at least the most expensive, character. It takes an expert to pull that kind of "stunt" and keep out of jail.

The whole transaction was just another scheme for hiding profits. The company needed the cash for those bonds as much as a frog needs a hairbrush.

That is pretty well demonstrated by the fact that they were sold at a discount, bringing a little over 86 cents on the dollar, and were to run 20 years, but they were redeemed in less than two years at a premium.

But by issuing and then redeeming them, a lot of money could be transferred to the pockets of "insiders" without much chance of the public being any the wiser; while the cost is charged, one way or another, to "operating expenses," to be paid by that inevitable goat, the ultimate consumer.

That is only an illustration of what has been going on all these years, and what is being done now by the Power Trust. Every particle of the immense profit to which the Senator from Alabama called our attention and the amount of money involved in this crooked financial deal to which I have called attention must be paid by the people who consume the current. It is the same people who stand in the way of human progress, the same outfit that places its great body across the road which our Government must travel and says, "Unless you contribute to our unholy methods of robbing the American people, we will hold up Muscle Shoals for another term."

## THE SPIRIT OF THE SOUTH

Mr. OVERMAN. Mr. President, I present and ask leave to have published in the RECORD an interesting article from the Boston Evening Transcript of June 7, 1930, entitled "The Spirit of the South," by S. A. Ashe, of Raleigh, N. C.

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

### THE SPIRIT OF THE SOUTH

To the EDITOR OF THE TRANSCRIPT:

Please allow a southerner a word of comment on some utterances of your literary editor in your issue of May 24. Speaking of the spirit of the South, he says: "The defeat of the Southern Confederacy 65 years ago still rankles, and its spirit of nullification, of disunion, of secession, of slavery, still dominates them. As evidence of this spirit, I may cite an experience of my own, for I was recently called a bigot and accused of provincialism because in one of these talks I was unwilling to acclaim General Lee a patriot." "No man who was educated at the expense of his country and who thereafter fought to disrupt it could ever be a patriot."

It happens that I was in a position similar to that of General Lee. The people of Virginia doubtless paid for his education, the people of North Carolina for mine. And my conduct after the war was similar to General Lee's.

In July, 1865, I put in writing that we in North Carolina should try to make those who had been our negro slaves the best citizens of the State that we could. In those years I sought to promote a spirit fully accepting the results of our defeat—contentment, cheerfulness in our daily work, and happiness. Such it developed was likewise Lee's attitude. The President of the United States was a citizen of a State that, having withdrawn from the Union, was by force brought back into the Union. As far as I know or ever heard—there was a general acceptance throughout the South of the authority of the Federal Government. Where was there the slightest trouble?

The theory of the northern authorities was that the Southern States were always in the Union, and the Constitution was the supreme law. We in good faith accepted the result of the establishment by arms of that theory. I know of nothing to the contrary. The constitution of North Carolina now forbids secession.

If there has since been any manifestation of a spirit of disunion or secession, I am ignorant of it. The people of the Southern States being citizens of their States have a perfect right to manage their State concerns as far as the Constitution permits.

In General Lee's view, he did not fight against his country,

The States in 1781 formed a perpetual union; the articles to be unchangeable without the consent of every State. Changes were proposed in the articles. Eleven States withdrew from the perpetual union and ratified the proposed new Constitution. Virginia and New York in their ratifications declared that any State had a right to withdraw from the Union. Congress accepted their ratifications as being entirely right and established the new Government over the 11 States. Then, later, Rhode Island, declaring that any State had a right to withdraw, ratified the Constitution. Her ratification was accepted. There was no objection raised to the declaration that any State had a right to withdraw. Henry Cabot Lodge in his Life of Webster says: "It is safe to say that there was not a man in the country who did not regard that each and every State had a right to peaceably withdraw from the Union."

When General Lee was being educated at the expense of the Government he was taught that a State had a right to withdraw. So said his textbook, Rawle's View of the Constitution, Rawle being one of the most eminent jurists of Pennsylvania. Thus it was a part of Lee's education by the Government.

In January, 1861, the States began to secede, Congress did not object. But when President Lincoln was inaugurated in March he told Congress that the Union was formed in September, 1774, when the Colonists were British subjects and nearly two years before the Declaration of Independence, and that the States could not separate.

That was news to General Lee. If he looked into the Constitution he did not find anything about it. He found that the Constitution first and last talked about the States—that it established a Government by the States—and it did not forbid the withdrawal of a State.

Your literary editor talks about the country and the Nation—but General Lee did not find either word in the Constitution. Somebody is "unconstitutional."

Still it is nothing that anyone does not think Lee a patriot. That is nothing. What concerns me is that a learned gentleman misapprehends the spirit of the southern people.

It is to be desired that the people everywhere in the Union should consider all others equally patriotic with themselves, no matter how much they may differ in their political views, for our local interests, situation, and condition largely determine our views.

However, the reason your literary editor mentions for attributing an unlovely spirit to our southern people is so illogical that doubtless your intelligent readers will say "Non Sequitur."

For my own part, I am glad to know that the white people of the South are for the most part Anglo-Saxons of a high order of intelligence, virtue, and patriotism, fully knowing their duties to Government and society and seeking to perform them.

S. A. ASHE.

RALEIGH, N. C., *June 3.*

ORDER OF BUSINESS

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. HARRISON. Mr. President, I ask unanimous consent to proceed for a few minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from Mississippi is recognized.

THE TARIFF

Mr. HARRISON. Mr. President, for more than 17 months the Congress considered the tariff bill. Of course, it is known to the Senate and to the country that we began its discussion in the extra session of Congress called by the President for the purpose of revising the tariff in a limited way, to give agriculture some relief, and to give some relief to certain industries which were said to need it. We were never told just what was in the mind of the President and what he believed to be or understood to be a "limited revision" of the tariff.

In speech after speech made in the other House and upon the floor of the Senate we tried to extract from the President some information as to what he meant by "limited tariff revision." But throughout the very exhaustive discussion and the close contest never at any time, so far as the Senate has been informed, did the President take into his confidence anyone as to what his views were and what he meant by "limited tariff revision."

The chairman of the Finance Committee time after time said he had not discussed it with the President and that he himself did not know. The leader of the Republicans in this body disclaimed any knowledge as to the views of the President. Due to the failure of the Senate and the Congress to ascertain what his views were and what his policy was with reference to tariff revision, the Senate for weeks and weeks and months and months went ahead, not knowing what the President desired in the way of legislation.

There is not in the country a man who has kept in touch with current events but who believed that the President had not formulated an opinion, if we were to accept what leaders said and if we were to accept his silence; nor a man but who thought that after the bill had passed the Congress he would give it that degree of painstaking consideration which the subject demanded. Of course, some of us did not believe that the President would have the courage to veto the bill. Some of us believed that the President was tied with a strangle hold to the reactionary leadership of the Republican Party in this body and in the other House; that he was listening to the appeals and demands and instructions of certain big special interests in the country, and that whatever their demand or request was, he would grant it.

What has happened? Our prophecies have come true. What we have believed, at least those of us who knew the situation intimately, must now be known by the country. There never has been practiced, in the consideration of any measure of this magnitude, such deception and hypocrisy as has been practiced by Republican leadership from the time the bill was first considered in the committee and down through the long weary months of its consideration and passage though the House, then through the Senate, until this day when it is about to be signed at the White House by the leader of the Republican Party. Ah, even last week we knew that the framers of this measure were trying to devise a plan to pass the bill without the vote of the junior Senator from Pennsylvania [Mr. GRUNDY], because they knew that to stigmatize the measure with "Grundyism" would put them on the hustings this fall in a defensive attitude; but the junior Senator from Pennsylvania had pride; he would not be shunted aside as his party associates tried to shunt him. He knew that his hands, in part, and, indeed, in large part, had framed the tariff measure, and he was going to continue to brand it with his mark. So, even though the Republican majority and he knew that they were going to be able to pass the bill by two votes, they very much desired that the Senator from Pennsylvania should vote with us on this side of the Chamber against the bill, not because he was against it, for he was whole-heartedly for it, but merely because the proponents of the measure thought it would be good politics for him to do so. He was not willing, however, to go through with the plan, and so he voted for the bill. Therefore, those Republicans who supported it will have a very hard time next fall defending this "Grundyized" bill. They will not be able to caponize it of "Grundyism."

Hypocrisy is inseparably connected with the passage of the measure. Its friends knew the President was going to sign it. Before the report from the House of Representatives came over announcing the passage of the bill there had been printed, at the instance of the chairman of the Finance Committee, at the Government Printing Office, a document which is called "The Tariff Act of 1930." Do Senators recall, in all their legislative experience, a tariff bill having been printed at Government expense and published and distributed as "the tariff act" of the year in which it was passed before the bill had even reached the hands of the President and before he had signed it? But the Republican majority knew what they were about; they knew the President was going to sign the bill; they knew that all the spurious, deceptive, and hypocritical statements which had been printed and distributed throughout the country were but a sham and pretense. The very act of printing the "Tariff Act of 1930" in advance should unfold that fact to the country.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from North Carolina?

Mr. HARRISON. I yield.

Mr. SIMMONS. Will the Senator from Mississippi not in the course of his remarks advise us of the effect of the statement by the President on the slump in the price of stocks on the New York Stock Exchange? I have heard about that.

Mr. HARRISON. I am going to come to that in a moment. What I have stated, however, has not been the only instance of deception. It was stated by the proponents of the measure that the President was going to give long, deliberate, and painstaking consideration to the bill before deciding whether or not to sign it. From the White House there have been given to the press during the last two weeks various statements to the effect that the President was not taking any sides on tariff legislation; that it was not assured that the President was going to sign the bill; indeed, it was stated that the President had not made up his mind on that subject but that he would reach his conclusion after studying the measure, following its passage by Congress.

However, what do we find? Before the conference report had been voted on in the House of Representatives there had been prepared a statement by the President of the United States relative to the matter; and on yesterday, on the Sabbath, before

the bill had reached the President, that statement was distributed. The President's full statement was broadcast in the morning newspapers, which was carried in the daily press of the morning, and which will also be carried in the afternoon press and in the weekly press. It even kept my friend the distinguished leader of the Republicans off some of the front pages of the newspapers after his labored effort of last Friday. That, however, is a good thing for the Senator from Indiana; it is a good thing also for the Republican Party that it did not get into the press more than it did.

Yet, despite the statement of the President published this morning, and which was prepared before the conference report had passed the House of Representatives, those who gave out messages from the White House were constantly stating, "It is not assured that the President is going to sign the bill; he may disapprove it; he is going to give painstaking consideration to it after it shall have been passed by Congress."

Do the proponents of this measure think they are going to fool the American people by such practices as that? How can the American people have confidence in a party which, from its head in the White House down to its leadership in this body, including the chairman of the Senate Finance Committee, and all of its followers, practices hypocrisy upon them?

I do not know that I should pay any attention to this mere statement of the President if it were not for the fact that he has all the advantage in the world, because of his exalted position, of getting the ear of the country and having this stuff smeared over the newspapers, so that the unsuspecting who read it may be fooled by it. I do not suppose any document sent out with the approval of a President of the United States ever contained more misleading statements and more alleged facts that do not exist than that statement of the President of the United States. Throughout runs the suggestion that it will help agriculture, that agriculture will be benefited by it, and also the suggestion that whatever inequalities the bill may contain the President will adjust through the Tariff Commission.

Here is just a sample of the deception in it:

> The increases in tariff are largely directed to the interests of the farmer. Of the increases, it is stated by the Tariff Commission that 93.73 per cent are upon products of agricultural origin measured in value, as distinguished from 6.25 per cent upon commodities of strictly nonagricultural origin.

The average person reading that statement would say, "My goodness, what a wonderful bill! It will help agriculture to the extent of nearly 94 per cent, while it will help industry only about 6 per cent." That, of course, "rings the bell," and yet when that statement is analyzed it shows hypocrisy in its every line.

What does that include? It includes every product other than metals and minerals. If you can visualize every other product and thing, Mr. President, except metals and minerals, that 93 per cent includes them all; it includes the suit of clothes on my friend's back; the tie, the shirt, the shoes, the leather, the socks, and everything else he wears. No; the ring upon his finger is not included, and the gold in his teeth is not included, but everything made from cotton is included in that 93 per cent of benefit to agriculture; everything in the woolen schedule is included, because wool is claimed as an agricultural product and is put in that category. So woolen socks and woolen blankets and woolen shirts and clothing and hats are included.

Likewise sugar, that great agricultural product in which only a very small percentage of the farmers of this country are interested, is included. Ah, because the duty on sugar is increased from $1.76 a hundred pounds to $2 a hundred pounds, agricultural interests all over the country are going to get the benefit therefrom. Was there ever such hypocrisy? Rayon is likewise included. As I have said, steel is not; metals are not; but all commodities into which an agricultural product enters even in the slightest degree come within the category of 93 per cent. Shoes come within it because they are made from hides; leather is likewise included; and the farmers of the country are told by Mr. Hoover with all the dignity that should characterize the acts and statements of the President of the United States that agriculture will be helped tremendously, to the extent of 93 per cent, because leather, among other things, is going to get the benefit of a tariff and so likewise are shoes.

Mr. SIMMONS. Mr. President, let me inquire of the Senator who said that?

Mr. HARRISON. Mr. Herbert Hoover said it in his statement issued on yesterday, on the Sabbath.

Mr. SIMMONS. Does the Senator suppose that the President when he made that statement knew the facts?

Mr. HARRISON. I do not know; I do not know who wrote the statement; I know that the President had it issued, and it comes out as the statement of President Hoover. It may be that he got his facts from the distinguished Senator from Utah or from Mr. Brossard, chairman of the Tariff Commission; I do not know; but I say any such statement as that is a deception upon the American people.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I yield.

Mr. SMOOT. The President did not get the figures from me, I will say to the Senator, but I have not the least doubt that they are correct.

Mr. HARRISON. The Senator is just a blind follower of the President; that is all.

Mr. SMOOT. Wait a moment. Does not the Senator know that cotton on which a duty of 7 cents a pound is levied goes into the clothing of the people, and is not that duty a benefit to the farmers of Mississippi?

Mr. HARRISON. Oh, it will help a few.

Mr. SMOOT. That is one item which may be mentioned, and the same thing can be said as to others.

Mr. HARRISON. The Senator asked me a question, but he does not want to give me an opportunity to answer it.

Mr. SMOOT. I will give the Senator all the opportunity he desires, and I hope he will also give me an opportunity.

Mr. HARRISON. Of course, the small percentage of cotton farmers who will receive the benefit of the 7 cents duty on long-staple cotton will be helped to that extent; but a compensatory duty is placed upon everything manufactured from that cotton, just as it is on wool and other products. I suppose that lumber also would be included in the 93 per cent suggested by the President.

Mr. SMOOT. The Senator has stated, I think, the contention of the President, and I have no doubt, I repeat, that the figures the President has given are correct, no matter what the Senator from Mississippi may say.

Mr. HARRISON. I say that the President's statement is misleading.

Mr. SMOOT. I do not think it is misleading; he has stated the facts just as they are.

Mr. HARRISON. The Senator may take that view of it, because the Senator himself has made many misleading statements; he believes in fooling the people and the President has fallen into the error of trying to fool somebody in this instance. I say that when the President of the United States says that the tariff bill to the extent of 93 per cent benefits agriculture, it is an attempt to make the farmer believe that he is going to get 93 per cent of all the increases afforded by the bill, and the statement is misleading.

Mr. SMOOT. The statement made by the President is, I think, absolutely correct.

Mr. HARRISON. All right; let us pass to something else.

Mr. SMOOT. If the Senator wants to place any other construction upon what the President has said, the Senator, of course, is at liberty to do so.

Mr. HARRISON. The Senator himself, in the tables he presented, showed only a small percentage of increases for agriculture in the agricultural schedule.

Mr. SMOOT. Oh, no.

Mr. HARRISON. And he stated the facts as to the increases in the metal schedule and also as to the cotton and other schedules. Did the Senator ever make a statement that agriculture is going to be benefited by the passage of the tariff bill to the extent of 93 per cent of all the increases?

Mr. SMOOT. I did not make that statement, and I do not make it now; but I do say that carrying the rates placed on agricultural products through to the finished products, and taking into consideration what the consumers will have to pay, the statement of the President no doubt is correct. I have not figured it out in detail, but my opinion offhand would be that that statement is correct.

Mr. HARRISON. All right; then the Senator agrees with the President.

Mr. SIMMONS. Mr. President, do I understand the Senator from Utah to say that if this bill raises the value of a hide on a cow from $1 to $1.50, and it raises the price of shoes from $12 to $15, that is a benefit to agriculture, and that in estimating the benefits to agriculture we should include the advanced price on shoes and on leather?

Mr. SMOOT. Mr. President, that is not what the statement says. The statement says that the rate of duty upon hides—I do not say that it specifically mentions hides, but the principle is the same—whatever duty there is upon hides, of course, will be transferred to the cost of shoes, and whatever that cost may be is taken into consideration as a benefit to the stock raiser, because he gets the duty upon his hides, and there is the original

increase of cost of the shoe when manufactured and sold in this country.

Mr. SIMMONS. I follow and understand the very illogical reasoning of the Senator.

Mr. SMOOT. I have heard the Senator a great many times on this floor rant and rave and throw his hands about and exclaim that this duty that is imposed all had to be paid by the ultimate consumer.

Mr. HARRISON. Mr. President, I do not want to be diverted by the Senator from Utah.

Mr. SIMMONS. Who does pay these things, if the ultimate consumer does not?

Mr. SMOOT. The Senator was just saying that he did not, and therefore it should not be counted in the percentage stated by the President.

Mr. SIMMONS. I have not said the ultimate consumer did not have to pay. Everybody knows that the advance in prices in the last analysis is dumped upon the ultimate consumer.

Mr. SMOOT. Figuring upon that basis, then, the amount that the price would be advanced on account of the duty upon hides, whatever that is and whatever the farmer gets, is an advantage to him and figures in the percentage of the President in his statement.

Mr. HARRISON. When the Senator is up for reelection next time, he can go to his constituents in Utah and tell them how much benefit they get from this duty that has been placed upon shoes and upon leather.

Mr. SMOOT. I am perfectly willing to go before the people on that issue.

Mr. HARRISON. I know the Senator thinks he can do anything and get away with it. I do not understand how he has gotten away with it so long.

Mr. SMOOT. My position is entirely different from that of the Senator from Mississippi, because the Senator can say anything and get by. I have to confine myself to the truth.

Mr. HARRISON. Then let us see another item here, and how misleading the statement is which goes out:

> The proportion of imports which will be free of duty under the new law is estimated at from 61 to 63 per cent.

Then he gives a table of the percentages under the McKinley law, the Wilson law, the Dingley law, the Payne-Aldrich law, and the Fordney-McCumber law.

Why, of course, the percentage of things coming in free under the present bill is quite large; but the Senator is enough of an economist to know that the reason of the increase in the number of free articles coming into this country now over what it used to be is because we are producing so much more through mass production, and we need so much more raw material.

For instance, take rubber. That is included in the 61 or 63 per cent of importations that come in free. In 1921 there was $76,000,000 worth of rubber imported into the United States free. In 1926 there was more than $500,000,000 worth of rubber coming into this country free. Of course, the increase of the free product was quite large. Take the case of coffee. We import at times more than $200,000,000 worth of it. We import into this country a tremendous amount of tin and tea, and the importation of silk has run as high as $400,000,000 in one year. These are importations of raw material. We need it. The automobile industry, which has grown in this country by leaps and bounds, is to-day one of major importance. Thirty years ago we did not have much of an automobile industry, if any. I have forgotten just when we did begin to manufacture automobiles; but during the past 20 years, under mass production, we have been turning out automobiles by leaps and bounds. The increase is tremendous, and as we increase the production of automobiles naturally the importation of rubber used in them is going to show tremendous increases also; and yet the President in this statement says, "Why, from 61 to 63 per cent of the importations into this country come in free now."

Yes; and included in that percentage are the tremendous importations, as I say, of coffee, tremendous importations of tea, tremendous importations of tin and of rubber and of silk and of spices, and innumerable other things that we must have in this country which are not produced here and which we must have come in here if we are going to produce anything to keep labor going and sell our products abroad; and yet the President in his statement gives as one of the great arguments why this is not a bad bill, but is a very meritorious measure, the fact that 61 to 63 per cent of our importations come into this country free!

The average man out in the street does not analyze the statement; but that is the argument that is made to show why this is a very good bill.

Senators talk about the increases on agricultural products. The President said first in his statement that he called the Congress in extraordinary session for a limited revision of the tariff, and yet in the same statement he speaks of what we did as a "general revision." He says that the American people will not want another general revision of the tariff; they would rather trust the Tariff Commission to handle these things item by item; and then he calls the attention of the Senate to the fact that out of the total of about 3,300 items that were touched in the consideration of this bill there were 235 reductions and 890 increases.

That is a pretty big proportion of increase when we think of the interest of the American consumer and the greatly increased cost to him by virtue of these increased levies of taxes. You say that he wanted a limited revision, and yet you handed him in this bill a measure that carries 890 increases and only about 25 per cent that number of decreases. It is in the decreases that the chairman of the committee put in his work, on things like belladonna and a whole lot of items that are not produced in this country and are imported into this country, things that we have to have. I believe one exception in that respect was aluminum. Of course we reduced the duty on aluminum a good deal in the Senate when the work of the coalition was going along smoothly; but when the bill got into conference, and the tender and nurturing hands of my friend from Utah, working in consonance with the Senator from Indiana [Mr. WATSON] and the House conferees, got through with the aluminum item, they had shifted the duty up again; and when you finished with it, Brother Andy Mellon did not get much reduction on his aluminum. Yet that is one of the two hundred and some odd matters that were reduced in this bill.

When the conference report came in I analyzed it, and showed that these increases were substantial; that they were on things that went upon the breakfast table and upon the backs of the American people to increase their cost, and were a burden upon the American people throughout, while the little decreases did not hurt anybody and did not help anybody very much.

Ah, you know that in the case of the agricultural items, while on a very few things the increased tax might help the farmers, on items such as flaxseed, and so forth, where it is operative, in the main, nine times out of ten, the duties are ineffective and inoperative; and the reason why we stood for them here was because we were handing you in the same bill the debenture, which would have made every one of these increases operative and effective. When you got into the conference, and removed the real, effective weapon that might give to the farmers relief, and threw out the debenture, you gladdened the heart of the President but you hit the farmers of this country right between the eyes; and when you destroyed that provision you took away from the farmers in the main the relief which the farmers of the country have appealed for and which they thought they might obtain.

So much for that.

The President talks about the flexible provision. That is the joker. Why, he even called upon the spirit of Roosevelt and other great leaders of the Republican Party in support of his assertion that this flexible provision is a great Republican doctrine. He says:

> These provisions meet the repeated demands of statesmen and industrial and agricultural leaders over the past 25 years. It complies in full degree with the proposals made 20 years ago by President Roosevelt. It now covers proposals which I urged in 1922.

That is the flexible provision of the tariff. That was Mr. Hoover speaking to the country on this legislative monstrosity; and here is Mr. Hoover speaking in the last campaign in Boston. I repeat it so that some eye may scan it to show the double dealing that the American people are getting in this matter, and the weak argument that is put forth in defense of the approval of this tariff bill.

> But the American people—

Says Mr. Hoover as a campaign orator, seeking votes with my good friend who now presides over this chamber—

> will never consent to delegating authority over the tariff to any commission, whether nonpartisan or bipartisan. Our people have a right to express themselves at the ballot upon so vital a question as this. There is only one commission to which delegation of that authority can be made. That is the great commission of their own choosing, the Congress of the United States and the President. It is the only commission which can be held responsible to the electorate.

And yet one of the main reasons assigned for signing this bill, which the President says has inaccuracies and inequalities in it, is that provision, which he says is such a wise one. I do not know when he was speaking from conviction—whether when he was speaking here, offering his apology for signing this tariff bill, or when he was speaking as a candidate for votes in the last campaign.

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

Mr. HARRISON. He speaks both ways on that proposition. Is not that a fact, may I ask the Senator from Ohio?

Mr. FESS. No.

Mr. HARRISON. Oh, it is not?

Mr. FESS. Will the Senator yield?

Mr. HARRISON Yes; I yield.

Mr. FESS. The Senator is very well aware of the statement of Governor Smith——

Mr. HARRISON. Oh, I am talking about President Hoover. Governor Smith has not any responsibility in this matter.

If Governor Smith had been President of the United States, in the first place, I do not believe we would have such disorder in our economic conditions to-day in this country. He would have spoken his thoughts when this bill came up for consideration by the Congress, and he would not now be attaching his name to such a legislative monstrosity.

Mr. FESS. Mr. President, will the Senator permit me to finish my question?

Mr. HARRISON. I yield. It has done me good to get that out of my system.

Mr. FESS. I think it has. Governor Smith, as a candidate, took the position that there should be larger power given to the Tariff Commission, referring to delegating the power to the Tariff Commission. The present President would not take that view. He said he was opposed to delegating to any commission a power Congress has. He did recommend that a commission bipartisan in character be created, with power to recommend, and limited not to take an article from the free list and put it on the dutiable list, as Governor Smith did, or from the dutiable list and put it on the free list. The President's present attitude is not inconsistent with that statement at all.

Mr. HARRISON. I dare say the Senator from Ohio is the only man in the whole United States who does not think the President is inconsistent compared with the position he took in his previous statement.

Mr. FESS. I think not.

Mr. HARRISON. The Senator is just a curiosity, that is all. If the Senator has answered my question, very well.

Mr. FESS. I have answered it.

Mr. HARRISON. So what the President was saying as Candidate Hoover was that he was not in favor of creating a commission which would have the authority to take a thing from the free list and put it on the dutiable list, or that he would not delegate the authority of taking a thing from the dutiable list and putting it on the free list.

Mr. FESS. I mentioned that as only one instance.

Mr. HARRISON. That is one instance. That was the main thing, the Senator said.

Mr. FESS. One example.

Mr. HARRISON. Yes. The provision now engrafted in the tariff legislation would be much better if it did give the commission power, as was recommended in the Senate amendment, for which the Democrats and the progressive Republicans voted, upon ascertainment of the differences in the costs of production here and abroad, to recommend to the Congress taking the article from the free list and putting it on the dutiable list, or taking it from the dutiable list and putting it upon the free list.

Mr. FESS. I do not agree with the Senator.

Mr. HARRISON. The Senator does not agree. I think it would have been better, but the Senator has made quite plain what the position of the President of the United States is. He was once against this delegation of power; he is now for the delegation of power. When he was against it, he was not President of the United States, but he was seeking the presidential office. Now he is President, and he craves the power very much. A good many Presidents are that way; they thirst for power. The more you give them the stronger is their demand for more of it.

One of the most serious indictments that has been heard against this bill is couched in the President's language in one part of the statement. I have sometimes wondered at the distinguished Senator from Utah [Mr. SMOOT], who as a Republican I love and admire, and I think that when he gets off some of these questions he is ordinarily correct, but he stays on these questions too much.

The other day the distinguished senior Senator from Pennsylvania [Mr. REED], one of the men who worked with the Senator from Utah in fashioning this legislation, spoke here, and when he did, of course the galleries were jammed and packed, because they had heard that the distinguished Senator from Pennsylvania was going to take the country into his confidence and tell them how he stood on this matter. Immediately when he spoke the rivers began to run in their ordinary and natural channels, the old sun began to shine again, and the old moon ceased to wink as he had when he heard that the Senator from Pennsylvania did not know how he stood on the bill. But, oh, how he apologized for it. It was unpopular in the country, he knew. He would not have voted for it after it had passed the House, no, because the industrial rates were too high, he said. He would not have voted for it in the Senate when the coalition had amended it, the agricultural rates were then too high. But now, after three weeks of the most painstaking study he had given to any subject, one which had bothered him by night and through the day, he had come to the conclusion, when the arch conspirators in conference had finished their handiwork, that the conference report was a better bill, when, if he had studied it with that impartiality which the Senator from a State other than Pennsylvania could have shown, he would have known that if the industrial rates were so high when the bill passed the House that he could not vote for it, certainly he could not vote for it when it came out of conference, because what happened in conference was that the Senate conferees had accepted the House high industrial rates; and if he was going to vote against it because the agricultural rates were too high after it passed the Senate he certainly would have voted against it after it was reported from the conference, because the House conferees had accepted all the Senate agricultural increases. But no, it was a better bill after it came out of conference and, finally, he was going to vote for it.

If the statement of the President is examined, it will be found that it runs pretty well along with the expression of the distinguished senior Senator from Pennsylvania the other day. The President is apologetic in this statement, just as much as he possibly could be and be a Republican President. He says:

> With it the country should be freed from further general revision for many years to come.

Is not that an implication that this is a general revision, a bill which carriers more than 900 increases, with only two hundred and some odd decreases? Is not that a general revision? He said further:

> Congressional revisions are not only disturbing to business—

If there is anybody in the world who ought to know and appreciate that, it is the President of the United States. Disturbing to business! Who was it who brought this disturbance upon the American people and upon American industry? Was it not he, more than 15 months ago? Did he not add to the uncertainty by refusing to tell the Senate what his program was? Did he tell us how he stood on any of the schedules? The President said further:

> but with all their necessary collateral surroundings in lobbies, logrolling, and the activities of group interests are disturbing to public confidence.

Could the President have in mind anyone else than the distinguished junior Senator from Pennsylvania [Mr. GRUNDY] when he talks about lobbyists around the Capitol, the logrolling here in the adoption of certain rates? That is an indictment of the manner and the way in which the bill was considered and passed. The President said that it should be condemned.

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

Mr. HARRISON. I yield.

Mr. SMOOT. The Senator knows there were lobbyists for free trade, that there were lobbyists for protection, that there were lobbyists for and against nearly every item in the tariff bill. He referred to lobbyists of every name and nature, and of every kind.

Mr. HARRISON. And they all had a key and knew how to get into the Senator's office.

Mr. SMOOT. No; it is not the Senator's office; it is every Senator's office. I have been helping to frame tariff bills since the tariff act of 1909, and I never saw as many lobbyists during the consideration of a tariff bill as during the consideration of this one.

Mr. HARRISON. I think that is true; I never saw as many of them.

Mr. SMOOT. I never saw so many of the importers as appeared here during the consideration of this bill. I do not know how much money they have spent, but I think untold thousands and tens of thousands and perhaps hundreds of thousands of dollars.

Mr. HARRISON. Yes. The President does not want another general revision of the tariff, so the flexible provision is given to him. Now, he says:

> They can be ended only by the completion of this bill.

These hard times is what he is talking about when he speaks of economic disturbances.

> Meritorious demands for further protection to agriculture and labor which have developed since the tariff of 1922 would not end if this bill failed of enactment. Agitation for legislative tariff revision would necessarily continue before the country.

That was the argument of the Senator from Pennsylvania the other day following his conference with the President of the United States. He must vote for it even though it is unpopular. Even though he would not have voted for it after it passed the House and even though he would not have voted for it after it passed the Senate, he must vote for it now in order to speed up business a little bit and stop this agitation for any tariff revision in the future.

Oh, he says, the flexible provision will expedite things. That is another misleading statement. There is no difference of any importance whatever between the flexible tariff provision written into the measure now before the President, and which he says he is going to sign, and that in the present law except this, that the Tariff Commission makes no recommendation under the present law. The President could raise a rate 40 per cent, even though the Tariff Commission should find the difference in the costs of production here and abroad to be 50 per cent. He has the discretion to do what he wants to within the 50 per cent increase or the 50 per cent reduction, but under this bill he must either take it or leave it on the findings of the Tariff Commission within the 50 per cent; that is all. There is nothing here which justifies the statement or offers any hope to the American people that these changes can be effected quickly and speedily. During the life of the Tariff Commission, now about eight years, they have considered very few cases and they have given practically no relief. Yet the President cites in justification the increases which have been made by them. He holds out no hope for any decrease in the eight hundred and some odd increases which you wrote into the bill or for the other tariff duties, high in instances, 3,300 in number, I believe. So you can not fool the American people by saying that there is any great difference between this Tariff Commission and the procedure under it and the old one.

I know it has been rumored here for some time that the President was to say to the American people, "Give me the flexible tariff provision, and I will go on and make these changes where the facts justify them." That is the hope you are beginning to hold out now to the would-be contributors to the Republican party in the coming campaign. That is to soften the anger which is so widespread in this country against you for some of the actions you have taken in the formulation of these rates, or in the failure to give these contributors some of the things they desired.

Oh, he says that a tariff commission which must make its reports to Congress would be under the domination of legislative influence. That is one of the things he opposed. He is against legislative influence. Yet he wants the executive influence. Of the two, the latter is worse than the former, and it will be exercised in carrying out certain changes in the present law through the flexible tariff provision.

We have seen it at work already. We had written into the conference report a provision for a bipartisan commission, conconsisting of three Democrats and three Republicans, to be appointed. The President was to name a chairman one year of one party faith, and the next year he was to name one of different party faith. They would alternate, so that a man would not occupy a domineering position. But with no point of order being raised against it, with not a word being said against it on the floor of the Senate, when the conferees went back to change the 60-day provision, they wrote in a provision making it possible for the President now to keep one man as chairman of the commission for six or more years. He can be a Republican, or he can be some lukewarm Democrat, if the President desires, just so he carries out the President's views in reference to this matter. You have more executive influence welded now in tariff matters than you would have if you had left the Senate amendment as to flexibility stand, so that the commission could impartially determine the differences in the costs of production here and abroad, and let the Congress consider it item by item free from all the log-rolling tactics which the President in his statement condemns.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The CHIEF CLERK. A bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. HARRISON. Ah, but it was said, "We want business to continue. It has been halted too long. It is awaiting the passage of the tariff bill. Oh, what good times will come again! How the machinery of our economic institutions will begin to run more smoothly than during the past 15 months. When the President signs the bill what a tocsin call will it be to business in the country to revive and start up again." It was said, "Stocks will clamber skyward and that the good old times will return."

Of course, Mr. Hoover has had a very difficult time during this year of general business depression and economic unrest. Stocks have gone down. They have gone down gradually and they have gone down precipitately until they would reach a low level. Then somebody would say, "They can not possibly go lower," and then they would take another tailspin into a slump and go still lower. That is the situation we have to-day in the United States. That is the reason why the business people have no confidence in the executive branch of this Government.

Mr. ROBINSON of Arkansas. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. I yield.

Mr. ROBINSON of Arkansas. In the connection in which the Senator has been proceeding, the press statement is that stocks declined immediately following the agreement to the conference report.

Mr. HARRISON. Yes; I have here a statement to that effect from the Daily News of Washington.

Mr. SMOOT. But they are up again to-day.

Mr. HARRISON. The Senator from Utah smilingly says, "They are up again to-day." That is what the Republican leaders have been predicting. The Senator from Utah has preached it so often that he believes it. But let me read from a press dispatch. This is from the International News Service, dated New York, June 16, 12.20 p. m.:

> Stocks, bonds, and commodities turned downward to-day on the renewal of the selling wave which has been in progress for nearly a month. The stock market derived little or no comfort from the President's statement over the tariff bill, and in the absence of support of any kind the best grade of speculative stocks dipped steadily lower, breaking through the old levels and recording the lowest prices since the break in November.

Mr. ROBINSON of Arkansas. Mr. President, in view of that news, I would like for the Senator from Utah to explain why he made the declaration just a moment ago that stocks are up to-day.

Mr. HARRISON. Oh, I would not press the question. It might be embarrassing to the Senator from Utah.

Mr. SMOOT. No; not in the least.

Mr. ROBINSON of Arkansas. Of course the Senator from Mississippi knows that I would not for anything in the world embarrass the Senator from Utah.

Mr. HARRISON. Oh, no. However, I would rather for the question not to be pressed.

Mr. SMOOT. The Senator need not worry about it embarrassing me.

Mr. HARRISON. I think when the Senator said "They are up again to-day" he was mistaken.

Mr. SMOOT. There was a report made to me about 10 minutes ago that the stock market had begun to rise. I do not know. I have not been outside of the Chamber to ascertain. That was the report made to me about 10 minutes ago.

Mr. HARRISON. Perhaps that was White House information and they gave the wrong information.

Mr. SMOOT. No; it was not White House information.

Mr. HARRISON. Here is what the United Press states:

> United States Steel broke to 159⅜, lowest since December. Tickers running 23 minutes behind at 12.40. Sales at rate of nearly 6,000,000 shares for full session. Slight rally shortly after noon—

That is what the Senator from Utah probably heard—

> fails to last and prices immediately tumble again.
>
> New lows made in wheat, cotton, rubber, etc. Utilities also heavy losers. Van Sweringen rail groups at new low; Westinghouse, General Electric also heavy losers. Markets elsewhere also under pressure.
>
> Several hundred stocks made new low for year or longer and more than $2,000,000,000 in valuations were swept away in heavy liquidation.
>
> Prices broke 3 to 16 points in the active issues.

That tells the story.

Mr. President, the Democrats back in 1909, when the Payne-Aldrich tariff bill was before the Congress, told President Taft that he ought not to sign the bill. He suffered the consequences. We have now warned President Hoover. He would not take our advice. He will suffer like consequences at the first opportunity given to the American people to express themselves upon the matter.

Mr. FESS. Mr. President, I hold in my hand a copy of the statement of the President. I think it ought to be printed following the address of the Senator from Mississippi. I ask unanimous consent that it may be printed in full.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The statement is as follows:

JUNE 15, 1930.

Statement by the President:

I shall approve the tariff bill. This legislation has now been under almost continuous consideration by Congress for nearly 15 months. It was undertaken as the result of pledges given by the Republican Party at Kansas City. Its declarations embraced these obligations:

"The Republican Party believes that the home markets built up under the protective policy belongs to the American farmer, and it pledges its support of legislation which will give this market to him to the full extent of his ability to supply it. * * *

"There are certain industries which can not now successfully compete with foreign producers because of lower foreign wages and a lower cost of living abroad, and we pledge the next Republican Congress to an examination and where necessary a revision of these schedules to the end that the American labor in these industries may again command the home market, may maintain its standard of living, and may count upon steady employment in its accustomed field."

Platform promises must not be empty gestures. In my message of April 16, 1929, to the special session of the Congress I accordingly recommended an increase in agricultural protection; a limited revision of other schedules to take care of the economic changes necessitating increases or decreases since the enactment of the 1922 law, and I further recommended a reorganization both of the Tariff Commission and of the method of executing the flexible provisions.

A statistical estimate of the bill by the Tariff Commission shows that the average duties collected under the 1922 law were about 13.8 per cent of the value of all imports, both free and dutiable, while if the new law had been applied it would have increased this percentage to about 16 per cent.

This compares with the average level of the tariff under the McKinley law of 23 per cent, the Wilson law of 20.9 per cent, the Dingley law of 25.8 per cent, the Payne-Aldrich law of 19.3 per cent, the Fordney-McCumber law of 13.83 per cent.

Under the Underwood law of 1913 the amounts were disturbed by war conditions varying 6 per cent to 14.8 per cent.

The proportion of imports which will be free of duty under the new law is estimated at from 61 to 63 per cent. This compares with averages under the McKinley law of 52.4 per cent, the Wilson law of 49.4 per cent, the Dingley law of 45.2 per cent, the Payne-Aldrich law of 52.5 per cent, the Fordney-McCumber law of 63.8 per cent.

Under the Underwood law of 1913 disturbed conditions varied the free list from 60 per cent to 73 per cent, averaging 66.3 per cent.

The increases in tariff are largely directed to the interest of the farmer. Of the increases, it is stated by the Tariff Commission that 93.73 per cent are upon products of agricultural origin measured in value, as distinguished from 6.25 per cent upon commodities of strictly nonagricultural origin. The average rate upon agricultural raw materials shows an increase from 38.10 per cent to 48.92 per cent in contrast to dutiable articles of strictly other than agricultural origin, which show an average increase of from 31.02 per cent to 34.31 per cent. Compensatory duties have necessarily been given on products manufactured from agricultural raw materials and protective rates added to these in some instances.

The extent of rate revision as indicated by the Tariff Commission is that in value of the total imports the duties upon approximately 22.5 per cent have been increased, and 77.5 per cent were untouched or decreased. By number of the dutiable items mentioned in the bill, out of the total of about 3,300 there were about 890 increased, 235 decreased, and 2,170 untouched. The number of items increased was therefore 27 per cent of all dutiable items, and compares with 83 per cent of the number of items which were increased in the 1922 revision.

This tariff law is like all other tariff legislation, whether framed primarily upon a protective or a revenue basis. It contains many compromises between sectional interests and between different industries. No tariff bill has ever been enacted or ever will be enacted under the present system, that will be perfect. A large portion of the items are always adjusted with good judgment, but it is bound to contain some inequalities and inequitable compromises. There are items upon which duties will prove too high and others upon which duties will prove to be too low.

Certainly no President, with his other duties, can pretend to make that exhaustive determination of the complex facts which surround each of those 3,300 items, and which has required the attention of hundreds of men in Congress for nearly a year and a third. That responsibility must rest upon the Congress in a legislative rate revision.

On the administrative side I have insisted, however, that there should be created a new basis for the flexible tariff and it has been incorporated in this law. Thereby the means are established for objective and judicial review of these rates upon principles laid down by the Congress, free from pressures inherent in legislative action. Thus the outstanding step of this tariff legislation has been the reorganization of the largely inoperative flexible provision of 1922 into a form which should render it possible to secure prompt and scientific adjustment of serious inequities and inequalities which may prove to have been incorporated in the bill.

This new provision has even a larger importance. If a perfect tariff bill were enacted to-day, the increased rapidity of economic change and the constant shifting of our relations to industries abroad, will create a continuous stream of items which would work hardship upon some segment of the American people except for the provision of this relief. Without a workable flexible provision we would require even more frequent congressional tariff revision than during the past. With it the country should be freed from further general revision for many years to come. Congressional revisions are not only disturbing to business but with all their necessary collateral surroundings in lobbies, logrolling, and the activities of group interests, are disturbing to public confidence.

Under the old flexible provisions the task of adjustment was imposed directly upon the President, and the limitations in the law which circumscribed it were such that action was long delayed and it was largely inoperative, although important benefits were brought to the dairying, flax, glass, and other industries through it.

The new flexible provision established the responsibility for revisions upon a reorganized Tariff Commission, composed of members equally of both parties as a definite rate-making body acting through semijudicial methods of open hearings and investigation by which items can be taken up one by one upon direction or upon application of aggrieved parties. Recommendations are to be made to the President, he being given authority to promulgate or veto the conclusions of the commission. Such revision can be accomplished without disturbance to business, as they concern but one item at a time, and the principles laid down assure a protective basis.

The principle of a protective tariff for the benefit of labor, industry, and the farmer is established in the bill by the requirement that the commission shall adjust the rates so as to cover the differences in cost of production at home and abroad, and it is authorized to increase or decrease the duties by 50 per cent to effect this end. The means and methods of ascertaining such differences by the commission are provided in such fashion as should expedite prompt and effective action if grievances develop.

When the flexible principle was first written into law in 1922, by tradition and force of habit the old conception of legislative revision was so firmly fixed that the innovation was bound to be used with caution and in a restricted field, even had it not been largely inoperative for other reasons. Now, however, and particularly after the record of the last 15 months, there is a growing and widespread realization that in this highly complicated and intricately organized and rapidly shifting modern economic world the time has come when a more scientific and businesslike method of tariff revision must be devised. Toward this the new flexible provision takes a long step.

These provisions meet the repeated demands of statesmen and industrial and agricultural leaders over the past 25 years. It complies in full degree with the proposals made 20 years ago by President Roosevelt. It now covers proposals which I urged in 1922.

If, however, by any chance the flexible provisions now made should prove insufficient for effective action, I shall ask for further authority for the commission, for I believe that public opinion will give wholehearted support to the carrying out of such a program on a generous scale, to the end that we may develop a protective system free from the vices which have characterized every tariff revision in the past.

The complaints from some foreign countries that these duties have been placed unduly high can be remedied, if justified, by proper application to the Tariff Commission.

It is urged that the uncertainties in the business world which have been added to by the long-extended debate of the measure should be ended. They can be ended only by completion of this bill. Meritorious demands for further protection to agriculture and labor which have developed since the tariff of 1922 would not end if this bill fails of enactment. Agitation for legislative tariff revision would necessarily continue before the country. Nothing would contribute to retard business recovery more than this continued agitation.

As I have said, I do not assume the rate structure in this or any other tariff bill is perfect, but I am convinced that the disposal of the whole question is urgent. I believe that the flexible provisions can within reasonable time remedy inequalities; that this provision is a progressive advance and gives great hope of taking the tariff away from politics, lobbying, and logrolling; that the bill gives protection to agriculture for the market of its products and to several industries in need of such protection for the wage of their labor; that with returning normal conditions our foreign trade will continue to expand.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have read at the desk an editorial appearing in to-day's Washington Daily News.

The VICE PRESIDENT. Is there objection? The Chair hears none and the clerk will read.

The Chief Clerk read as follows:

[From the Washington Daily News, Monday, June 16, 1930]

HOOVER'S TARIFF DECISION

President Hoover announced to-day that he would approve the tariff bill.

By signing this general tariff revision, with its 20 per cent rate increase, he will violate his own and his party's election pledges.

He will disregard an unprecedented public protest by the Nation's leading economists, newspapers, merchants, farm organizations, manufacturers, exporters, bankers, and consumers' representatives.

He will disregard the retaliation acts and threats of 33 foreign nations which have already brought our foreign trade to the lowest seasonal level in 10 years.

Hoover's excuse for his dangerous course is that the flexible provision will permit correction of the evil rates. That excuse was expected and has been exposed in hundreds of speeches, articles, and editorials. It has been shown that the new provision is virtually the same as the discredited and ineffective flexible provision of the present law. The new provision, by limiting the President's power to acceptance or veto of recommended changes in rates by the Tariff Commission, indeed takes away from the President his present power of fixing rates regardless of the commission. In that sense the new provision is less adaptable to Hoover's argument than is the existing law.

The answer to Hoover's claims for the flexible provision has been given by no less a Republican and protectionist authority than Senator REED of Pennsylvania, who helped to write the bill: "It is said it will take the tariff out of politics by these provisions. In my judgment, we are putting the tariff deeper into politics by these new flexible provisions than it has ever been before, and we will see it when appointments begin to come along for membership on the Tariff Commission."

A good example of what REED fears is the misleading Tariff Commission statement on the alleged benefit of agricultural rate increases which the President repeats in his announcement to-day. Those figures evade the fact that our farm products are chiefly export instead of import commodities and are thus not protected by this tariff. They also evade the point that the Grundy bill widens the gap between the protection the farmer receives for what he sells and virtually everything he must buy.

So with the figures in the Hoover statement attempting to fix the Grundy rate average at 16 per cent, which apparently is arrived at by the unusual method of lumping dutiable and free commodities. Is it possible that the President does not know that the Tariff Commission has fixed the average dutiable rate of this bill at more than 40 per cent, and that this figure was accepted and used by all the advocates of the bill in the congressional debates? Is it possible that the President does not know that this is an increase of 20 per cent over the existing law, according to the Tariff Commission's own figures?

The arguments used by the President to-day are disproved by the arguments which Hoover, as Secretary of Commerce, and Hoover, as presidential candidate, used to show the absolute dependence of American prosperity upon foreign outlets for our mass-production surplus—foreign markets now jeopardized by foreign tariff reprisals.

No one can explain away the disastrous effects of this suicidal legislation on American prosperity.

Here are the facts as recorded on just one day:

On the day the bill passed Wall Street responded with a market drop which dragged several standard stocks even lower than in the November crash.

On the day the bill passed there was a general fall in commodity prices, bringing some to new low levels for the year.

On the day the bill passed all grain prices fell to new low levels for the season—wheat went to the lowest price in a year, oats the lowest in eight years, rye the lowest in 30 years.

On the day the bill passed the price of cotton declined to the lowest level in more than three years.

On the day the bill passed the steel industry reported a further decline in operations to 69 per cent of capacity.

On the day the bill passed European dispatches reported that the copper interests of Great Britain, Belgium, and Germany had agreed to retaliate by withdrawing large orders in the United States for copper and nonferrous metals, whereupon the American Copper Exporters' Association frantically cut prices.

On the day the bill passed the Mexican Government officially announced it would erect retaliatory duties, which follows similar retaliation against us by Canada and others.

On the day the bill passed the United States Department of Commerce announced that American exports dropped in May to the lowest point in the last six years.

The President in signing this bill is exercising his constitutional right. We believe he is making a mistake. The President believes otherwise. He believes there is a magic in the new flexible provision, a magic we have been unable to find. We hope, however, that it is there. And we hope that he may be able to use it in such fashion as to hasten the return of that prosperity which in recent years we had come to look upon as the normal state of affairs in America.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 170)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, schedules of claims allowed by the General Accounting Office, amounting to $86,050, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS BY DISTRICT COURTS UNDER THE PUBLIC VESSELS ACT (S. DOC. NO. 173)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, records of judgments rendered against the Government by United States district courts, under the public vessels act, amounting to $45,828.06, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PAYMENT OF DAMAGES OCCASIONED BY COLLISION WITH NAVAL VESSELS (S. DOC. NO. 168)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department, to pay claims for damages by collision with naval vessels, amounting to $295.30, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS RENDERED BY COURT OF CLAIMS (S. DOC. NO. 172)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims, submitted by the Attorney General through the Secretary of the Treasury and requiring an appropriation for their payment, in the total amount of $926,768.27, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS FOR DAMAGES TO PRIVATELY OWNED PROPERTY (S. DOC. NO. 171)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments to pay claims for damages for privately owned property, in the sum of $5,661.29, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIM ALLOWED BY THE GENERAL ACCOUNTING OFFICE UNDER CERTIFICATES OF SETTLEMENT (S. DOC. NO. 169)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, schedules covering certain claims allowed by the General Accounting Office as shown by certificates of settlement transmitted to the Treasury Department for payment, amounting to $10,470.26, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution unanimously adopted by the National Society, Daughters of the Revolution, at its Boston, Mass., convention, May 19–23, 1930, opposing the practice of adding a yellow fringe to the American flag in addition to the three colors, red, white, and blue, which was referred to the Committee on the Library.

He also laid before the Senate a resolution of Calder Post, No. 31, Veterans of Foreign Wars, Department of Pennsylvania, of Harrisburg, Pa., favoring the passage of legislation making the Star-Spangled Banner the national anthem, which was referred to the Committee on the Library.

He also laid before the Senate a resolution unanimously adopted by the Columbia Heights Business Men's Association, of Washington, D. C., commending the Senate conferees on the District of Columbia appropriation bill for maintaining their demand for a compromise figure on the bill and urging them to continue their insistence for a larger Federal contribution to the District of Columbia than $9,000,000, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by Lincoln Post, No. 13 (Alliance of American Veterans of Polish Extraction), at Cleveland, Ohio, protesting against the enactment of the so-called Hawley-Smoot tariff bill, which was ordered to lie on the table.

He also laid before the Senate resolutions adopted by the twelfth annual meeting in New York City of the American Society of Mammalogists, favoring the appropriation of funds for the early erection of a suitable building in the National Zoological Park, of Washington, D. C., for the study and exhibition of small mammals, which were referred to the Committee on Public Buildings and Grounds.

Mr. WALCOTT presented a telegram in the nature of a petition from the chairman of the committee on international co-

operation of the Darien (Conn.) League of Women Voters, praying for the ratification of the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930, which was referred to the Committee on Foreign Relations.

He also presented a communication in the nature of a petition from the Bristol (Conn.) Chamber of Commerce, praying for the passage of House bill 10826, providing for the renewal of passports, which was referred to the Committee on Foreign Relations.

He also presented petitions and papers in the nature of petitions from the Leagues of Women Voters of Colchester, New Haven, Meriden, and Fairfield, all in the State of Connecticut, praying for the passage of the so-called Jones bill, being the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, which were ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. STEIWER, from the Committee on the Judiciary, to which was referred the bill (S. 3064) to make permanent the additional office of district judge created for the eastern district of Illinois by the act of September 14, 1922, reported it without amendment, and submitted a report (No. 917) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 3430) for the relief of Anthony Marcum, reported it with an amendment and submitted a report (No. 918) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1306. An act for the relief of Charles W. Byers (Rept. No. 919);

H. R. 2876. An act for the relief of J. C. Peixotto (Rept. No. 920); and

H. R. 8836. An act for the relief of the French Co. of Marine and Commerce (Rept. No. 922).

Mr. McKELLAR, from the Committee on the Library, to which was referred the bill (H. R. 7924) for the erection of tablets or markers and the commemoration of Camp Blount and the Old Stone Bridge, Lincoln County, Tenn., reported it without amendment and submitted a report (No. 921) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2801) authorizing and directing the Secretary of Agriculture to investigate all phases of taxation in relation to agriculture, reported it without amendment.

Mr. KEYES, from the Committee on Immigration, to which was referred the bill (H. R. 5627) relating to the naturalization of certain aliens, reported it with an amendment and submitted a report (No. 923) thereon.

He also, from the same committee, to which was referred the bill (H. R. 9803) to amend the fourth proviso to section 24 of the immigration act of 1917, as amended, reported it with amendments and submitted a report (No. 924) thereon.

He also (for Mr. GOULD), from the same committee, to which was referred the bill (H. R. 10668) to authorize issuance of certificates of repatriation to certain veterans of the World War, reported it without amendment.

Mr. ODDIE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 11784) to provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado, reported it without amendment and submitted a report (No. 925) thereon.

Mr. ROBSION of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (S. 3615) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, reported it with amendments and submitted a report (No. 926) thereon.

He also, from the same committee, to which was referred the bill (S. 4554) to amend the red light law of the District of Columbia, reported it without amendment and submitted a report (No. 927) thereon.

Mr. FESS, from the Committee on the Library, to which were referred the following joint resolutions, reported them each without amendment:

S. J. Res. 177. Joint resolution to provide for the erection of a monument to William Howard Taft at Manila, P. I.; and

H. J. Res. 300. Joint resolution to permit the Pennsylvania Gift Fountain Association to erect a fountain in the District of Columbia.

CONSOLIDATION OF RAILROAD PROPERTIES

Mr. DENEEN, from the Committee to Audit and Control the Contingent expenses of the Senate, to which was referred Senate Resolution 290, submitted by Mr. COUZENS on the 11th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

*Resolved*, That for the purpose of obtaining information as a basis for legislation, the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is hereby authorized and directed to make a study of and to investigate the matter of consolidation and unification of railroad properties and the effect of such consolidations and unifications upon the public interest.

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

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

REPORTS OF NOMINATIONS

As in executive session,

Mr. DILL, from the Committee on the Judiciary, reported the nomination of Charles E. Allen, of Washington, to be United States marshal, western district of Washington, which was placed on the Executive Calendar.

Mr. HEBERT, from the Committee on the Judiciary, reported the following nominations, which were placed on the Executive Calendar:

Jesse C. Adkins, of the District of Columbia, to be an associate justice of the Supreme Court of the District of Columbia; and

Jacob H. Fulmer, of Nevada, to be United States marshal, district of Nevada.

Mr. McNARY, from the Committee on Agriculture and Forestry, reported the nominations of Alexander Legge, of Illinois, and Charles C. Teague, of California, to be members of the Federal Farm Board, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were 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. DENEEN:

A bill (S. 4709) granting a pension to Bridget Fitzgerald; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 4710) for the relief of Ethel Glover; to the Committee on Claims.

By Mr. PINE:

A bill (S. 4711) relating to the joint ownership of patents and applications for patents, and the distribution of proceeds arising thereunder; to the Committee on Patents.

By Mr. THOMAS of Oklahoma:

A bill (S. 4712) for the relief of Beryl Elliott; and

A bill (S. 4713) for the relief of A. W. Holland; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 4714) referring the claim of International Arms & Fuze Co. (Inc.), to the Court of Claims; to the Committee on Claims.

By Mr. KENDRICK:

A bill (S. 4715) for the relief of John T. Doyle; and

A bill (S. 4716) for the relief of Mrs. Thomas Doyle; to the Committee on Indian Affairs.

By Mr. ROBSION of Kentucky:

A bill (S. 4717) authorizing the President of the United States to appoint Sergt. Samuel Woodfill as a captain in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana:

A bill (S. 4718) for the relief of Louis Bender; and

A bill (S. 4719) authorizing the payment of compensation to Laura Roush for the death of her husband, William C. Roush; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 4720) granting an increase of pension to Walter L. Harmon; and

A bill (S. 4721) granting a pension to Frank Hitchman; to the Committee on Pensions.

AMENDMENTS TO RIVER AND HARBOR BILL

Mr. SHIPSTEAD and Mr. COPELAND each submitted an amendment intended to be proposed by them, respectively, to House bill 11781, the river and harbor authorization bill, which were ordered to lie on the table and to be printed.

PREVENTION OF FRAUD IN PATENT-OFFICE PRACTICE

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 12902, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"HOTEL AT WEST POINT

"For compensation as provided by the act of March 30, 1920 (41 Stat. L. 548), for all buildings, appurtenances, and equipment located and situated on all that tract of land on the United States military reservation at West Point, N. Y., lying between the southern boundary line of said reservation and a line 600 feet north of, and parallel to, said southern boundary line and east of the main road leading through said reservation, the sum of $1,702,276.86, payable to the duly appointed trustee in bankruptcy of the corporation owning the lease and property described herein."

YEA-AND-NAY VOTES ON THE TARIFF BILL

Mr. SMOOT submitted the following resolution (S. Res. 294), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Finance be, and is hereby, authorized to expend not to exceed $1,000, to be paid from the contingent fund of the Senate, for the preparation of the yea-and-nay votes in the Senate, with suitable index, on H. R. 2667, the tariff bill, and amendments thereto, and Senate Resolution 52, by Mr. McMASTER, Senate Resolution 91, by Mr. BORAH, Senate Resolution 108, by Mr. SIMMONS, and Senate Resolution 270, by Mr. SMOOT; and that said compilation be printed as a Senate document, and that 1,000 additional copies be printed for the use of the Senate document room.

HOUSE BILLS REFERRED

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

H. R. 247. An act validating certain applications for, and entries of, public lands;

H. R. 5292. An act to authorize the city of Napa, Calif., to purchase certain public land for the protection of its water supply; and

H. R. 11477. An act for the relief of Clifford J. Turner; to the Committee on Public Lands and Surveys.

H. R. 456. An act for the relief of Hans Roehl;

H. R. 524. An act for the relief of the I. B. Krinsky Estate (Inc) and the Fidelity & Deposit Co. of Maryland;

H. R. 531. An act for the relief of John Maika;

H. R. 574. An act for the relief of Moreau M. Casler;

H. R. 1712. An act for the relief of the heirs of Jacob Gussin;

H. R. 1717. An act for the relief of F. G. Baum;

H. R. 1761. An act for the relief of John L. Friel;

H. R. 2170. An act for the relief of Clyde Cornish;

H. R. 2464. An act for the relief of Paul A. Hodapp;

H. R. 2782. An act for the relief of Elizabeth B. Dayton;

H. R. 3238. An act for the relief of Martin E. Riley;

H. R. 3441. An act for the relief of Meta S. Wilkinson;

H. R. 3732. An act for the relief of Fernando Montilla;

H. R. 4176. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture;

H. R. 4564. An act for the relief of E. J. Kerlee;

H. R. 5810. An act to pay the Westinghouse Electric & Manufacturing Co. the sum of $1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act;

H. R. 5872. An act for the relief of Ray Wilson;

H. R. 6243. An act for the relief of A. E. Bickley;

H. R. 6268. An act for the relief of Thomas J. Parker;

H. R. 6416. An act for the relief of Myrtle M. Hitzing;

H. R. 6627. An act for the relief of A. C. Elmore;

H. R. 6665. An act for the relief of B. C. Glover;

H. R. 6825. An act to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail;

H. R. 7013. An act for the relief of Howard Perry;

H. R. 7068. An act for the relief of Fred Schwarz, jr.;

H. R. 7664. An act to authorize payment of fees to M. L. Flow, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment;

H. R. 8127. An act for the relief of J. W. Nelson;

H. R. 8347. An act for the relief of the Palmer Fish Co.;

H. R. 8491. An act for the relief of Bryan Sparks and L. V. Hahn; and

H. R. 11493. An act to reimburse Lieut. Col. Charles F. Sargent; to the Committee on Claims.

H. R. 687. An act for the relief of John S. Conkright;

H. R. 1452. An act for the relief of Melissa Stone, widow of Francis Stone;

H. R. 1882. An act for the relief of Harry Cinq-Mars;

H. R. 2120. An act for the relief of Malven A. Williams;

H. R. 2173. An act for the relief of Thomas F. Nicholas;

H. R. 2831. An act for the relief of Jasper Johnson;

H. R. 2863. An act for the relief of Harvey O. Willis;

H. R. 3122. An act for the relief of William J. Frost;

H. R. 3231. An act for the relief of Walter P. Hagan;

H. R. 4269. An act for the relief of William L. Wiles;

H. R. 4595. An act for the relief of Maurice J. O'Leary;

H. R. 4946. An act for the relief of Ned Anderson;

H. R. 6264. An act to authorize the Secretary of War to donate a bronze cannon to the town of Avon, Mass.;

H. R. 8440. An act for the relief of Henry A. Levake, deceased;

H. R. 9267. An act for the relief of John A. Fay; and

H. R. 11268. An act for the relief of Mary C. Bolling; to the Committee on Military Affairs.

H. R. 3950. An act for the relief of David A. Dehart;

H. R. 4159. An act for the relief of Harry P. Lewis;

H. R. 4731. An act for the relief of Frederick Rasmussen;

H. R. 4760. An act for the relief of Guy Braddock Scott;

H. R. 4907. An act for the relief of Thomas Wallace;

H. R. 6453. An act for the relief of Peder Anderson;

H. R. 8117. An act for the relief of Robert Hofman;

H. R. 10365. An act for the relief of Tracy Lee Phillips;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody;

H. R. 11212. An act to authorize a pension to James C. Burke; and

H. R. 11297. An act for the relief of Arthur Edward Blanchard; to the Committee on Naval Affairs.

LONDON NAVAL TREATY

Mr. ROBINSON of Indiana. Mr. President, I hold in my hand an article published this morning in the Washington Post, quoting a statement made by the Senator from Nevada [Mr. ODDIE], defending the right of officers of the United States Navy to discuss the London naval treaty; and also an editorial which appeared in the same newspaper this morning entitled "Captains Courageous," both of which I ask unanimous consent to have inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. REED. Pending action on that request, I desire to ask has Secretary Stimson's speech also been published in the RECORD?

Mr. ROBINSON of Indiana. I am perfectly willing that it should be published. I have no objection to that.

Mr. JOHNSON. Secretary Stimson's speech has been once put into the RECORD, but I am perfectly willing that the Senator may put it in again, if he wishes to do so.

Mr. REED. I was merely curious to know if Secretary Stimson's speech had also been printed in the RECORD.

Mr. JOHNSON. It has also been put into the RECORD, and without objection.

Mr. REED. If Secretary Stimson's speech has been put into the RECORD, I have no objection to the insertion in the RECORD of articles referred to by the Senator from Indiana.

There being no objection, the articles referred to were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 16, 1930]

PACT FOES IN NAVY DEFENDED BY ODDIE—SENATOR BRANDS ATTACKS ON PERSONNEL AS UNJUST AND DISPIRITING—BLOW TO MORALE SEEN

By Albert W. Fox

A new feature in the naval treaty controversy developed yesterday when Senator TASKER L. ODDIE, second ranking Republican member of

the Naval Affairs Committee, issued a statement defending officers of the United States Navy against attempts "to belittle and break their spirit," because of their opposition to the pact.

Mr. ODDIE points out that these officers are not permitted to answer attacks in the public press. No reference is made to any specific criticism of the Navy, nor to the radio speech of Mr. Stimson last Thursday, wherein the Secretary referred to the narrow view of fighting men whom he described as "blindfolded" to the problems of peace.

The feud between the Navy Department and the State Department has become gradually more pronounced since the London treaty was submitted to the Senate Committee on Foreign Relations. The American delegation at first took the position that the Navy was practically unanimous in support of the provisions in the pact. When naval authorities testified before the committee against these provisions and it developed that the service was almost a unit in its opposition, the criticism against the Navy began and has since continued.

In his statement issued yesterday Senator ODDIE said:

"Because of the recent unjust attacks on the personnel, qualifications, and ability of the officers of our Navy, I feel that the public interest demands some information and comment thereon.

"The Senate Naval Affairs Committee, of which I am a member, intrusted by the Senate with our national defense legislation, in the prosecution of its duty called many of the high commanding officers of the Navy before it and questioned them specifically regarding the various phases of our national defense and the effect the proposed London treaty in its present form might have on it.

"As the hearings will show, they answered all questions ably and frankly, and the opinion of the overwhelming majority of these officers was that our country, under the terms of the proposed London treaty, would materially weaken its national defense by forfeiting its inherent right to maintain independently its own naval policy.

"Under the provisions of the proposed treaty the United States would be compelled to build certain types of ships not well adapted to our national defense, while it would be prohibited from building enough of other types which it needs. These limitations destroy the naval parities which we should have.

"It should be remembered that in the Washington treaty of 1922 our country surrendered its right to fortify certain of its naval bases in the western Pacific in order to establish the original parity. Under the proposed treaty the position of the United States in this respect has been materially weakened.

"The physical, mental, and moral standards of the officers of our Army and Navy are of the highest. No body of men in the world are as carefully selected as they and no men receive finer and more thorough training. Their lives are at the service of our country at all times, and they of all men are most anxious for the establishment of conditions for the preservation of honorable, permanent peace. They know that the surest way to preserve peace is by maintaining an adequate national defense, and they are the most competent authorities in the world on that subject. Support for the treaty should not be sought by attempts to belittle and break the spirit and morale of these splendid men. It should be remembered that they are not permitted to answer attacks in the public press."

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[From the Washington Post, Monday, June 16, 1930]

CAPTAINS COURAGEOUS

Senator ODDIE well expresses public opinion when he enters a remonstrance against the criticism that has been leveled at naval officers by Secretary Stimson and others because of their testimony in regard to the naval treaty. The public remarks made by the head of the State Department in disparagement of naval officers were most injudicious, and richly deserve a rebuke from the President and a protest from the Secretary of the Navy. It is well known that naval officers are unable to reply to such attacks. The Secretary of the Navy is in a position to defend the personnel of the Navy, and in the circumstances he should do so.

The harmonious workings of the executive departments are not promoted by such outbursts as that of Secretary Stimson. His position requires him to be careful of his utterances. He has no authority over the Navy or its officers, and they have not earned a rebuff at his hands by intruding into political or diplomatic affairs. Their testimony was required of them. The questions they were called upon to answer dealt with technical naval questions as bearing upon the national defense. They told the truth as they saw it, and the opinions they expressed were convincing, because of the high character and special qualifications of the witnesses.

When Secretary Stimson appeared before the Senate committee he found occasion to praise many of the officers who were later criticized by him. He sought to fortify the naval treaty by stating that the American naval advisers and technical assistants were unanimously in favor of it, although several of them, including Admiral Jones, were known to be opposed to it as enfeebling the national defense. Each naval officer, when called, analyzed the treaty from a naval viewpoint, and all but two or three of them revealed that Mr. Stimson was mistaken when he assured the committee that they unanimously supported the treaty. Mr. Stimson found nothing to criticize in the attitude of the naval officers until they repudiated his statement that they unanimously favored the treaty.

The Senate and the public have been impressed by the fact that so many naval officers of high rank and broad experience are skeptical as to the benefits of the naval treaty. The disappointing results of former conferences reinforce the views of these officers. They have not presumed to discuss political considerations, but on the other hand they have not shirked their obligation to tell the truth concerning matters with which they are especially familiar.

If the treaty should be ratified it will be because the Senate and the people are convinced that the temporary cessation of naval rivalry is accomplished by the treaty, and that this is a contribution to world tranquillity and peace which warrants taking the risk involved in disregarding the warnings of conscientious naval authorities. This decision, if made, will not be a disparagement of the vision, information, or patriotism of naval officers, but will be rather an adventure in the political field, in the hope that fair weather will prevail during the excursion. If foul weather should appear the country will run back to its captains quickly enough.

PAY AND ALLOWANCES OF PERSONNEL OF ARMY, NAVY, ETC.

Mr. REED. Out of order, I wish to submit a very brief report from the joint committee of the two Houses of Congress that was appointed in accordance with Public Resolution No. 36, approved February 3, 1930, to investigate the question of pay in the Army and Navy, the Marine Corps, the Coast and Geodetic Survey, the Coast Guard, and the Public Health Service.

By order of that joint committee, I report to the Senate a joint resolution providing, in substance, that during the coming long adjournment a board selected by the President from officers of all the services affected shall continue the study of this subject and shall report their recommendations to the joint committee when Congress shall meet in the fall. I now report the joint resolution and submit a report (No. 928) thereon. The joint resolution carries no appropriation and obligates the Government in no way to any change in the pay scale or in the promotion system, but merely provides for a study of those systems by a board of officers coming from all the services in question. It seemed to the joint commitee that in this way we would get the fairest picture and the most impartial picture of the situation regarding promotion and pay in the respective services. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S. J. Res. 192) providing for the preparation and presentation of drafts of legislation affecting the pay and promotion of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey, was read the first time by its title and the second time at length, as follows:

*Resolved, etc.*, That the President appoint commissioned officers of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey as members of a board which shall be required to evolve plans of (1) equalizing as nearly as may be consistent and practicable the systems of promotion obtaining in such services so as to provide for the regular and uniform advancement of all physically and professionally qualified commissioned personnel therein to the grades now authorized by law in and under such services, and (2) a modified pay schedule, including pertinent matters, applicable to all personnel of each of such services predicated upon the equalization principle and taking cognizance in the respect of commissioned personnel of the promotion plan of such board.

SEC. 2. The board appointed pursuant to section 1 hereof shall present with its report a draft of a legislative bill embracing both of the plans indicated in section 1 hereof. Such draft, accompanied by complete explanatory statements and cost estimates, shall be transmitted with such comments and recommendations as the heads of the executive departments concerned may desire to add, to the Comptroller General of the United States on or before November 1, 1930, and such official shall transmit the same with his comments and recommendations to the Speaker of the House of Representatives on or before November 15, 1930.

SEC. 3. All of the data presented in response to this resolution shall be referred to the joint committee appointed pursuant to Public Resolution No. 36, approved February 3, 1930, which shall report recommendations by bill or otherwise to the Senate and House of Representatives relative to the promotion and 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.

The VICE PRESIDENT. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

CITIZENSHIP AND NATURALIZATION OF MARRIED WOMEN

Mr. JONES. Mr. President, a few days ago we had under consideration when the calendar was called House bill 10960, to amend the law relative to citizenship and naturalization of married women, and for other purposes. Quite a good many amendments were reported to that bill by the Senate committee, and the bill was passed over. I wrote a letter to the Secretary of Labor asking his views with reference to the proposed legislation. It appears that he was not before the committee, and the committee did not have his views in regard to the bill. I have received a letter from the Acting Secretary of Labor pointing out his objections to the different provisions of the bill as it is proposed to amend it. I understand the committee this morning practically agreed upon the elimination of quite a number of its amendments; but I think, under the circumstances that it would be well to have this letter from the Acting Secretary of Labor printed in the RECORD. So I ask unanimous consent that that may be done.

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

The letter referred to is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
*Washington, June 12, 1930.*

Hon. WESLEY L. JONES,
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: I am in receipt of yours of the 5th instant to the Secretary of Labor, in which you refer to possible conflicting views among department officials relative to the bill H. R. 10960, as amended in the Senate Committee on Immigration, and request that the Secretary indicate such provisions of the bill as are approved by the department. As passed by the House, the bill for the most part was concerned with amendments to the naturalization law, although it did propose to amend one provision of the immigration act of 1924. As amended in the Senate committee, the proposed measure relates partly to naturalization, quite largely to immigration, and also to salaries, promotions, and other matters.

As suggested by you, I shall comment with respect to each of the various provisions of the bill section by section.

Section 1: This section provides for the repeal of that part of section 3 of the so-called Cable Act of September 22, 1922, under which a presumption of loss of citizenship arises in the case of a woman citizen of the United States who marries an alien and during the continuance of the marital status resides continuously for two years in the foreign State of which her husband is a subject, or for five years continuously outside the United States. Under the existing law such presumption of loss of citizenship "may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe." (Sec. 2, act of March 2, 1907, relating to expatriation, etc.)

The department is not disposed to object to the repeal of the provision under consideration, but it is believed that Congress is entitled to know that such repeal would undoubtedly result in materially increasing the number of nonquota immigrants who may be admitted to the United States.

Broadly speaking, there are two general classes of cases in which in which presumptive loss of citizenship occurs under the provision it is proposed to repeal. Probably the least numerous of these two classes includes American-born women who have spent practically their entire lives in this country, but who have married aliens and resided abroad for a sufficient length of time to raise the presumption of expatriation. The department has experienced little or no difficulty in cases of this kind so far as the immigration laws are concerned.

Difficulties have arisen, however, in the seemingly far more numerous class of cases of children who were born in the United States of immigrant parents who took them to their home countries usually at an early age. It would be almost impossible even to estimate the number of such children, who are, of course, native-born citizens of the United States, who have grown to womanhood in foreign countries. If they married aliens prior to September 22, 1922, they lost American citizenship, but marriage since that date has resulted only in a presumptive loss of such citizenship after continued residence abroad under the provision of law it is proposed to repeal.

It may be pointed out that provisions of the naturalization law, such as the section under consideration, have a very direct bearing on immigration under the quota system, for the reason that the husbands and minor children of United States citizens are exempt from quota requirements. For example, in recent months a good many cases have arisen in which American-born women of the class last referred to have petitioned for the issuance of nonquota immigration visas to an alien husband and children through American consulates, as provided in section 9 of the immigration act of 1924. If such a woman is in fact a citizen, her husband and minor children are clearly entitled to a nonquota status. However, so many petitions of this nature have been received that the department has adopted the policy of declining to authorize the issuance of nonquota visas to such husbands and children until the woman concerned has definitely overcome the presumption of loss of citizenship by returning to the United States and filing a petition after establishing a permanent residence here.

Section 1 of the bill further provides that "such repeal shall not restore citizenship lost under section 3 before such repeal." It is not clear to the department whether this provision relates only to women who have formally renounced their citizenship and those who have lost citizenship through marriage to an alien ineligible to citizenship, as provided in that section, or whether it also includes those women against whom the presumption of such laws has arisen since the passage of the Cable Act of 1922.

Section 2 (pp. 1, 2, and 3 of the bill): This section proposes to amend section 4 of the act of September 22, 1922, which now provides that a woman who before the passage of that act lost her United States citizenship by reason of marriage to an alien may be naturalized in the United States after a 1-year period of residence following permanent admission and without necessity for making the usual declaration of intention. On page 2 and page 3, lines 1 to 10, it is proposed to eliminate the element of time and also that of admission for permanent residence, so that in effect such a woman might enter the United States for a temporary visit, have her citizenship restored without delay, and immediately resume residence in a foreign country as a United States citizen. Moreover, her minor children who might accompany her to the United States temporarily would also become citizens. The husband of such a woman and also minor children who did not accompany her to the United States would, of course, be eligible to a nonquota status under the immigration law.

It is not understood why subdivision (b) of section 2 (lines 11 to 14, p. 3), as passed by the House of Representatives is necessary, but obviously it would do no harm.

Paragraph (c), lines 15 to 24, page 3, affords another example of proposed naturalization legislation which would materially affect the operation of existing immigration law. At present an alien is not eligible to naturalization unless lawfully admitted to the country for permanent residence. A good many cases arise in which alien women gain admission to the country as temporary visitors and marry American citizens under circumstances which show that such was the real purposes for which they came. Marriages of this nature do not relieve such women from the necessity of departing from the country and reentering as immigrants, if they desire to remain here permanently or become naturalized. Under this amendment such a woman could come ostensibly as a visitor and acquire citizenship without being permanently admitted. It is certain that if the law so permitted it would lead to practically unlimited abuse.

Section 3 (pp. 3 and 4 of the bill): This section proposes to amend section 4 (f) of the quota immigration act of 1924, as amended, which now accords a nonquota status to a woman who lost American citizenship through marriage to an alien and who at the time of her application for an immigration visa is unmarried.

Under the proposed amendment (sec. 3, p. 3, line 25, and p. 4, lines 1 to 6) a nonquota status would be accorded without reference to the marital status and would also extend to her unmarried minor children if accompanying or following to join her.

The department approves adding unmarried minor children to the existing provision of law, but is in doubt as to the wisdom of according a nonquota status to such a woman while she is still married.

Sec. 4 (p. 4 of the bill): This section is a Senate committee amendment which extends the provisions of the registration act of March 2, 1929, to aliens who entered the United States prior to July 1, 1924, and concerning whose admission no record can be found.

Under the present law an alien who entered the country prior to June 3, 1921 (when the temporary quota limit law of that year became effective), has resided in the United States continuously since such entry, is a person of good moral character, and not subject to deportation may be accorded the status of a legal resident as of the established date of entry.

The proposed amendment would extend this privilege to all aliens of this class who entered prior to July 1, 1924, when the present quota limit law became effective. The department has strongly opposed legislation intended to move the date forward as proposed in this amendment. It is true that there are some deserving cases in which entry followed June 3, 1921, but in which entry for permanent residence was not recorded. However, in a great majority of cases that would benefit from the proposed amendment the aliens concerned deliberately gained illegal entry chiefly because they could not enter lawfully because of quota restrictions. From the experience of the department it is definitely of the opinion that complete forgiveness or amnesty ought not to be extended to such deliberate violators of the law.

Section 5 (p. 5 of the bill): There is no objection to this provision.

Section 6 (p. 5, line 6, of the bill): This is another Senate amendment, and contains two proposed amendments to the naturalization act of June 29, 1906. The first concerns the status of Government officials. It may be explained that the general immigration law is not applicable to "accredited officials of foreign governments, nor to their suites, families, or guests," while the quota immigration act of 1924 classes as nonimmigrants "a government official, his family, attendants, servants, and

employees." Under a well-established practice such persons are not considered to have been permanently admitted to the United States as required for immigration and naturalization purposes. Therefore, the department feels that the proposed amendment is unnecessary.

The proposed second amendment provides that an affiant or witness who appears in behalf of a petitioner for citizenship shall have been a citizen during all of the 5-year period immediately preceding the filing of such petition. Under existing law a citizen of the United States may appear as such witness regardless of the duration of his citizenship. The department approves this part of the amendment.

Section 7 (pp. 5 and 6 of the bill): The department is not in favor of the Senate committee amendment proposed in section 7, page 5, line 22. Under existing law service on a vessel of foreign registry breaks the continuity of residence in the case of an applicant for citizenship. The amendment would extend the privilege of naturalization to an applicant who leaves the United States as a member of the crew of "an American-owned" vessel of foreign registry. It is not believed that there is any valid reason for modifying the present law in this respect, and besides it would bring into naturalization proceedings the question of determining real ownership, which is particularly difficult where the ownership of vessels is concerned.

Sections 8, 9, and 10 (pp. 6 and 7 of the bill): The department approves the proposed Senate committee amendments contained in these sections.

Section 11 (pp. 7, 8, and 9 of the bill): The Senate committee amendments proposed in section 11, page 7, line 20, of the bill are in three parts, which shall be commented upon separately.

The department heartily approves of that part of subdivision (a) which provides that no alien shall be admitted to citizenship unless he is able to speak, read, and write the English language understandingly. This will promote the uniformity required by the Constitution, and will do away with the diversity of standards which the present law permits.

The department is also heartily in favor of a provision which will require a knowledge of United States history and institutions of government. It is important that we have some kind of a standard. The department is not concerned with the yardstick used in establishing this standard, but it should be one that is measurable and readily enforced. The present law contains no such provision and whatever standard we have is dependent upon the individual judge. Obviously this situation should be corrected if we are to have uniformity and a better standard of citizenship.

The department also approves the provisions of subdivision (b) of such section, but recommends striking out the words "the declaration of intention upon which" in lines 13 and 14, page 8 of the bill, and also the words "is based" in line 15. As thus amended the exemption from the education requirements under consideration would be limited to aliens who had petitioned for citizenship prior to the enactment of the law, but would not apply to those who had merely declared their intention to become citizens.

The department is strongly opposed to the provisions of subdivision (c) of section 11, which would authorize the Commissioner of Naturalization to promote instruction in the English language and training in citizenship responsibilities of applicants for naturalization and to cooperate with State and Federal educational and other agencies and organizations to that end. It is felt that such activities are properly a function of the Bureau of Education so far as Federal activity is concerned, and that the Department of Labor can have no legitimate place in promoting education for naturalization purposes.

Paragraphs 3 and 4 of said section 11 are not approved because unnecessary. They would be substantial reenactments of existing law.

Sections 12, 13, and 14 (pp. 9 and 10 of the bill): There is no objection to the Senate committee provisions contained in these sections. With respect to section 14, however, it may be pointed out that under existing law the husband of an American citizen is entitled to a nonquota status only if the marriage occurred prior to June 1, 1928, such husbands by marriage occurring on or after that date being entitled only to a preferential status in the issuance of quota immigration visas. Under the proposed amendment there would be no discrimination between husbands and wives of American citizens.

Sections 15 and 16 (pp. 10, 11, and 12 of the bill): The Senate committee amendments embodied in sections 15 and 16 relate to the promotion of officers and examiners of the naturalization field service and section 16 to salaries of clerks in the Immigration Service and Naturalization Service. While the department favors adequate salaries and systematic promotion for its officers and employees, it does not recommend the special legislation carried by these two sections, since it is believed the status of all field employees will be satisfactorily adjusted at an early date in accordance with the preliminary class of specifications for positions in the field service which has resulted from the survey of the Personnel Classification Board, acting under direction of Congress.

Section 18 (p. 12 of the bill): Finally the provision of the Senate committee amendment contained in section 18 is disapproved. The expenditures herein enumerated cover machinery and supplies to be used in the bureau at Washington and such expenditures are properly payable from the contingent fund of the department.

Trusting that the foregoing comment may serve to clear up any misunderstanding that may have arisen relative to the department's attitude concerning provisions of the bill under consideration, I am,

Sincerely yours,

ROBE CARL WHITE, *Acting Secretary.*

P. S.—As suggested by you, I am sending a copy of this letter to Senator REED and Senator MCNARY.—R. C. W.

### LIST OF COMMISSIONS APPOINTED BY PRESIDENTS

Mr. WATSON. Mr. President, I have a statement of the commissions appointed by the Presidents, from President Roosevelt to the present. For the benefit of the Library as well as for the benefit of the general public I ask that it may be made a public document.

Mr. LA FOLLETTE. What commissions are included?

Mr. WATSON. All the commissions from President Roosevelt to the present time.

The VICE PRESIDENT. Without objection, the request will be granted.

### RELIEF OF JOHN MARKS, ALIAS JOHN BELL

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3784) for the relief of John Marks, alias John Bell, which was, on page 1, line 5, after the word "service," to insert "as of March 22, 1864."

Mr. DENEEN. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

### COLONIAL NATIONAL MONUMENT, VIRGINIA

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12235) to provide for the creation of the colonial national monument in the State of Virginia, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ODDIE. I move that the Senate insist on its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ODDIE, Mr. DALE, and Mr. WALSH of Montana conferees on the part of the Senate.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 730) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAUGEN, Mr. PURNELL, and Mr. ASWELL were appointed managers on the part of the House at the conference.

### ADULTERATED OR MISBRANDED FOODS, DRUGS, ETC.

The PRESIDING OFFICER (Mr. COUZENS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 730) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCNARY. I move that the Senate insist on its amendment, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MCNARY, Mr. TOWNSEND, and Mr. RANSDELL conferees on the part of the Senate.

### THE STATE OF ARKANSAS

Mr. CARAWAY. Mr. President, I ask unanimous consent to have published in the RECORD an address on the State of Arkansas delivered by one of the most eloquent and lovable former governors my State ever had—Hon. Charles Hillman Brough.

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

### ARKANSAS—THE COMMONWEALTH OF OPPORTUNITY AND ACHIEVEMENT

(An address by former Gov. Charles Hillman Brough, delivered over KMOX, St. Louis, Mo., and KVOO, Tulsa, Okla.)

Arkansas, whose history dates from De Soto's exploration in 1541, was admitted as a separate Territory in 1819, joined the sisterhood of

American States in 1836, seceded and joined the Confederacy in 1861, and is the very center of the Mid South, embracing the States of Missouri, Mississippi, Louisiana, Oklahoma, and Tennessee, and a part of the States of Kansas, Illinois, Kentucky, Alabama, and Texas.

Because of the abundance of its natural resources, this Mid South justifies the claim that it is nature's empire, offering "opportunities more powerful than conquerors and prophets." The scenery of Arkansas is entrancingly beautiful. The Ozarks in the northwestern section of the State, with their majestic mountains, sparkling springs, placid rivers, myriad grotesque caves, and salubrious and invigorating climate, affords the tourists, as well as the native people, spring, summer, and fall seasons that are ideal.

The average number of rainy days in Arkansas is only 84; the average snowfall only 5.1 inches; the average annual rainfall, 47.93 inches. These facts, taken in connection with the variety of fertile soils, make Arkansas one of the most desirable agricultural sections of America. The growing season in Arkansas permits two and three different crops on the same land in the same year.

Small wonder is it that Arkansas ranks third in the production of cotton, second in its yield of rice, first in its acreage yield of rice, sixth in the annual value of its fruit crop in the Nation. The largest single peach orchard in the world is located at Highland, Ark., in the southwestern section of the State, embracing nearly 15,000 acres and over a million trees. Two counties in Arkansas—Benton and Washington—have more apple trees within their borders than any other counties in the Nation, and the largest watermelons shipped in America are grown around Hope. This season over 400 carloads of watermelons were shipped from Hope, netting the Hempstead County growers $112,000. On August 8th, on the occasion of the fourth annual watermelon festival at Hope, a melon weighing 152 pounds was exhibited. "The Master Farmer Teacher," Fred Smith, of Dardanelle; the "Star Farmer of America," Croydon Patton, of Wooster; the "National Canning Champion of America," Mary White, of Ferndale; and the "Champion Cotton Raiser of the World," Arthur Beall, of Wilson, Ark., are all native Arkansans.

In timber, Arkansas, with approximately 58,000,000,000 board feet, ranks sixth in the Nation—first, in its cut of ash, cottonwood, red gum, and hickory; third, in its cut of oak; and fifth, in its cut of yellow pine. Arkansas's yellow pine and red gum, because of their superior quality, net a premium in the world's market.

Arkansas is rapidly forging to the front as a dairy State, its dairy products in 1928 being valued at $22,000,000, exclusive of the milk and butter used by those living on farms. We have 17 cheese factories, 34 condenseries, and several milk-distributing points in Arkansas. In 1929 Arkansas ranked second to Georgia among the southern Commonwealths in the value of its dairy products.

Over 60 of our 75 counties are tick free, and the quarantine will be lifted on 8 more by December 1. Last year over 900 pure-bred registered bulls and 750 registered heifers were placed on Arkansas farms, and the dairy movement in our Commonwealth is as yet in its infancy. J. C. Penny and C. M. Conway, of Texarkana, are spending approximately $2,500,000 in 1930 for the expansion of dairying in Arkansas as a part of their program for the 16 Southern and Southwestern States.

Of the 68 useful minerals known to American geologists, Arkansas produces all save one—borax. We produce 92 per cent of the bauxite (out of which aluminum is manufactured) in the United States; and 67 per cent of the bauxite of the world.

We rank fourth as an oil and gas producing State, and have all the fuels used by American manufacturers. Last year Arkansas produced approximately 35,000,000 barrels of oil in the El Dorado, Smackover, Rainbow, and Stephens fields, and new wells are being continually drilled.

The Mazard Prairie, south of Fort Smith, and Ouachita, Marion, Crawford, and Johnson Counties, have illimitable supplies of natural gas and approximately 350 miles of National Gas trunk lines serving Arkansas's cities and industries. Indications point to substantial oil and gas developments this fall in Faulkner, Conway, Van Buren, Pope, Cleburne, Searcy, and Yell Counties, on the basis of reliable reports made by M. J. Munn, the leading oil geologist of the Southwest (and an honor graduate of the Arkansas University), who says that the Cosden and Waite Phillips Cos. have already leased thousands of acres in these counties and have drilled a number of wells, whose sands indicate oil in paying quantities. Mr. Munn has leased over 200,000 acres for himself and is confident that the new field will rival the El Dorado, Smackover, and Rainbow fields in southern Arkansas.

We have great deposits of marble, granite, limestone, and sandstone for building purposes; sand and gravel for concrete, and every conceivable variety of clay out of which common brick and our famous potteries are made. The Niloak, Camack, and Ozark are the best-known pottery types of Arkansas.

Our State has 5,240 miles of railroad, including such great trunk lines as the Missouri Pacific, Rock Island, Frisco, the Cotton Belt, and Kansas City Southern. Within the past 12 years we have made more substantial highway progress than any other Southern or Southwestern State, having approximately 9,000 miles of primary and secondary highways in our State system, of which about 3,800 miles have been constructed in addition to nearly 900 bridges. All except 1,100 miles is partially improved.

This highway program, under the terms of the Martineau road act, is not a burden to our landowners, but is paid for by the users of the roads out of the motor and gas taxes. Long-time note issues of approximately $72,000,000, protected by an adequate sinking fund, insure the success of the State highway system.

Arkansas has more miles of navigable waterways than any other State in the Union, her waters flowing to the Gulf, to the fastest-growing ports of the United States. Shipments can be made to Arkansas from both the Pittsburgh and Birmingham steel districts. Helena's great inland port, linking the Mississippi with our railroads, makes it possible for our State to compete for national and world trade. Within the next decade the Arkansas River from Tulsa, Okla., to its mouth in Arkansas will unquestionably be made navigable.

The finest potential superpower system in the United States is the great Couch-Arkansas Light & Power Co., which is one of the three units promoted and financed by Harvey C. Couch, an outstanding Arkansas citizen. This system comprises also the Mississippi Light & Power Co. and the Louisiana Light & Power Co. Approximately $50,000,000 have already been spent in its development in such great central generating plants as Sterlington, La., Lake Catherine and Lake Hamilton in Arkansas, and it is yet in its infancy.

Arkansas banking: The 68 national banks of Arkansas and more than 350 State and private banks are pursuing progressive policies in the encouragement of dairying, cooperative marketing, and industrial development, and yet are operated along safe and conservative lines. The greatest banker and insurance magnate of our State is A. B. Banks, who controls approximately 55 banks, including the American Southern, recently interlocked with the exchange and 54 other banks. Mr. Banks also controls the Home Insurance Co., whose different departments operate in 18 States of the Union, with approximately forty-six millions of insurance in effect.

Educationally Arkansas has made tremendous strides since 1917. Our public schools are supported by an 18-mill maximum school tax; our State university, with nearly 1,800 students enrolled last year, in addition to 3,000 more doing extension work in 148 cities and towns of Arkansas, is supported by a 1-mill tax on all property of the State, and receives nearly $300,000 annually from the Federal Government for agricultural and extension work. The number of our school districts has been reduced in less than a decade from 5,300 to 2,800. Over $7,000,000 has been spent on our school buildings, and our public schools receive approximately $17,500,000 annually. President John C. Futrall, of the University of Arkansas, ranks as one of the ablest educational executives in the Nation. Our two State teachers' colleges at Conway and Arkadelphia, and our five agricultural colleges at Jonesborough, Russellville, Magnolia, Monticello, and Beebe have substantial enrollments and splendid faculties. Our great denominational institutions—Ouachita, Hendrix-Henderson, Arkansas College, Little Rock College, the College of the Ozarks, Harding College, Jonesboro College, the Missionary Baptist Colleges of Sheridan, Galloway, and Central, and also the John E. Brown Colleges at Siloam Springs and Sulphur Springs—in most instances have substantial endowments and are all rendering high-grade educational service. The newest of Arkansas's colleges—Crescent College, of Eureka Springs—located in the very heart of the playground of the central part of the United States, "In the land of a million smiles," housed in a wonderful hostelry—the Crescent Hotel, worth approximately $600,000—bids fair to rank as one of the most select and best appointed junior colleges for young women in the Southwest. Every member of its faculty, including its able president, Dr. Asa Q. Burns, has either a master's or doctor's degree, and its board of trustees includes such able financiers as Hon. A. G. Ingalls, mayor of Eureka Springs and retiring district governor of district 15, Rotary International; W. T. Patterson, president of the Bankers Guaranty Life Co., widely interested in banks in northwest Arkansas; and Mr. Lloyd Patterson, vice president of the Bankers Guaranty Life Co., of Dallas, Tex.

Religiously and morally Arkansas measures up to the very highest standards. There are nearly 600,000 members of Protestant, Catholic, and Jewish churches in the State. Over a million of the 1,970,000 people of our State are fairly regular attendants of Sunday schools. We are the first State in the Union to grant women the right of suffrage in the primary election, and the moral power of womanhood has asserted itself very vigorously in such movements as temperance, the care of crippled children, effective tuberculosis work, and the proper provision for defectives, dependents, and delinquents of our social civilization. Our ministers, statesmen, lawyers, physicians, engineers, and other professional men and women are worthy of the best tradition of the South. Senator JOSEPH T. ROBINSON, the minority leader of the Senate and the only southerner in 67 years to be nominated by either of the major political parties for the Vice President of the United States, represents the type of statesmen produced by a State that has given to the Nation an Augustus H. Garland, Albert Pike, Clifton R. Breckenridge, James K. Jones, James H. Berry, U. M. Rose, James P. Clarke, Hugh A. Dinsmore, Thomas C. McRae, Stephen Brundidge, Sam Peel, B. B. Battle,

W. E. Henningway, John M. Moore, Edgar A. McCulloch, Carroll D. Wood, Joseph M. Hill, John E. Martineau, Jesse C. Hart, J. V. Walker, Thomas R. Gunter, W. J. Holloway, Minor Wallace, Henderson M. Jacoway, THADDEUS H. CARAWAY, W. M. Kavanaugh, J. N. Heiskell, Jeff Davis, and other illustrious statesmen, lawyers, and editors.

In journalism Arkansas has furnished the great papers with such widely known and brilliant editors as C. P. J. Mooney, J. N. and Fred Heiskell, W. T. Sitlington, Erwin Funk, Meyer Solmson, editor of the Evening Telegraph, New York, James Mitchell, Elmer E. Clarke, John S. Parks, president Southern Publishers' Association, William Meek, once editor of the Philadelphia Inquirer; and Arkansas has given to the Nation its most widely quoted paragraph writer, Charles T. Davis, of the Arkansas Gazette. Joe Nichols, formerly editor of the Denver (Colo.) Post, is also a noted editorial product of Arkansas.

In literature, Arkansas has produced such gifted writers as Hon. Fred W. Allsopp, the scholarly author of at least seven attractive volumes, of which Albert Pike is a distinct contribution to American biography and the literature of Masonic lore, who is just completing two entrancingly interesting volumes entitled "Legends and Myths of Arkansas," and "Arkansas Folk Lore and Miscellaneous Arkansiana," in which, after nearly two years of arduous labor and research, he has collaborated with some 50 outstanding writers in the compilation and editing of nearly 300 charming myths, legends, and anecdotes about Arkansas, which will make these two volumes unique in the field of American literature; John Gould Fletcher, recognized as the world's leading imagist poet, Albert Pike, Fay Hempstead, William E. Woodruff, Opie Read, Bernie Babcock, George B. Rose, W. R. Lighton, Dallas T. Herndon, Josie Frazee-Capplemann, Myra McAlmont Vaughan, Rosa Zangnoni Marinoni, Charles J. Finger, J. N. Heiskell, Dr. D. A. Rinehart, Roy Reid, Eugene Smith, jr., Katherine Anthony (author of Catherine the Great and Queen Elizabeth), Mrs. Florence B. Cotnam and Mrs. Malcomb Gannaway (editors of the Home Maker), Anna Cleaver, Margaret Letzig, J. Breckenridge Ellis, Fletcher Chenault, Mrs. Vaughan Root, Walter Ebel, E. B. Robinson, Arthur Sommers Roche, Roark Bradford, J. Madison Shaw, William Johnson, M. C. Blackman, Mrs. Edward Bevins, Mrs. W. T. Lake, Mrs. Frank H. Dodge, Mrs. Hallea H. Stout, Walter F. McJunkins, George Rule, Earle Chambers, Thomas A. Wright, Dick Brugman, John Ginnochio, Fred Heiskell, William R. Leighton, Charles T. Davis, Charles Morrow Wilson, Leo Bott, Dr. Phillip Cone Fletcher, William McComb, Dr. John Hugh Reynolds, Dr. David Y. Thomas, Rev. Jerry Wallace, J. Wainwright Evans, Mrs. Lexa Bell Elza, John I. Bond, J. P. Womack, Mrs. J. R. Wilson, Mrs. W. E. Massey, Constance Bonslagle, Dr. W. Lynn Hurie, Dr. M. L. Gillesple, Rev. W. M. Ragland, Dr. Asa Q. Burns, R. R. Thompson, Dr. Claude D. Johnson, Dorothy Hamilton, George E. Hastings, Anna Bassett, Tom Shiras, W. P. Whaley, Henry Faust, Emory Holloway, J. Brookes Moore, George Stockard, Gertrude Stockard, Inez N. Free, Dorothy C. Johnson, Rev. Roy Rutherford, Dr. Elmer Chapler, Rabbi Ira E. Sanders, Mrs. S. S. Semmes, Mrs. T. J. Williams, Clara B. Eno, William Johnson, Graham Burnham, W. H. (Coin) Harvey, Dr. S. C. Dellinger, Dr. W. P. Witsell, Bishop John B. Morris, Dr. A. C. Millar, Dr. James Thomas, Mrs. Sue B. Layton, Eleanore Resley, Mrs. Emmett Morris, Mrs. R. B. McLaughlin, Mrs. Annie House, Rufus J. Nelson, Dr. Charles E. Dicken, Farran Newberry, Charles Minor Pipkin, Octave Thanet, Helen Pettigrew, John H. Rogers, Sharpe Dunaway, M. E. Dunaway, Clio Harper, A. W. Parke, Armitage Harper, W. D. Self, Harry Williams, Tom Morgan, Claude M. Hirst, Dr. Hay Watson Smith, Dr. James A. Anderson, Dr. Hardy L. Winburn, Dr. John L. Hunter, Dr. Calvin B. Waller, Una Roberts Lawrence, Henderson M. Jacoway, Robert E. Wait, Arthur M. Harding, Virgil L. Jones, Dan T. Gray, C. T. Goodsen, T. S. Staples, Kirkley F. Mather, George Moreland, R. D. Highfill, Zella Hargrove Gaither, Virgil C. Pettie, Richard M. Mann, Mrs. Sue Shaver, Herb Lewis, Zella Cross Peel, Dr. E. P. Alldredge, Bishop James R. Winchester, Mrs. T. J. Vaughan, J. A. Dickey, Antonio Marinoin, L. Passerelli, John H. Hinemon, J. J. Doyne, A. B. Hill, Lessie Stringfellow Read, Dr. J. M. Williams, Senator R. J. Wilson, James J., H. T., and Galloway Harrison, Charles Evans, Curtis B. Hurley, Mrs. Ruby Livingston, Julia Houston Railey, Minnie U. Fuller, Frances Hanger, Hamp Williams, Agnes Watson, Eleanor Risley, and other talented writers. Arkansas deservedly takes high rank among American Commonwealths in its production of chaste, interesting, and beautiful literature.

Arkansas has given to metropolitan grand opera such artists as Mary Lewis and Mary McCormick; to music such composers as Laurence Powell, Henry Dougty Tovey, Lillian Hughes, Alma Colgan, Joseph Rosenberg, Hazel Yates McMillan, Mrs. J. W. Barnett; to art, C. Harry Allis, Fanny Dunnaway Hogan, James C. Brown, and Henry Stitt.

There are 34 daily newspapers in Arkansas and 285 papers of all kinds in addition to several creditably edited magazines, such as the Homemaker, Arkansas Agriculturists, Arkansas Farmer, Arkansas Engineer, South Arkansas, Arkansas Countryman, Dixie and Dairying, the Hi-Y News, the Arkansas Traveller, Razorback, Normal Echo, Hendrix Bulldog, the Ouachitonian, the Ozark Life, the Mountaineer, the Little Rock Tiger, the Fort Smith Grizzly, the Pine Cone of Pine Bluff, the latter having officially been accorded the honor of being one of the two best high-school publications in the Nation.

Recently Arkansas has had cause to be genuinely proud of the success of its business men by the election of Charles S. McCain as chairman of the board of the largest bank in the world. Mr. McCain was born just 45 years ago in Pine Bluff. It is reported that he receives an annual salary of $100,000, is chairman of the board of the combined Chase National, Equitable, and National Park Banks, New York, the largest bank in the world, with resources aggregating nearly $3,000,000,000. He is one of the many successful business men Arkansas has given to the Nation. John G. Lonsdale, recently elected president of the American Bankers' Association; Julius H. Barnes, president of the United States Chamber of Commerce, who was born in Little Rock; Fred W. Allso, the business manager of the Arkansas Gazette, whose generous and unassuming philanthropy has recently been recognized by the naming of a park in his honor by the city council; Lynn Hemingway; Guy C. Phillips; Ed. Mays; Sam Mitchell; Stone Madden, of your own city of St. Louis; Sam Reyburn; George W. Donaghey; Carl Gray; Justin Mathews; Hugh D. Hart; Charles E. Purifoy; Harvey C. Couch; A. D. Banks; J. J. H. Harrison; M. L. Bell; Robert E. Lee Wilson, the largest cotton planter in the world; W. C. Ribenack, an outstanding banker and lumber magnate; Charles M. Conway, the president of the Southwest Dairy Co.; Albert G. Ingalls; Claude A. Fuller; W. T. Patterson and Loyd Patterson, of Eureka Springs; Ed Pyeatt; Fred Middleton; Van B. Simms; James Harmond; Nick Peay; James Dibbrell; Dr. Charles W. Webb; Hamilton Moses; Selius Perry; Carroll Walker; Roland Irvine; E. J. Black; Burke Mann; Ross McCain; M. J. Munn; Ira G. Hedrick; Morton Garden; the Buchanans and Templetons of Texarkana; C. M. Lawson and Jay Fullbright, of Fayetteville; Echols, Kelly, Seamon, and Makdiman, of Fort Smith; S. G. Smith and Joe Frauenthal, of Conway; Doctor Simmons; J. D. Carnahan, of Pine Bluff; and the Kahns, Storthizs, and the E. G. Thompson estate, of Little Rock, are outstanding types. There are at present 30 millionaires in Arkansas, whereas a quarter of a century ago there were none.

In legitimate sports and athletics, Arkansas has a most commendable record. Mrs. Louise McPhetridge Thaden, formerly of Bentonville, Ark., won the woman's transcontinental air derby, flying from Santa Monica, Calif., to Cleveland, Ohio, in the record-breaking time of 20 hours 19 minutes 4 seconds, winning the first prize from 16 ladybird flyers. Maj. J. Carroll Cone, who served with distinction for many years as our State auditor, is ranked third in the men's air derby. Other notable Arkansas flyers are Charles Minor Taylor, Ben Rowland, and Russell Lambert. Freddie Hamm, formerly of Lonoke, Ark., holds the world's broad-jump record, and Dean Pullen, of Ouachita College, and Douglas Graydon, of Little Rock, broke the intercollegiate pole-vault record of the world.

Arkansas has given to baseball such outstanding players as Travis Jackson, Aaron Ward, Charles Schmidt, Bill Dickey, Trevenow, Bing Miller, Fred Leach, Roy W. Wood, Dolly Jacobson, Hugh Critz, Rube Robinson, Charles Weaver, and William Meriwether; to football such gridiron stars as Wear Schoonover, Glen Rose, Shirley Wood, Robert F. Hyatt, Douglas Wycoff, Ivan Williams, Carey Self, Wright Salter, the Toland boys, Hardy Winburn, Abraham, Stephen Creekmore, Frip Hill, Robert Newton; to basketball, Wear Schoonover, Glen Rose, the Pickell brothers, of Fayetteville, the Carpenter boys, of Batesville. Senator C. C. Calvert and his accomplished wife, of Fort Smith, rank among the best trap shots in the Nation. Billy Bridewell, three times champion of Arkansas, this year reached the quarter finals in the southern golf tournament. The Dunnaway boys, of Conway, and Wear Schoonover, of Pocahontas, rank not only as great football players but as among the best tennis experts of the South.

Maj. Shirley Wood, son of Judge Carroll D. Wood, in 1928 won the coveted honor of being the officer who commanded the best drilled regiment in the United States Army. Herman Davis, of Manila Ark., was ranked by Gen. J. J. Pershing, as fourth among the outstanding American heroes in the World War. Arkansas contributed over 72,000 of its heroic sons, and our Commonwealth lost nearly 3,000. Arkansas is genuinely proud that an adopted son, Maj. O. L. Bodenhamer, was elected commander in chief of the American Legion, the greatest patriotic organization in the world, with over 11,000 posts and 800,000 members.

Arkansas has 137 chambers of commerce, with such outstanding secretaries as D. Hodson Lewis, of Little Rock; Ed J. Novak, of Fort Smith; Scott D. Hamilton, of Hot Springs; Charles E. Taylor, of Pine Bluff; E. C. Horner, of Helena; W. S. Campbell, of Fayetteville; P. G. Anderson, of El Dorado; Homer Pigg, of Hope; and others who richly merit mention because of their outstanding efficiency and who have mobilized magnificent industrial movements for Arkansas. Miss Carolyn Steen, of the Conway Chamber of Commerce, is the very competent secretary of this state-wide organization. South Arkansas has an organization of its own under the direction of Luther Ellison, of Camden, which, in the last five years, has brought approximately $20,000,000 worth of industries to the counties south of the Arkansas River. William J. Hamilton, of Fayetteville, is the field secretary of the Ozark Playground Association, embracing the 16 counties of south Missouri and northwest Arkansas, frequented in 1929 by 750,000 tourists who spend on an average of $30 each. The tourist crop of Arkansas is

easily worth four times as much as its fruit crop, and those who honor our State by spending part of their summer vacations in it obtain value received from the wonderful panoramic view of our majestic mountains, lovely valleys, placid streams, wondrous caves, and home cooking such as mother used to give us.

Arkansas extends the Nation an invitation to enjoy its entrancing beauties, the tapestry in stone and frozen music of Diamond Cave, its marvelous health resorts, of which Hot Springs, Eureka Springs, and Heber Springs have a nation-wide reputation, to sojourn in our rugged scenic State parks (Petit Jean, Mount Nebo, LaBelle Point, Arkansas Post), to tour through our great forest reserves, the Ozarks and the Ouachita, to stand on the tip-top of the Ozarks and Bostons at Mount Magazine, the highest point between the Alleghenies and the Rockies; to join the Young Men's Christian Association and religious groups at Petit Jean, where within 1,120 acres may be seen such pitographs as the highest and longest natural bridge in the world.

We have fine and commodious hotels and rustic cabin camps to entertain you; the oldest newspaper west of the Mississippi—the Arkansas Gazette—and other great dailies to supply you with up-to-date readable news; churches manned by conscientious ministers, where you may worship each Sunday; great summer schools where you may educate your children while giving them the vacation and sports they so ardently desire; and above all, where there is as pure a stream of Anglo-Saxon blood as flows in the veins of any American State. And the latchstring of genuine hospitality is on the outside of our hearts and homes.

### ADDRESS AT UNVEILING OF STATUE OF "LINCOLN, THE MYSTIC"

Mr. VANDENBERG. Mr. President, on last Saturday afternoon, at 3 o'clock, June 14, 1930, at Jersey City, N. J., a statue of "Lincoln, the Mystic," was unveiled in Lincoln Park of that city, under the auspices of the Jersey City Lincoln Association. The statue is the work of Fraser, who collaborated with St. Gaudens in some of his most historic creations, and which is a rare presentation of Lincoln as a man of prayer and meditation.

The program of the unveiling was most auspicious, in which the Governor of New Jersey and other distinguished public officials participated. The dedicatory oration was delivered by Dr. John Wesley Hill, chancellor of Lincoln Memorial University, Cumberland Gap, Tenn.

I ask unanimous consent to print this address in the RECORD.

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

Dr. John Wesley Hill spoke as follows:

"Death hath this also," says Bacon, "it openeth the gate of fame."

Fame, in turn, triumphs over death.

Abraham Lincoln is not dead. Emancipated from the thraldom of time, he has stepped beyond the trammels of birth, and race, and State. He lives in an epic all his own; in ever widening spiritual leadership; in the splendor of realized ideals; in inspiration to good citizenship and in multiplying memorials in literature and art, in progress and reform, in patriotism and philanthropy, in education and humanitarism.

He reappears in this historical statue, an artistic presentation of "Lincoln, the Mystic."

To-day we lay upon his dreamless dust, the wealth of spring, flowers which are symbols, and poems and prophecies.

"The summit of the human mind is the ideal to which God descends and man ascends."

In each age, a few men of genius undertake the ascent. From below, the world watches them; "How small they are," says the crowd; but upward they climb, until they reach the summit where they catch great secrets from the lips of God.

These are the world's picked personalities. They tower above the cloud line of history! Appearing in the providential order, they are prophets.

No two ever came upon the same mission; they do not wear the same robe, nor work in the same rôle.

One comes as a patriarch, like Abraham; another as a law giver, like Moses; another as a statesman, like Pericles; another as a philosopher, like Plato; another as an apostle, like Paul; another as a diplomat, like Richelieu; another as a reformer, like Cromwell; another as a patriot, like George Washington; and another as an emancipator and deliverer, like Abraham Lincoln!

To choose between these men is impossible. There is no method for striking a balance between Abraham and Moses, or Plato and Paul, or Richelieu or Cromwell, or Washington or Lincoln. There is no primacy among them. They all are the greatest.

The centuries are the silent priests that enthrone them. Death is the grim philosopher that interprets them. The grave is the dark room, where the soul's negative finds the time exposure necessary to the development of the perfect photograph.

Time can neither be flattered nor bribed. When the investment a man makes of himself in his own age constantly yields installments of interest in succeeding ages, we know that such a man failed to get all that was due him while he lived. Post-mortem eulogy is only back pay.

The world has been slow to recognize its heroes. For living leaders we have epithets; for dead ones, epitaphs. We make sure that what we see is not a palpitating personality but a dim shadow appearing at midday, as at midnight, occupying no space, arousing no resentments, disputing no ambitions, obstructing no progress. And then, when we have read the death certificate, we cheer up and begin to tell the truth, throw aside prejudices and animosities; offer eulogies in expiation of epithets and lavish beatitudes where bread was once begrudged.

Distance affords perspective. Passion cools, prejudice subsides, opinions ripen into judgment, and judgment becomes the verdict from which there is no appeal.

It was the Gallilean who declared, "A prophet is not without honor save within his own country." That is true of all the prophets. Stones have been their bed and their bread. Aristides was banished because he was known as "Aristides the Just." Scipio Africanus was sent into exile on the anniversary of his victorious battle at Zama. Wellington was mobbed in the streets of London on the anniversary of the Battle of Waterloo. Bruno started heavenward in a chariot of fire. Bunyan penned his Pilgrim's Progress in a dungeon. Cromwell's dust was desecrated, and his skull was raised upon a pole over Westminster Hall, concerning which sacrilege Pope wrote, "See Cromwell damned to everlasting fame." Washington in his day was denounced as an aristocrat, Jefferson as a radical, Hamilton as a monarchist, Marshall as a tyrant, and Lincoln as a jester.

To-day we set these heroes on Olympus and speak of them as patriots and prophets.

We are still too near the epoch in which Lincoln wrought to make an accurate measurement of his greatness.

The workmen on the Parthenon could not see the full magnificence and glory of the temple that sprang from the brain of Ictanus and crowned the hills of Athens, but all the passing ages have seen it.

It will be a century at least before some American Froude will be able to analyze the qualities which were wrought into the incomparable character of Lincoln, qualities which lift him into solitary grandeur and mark him as a man of destiny. A character impossible of analysis because of its simplicity and completeness, like a perfect sphere, always the biggest on the side next to you.

We can only touch his distinguishing characteristics—in mind, practical reason; in will, firmness; in moral nature, integrity; in religious nature, loyalty to duty; in emotional nature, fidelity to friends and sympathy with humanity; in faith, Christianity; in manner, simplicity; in bearing, dignity; in scholarship, mastery of English and of statecraft; in abiding motive for action, patriotism; in poise, absolute courage in general make-up; preternatural endurance, and in all things a man, and such a man, that great nature might stand up and say, "We shall not see his like again."

Ingersoll said: "The memory of Washington has been reduced to a steel engraving." This can never be true of Lincoln, for as Stanton exclaimed at his death bed, "He belong to the ages," and he belongs to the ages because he belongs to humanity, and he belongs to humanity because he is the enshrined reality of democracy.

He is enthroned in history, not as a legendary figure clothed in the soft light of fabled story, nor as a dim specter appearing amidst the shadows of myth and mystery, but as a cosmic soul emancipated from the unholy thrall of time and place, stepping silently into the infinitude of humanity.

A world figure, standing with mystic mean in the forefront of world problems, pointing the way toward the sunpath of spiritual reality—his spiritual leadership is the greatest inspiration of modern times.

There is nothing Eutopian nor obsolete in his articles of faith, they are instinct with life, applicable to conditions to-day and adaptable to all times; not iridescent baubles of political vacuity, but a body of faith, which is the cornerstone of our national stability.

If we neglect this inheritance, it will fall into alien hands; the representatives of agitation and revolution are already attempting to appropriate it. There are over 200 revolutionary publications in this country, which are continually invoking the words of Lincoln in justification of their pernicious cause.

Pulpits and halls of learning are occupied by sensational preachers and teachers, who pretend to think it an exhibition of progressiveness to teach contempt for the established institutions of America.

Many of these so-called "advanced thinkers," in the lecture rooms of colleges, are not only cunning and adroit but able and magnetic, possessed of a power to inflame, and mislead the immature, men who seek to poison citizenship at its source, in the name of academic freedom.

The hour is opportune, therefore, for a Lincoln renaissance, a revival of his letters, a return to his principles.

Such a renaissance would be creative, striking to the roots of things, dealing with essentials, and resulting in mental and spiritual illumination and transformation.

Ethical tinkering, psychological cobbling, and socialistic whitewashing will accomplish nothing. Only the spirit of Lincoln, his love of the truth, his sympathy with humanity, his devotion to liberty, and his faith in the eternal, will bring the new birth of freedom, for which he plead, reinstate democracy as the invincible bodyguard of liberty, and

preserve representative government from the wrecking forces of ignorance and cupidity.

In 1802 Wordsworth wrote of Milton, and expressed the wish for the return of the poet statesman to the councils of those stirring times. The stress of these days is far greater, the problems confronting us more complicated and perplexing, while the issues involved are so vital and imminent that Wordsworth's longing for the return of Milton finds its counterpart in the oft-repeated appeals, which are being made from pulpit and press and platform to the spiritual leadership of Lincoln.

Indeed, Wordsworth's call to the soul of Milton, might well be paraphrased into the yearning cry of America:

"Lincoln, thou shouldst be living at this hour:
America hath need of thee: she is a fen
Of stagnant waters: altar, sword, and pen,
Fireside, the heroic wealth of hall and bower,
Have forfeited their ancient English dower
Of inward happiness. We are selfish men;
Oh! raise us up, return to us again;
And give us manners, virtue, freedom, power.
Thy soul was like a star, and dwelt apart:
Thou hadst a voice whose sound was like the sea:
Pure as the naked heavens, majestic, free,
So didst thou travel on life's common way,
In cheerful godliness; and yet thy heart
The lowliest duties on herself did lay."

Lincoln said, "Nowhere in the world is presented a Government of so much liberty and equality as ours."

Would he feel, were he here to-day, that our crass thanklessness for the privileges of such a precious heritage, our indifference to the evils which threaten it, our lack of spiritual discernment and restraint, must eventually arrest the forces of progress? What would he say of the sordid materialism, utterly antagonistic to the ideals for which he lived and died? What would be his attitude toward Mammonism, which is slowly enervating the spiritual concepts which were the creative forces of our early history, the loss of which will forfeit our spiritual leadership at home and abroad?

We are living in a day when lawlessness is on the increase, when homicide, banditry, and crime in all its hideous variety has the right of way; when an organized conspiracy against law and order tramples with impunity upon the Constitution, jeers at the officers of the law, at courts of justice, at time-honored traditions, and sacred landmarks, and in the extremity of their desperation seeking to subsidize the name of Lincoln in their assault upon the strongholds of civilization.

If Lincoln were here to-day, what would be his answer to the challenge? What would be his answer to their plea of personal liberty as justification of their contempt for the Constitution?

He would probably repeat his words in an address in Baltimore in 1864, "The shepherd drives the wolf from the sheep's throat, for which the sheep thanks the shepherd as his liberator, while the wolf denounces him for the same act, as the destroyer of personal liberty." He would say to these lawbreakers and their sympathizers what he said early in his career to an audience of young men at Springfield, Ill.:

"As the patriots of '76 did to the support of the Declaration of Independence, so to the support of the Constitution and the laws, let every American pledge his life, his property, and his sacred honor; let every man remember that to violate the law is to trample upon the blood of his fathers and to tear the charter of his own and his children's liberty. Let reverence for law be breathed by every American mother to the lisping babe that prattles on her lap. Let it be taught in schools, in seminaries, and in colleges. Let it be written in primers, spelling books, and almanacs. Let it be preached from the pulpits, proclaimed in legislative halls, and enforced in courts of justice. In short, let it become the political religion of the Nation."

Lincoln entertained no fears for the future of our flag or the safety of our country from perils without. Speaking of the possibility of our national downfall, he continued: "All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years. At what point, then, is the danger expected? I answer, if it ever reaches us, it must spring up among us. It can not come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide."

Then calling attention to the growing disposition to disregard the Constitution sealed by the blood of its historic framers, he declared that our Government is built upon the principle of "majority rule" and that "if the time ever comes in America when a minority can frustrate the will of the majority the result will be mobocracy upon the one hand or tyranny on the other."

Lincoln predicated the security and perpetuity of our institutions upon law and order and constitutional authority. Abhoring slavery, he revered the Constitution which sheltered it and would leave it under the Constitution but not consent to its invasion of virgin soil.

In 1859 he said: "I say that we must not interfere with the institutions of slavery in the States where it exists, because the Constitution forbids it and the general welfare does not require it. We must not withhold an efficient fugitive slave law because the Constitution requires us, as we understand it, not to withhold such a law, but we must prevent the outspreading of the institution because neither the Constitution nor the general welfare requires us to extend it. The people of these United States are the rightful masters of both Congress and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution."

We are hearing much about progress nowadays.

Lincoln knew the difference between progress and motion. He was neither a reactionary nor a revolutionary. Charles A. Dana said of him, "He was never a step too late nor a step too soon." With William the Conqueror, he believed that "Events are God marching," and it was his highest ambition to keep step with them. He, therefore, moved midway between the extremes a step at a time, with one foot always on the ground.

If he were here to-day, he would make haste slowly, knowing that he that believeth should not make haste, and believing in the adage, "Take your time for you haven't any time to lose."

Progress with him was only another word for growth. It must be free from violence and destruction; it must be expressed in evolution not revolution. Illustrating this thought he said, "A man watches his pear tree day after day, impatient for the ripening of the fruit. Let him attempt to force the process and he will spoil both fruit and tree. But let him patiently wait and the ripe pear at last falls into his lap."

He would not attempt to rebuild the world overnight. He rebuked those who proposed such an experiment when he said: "You are united among yourselves in your determination to break with the past, but you are utterly divided as to where you are going."

The professional progressives of to-day would do well to halt in their headlong carriage and study the example of Lincoln, the ideal progressive of the ages. Bolshevism is not progress, it is the collapse of civilization, a conglomeration of the zoological instincts of socialism, the Industrial Workers of the World, and anarchy. Its program is economic joy riding; its basic doctrine is "economic determinism."

From this viewpoint the final causes of social changes and political revolutions are to be sought not in man's brain nor in his insight into eternity, truth, and justice but in changes in the modes of production and exchange.

Here, in the last analysis, we have human hopes, fears, convictions, and beliefs touching time and eternity, laws, morals, religion, marriage, education, and civilization explained by the economic laws of production, distribution, and consumption.

Lincoln represents the antithesis of this soulless philosophy.

It was his sense of personal accountability to God, his faith in an overruling Providence, his familiarity with the Scriptures, his habit of prayer, his tears and tenderness, his love of the truth, and faith in humanity that lifted him from obscurity and crowned him as the man of the ages.

He said: "I am driven to my knees over and over again, because I have nowhere else to go."

There is no place for prayer in the philosophy of Karl Marx, no room for faith, or hope of immortality in the deadly slough of sovietism.

Lincoln's foundation was the Rock of Ages, upon which he stood and viewed the universe as the handiwork of God, saw the movements of Providence behind the shifting scenes of time, and recognized "the power that makes for righteousness" directing the destiny of mankind.

It was this faith that made him seer and guide, prophet and comforter. It was this faith that inspired him to remind his dying father: "He notes the fall of a sparrow and numbers the hairs of our heads and will not forget the dying man who puts his trust in Him."

And it was this faith in Providence that moved him to write to the broken-hearted mother: "I pray that our Heavenly Father may assuage your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."

We have fallen upon strange and ominous times, a period of social, economic, political, and religious adventure, in which all sorts of fustian doctrines are proposed as substitutes for the principles for which Lincoln lived and died.

What would Lincoln say of this drift from our historic moorings? What would he say of the program of State socialism, with its proposed ownership of land, mines, factories, and the home itself?

He would declare as he did while in our midst: "The legitimate object of government is to do for a community of people whatever they need to have done, but can not do at all, or can not do so well in their separate or individual capacities. In all that people can individually do for themselves the Government ought not to interfere."

He would say as he did to a committee from the Working Men's Association of New York during the Civil War: "The strongest bond of sympathy, outside the family relation, should be one uniting all working people, nor should this lead to a war upon property or the owners

of property. Let not him who is houseless pull down the house of another, but let him labor diligently and build one for himself, thus by example assuring himself that his own will be safe from violence when built."

What would be his reply to the seditious attacks upon our judicial system, as subversive of constitutional Government? He would repeat his celebrated declaration upon this subject in his debate with Judge Douglas: "Judicial decisions have two uses, first, to absolutely determine the case decided, and, secondly, to indicate to the public how similar cases will be decided when they arise. We believe in obedience to and respect for the judicial department of government. Its decisions on constitutional questions when fully settled should control, not only the particular case decided, but the general policy of the country, subject to be disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution."

Finally, if Lincoln were here to-day what would be his attitude on the question of international peace? Would the glare of internationalism blind his eyes to the glory and supremacy of his own flag? Would love for humanity dilute or divert his love for native land? Early in his career he took his stand on this question declaring:

Many free countries have lost their liberty, and ours may lose hers, but if she shall, be it my proudest plume not that I was the last to desert, but that I never deserted her. If ever I feel the soul within me elevate and expand to those dimensions not wholly unworthy of its almighty Architect, it is when I contemplate the cause of my country deserted by all the world beside, and I standing up boldly and alone hurling defiance at her victorious oppressors. And here without contemplating consequences, before high heaven and in the face of the whole world, I swear eternal fidelity to the just cause as I deem it, of the land of my life, my liberty, and my love."

He declared again: "The man does not live who is more devoted to peace than I am, nor would do more to preserve it."

But it was peace with honor, and not at any price, for which Lincoln stood, an attitude voiced in the closing words of his second inaugural: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are now in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations!"

That was the dream which Lincoln breathed into the soul of the world, a dream of peace with justice for all mankind. There is no suggestion of isolation in this sentiment. It means in a large sense of the word, a strong and united people for leadership in the advancement of the world, toward the approaching fulfillment of Lincoln's dream, which hovers like a bow of promise over the blood-stained and battle-scarred earth.

Washington advised us against "entangling alliances," but not against enlarging territory and influence. When Washington gave us that advice, democracy was still on trial; our population was limited, and our resources unknown. We knew but little of the great empire west of the Alleghenies; the problem of self-government had not been solved. To-day we are a world power. The eagle has escaped its shell. Where Uncle Sam sits is the head of the table. His foot is on the call bell, and his hand grasps the carver; there can be no dissecting without his consent.

Lincoln recognized our accountability to the world. He saw beyond the Civil War a new era of democracy, the soul of which must be projected everywhere, and he would not tolerate the thought of isolation. His dream was of "a just and lasting peace among ourselves, and with all nations."

Prior to Lincoln's second inaugural, international differences were occasionally arbitrated. Arbitration proceeds by negotiation and compromise. When Lincoln plead for peace with justice, he was taking a long step in advance of arbitration. Justice suggests law, and law stands for adjudication. Peace with justice can only be secured by the application of the principles of law. This is the goal of internationalism to-day. The establishment of an untrammeled world tribunal for the adjudication of world controversies.

Lincoln's conception of a world court was far removed from a supergovernment.

He would recognize no international flag. He would never consent to the transformation of our Government from the lantern-bearer of world hope into an international bell hop.

His was the thought of national solidarity, that in the preservation of our integrity, we might expand and enlarge in peace and good will until our influence for amity and cooperation might encircle the globe, a vision of collectivism at home, peace "among ourselves," and cooperation abroad, "with all nations." Not a program of surrendered rights and policies, the transfer of the power to declare war from Congress to the League of Nations, the submission of the Monroe doctrine, our immigration policy, or any other question vital to our rights and life to an alien court, but rather such a peace at home, as shall make us strong abroad. A peace characterized with such strength toward the strong and gentleness toward the weak, that the world will recognize the source of our leadership, in our devotion to justice, love of liberty, and consecration to humanity.

It is appropriate that this monument to the character and achievements of Abraham Lincoln should be unveiled on Flag Day. That flag is Lincoln's appropriate memorial. His face is reflected in it.

In its ample folds are written in letters of deathless light the principles for which Lincoln declared, when he participated in the flag raising at Philadelphia on his way to Washington, and which he proposed to live for," and if necessary "to die for."

His principles are living in it! To-day it is the symbol of the cumulus glory of those principles—the Declaration of Independence—the chart and compass of all human rights; representative democracy, with constitutional safeguards for the protection of individuals and minorities; the might of right as against the right of might; the divine right of man as against the divine right of kings.

It means all that our civilization means—that the schoolhouse is the bulwark of American liberty, the ballot box is the ark of the American covenant, the courthouse the guarantee of American justice, and the home the cornerstone of American democracy.

It means the protection of our citizens at home and abroad, on every land and sea; it means that anarchy and mobs are un-American; that there is a legal remedy for every wrong; that dynamite is the weapon of the coward and force the instrument of the tyrant; that person and property, life and liberty must be inviolate beneath its ample folds; it means that education is the fortress of freedom and that religion is the foundation of civilization; it means the sanctity of our courts, that the scales of justice shall stand between weakness and strength, want and wealth, and guarantee simple equity to all. It means the right of property possession, and that the theory of confiscation is incongruous with the spirit of the Constitution; it means the rights of labor capital and that all social and industrial progress must be by evolution and not by revolution.

It means national honesty, that there shall be no knavery in politics, no graft in office, no betrayal of trust and no violation of treaty. It means national unity, that we are the citizens of one country, bound together in such an indissoluble compact that we are invulnerable to any weapon formed against us.

It means national hospitality that we welcome to our shores all refugees from oppression; that our fireside is broad enough for every man who loves our flag; that our citizenship is composed of all races whom "God hath made of one blood"; and that neither class nor caste nor racial nor religious distinctions shall mar our spirit of brotherhood.

It means that every gate shall be locked against anarchy and sedition and every law shall be enforced against crime; that our institutions demand the respect and reverence of all; that foreign instincts conflicting with these institutions shall not be tolerated; and that we have in this country but one citizenship, not hyphenated, but unqualified and unadulterated—American citizenship—and that he who talks or boasts or professes any other is a foe to our flag and a traitor to the Government, which he has sworn in allegiance to defend with his ballot and, if necessary, to defend with his blood.

Wondrous flag! The flag of our fathers, the flag of Washington and Jefferson and Hamilton; the flag of Lincoln, Garfield, Cleveland, McKinley, Roosevelt, and Wilson. Your flag and my flag, the flag, thank God, which is enthroned in the hearts of a hundred and thirty million freemen, the flag of freedom, the flag of democracy, the flag of the Republic, in the defense of which we are ready to do and dare and die.

Gaze upon it and you will see nothing in it to cause a blush or demand an apology. Its history has always been right, no blot upon its beauty, no blur upon its field of blue, no stain upon its stars, no shadow upon its title, no ravenous lion, nor hissing serpent, nor frowning castle, nor shadow of scepter or throne in its sacred emblazonry, but always and everywhere the symbols of light.

It is the banner of the dawn, the flower of hope blooming in the garden of humanity, the herald of peace and justice and brotherhood, the insignia of democracy keeping step with the march of the king of day, the incarnation of all the dreams and hopes and prophecies of all the past, the bow of promise upon the brow of every cloud, glowing with the golden deeds of vanished years and prophetic of greater glory yet to come. Gaze upon that flag to-day and behold the living, triumphant, glorified symbol of liberty and Americanism, the fadeless memorial of the defender and savior, Abraham Lincoln.

The great sculptor Donatello, when he had finished that splendid statue of St. George, carved on the front of San Michele in Florence, awaited the judgment of the greatest living artist, Michelangelo. He waited week in and week out, month in and month out, until at last the grand old master came.

There stood St. George upon his lofty pedestal, and there stood the immortal sculptor gazing upon the flawless figure with steadfast eyes, filled with wordless praise.

The vast throng of spectators waited in breathless suspense for the moment still unbroken.

Standing there before the deathless creation, his piercing eyes tracing every chiseled line, penetrating every feature, catching every fitful sunbeam and shadow, the marble dream seemed instinct with life, pulsing as with a heart of blood and articulate with supernal strength,

when suddenly the sculptor, who in building St. Peters, had fulfilled his promise to "Hang the pantheon between earth and sky," with face aflame with rapture, and lips tremulous with emotion, flashed the verdict. "Now march!"

The world is full of memorials to the deathless Lincoln.

To-day we unveil and dedicate another, the work of the gifted Fraser, which must link his name as an American sculptor with that of St. Gaudens.

It is Lincoln, the mystic, seated as he was wont, in pensive solitude upon a mount of meditation overlooking the Nation's Capitol, brooding over the solemn responsibilities resting upon him, and pleading with heaven for wisdom, and courage to bear them in those hours of Gethsemane gloom!

Arising from his meditations he returned, reanointed, to the post of duty.

Who can believe that the incident of death with its intervening years has quenched his love of liberty, or devotion to duty, or consecration to humanity? Who believes that his soul is chained in the cold embrace of bronze! The thought is a violation of the rational order of the universe, of that justice which upholds it, of love which lights the tomb, and hope which sights a star beyond the silent night of death.

Lincoln to-day, as never before, belongs to humanity.

He is not a prisoner within the windowless palace of death, but a living, palpitating personality, a heaven-appointed sentinel upon the dome of these American centuries, watching and waiting for the full fruitage of his patient husbandry.

He is a personality, not a portrait; a deathless soul set free from the trammels of time; not an effigy, a spiritual reality; not a phantom, a living leader; not a mute memory.

Oh, Lincoln, arise! Stand forth that we may gaze anew upon thy furrowed face. Look upon us; pity us; speak to us as thou didst of Gettysburg; stretch forth they hand; point the way of duty and destiny that America may be thy living monument down to the end of time. Oh, Lincoln, come down from thy summit of bronze, and march!

### WILLIAM HARD'S ARTICLE ON SENATOR SHIPSTEAD

Mr. McKELLAR. Mr. President, yesterday in the Washington (D. C.) Star Mr. William Hard paid a very beautiful and well-deserved tribute to Senator SHIPSTEAD, our colleague. I think it ought to go in the RECORD, and I ask unanimous consent that it may be printed as a part of my remarks.

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

[From the Washington (D. C.) Star, of Sunday, June 15, 1930]

SENATOR SHIPSTEAD IS UNIQUE IN AMERICAN POLITICAL LIFE—MINNESOTAN, WITHOUT PARTY, IS DOMINATING FIGURE IN RANKS OF G. O. P.—SUCCEEDS WITH MISSISSIPPI TASK WHERE "REGULARS" ARE HELPLESS

By William Hard

The unique personality of the moment in American politics is Senator SHIPSTEAD, of Minnesota. No phenomenon like him has ever before been reported on the national political sky. His unexampled remarkablenesses are at least three.

First, he has really no party at all, and yet sweepingly carries his State. Second, he calls himself a "Farmer-Laborite" and yet dominates the struggle for the nomination for United States Senator among the Minnesota Republicans. Third, he is assailed as a "radical" and "bolshevik" and yet gathers in the enthusiastic suffrages of merchants and manufacturers and bankers. It is coming to be a current prophecy that he is the destined symbol of a new nonpartisanship—or a new merging of scattered old party fragments—in the whole Northwest.

Who is digging the Mississippi down to a depth of 9 feet all the way from St. Louis to Minneapolis? Who but this "bolshevik"?

#### SUCCEEDS WHERE REGULARS FAILED

The business administration of Herbert Hoover could not at this time apparently see quite so deep as 9 feet. It tentatively awaited further scientific soundings by engineers. The regular Minnesota Republicans in the House of Representatives could not persuade the House to dive all the way to a continuous and completely authorized 9-foot bottom. The hero who did it was that "enemy of business," Mr. SHIPSTEAD.

Alone Mr. SHIPSTEAD competently represented the aquatic aspirations of our great northwestern inland dry empire. Alone he filled the upper reaches of the Mississippi with 9 feet of water in italics (indicating new matter) on page 26 of the rivers and harbors bill as ultimately reported to the Senate by its Committee on Commerce.

He is all for human justice and introduces bills to bridle the passion of judges for issuing injunctions and jailing citizens without juries. He is all for the aesthetic architecture and introduces bills for beautifying the residential skylines of private property in Washington. He is all for international freedom and strives to rescue the Haitians from our alien rule. He denounces the League of Nations as an engine of militaristic, imperialistic, predatory, piratical, etc., powers. He hurls the World Court into the same fiery furnace of radical wrath. He votes for equalization fees and for debentures and for every other forward form of agrarian progressive revolution. He is a terrible man.

Also, though, he does every possible decent business chore for Minnesota at Washington effectively and promptly. He is a splendid man.

Mr. SCHALL, seeking renomination to the Senate, says that in it he has always done his best to be like SHIPSTEAD. Mr. Christianson, desiring to wrench Mr. SCHALL'S senatorial seat from him, says, in effect, that he will move it on the Senate floor always to within 1 inch of the inspiring whispers of SHIPSTEAD. Meanwhile, SHIPSTEAD goes out to the summit of the Blue Ridge in Virginia and associates with his most loved companions, trees, and gives himself his greatest pleasure, serene contemplation.

#### HAS NO POLITICAL PARTY

He has no political party to send to the aid of either Mr. SCHALL or Mr. Christianson. This man consists of just simply, only himself. He has no party to hold up his hands—and no party to tie his hands. He is the freest man in American politics, and increasingly one of the most powerful.

He is slow in gesture, slow in speech, tinged with a certain apparent pomposity of manner, shiningly colored with a humor which drawls and crawls like molasses, infinitely deliberate, infinitely strategic, absolutely surefooted, absolutely sincere. He has an almost Lincolnian faculty for long rumination, for matured design protracted far into the future, and for the expression of serious policy in whimsical parables. He is a Norseman who is as American as the primitive prairies of the covered wagon. Progressive, he also is antique. That is the combination to which our political history teaches us we give the widest wings of fame and fate.

### THE NAME OF MOUNT TACOMA, WASH.

Mr. DILL. Mr. President, the most magnificent and beautiful mountain in the United States is on the north Pacific coast. There has been a dispute for a long time over the name of that mountain. The legislature of my State some years ago asked that the name be changed and there has been a great contest made over it. A great many books and publications have been written on the subject. One of the recent contributions on the subject is by A. H. Denman, Ph. B., LL. B. I ask that it be printed in the RECORD.

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

MOUNT TACOMA—ITS TRUE NAME

By A. H. Denman, Ph. D., LL. B.

The Seattle Intelligencer of November 23, 1869, contained an item in words following:

"The name of the new town laid off by General McCarver and known as Commencement City has been changed to Tacoma, the Indian name of Mount Rainier."

This statement is saturated with the truth. It was made before any jealousy of a new city had arisen to obscure in anybody's mind the truth connected with the Indian name of the mountain. The item truly indicates that the city got its name from the mountain; that Tacoma was recognized as the name of the mountain by both Indians and whites dwelling in the territory. Tacoma Chapter of the Good Templars was in Olympia and so named before there was any city of Tacoma.

The exact truth and the whole truth concerning the aboriginal name of the mountain is stated in shortest form by F. W. Hodge, when he was ethnologist in charge of the Smithsonian Institution, as follows:

"The word 'T'komma (Takoma)' in one form and another was used by several Salish tribes as the specific name of Mount Rainier (Mount Tacoma), but was by others applied specifically to other peaks and by some as a common noun to any snow peak." (Vol. II, Publications of Washington State Historical Society.)

The branch of the Smithsonian Institution relating to the ethnology of the Indians of the Pacific Northwest was founded by George Gibbs. He met Dr. William Frasier Tolmie in 1848 at the Hudson Bay Co.'s post, Fort Nisqually, located on the broad prairie now occupied by the United States military reservation south of Tacoma and at one time part of the Nisqually Indian Reservation. This post, established in 1833, was the first and for many years the only white settlement in the Puget Sound region. Doctor Tolmie was placed in charge thereof in 1833 and so remained for many years, a commanding figure in the history of the Northwest. While here, Gibbs with the aid of Doctor Tolmie compiled the vocabularies of the surrounding tribes of Indians, and these have been published by the Smithsonian Institution. Gibbs's knowledge of the Indian tongues enabled him to render valuable assistance to Governor Stevens in making treaties with the Indians in 1852.

In his vocabulary of the Wenatchee Indians, the general language of the Indians between the eastern slope of the Cascade Mountains and the Columbia River, Gibbs entered "T'koma, snow peak." In that of the Nisqually he noted "Takob, the name of Mount Rainier." He said

further that the northwestern dialects treated "b" and "m" as convertible. "Takob" is equivalent to "Takom" or "Tkoma."

"Far from coining the word, Winthrop did not even change its Indian form, as some have supposed, by modifying the mouth-filling 'Tahoma' of the Yakimas into the simpler, stronger, and more musical 'Tacoma.' This is as pure Indian as the other, and Winthrop's popularization of the word was a public service as perpetuating one of the most magnificent of our Indian place names." (Williams's The Mountain That Was "God," p. 197.)

Doctor Tolmie and G. M. Dawson compiled their Comparative Vocabularies of the Indian Tribes of British Columbia, published by authority of Parliament, at Montreal in 1884. In this work, referring to Gibbs, Tolmie says:

"I have, besides otherwise aiding in his researches, transmitted to him many vocabularies, some of which have been printed."

He says, further:

"In Niskwalli 'b' is interchangeable with 'm.' Gibbs used 'b' often when I thought 'm' more suitable."

Judge James G. Swan in a letter printed in the Wickersham pamphlet, hereinafter referred to, says that Doctor Tolmie told him more than once that "Ta-ho-ma" means a white, snow-covered mountain. Prof. Bailey Willis, of Stanford University, said in a recently published letter that about 1883, in correspondence with him, Doctor Tolmie wrote of the mountain as "Tacoma," using by preference the name used by the Indians with whom he has been so long and so intimately associated.

These vocabularies compiled by Gibbs and Tolmie are most significant because, as Doctor Tolmie says, they were made with a view to record such Indian words before they became affected by contact with any other race. The purpose was something more than merely lingual—it was ethnological. That is to say, the vocabularies were made to preserve a record of Indian words in their purity whereby the origin and relationship of the aborigines to others of the human race might be traced through their language. They are wholly distinct from the Chinook jargon, which is a mixture of tongues.

In 1861, before the publication of Winthrop's The Canoe and the Saddle, the United States Navy had a gunboat named *Tahoma*. The boat's name must have been brought to Washington by some naval officer who had before that visited these waters and thus learned the name the Indians applied to the mountain. (See Williams's 1913 edition of The Canoe and the Saddle, note on p. 316.)

In 1892 and 1893, Judge James Wickersham collected and reduced to writing the testimony of the Indians themselves. He further produced before a notable meeting of the Tacoma Academy of Science old Indians who testified through their interpreter, and the Indian word was heard by many learned Tacoma citizens in its purity. All this evidence has been printed and can be had from us on application. The testimony so collected confirms Gibbs and is summed up as follows: The Puyallup and Nisqualli name for the mountain is "Tacobet," the "b" in the Indian is interchangeable with "m," and hence we find the words "Tacoman" and "Tacoban." Peter Stannup, a full-blooded, educated Puyallup Indian, says, in a letter included in the publication, that "Ta-ko-ma" is generally used for a peak that is distinguished or highly honored. The Yakima-Klickitat name is "Ta-cho-ma," with the "ch" as in German, but most frequently written as "Ta-ho-ma." The name means an especially distinguished, high, snow-covered mountain, and is a fair, honest, Indian noun.

The name "Tacoma" was made familiar to the whole country through that charming classic of the Pacific Northwest, The Canoe and the Saddle, of Theodore Winthrop, commemorating his visit to these parts in 1853. At that time he stayed for a while at Fort Nisqually with Doctor Tolmie. He came alone with Indians by canoe from Port Townsend to Nisqually, and went alone with Indians through Naches Pass to The Dalles, thence eastward and counter to the stream of emigrants with their covered wagons coming westward over the Oregon Trail. Winthrop never saw his book in print. Enlisting at the first call of Father Abraham, he laid down a life of the highest promise in battle at Big Bethel in 1861, many years before the city of Tacoma came into being. He was a close and accurate student of the Indians and at pains to apply their words with accuracy. For reasons wholly disinterested, he discarded the meaningless name "Rainier" for the aboriginal name which he deemed fit and appropriate.

Other disinterested witnesses who can not be gainsaid are those who, so far as is known, were the first to climb to its summit. They applied the fine aboriginal name without thought of flattering anyone or of commemorating their own exploit. Gen. Hazzard Stevens and P. B. Van Trump, in August, 1870, made the first ascent. Stevens's account is in the Atlantic Monthly for November, 1876, under the title, "The Ascent of Tak-homa." He there tells us that his guide, the Indian, Sluiskin, knew the mountain by no other name; that the name was the specific name of the mountain exactly as when white men of the locality speak of "The Mountain" it means the one that is the highest and greatest of all; that when used generically the name was accompanied with another word, such as "Tacoma Wynatchee," meaning Mount Wenatchee, designating some smaller peak.

Again, and later in 1870, the summit was reached by F. S. Emmons, an engineer of international reputation, then serving on a United States Government survey. He made a full and comprehensive report of the mountain's glacial system and its topography in general. The Emmons Glacier on the east side, the largest glacier on the mountain, was worthily named in his honor. Throughout his report he speaks of the mountain as "Tachoma."

There is much more direct testimony as to the aboriginal name which space does not permit us here to enlarge upon. The reader is referred to The Mountain, published by Justice to the Mountain Committee; The Name of Mount Tacoma, a reprint with added matter; the Wickersham pamphlet; and Volume II of Publications of Washington State Historical Society.

The name "Rainier" was bestowed upon the mountain by Capt. George Vancouver, of the British Navy, who explored and mapped these waters in 1792, as a compliment to his friend Peter Rainier, then captain, afterwards a rear admiral. Rainier had no connection whatever with the discovery, exploration, or progress of the Pacific coast of North America. No one claims that he ever saw these shores. He served his country well against us in the War for Independence, winning his captaincy by the capture of the American privateer *Polly* off the coast of South Carolina. This fact hardly qualifies Rainier as a name for our greatest mountain, much less for a chapter of the Daughters of the American Revolution, who exclude from their membership descendants of those who were in those critical times loyal to King George III. H. H. Bancroft, the historian of the Pacific coast, tells us that Vancouver's nomenclature was often marked by an unworthy spirit of unfairness and injustice toward Spanish and American navigators, and that—

"It were well for one coveting easy immortality to be a friend of Captain Vancouver about this time, the aboriginal owners and occupants being, like the earlier Spanish navigators, wholly ignored in his naming."

Nor must it be forgotten in this connection that Vancouver's nomenclature was avowedly designed to mark his attempted annexation of the country to the realm of George III.

The Straits of Fuca were visited by the Yankees Kendrick and Gray, discoverer of the Columbia River, and were explored and mapped by the Spaniards before Vancouver came. Vancouver explored and mapped the connected waters we now know as Puget Sound. There is no inconsistency in our use of the term "Puget Sound," because Peter Puget, serving under Vancouver, actually made the survey of the inlets lying south of the city of Tacoma, and Vancouver limited the name to these portions, but the term has become extended to all the waters leading in from the Straits south of Point Wilson.

The Legislature of the State of Washington in 1917, voicing the sentiment of the State, including Seattle, as manifested by an almost unanimous press, by an overwhelming vote of both houses, requested the Geographic Board to drop the name "Rainier" and choose for the mountain that form of the aboriginal name which the board should find to be correct. This should have ended the matter. The refusal of such a board to heed such a request coming from the State of Washington is not entitled to respect. The ostensible excuse is the "right" of Vancouver to name the mountain, and the worthiness of Rainier in particulars removed far as possible from considerations affecting the Northwest coast.

Pilate sacrificed truth at the behest of a mob which, blinded by jealousy to all considerations of their own best interests and what was due to their own land and nation, shouted, "Away with Him! We have no king but Caesar!" So now jealous influences would suppress all the facts and all considerations of the fine name, with all its patriotic associations with such characters as Winthrop and Stevens, both of whom served their country on the battlefield, the one making the supreme sacrifice many years before the city was named. All must be forgotten because they apply the name "Tacoma," and to justify a senseless nomenclature bestowed in the interests of George III, a king of whom Britons are not proud. This will never be accepted as a solution.

The city of Tacoma can hardly be expected to consent to suppress the plain facts concerning her own good name in deference to jealous hostility directed against herself. She owes a duty to herself and to the world ever to proclaim the facts concerning her own name. The name has fine significance—the great white mountain—the Tacoma of all the Tacomas—as it really is. It should add interest even to those who may prefer the other name out of deference to authority, real or supposed, to know that the mountain has such a fine aboriginal name. If the people of Tacoma, yielding to sinister influences, permit such facts to be forgotten, they would be sadly lacking in self-respect and character.

President Taft, on the occasion of his visit in 1911, in public speeches in Seattle as well as in Tacoma, referred to the mountain as Mount Tacoma and by no other name. In a public address on October 10, 1911, printed in all the papers, responding to the remark of his introducer that "we of Tacoma and many of our good friends call it by the old original name, Mount Tacoma," he said, "I always think of the mountain by its original name."

For the flippant who say that the city's advocacy is "small-town stuff," we have what President Roosevelt said to a Seattle delegation

calling on him at the White House, when he asked them if their city had not become big enough and well enough assured of its future to drop its opposition to the aboriginal name. And further, on another occasion Mr. Roosevelt said: "Why should we Americans abandon the splendid Indian name 'Tacoma' in order to call our noblest landmark after a foreigner whose only connection with our history is that he fought against us when we were an infant Nation?" In a letter to Mr. Walter J. Thompson advocating the substitution of Tacoma for Rainier, Mr. Roosevelt said: "It has always struck me as a piece of genuine childishness to follow any other course."

The aboriginal name has the sincerity and directness of the natural native mind, indicating a reverence well worthy of the respect of the most civilized. It runs with the land. It is distinctive of Northwest America. It partakes of the nature of the mountain it designates. In "The Ascent of Denali," Archdeacon Stuck says:

"There is to the author's mind a certain ruthless arrogance that grows more offensive to him as the years pass by, in the temper that comes to a 'new' land and contemptuously ignores the native names of conspicuous and natural objects, almost always appropriate, and overlays them with names that are, commonly, neither the one nor the other. * * * Let at least the native names of these great mountains remain to show that there once dwelt in the land a simple, hardy race who braved successfully the rigors of its climate and the inhospitality of their environment and flourished, until the septic contact of a superior race put corruption into their blood."

In the Atlantic Monthly, vol. 51, p. 231, Helen Hunt Jackson says:

"The Indian name of Mount Rainier was 'Tacoma,' meaning, according to some, 'snow mountain'; according to others, 'heart food' or 'breast food.' One catches a glimpse through the clumsy English phrase of a subtly beautiful idea, and a sentiment worthy of the mountain and of the reverential Indian nature. It is a shame to abandon the name. Retaining it for the town is a small atonement for stealing it from the mountain. There seems a perverse injustice in substituting the names of wandering foreigners, however worthy, and however enterprising in discovery, for the old names born of love, and inspired by poetry we know not how many centuries ago; names sacred, moreover, as the only mementoes which soon will be left of a race that has died at our hands."

### RELIEF OF WORLD WAR VETERANS

Mr. GEORGE. Mr. President, I wish to inquire of the Senator from Oregon [Mr. McNARY] whether the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended, has been given a preferential status on the calendar by the Republican steering committee?

Mr. McNARY. Mr. President, I think the intention is that the bill shall follow the disposition of the rivers and harbors bill.

Mr. GEORGE. That has not yet been determined?

Mr. McNARY. Not that I have been advised, but that has been the program which the steering committee and others have had in mind for some little time.

Mr. GEORGE. Then I take it that is the program?

Mr. McNARY. I should not want to speak with the full authority that the Senator would like to impress upon my words. It is my opinion, however, that it will follow the river and harbor bill.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Oregon yield for a moment?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. McNARY. I yield.

Mr. ROBINSON of Arkansas. The fear has been expressed by some who are interested in the amendment to the veterans' relief laws that after the passage of the measure by the Senate Congress may adjourn and a pocket veto follow, with no opportunity afforded the advocates of the legislation to pass the measure over the veto. That feeling is quite extensive. I have received, perhaps, a hundred telegrams from different parts of the United States, suggesting that there is great danger of the failure of the legislation, notwithstanding the admitted necessity for it in legislative circles, through adjournment prior to action by the Executive and within 10 days after its passage through Congress. I merely want to suggest that it is desirable to pursue a policy which will give opportunity for the final disposition of that legislation before adjournment.

Mr. McNARY. Mr. President, I am in accord with the statement of the Senator from Arkansas. I think that feeling of fear might well be allayed by an early consideration of the bill. I had in mind, if the program shall not then have been finally settled as between that measure and the motor bus bill, that to-morrow morning it might be well to consider the veterans' bill during the morning hour; and I shall ask for an adjournment this evening.

Mr. GEORGE. I hope the Senator from Oregon will move an adjournment this evening so that the bill may be considered.

Mr. ROBINSON of Arkansas. I make the additional suggestion that unless the unfinished business shall be promptly disposed of—and I hope that course will be taken—the probabilities are that while the river and harbor bill is under consideration an opportunity may be afforded temporarily to lay it aside and to take up the veterans' bill.

Mr. McNARY. That opportunity may come later in the afternoon. I assure the Senator from Arkansas and the Senator from Georgia, however, that I shall cooperate with them in securing early consideration of the bill.

Mr. JOHNSON. Mr. President, will the Senator from Oregon yield to me?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from California?

Mr. McNARY. I yield.

Mr. JOHNSON. I am quite in accord with what has been said about the veterans' bill. It ought to be passed at the earliest possible moment, and there ought to be sufficient time given to Congress thereafter, before adjournment, to act upon it definitely and conclusively, notwithstanding what the Executive may do in respect to it. However, let me call the attention of my brethren to the fact that the river and harbor bill is of extraordinary importance to the House and of extraordinary importance to many Members of the Senate as well. It must of necessity go to conference before ultimately it can be passed by both Houses. I take it that the situation is similar with the veterans' bill because of the amendment to it reported by the Finance Committee.

I would not wish to see the river and harbor bill displaced after once we begin consideration of it, and it may be taken as absolute that if we pass the bill it must go to conference; that thereafter immediately the veterans' bill may be taken up, and passed, I think, in a very short period, and it must go to conference. It therefore behooves us in the Senate to see that in the interim while these bills are being considered, either in the Senate or in conference, there be no agreement respecting the final adjournment of Congress.

Mr. LA FOLLETTE. Mr. President, that is the point I was going to suggest to the Senator from California, to the Senator from Georgia, to the Senator from Arkansas, and to the Senator from Oregon.

Mr. ROBINSON of Arkansas. That was the suggestion which I myself made or had in mind.

Mr. LA FOLLETTE. If a majority of the Senate will simply adhere to the determination that it will not consider any final adjournment resolution or any proposal fixing a time for final adjournment until the veterans' legislation shall have been passed by Congress and acted upon by the Executive, we can make certain that that legislation will be disposed of without its receiving a pocket veto.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Tennessee?

Mr. McNARY. I yield to the Senator from Tennessee.

Mr. McKELLAR. I wish to say that under no circumstances will I be willing to vote in favor of final adjournment until the veterans' legislation shall have been passed on by Congress and by the President, and, if vetoed, returned to Congress.

### EDNA B. ERSKINE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 969) for the relief of Edna B. Erskine, which was, on page 1, line 11, after "1923," to insert:

*Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. COPELAND. I move that the Senate concur in the House amendment.

The motion was agreed to.

### JOSEPH N. MARIN

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3866) for the relief of Joseph N. Marin, which was, on page 1, line 7, after the word "ship," to insert "as of June 5, 1899."

Mr. COPELAND. I move that the Senate concur in the House amendment.

The motion was agreed to.

STATE DEPARTMENT'S APPROVAL OF FOREIGN-LOAN FLOTATIONS

Mr. GLASS. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Let the resolution be read.

The Chief Clerk read the resolution (S. Res. 293), as follows:

Whereas press dispatches from Washington have repeatedly alleged that the State Department has given informal approval, to be followed by its formal sanction, of the flotation in the United States of approximately $100,000,000 of German reparation bonds by the so-called International Bank, with headquarters in Europe; and

Whereas in course of congressional discussion frequent reference has been made to an alleged "order of the State Department" prohibiting Federal reserve banks from establishing business relations of any sort with said International Bank: Therefore be it

*Resolved*, (1) That the Secretary of State be, and hereby is, requested to inform the Senate upon what authorization of law, constitutional or statutory, expressed or implied, does the State Department base its right either to approve or disapprove investment securities offered for sale in the money markets of the United States by foreign governments, corporations, or individuals.

(2) By what sanction of law, constitutional or statutory, does the State Department assume the right to direct the action of the Federal Reserve Board or banks with respect to their lawful powers concerning the business of banking in foreign countries or the investments of these banks in foreign securities offered in the money markets of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. GLASS. Mr. President, two years ago, when Congress was not in session, for the first time the public was apprised of the fact that the State Department was undertaking to supervise flotations of securities in the money markets of the United States. Happening to be in Washington at the moment, I immediately made public protest against the right of the State Department to do anything of the kind. I regarded it as an unprecedented usurpation of authority by a department of the Government that had nothing whatsoever, in law or in propriety, to do with the financial conduct of banking institutions of the country. The only answer then made to my published protest was the attenuated excuse that the President of the United States, in conjunction with the State Department, was charged with the conduct of foreign affairs.

The only other explanation was made by the chairman of the Senate Finance Committee to the effect that the State Department was only doing what it had done since the foundation of the Government. The painful inaccuracy of that statement was shown on the very next day by a statement from the State Department to the effect that this policy was initiated in 1922 under the Harding administration.

I am going to ask, Mr. President, to have printed in the RECORD as part of the remarks I am now making the published statement which I made at the time for the press, the reply of the State Department thereto, and my reply to the State Department.

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

The matter referred to is as follows:

[From the United States Daily, October 14, 1927]

STATE DEPARTMENT IS CRITICIZED FOR ACTION ON LOANS—SENATOR GLASS SAYS PRACTICE OF PASSING ON PRIVATE ADVANCES TO OTHER NATIONS IS DANGEROUS—TEMPTATION TO DISHONESTY AND LIKELIHOOD OF AROUSING ILL WILL ABROAD SEEN IN POLICY

Senator GLASS (Democrat), of Virginia, former Secretary of the Treasury, in a statement issued October 13, criticized the practice of the Department of State in passing upon private loans by American bankers to foreign countries. The Senator described this practice as "an unwarranted exercise of a dangerous unessential power, replete with temptation, and even invitation, to dishonesty and oppression."

The statement follows in full text:

"There has been recently a lot of talk by public men and comment by the press over the alarming concentration of power in the Federal Government at Washington. Most of the talk, as well as the comment, has been general and little of it specific, except when politicians and newspapers have persisted in discussing the excesses and delinquencies of Federal prohibition.

PROPERTY RIGHTS INVOLVED

"This all seems trivial to me, in contrast with some other things that have happened and constantly are recurring which, singularly enough, seem to have attracted little attention and provoked less intelligent criticism. They involve, some of them, not only the liberty and property rights of the individual and the sovereignty of the States, but a plain usurpation of authority by the Federal Government which is as injurious as usurpations of authority are, and, besides, is exceedingly dangerous.

"I would like some informed person to tell me the meaning, for example, of the formal official announcement of the Federal Department of State that it has approved the private refunding debt proposals of the French Government in the United States, together with a Prussian and Polish loan totaling $100,000,000?

TRANSACTIONS ARE PRIVATE

"By sanction of what constitutional authority or Federal statute does the State Department assume to review and visa private financial transactions to which citizens of concerns or corporations of this country are parties in interest, together with their foreign debtors, and in which the Government of the United States has no stake and with which it has properly nothing whatsoever to do?

"I might go further and ask upon what hypothesis of sound economics does such an appropriation and exercise of power, not granted by any law of the Congress, proceed? What facilities, as a practical fact, has the Department of State accurately to determine any of the intricate details involved in matters of such magnitude and by what authority were such facilities, if they exist, provided, and at whose cost? In short, who is the trained international banker, with his retinue of aides, the experienced, the tested credit man of the Federal Department of State, who assumes to pass upon the investment requirements of this country and to say which of the foreign nations are entitled to credit in America and upon what terms?

"I should also be interested to learn to whom this financial expert—for essentially he must be an expert—is responsible for the unauthorized counsel he gives. Likewise, whether his advice is always impartial or ever sinister. It may easily be conceived that there will be times, if these extraordinary financial processes of the Department of State are to continue, when an American banking group will be vitally interested to know precisely why its credits were rejected, while the transactions of a rival group were favored. Indeed, it might readily occur that a foreign government to which American bankers were willing to make loans would marvel and feel aggrieved that the Federal Department of State had put an embargo on its bonds while officially attesting the high credit of another nation.

"Since there is no authority for the examination and review of a proceeding of this kind, unauthorized by law, it would be interesting to know who is to determine whether the power thus irregularly exercised was used wisely or improvidently, fairly or capriciously, with intent to subserve the public interest or with purpose to enrich some and punish others? Except for the unquestioned integrity and approved patriotism of the incumbent Secretary of State, who may exactly say that the exercise of this unprecedented power, totally at variance with any proper function of the Department of State, will not some day be so flagitiously prostituted as to result in a distressing scandal?

NO AUTHORITY FOUND FOR REVIEW OF DEALS

"The Department of State has no more right to establish a practice or adopt a policy of approving or disapproving the foreign loans of private individuals, concerns, or corporations in the United States than it has to embargo the export commodity trade of this country. It has no more right to prohibit the sale of American credits abroad by the National City Bank, the Chemical National Bank, or the house of Morgan, or all these combined, than it has to favor or veto the sale to the European trade of the products of General Motors, the United States Steel Corporation, Henry Ford, or other private concerns in this country.

"Senator GLASS," broke in one of the newspaper men, "the State Department is proposing to ask Congress to give it such power; would Congress do it?"

"Not if Congress happens to be in its right mind," was the reply. "What on earth has the Department of State properly to do with the private business transactions of American citizens or concerns with the governments or citizens of foreign nations except to demand for them equal treatment under the laws of such foreign nations? The fact that the State Department proposes to ask such power is proof positive that it knows perfectly well it does not now possess it; hence it has no right to exercise it."

"Would you vote to delegate such power?" was asked.

"Of course not," was the response. "Such extraordinary power, incongruous and in every way inappropriate, is not essential for the achievement of any good purpose, but might too readily be employed in illicit and dishonest pursuits. As an expedient of partisan political advantage or reprisal it might be used in a way to involve scandal at home and ill feeling abroad.

"An official with less character and devoid of the high sense of probity possessed by the incumbent Secretary of State would be tempted to pervert the power to perfidious uses. Supersede this thoroughly upright Cabinet minister with a 'faithless' and thrifty person, and the imagina-

tion would be taxed to compute the profits in the barter of visas and vetoes which might ensue. I am not making the thoughtless mistake of arguing against an essential power merely because it might be abused, but am protesting against an unwarranted exercise of a dangerous, unessential power, replete with temptation, and even invitation, to dishonesty and oppression.

INJURY TO COUNTRY PREDICTED FROM PRACTICE

"The exercise of such power at best and in the cleanest way inevitably would draw the Government of this country into sanctions and moral obligations which would be, as they already have been, misleading and injurious. I say again, what business has the Government at Washington to be approving private financial transactions in which the Government has no stake and properly should have no concern? Neither has it any business to be vetoing such loans and thus assuming, without sanction of law, to embargo the sale of American credits abroad. Private business has no right to ask or to receive the imprimatur of the Government on their credit transactions, nor should foreign governments be required to get the permission of our State Department to engage in the ordinary commerce of credits or commodities with American business concerns. Such concerns should be left to conduct their own business on their own responsibility and at their own risk, and purchasers in this country of foreign securities taken by American bankers should not be persuaded to suppose that a foreign bond issue approved by our Department of State is necessarily a secure investment or that an issue not sanctioned at Washington is to be shunned as unsafe."

"Was not something of this sort done by the Treasury Department during the World War?" inquired one of the press representatives.

"I have no knowledge of anything of the kind during the war," responded Senator GLASS. "Frequently things are done during a war which should not be done in times of peace. Furthermore," he proceeded, "to the Treasury, and not to the Department of State, are matters of a financial nature properly confided. I recall distinctly that in a postwar exigency, when the Treasury was grappling with the Victory loan, and later, in the difficult initial stages of its certificate policy, some eastern bankers asked the Treasury if certain contemplated flotations of foreign securities in this country would impede Treasury operations. When told that they might these bankers did not pursue the matter; but that is a vastly different thing from that I am now discussing.

"The Treasury, even in the exigent circumstances cited, assumed no authority to visa private loans or to veto them; engaged in no official correspondence with foreign governments on the subject. It simply responded frankly to an inquiry which bankers were not obliged to make, and gave an answer which they were not obliged to regard.

TREASURY AVOIDED SIMILAR ACTION

"It was so when the United States Chamber of Commerce queried the Treasury in the postwar period about a proposed international conference in this country which the Treasury was sure would result in a discussion of the foreign debts and consequent embarrassment to the Treasury; but the Treasury assumed no right to prohibit such conferences nor did it make a practice or adopt a policy of approving or disapproving. It might have done so with vastly more propriety than the Department of State, which has no conceivable relation to matters of private, domestic, or foreign finance, whereas the Treasury was established to deal with both and does so under sanction of law, expressed and implied.

"But not even the Treasury, much less the Department of State, is charged by law or custom with authority to control the private enterprises in the ordinary course of business. I could easily comprehend even now, when the Treasury is engaged in extensive refunding operations of its own, how bankers might with propriety ask if their activities in foreign securities tended to embarrass the Treasury; but I am not aware that the Department of State is authorized to engage in international or domestic financial operations."

"Do you attach any significance, Senator, to the simultaneous action of the State Department on the French refunding project with the discussion of the tariff dispute between France and this Government?"

"The press can conjecture as well as I," was the reply, "whether it was intended to use the assumed power of approval or rejection of the refunding scheme as a cudgel or concession to bring about tariff readjustment. Anybody should know, in any event that, given the extraordinary power which the State Department has assumed to exercise without the sanction of law, it could use it in many ways that might embroil this Nation in bitter disputes and hurtful strife."

"But," persisted another newspaper man, "the State Department says the thing is voluntary; that the bankers asked the department to pass on these proposed loans."

"Why do they ask it; merely for fun? Isn't it perfectly clear that the process itself implicitly ties the Government of the United States to these private business transactions and in the minds of many investors, inevitably creates the impression that the foreign issues approved at Washington are superior in point of security, as well as in other respects, to investment issues not formally sanctioned by the Department of State?

"It is a sort of quasi copartnership, in which the Government, through the Department of State, superadds its prestige, if it does not morally loan its credit to these private business operations without any compensatory consideration. It is even suggested that, in approving these foreign loans, the Government assumes a moral obligation to compel their payment.

"At all odds the State Department brings these foreign securities in sharp competition with domestic issues in the American money markets and gives them the considerable advantage of Government indorsement. In my view, this should not be done. It ought to be stopped."

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[From the United States Daily, October 15, 1927]

POLICY ON FOREIGN LOANS DEFENDED BY ADMINISTRATION—GOVERNMENT SAID TO ASSUME NO RESPONSIBILITY IN ANSWER TO CRITICISM BY MR. GLASS

Statements explaining the position of the United States Government in approving or disapproving of foreign loans were made on October 14 at both the White House and the Department of State. On behalf of President Coolidge and likewise of the Secretary of State, Frank B. Kellogg, the statement was made that the Government does not assume any responsibility in thus passing upon the loans.

These explanations were made following the publication of criticisms by Senator CARTER GLASS (Democrat), of Virginia, on October 13. Senator BORAH (Republican), of Idaho, stated his opposition also to the practice of passing upon such loans.

The United States Government's only interest in making private loans by American bankers to foreign countries is whether such loans would interfere with the foreign policy in the relations between the United States and the country which proposes to make a loan.

MR. COOLIDGE'S VIEWS

This statement was made officially at the White House on October 14 on behalf of President Coolidge in commenting upon the published statement of Senator CARTER GLASS (Democrat), of Virginia, on October 13 in which he criticized the practice of the Department of State in passing upon private loans by American bankers to foreign countries.

President Coolidge's views on the subject were outlined at the White House orally as follows:

The President was represented as saying that Senator GLASS is a man who is well versed on the question of foreign loans and what he says deserves a great deal of consideration.

REGULATING LAW PROBABLE

The President, it was said, has had under consideration the question of entirely disregarding the question of foreign loans in this country. If it seems to him that unless there is some contact between the State Department and the bankers making the loans it is probable that Congress would pass some drastic regulatory law. As a result it has seemed to the President best to proceed for the present with the present practice which is merely advisory and consists only in inquiring whether the proposed foreign loan would interfere with the foreign policy between this Government and the country which proposes to make such a loan.

SOUNDNESS NOT INVOLVED

The Constitution, it was said on behalf of the President, vests in the Chief Executive, with the advice of the State Department, the conduct of the foreign relations of this country. This Government, it was said, does not attempt to make suggestions in regard to the financial soundness of a loan or whether it is worthy or unworthy of investment in these bonds for investment in this country. That is a question for the bankers and investors to decide.

This Government's one interest is whether it would interfere in the foreign relations—in the relations between the United States and the country which proposes to make such a loan.

POLICY OF DEPARTMENT

The Department of State never approves a loan, it was stated, but rather states whether it has any objection to it. Bankers are under no legal obligation to follow the department's wishes in case a loan does not meet with its approval, and there is no obligation on the part of the bankers, tacit or otherwise, to seek the opinion of the department.

The practice of asking the opinion of the department, it was explained orally, began in 1922 after a consultation between President Harding and the bankers, in which they expressed a willingness to seek the opinion of the department.

Secretary Kellogg, it was stated, does not favor legislation regulating the system of supervision over foreign loans. Any commission which might be set up for this purpose, it was stated, would be cumbersome and might do more harm than good.

[From the United States Daily, October 18, 1927]

STATE DEPARTMENT CLAIMS RIGHT TO PASS ON LOANS—SENATOR SMOOT DEFENDS PROCEDURE AS OLD CUSTOM OF GOVERNMENT—MR. GLASS AGAIN CRITICIZES ACTION

The practice of the Department of State in passing upon proposals for private loans by American bankers to foreign governments was defended in oral statements October 17 by the department and by Senator SMOOT (Republican), of Utah, chairman of the Senate Committee on Finance.

These statements were in reply to criticisms made of the practice by Senator GLASS (Democrat), of Virginia, former Secretary of the Treasury, and now a member of the Senate Committee on Banking and Currency.

"The State Department is only following out the policy which has been pursued by the United States since its very inception," Senator SMOOT said. "If everyone is going to be allowed to make loans anywhere in the world indiscriminately and then, as soon as they get into trouble, run to the Government for help, the Government certainly ought to have something to say about making the loans."

The present policy of passing upon loans, it was stated [by the State Department] October 17, began in 1921 when President Harding called a group of bankers together and secured their agreement to submit all foreign loans which they contemplated floating in the United States to the Department of State.

AGREEMENT WAS EXPLAINED

Following this the department issued a statement in 1922 saying that the understanding between President Harding and the bankers "does not seem sufficiently well understood," and giving instructions regarding the proper channels by which projected foreign loans might be submitted to the Department of State.

Senator Kellogg does not have any criticism to make of Senator GLASS, it was stated, since he believes Senator GLASS has every right to discuss the matter.

REPLIES TO DEFENSE MADE BY PRESIDENT

Senator GLASS, in a formal statement given out October 16, referred to statements attributed to President Coolidge defending the practice of the Department of State. The Senator asserted that this practice of the department is "incontestably, extraconstitutional, and without sanction of law." The Senator's statement follows in full text:

"There is neither argument nor force in the statement that former Secretary Hughes wrote this, that, or the other cautious thing to the investment bankers nearly six years ago when this practice, pregnant with dangers and possibilities of corruption, outstripping the avarice of Teapot Dome, was initiated. Nor does it answer any immediate objection to the practice to say that the Department of State will persist in a course unauthorized by law, regardless of what Congress may think about it, and avowedly because it will not trust Congress to deal with the subject.

"I should hate to believe that this contemptuous and defiant note toward Congress could deter legislative action, should such intervention seem the part of wisdom to the only branch of government actually charged by the Constitution with the regulation of our commerce with foreign nations.

"This, I may add, is not the first time a Federal department has assumed to brush Congress aside, as we are reminded by a recent epochal decision of the Supreme Court of the United States.

"Much as I like and trust the banking community, I hope nobody imagines that I have remonstrated against this irregular exercise of an unauthorized power here in Washington because of any concern for these international bankers. They manage to take care of themselves. My protest is against another dangerous centralization of power in the Federal Government, and particularly against usurpation of a power with which the Executive Government is not legally clothed, and which, exercised without responsibility or subject to review, may easily be frightfully prostituted in various ways.

"Of course, the group of bankers referred to is not only willing but eager to have the Federal Government approve its loan. Such approval constitutes them the favored protégés of the Government and renders them grateful beneficiaries of favors bestowed, as well as expectant recipients of benefactions to come. Acquisitiveness is the secret of their rejoicing.

"I notice in this very connection that this obedient group of bankers in New York yesterday boasted that $140,000,000 of these approved foreign bonds had been placed in the money market recently in one week. If this is an actual fact, what does it signify except that this considerable fraction of an immense total of foreign securities, at abnormally high interest rates, having the persuasive prestige of United States Government approval, is thrust directly in open market competition with American note and bond issues, which have not the advantage of their Government's imprimatur to stimulate their sale?

"That's one of many grave objections to this unauthorized and discriminating use of the Government's credit; for that, in effect, is what it amounts to.

"Every railroad, every public utility of any kind in this country, every productive enterprise in America, every domestic business project requiring large capital and unable to pay ruinous interest rates, and indeed, the United States Government itself in its certificate sales and lower rate refunding operations, are made the victims of these Government-blessed foreign securities which Washington thus approves, confessedly without knowing one earthly thing about their real value or security.

"I hesitate to believe that the President, who is so in the habit of thinking clearly and of applying his fine common sense to public problems, made the statement accredited to him by some of the newspapers with reference to State Department control of loans by bankers in this country to foreign nations.

"Certainly it is incredible that the President supposes the Federal Constitution, in any of its provisions, confides to the executive branch of the Government the right to regulate foreign commerce, or, except in pursuance of treaties duly ratified by the Senate of the United States and Federal statutes thereunder enacted, to manage foreign affairs.

"Hence, the action of the Department of State in assuming to establish a policy of approving or vetoing private bank loans to foreign governments is incontestably extraconstitutional and without sanction of law. Such a practice is not warranted by a sentence of the Constitution, implicit or otherwise, nor by any law of Congress.

"On the contrary, the Federal Constitution confers on the Congress of the United States, in terms, the exclusive power 'to regulate commerce with foreign nations.' And one of the most amazing aspects of this alleged executive defense of the State Department's practice in the matter of these foreign loans is the statement imputed to the President that this Government control of private financial transactions was rendered necessary through a dread that Congress might by legislative enactment inaugurate a system of control out of agreement with the judgment of the executive branch of the Government.

"In short, the State Department, utterly without legal authority, sets up a dangerous policy of espionage and moral control over private loans of American bankers to foreign governments, and in justification can find no better excuse than to assert that it did this deliberately to prevent the Congress, expressly charged by the Constitution with the regulation of such affairs, from instituting legislation dealing with the problem.

"Yielding the impossible premise and conceding the sole right of the Executive through his State Department to manage without restraint or constraint of law, the 'foreign relations' of this Government, we are for the first time in the history of the country given to understand that the term 'foreign relations' embraces the private business transactions of American money lenders.

"My thought has been that a completely comprehensive definition of the term would restrict it to the 'relations' of the United States as a nation to the governments of foreign nations, as established by treaty and prescribed by what the world calls international law. Never before have I heard it suggested that the private business transactions of individual tradesmen of the sale of credit abroad by American bankers constituted an item in this Nation's 'foreign relations.' I confess to being more abashed than convinced by this species of casuistry.

"It is even now announced that the highly esteemed Secretary of State has little, if exactly anything, to do with these approvals or embargoes, the exceedingly delicate business being committed to subordinate department attachés. Why publicity should have been given to this important piece of information in justification of this objectionable practice I do not venture to conjecture. As it seems to me it further cripples the defense.

"It is never pleasant to feel compelled to criticize the administration of one's government in any of its branches. At least, it never is to me; and rarely have I done it. It is more agreeable to praise; and often have I done this. There are, however, times when remonstrations are in order; and it has struck me that this is one of the times.

"The supply of American funds for investment purposes is not inexhaustible; and when the overload of these prodigious foreign flotations begins to sour or default in the hands of those attracted by the will-o'-the-wisp of Government approval the authorities at Washington may then realize that my criticism is neither partisan nor unfriendly, but is a reasonable protest against transferring financial transactions from the realm of sound economics to the bogs and pitfalls of evil politics."

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DEPARTMENT OF STATE,
*Washington, June 6, 1930.*

The Hon. CARTER GLASS,
*United States Senate.*

DEAR SENATOR GLASS: I inclose a list which has been prepared for me of the foreign loans since the date for which you asked. I hope this is in satisfactory form.

Sincerely yours,

J. P. COTTON.

*Loans regarding which the department has been consulted since November, 1928, with an indication of the action taken thereon*

| | Bankers | Amount | Date | Action taken |
|---|---|---|---|---|
| **ARGENTINA** | | | | |
| Province of Santa Fe | Blair & Co. (Inc.) | $1,500,000 | Feb. 28, 1929 | No objection. |
| Province of Buenos Aires | First National Corporation and Harris, Forbes & Co. (Sullivan & Cromwell, attorneys). | 8,000,000 | Dec. 10, 1929 | Not interested. |
| Province of Santa Fe | Chatham Phenix Corporation (Carter, Ledyard & Milburn, attorneys). | 1,500,000 | Feb. 28, 1930 | Do. |
| Buenos Aires Central Railroad & Terminal Co | South American Railways Co. (issue marketed through Harris, Forbes & Co., Sullivan & Cromwell, attorneys). | 14,500,000 | Mar. 31, 1930 | Do. |
| Compania Italo-Argentina de Electricidad, Sociedad Anonima. | A. Iselin & Co. (Curtis, Mallet-Prevost, Colt & Mosle). | (1) | Apr. 10, 1930 | Do. |
| Government of Argentine Nation | Chatham Phenix Corporation | 50,000,000 | Apr. 17, 1930 | Due to misunderstanding, department was not consulted until after flotation. |
| Province of Cordoba | First National Old Colony Corporation, Hallgarten & Co., Kissel, Kinnicutt & Co. (Curtis, Mallet-Prevost, Colt & Mosle). | 6,000,000 | May 12, 1930 | Not interested. |
| Province of Santa Fe | Chatham Phenix Corporation (Carter, Ledyard & Milburn). | 4,000,000 | May 17, 1930 | Do. |
| **AUSTRALIA** | | | | |
| City of Sydney, New South Wales | Bancamerica-Blair Corporation | 5,000,000 | Feb. 4, 1930 | Not interested. |
| Metropolitan Water, Sewerage and Drainage Board, Sydney. | Bancamerica-Blair Corporation and associates | 5,000,000 to 7,500,000 | Mar. 13, 1930 | Do. |
| City of Brisbane | Bancamerica-Blair Corporation | 5,000,000 | Apr. 28, 1930 | Do. |
| Do | Lee, Higginson & Co | 5,000,000 | June 3, 1930 | Do. |
| **BELGIUM** | | | | |
| City of Antwerp | International Acceptance Bank (Inc.) | 10,000,000 | Nov. 13, 1928 | No objection. |
| Do | National City Co | 10,000,000 | Nov. 12, 1928 | Do. |
| Do | Brown Bros. & Co. and Illinois Merchants Trust Co. (Sullivan & Cromwell). | 10,000,000 | Nov. 15, 1928 | Do. |
| Do | Guaranty Co. of New York | 10,000,000 | Nov. 20, 1928 | Do. |
| Do | do | 11,000,000 | Apr. 5, 1930 | Not interested. |
| Do | National City Co | (2) | Apr. 21, 1930 | Do. |
| **BRAZIL** | | | | |
| Mortgage Bank of Brazil and South America | Blair & Co. (Inc.) | 5,000,000 | Dec. 3, 1928 | No objection. |
| State of Pernambuco | White, Weld & Co | 2,000,000 | Feb. 4, 1929 | Do. |
| State of Rio de Janeiro | E. H. Rollins & Sons (Hornblower, Miller & Garrison) | 6,000,000 | Feb. 7, 1929 | Do. |
| State of Minas Geraes | Kuhn, Loeb & Co | 15,000,000 | May 6, 1929 | Do. |
| State of Rio de Janeiro | E. H. Rollins & Sons | [3] 6,000,000 | May 20, 1929 | Do. |
| Association of Cocoa Growers of Bahia | Philip S. Smith & Co | ---------- | Aug. 13, 1929 | Not interested. |
| State of Minas Geraes | National City Co | 8,000,000 | Sept. 4, 1929 | Do. |
| State of Espirito Santo | Dillon, Read & Co | 10,700,000 | Sept. 16, 1929 | Do. |
| State of Sao Paulo | Speyer & Co. and J. Henry Schroder Banking Corporation. | [4] £2,000,000 | Nov. 19, 1929 | Letter from bankers was acknowledged without comment (coffee valorization financing). |
| Do | Speyer & Co | £10,000,000 | Apr. 3, 1930 | Not interested. |
| **CANADA** | | | | |
| Canadian National Railways | Blair & Co | $35,000,000 | Nov. 28, 1928 | No objection. |
| Do | Chase Securities Corporation | 18,000,000 | Mar. 11, 1929 | Do. |
| Do | Bancamerica-Blair Corporation | 40,000,000 | June 14, 1929 | No opinion expressed. |
| **CHILE** | | | | |
| Chilean Government | National City Co | 15,000,000 | Mar. 2, 1929 | No objection. |
| Chilean municipalities | Brown Bros. & Co., Grace National Co. (Inc.), E. H. Rollins & Sons (Inc.) (Sullivan & Cromwell). | 15,000,000 | Mar. 25, 1929 | Do. |
| Mortgage Bank of Chile | Kuhn, Loeb & Co | 20,000,000 | June 26, 1929 | Do. |
| City of Santiago | Grace National Bank, Brown Bros. & Co., E. H. Rollins & Sons (Sullivan & Cromwell). | 3,000,000 | Mar. 7, 1930 | Not interested. |
| Chilean Government | National City Co | 25,000,000 | Apr. 23, 1930 | Do. |
| City of Santiago | Kissel, Kinnicutt & Co., Hallgarten & Co. (Chadbourne, Hunt, Jaeckel & Brown). | 2,200,000 | May 12, 1930 | Do. |
| **COLOMBIA** | | | | |
| Agricultural Mortgage Bank | W. A. Harriman & Co. (Inc.), the Equitable Trust Co. of New York (Davis, Polk, Wardwell, Gardiner & Reed.) | 5,000,000 | Dec. 4, 1928 | No objection. |
| Department of Antioquia | Blair & Co. (Inc.) | 1,750,000 | Dec. 29, 1928 | Do. |
| Municipality of Barranquilla | Central Trust Co. of Illinois (Curtis, Mallet-Prevost, Colt & Mosle). | 500,000 or 1,000,000 | Oct. 4, 1929 | Not interested. |
| **COSTA RICA** | | | | |
| Republic of Costa Rica | First National Corporation (Sullivan & Cromwell) | 2,750,000 | Dec. 1, 1928 | No objection. |
| Do | do | 2,750,000 | Mar. 18, 1929 | Do. |
| **CUBA** | | | | |
| Republic of Cuba | Chase National Bank | 40,000,000 | Jan. 31, 1930 | No objection. |
| **DENMARK** | | | | |
| Copenhagen Telephone Co | Guaranty Co. of New York | 6,700,000 | Jan. 26, 1929 | No objection. |
| Loan Association of Consolidated Municipalities of Denmark. | do | Kr. 31,000,000 | May 29, 1930 | Not interested. |
| Do | Brown Bros. & Co. and associate (Sullivan & Cromwell) | ---------- | June 2, 1920 | Do. |
| **FINLAND** | | | | |
| Central Bank for Cooperative Agricultural Credit Societies. | National City Co | $12,500,000 | Feb. 27, 1929 | No objection. |
| City of Helsingfors | Brown Bros. & Co. and associates (Sullivan & Cromwell) | 8,000,000 | Dec. 9, 1929 | Not interested. |
| **GERMANY** | | | | |
| Rudolph Karstadt (Inc.) | Scholle Bros | 15,000,000 | Nov. 9, 1928 | No objection. |
| Dortmund Municipal Utilities | Field, Glore & Co. (Inc.) (Hornblower, Miller & Garrison). | 3,000,000 | Nov. 15, 1928 | Do. |
| Ruhr Housing Corporation | Dillon, Read & Co | 4,600,000 | Nov. 26, 1928 | Do. |
| United Steel Works Corporation | do | 5,000,000 | Dec. 11, 1928 | Do. |
| Province of Hanover, State of Prussia, Harz Water Works Loan, second series. | Lee, Higginson & Co | 4,000,000 | Jan. 23, 1929 | Do. |

See footnotes at end of table.

*Loans regarding which the department has been consulted since November, 1928, with an indication of the action taken thereon*—Continued

| | Bankers | Amount | Date | Action taken |
|---|---|---|---|---|
| GERMANY—continued | | | | |
| Berlin City Electric Co | Dillon, Read & Co | $15,000,000 | Jan. 28, 1929 | No objection. |
| Harpener Bergbau A. G. zu Dortmund (Harpen Mining Corporation). | National City Co | 10,000,000 | Feb. 2, 1929 | Do. |
| Burbach Potash Co | Dillon, Read & Co | 6,500,000 | Feb. 1, 1929 | Loan considered by Cabinet. Department objected. (Government-fostered monopoly.) |
| Ruhr Chemical Corporation | do | 3,000,000 | June 7, 1929 | No objection. |
| German Government | do | 50,000,000 | June 18, 1929 | Do. |
| Berlin Communications Co | Kuhn, Loeb & Co | 7,500,000 | July 12, 1929 | Do. |
| Dominican Nuns of the Congregation of St. Catherine of Siena. | Bitting & Co. of St. Louis (Nagel & Kirby) | 575,000 | July 22, 1929 | Not interested. |
| Deutsche Dampfschiffahrts-Gesellschaft, "Hansa," Bremen. | Guaranty Co. of New York | 5,000,000 | Sept. 23, 1929 | Do. |
| City of Hanover | Brown Bros. & Co | 3,500,000 | Sept. 30, 1929 | Do. |
| City of Berlin | Brown Bros. & Co. and associates (Sullivan & Cromwell). | 15,000,000 | Nov. 25, 1929 | Do. |
| United Industrial Corporation | Harris, Forbes & Co | 5,000,000 | Jan. 8, 1930 | Do. |
| Siemens & Halske A. G | Dillon, Read & Co | 14,000,000 | Jan. 14, 1930 | Do. |
| Rhine-Westphalia Electric Power Corporation | National City Co | 20,000,000 | Mar. 14, 1930 | Do. |
| Berlin City Electric Co | Dillon, Read & Co | 15,000,000 | Mar. 27, 1930 | Do. |
| Mitteldeutsches Kraftwerk Magdeburg Aktiengesellschaft. | A. G. Becker & Co | 4,000,000 | May 14, 1930 | No objection. |
| Saar Basin Consolidated Counties | Ames, Emerich & Co. and associates | 7,500,000 | May 29, 1930 | Not interested. |
| Gelsenkirchen Mining Corporation | Dillon, Read & Co | 25,000,000 | do | Do. |
| GREAT BRITAIN | | | | |
| British Power & Light Corporation (Ltd.) | Clark, Dodge & Co | | May 9, 1929 | No opinion expressed |
| Lautaro Nitrate Co. (Ltd.) | The National City Co | 32,000,000 | June 14, 1929 | No objection. |
| GREECE | | | | |
| Greek Government | Speyer & Co | 7,500,000 | May 1, 1930 | Not interested. |
| HUNGARY | | | | |
| Royal Hungarian Government | Speyer & Co | (1) | Apr. 2, 1930 | Not interested. |
| ITALY | | | | |
| Societa Italiana Ernesto Breda Per Construzioni Meccanichi S. A. | Dillon, Read & Co | 5,000,000 | Dec. 15, 1928 | No objection. |
| Piedmont Hydro-Electric Co. of Turin | Bancamerica-Blair Corporation and associates (Cravath, de Gersdorff, Swaine & Wood). | 8,000,000 | June 3, 1929 | Do. |
| Do | Bancamerica-Blair Corporation and Chase Securities Corporation (Cravath, deGersdorff, Swaine & Wood). | 4,000,000 | Dec. 9, 1929 | Not interested. |
| City of Turin | Bancamerica-Blair Corporation and associates | 7,500,000 | Mar. 13, 1930 | Do. |
| Piedmont Hydro-Electric Co. of Turin | Bancamerica-Blair Corporation | 15,000,000 | Mar. 19, 1930 | Do. |
| JAPAN | | | | |
| Toho Electric Power Co. (Ltd.), Tokyo | Guaranty Co. of New York | 11,450,000 | June 7, 1929 | No objection. |
| Imperial Japanese Government | J. P. Morgan & Co | 50,000,000 | May 9, 1930 | Do. |
| NETHERLANDS | | | | |
| Royal Dutch Co | Dillon, Read & Co | 40,000,000 | Mar. 3, 1930 | Not interested. |
| NORWAY | | | | |
| Norway Kommunal Bank | Guaranty Co. of New York | Kr. 40,000,000 | May 28, 1930 | Not interested. |
| Kingdom of Norway Municipalities Bank | Brown Bros. & Co. and associates (Sullivan & Cromwell) | Kr. 40,000,000 | June 2, 1930 | Do. |
| Do | International Manhattan Co. (Inc.) (Cravath, deGersdorff, Swaine & Wood). | $5,360,000 | June 4, 1930 | Do. |
| RUMANIA | | | | |
| Kingdom of Rumania Monopolies Institute | Blair & Co. and associates (Cravath, deGersdorff, Swaine & Wood). | 10,000,000 | Jan. 30, 1929 | No objection. |
| SWEDEN | | | | |
| Kreuger & Toll Co | Lee, Higginson & Co | 50,000,000 | Feb. 28, 1929 | No objection. |
| URUGUAY | | | | |
| Republic of Uruguay | Guaranty Co. of New York | (6) 17,000,000 | Mar. 24, 1930 | Not interested. |
| Do | Bancamerica-Blair Corporation | 10,000,000 | Mar. 24, 1930 | Do. |
| Do | Haligarten & Co. and associates (Sullivan & Cromwell) | 17,581,000 | Mar. 31, 1930 | Do. |
| YUGOSLAVIA | | | | |
| City of Belgrade | Blair & Co. (Inc.) | 3,000,000 | Dec. 15, 1928 | No objection. |
| Do | Bancamerica-Blair Corporation | 3,000,000 | June 19, 1929 | Do. |

[1] 25,000 shares.
[2] Probable.
[3] Possibly $20,000,000.
[4] Short-term credit.
[5] Between $10,000,000 and $15,000,000.
[6] Uruguayan pesos.

Mr. GLASS. I may say that I did not pursue the matter when Congress convened because I had been told in a quiet way that the then Secretary of State would be glad to discontinue the practice. I was also told at that time that the State Department had consented to exercise this function, which it had no lawful right to assume, because it wanted to compel a certain foreign government to adjust its indebtedness to this country. That has been done, and even this untenable excuse no longer applies. Yet we see it printed in the newspapers that the State Department has given its informal approval to the flotation of this loan on the American market and that such informal approval would be followed by its formal sanction.

For the last two years, as all of us know, it has been exceedingly difficult for States, for subdivisions of States, for anybody to float loans on the American market. The bond market has been stupefied for that length of time; and yet here the State Department assumes the right to approve foreign loans which go into the money market with the moral indorsement of the United States Government to compete with domestic loans that have not the approval of the United States Government.

I ask permission to insert in the RECORD following the matter which I have been authorized to insert a statement from the State Department of its activities in this direction.

The VICE PRESIDENT. Without objection, permission will be granted to print the matter referred to by the Senator.

(The statement referred to appears in the RECORD following the extracts previously printed on request of Mr. GLASS.)

Mr. GLASS. Mr. President, the table itself, inclosed in the letter of June 6, 1930, of the Undersecretary of State, which letter has just been ordered printed in the RECORD, would seem to

indicate that the State Department, without any regularly constituted facilities for such business, has set itself up as a central bank for clearing foreign investment loans. As far as I have been able informally to ascertain, this has been done without legal sanction; hence the purpose of the resolution which I have sent to the desk and which has been read to the Senate is to find out definitely and officially what basis there is in law for this assumption of such an extraordinary function by the Department of State.

It will be noted that of the nearly 100 transactions appearing in this table the Department of State ventured to object to but one flotation. This private loan through a private banking house seems to have been considered by the Cabinet. By what authority this was done is beyond my comprehension. No department of the Government, as I can see, is authorized to review such transactions or to take action in any direction. If any department of the Government were authorized to consider and decide such matters it would seem to be the Treasury Department and not the Department of State.

And, finally, this persistent talk in the other branch of Congress, some of it incorporated in resolutions proposed, about a certain "order of the State Department" to the officials of the Federal reserve banks! Mr. President, the Department of State has no more right to issue an order to the Federal reserve banks than has the village blacksmith. At least that is my conception of the matter. If I am wrong I should like the State Department in response to the foregoing resolution, to tell us wherein it is so.

Mr. President, I ask for the adoption of the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The preamble was agreed to.

### RIVER AND HARBOR BILL

The Senate resumed the consideration of the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. JOHNSON. I ask unanimous consent that the formal reading of the bill may be dispensed with and the bill be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Without objection, that order will be made.

### NATIONAL INSTITUTE OF HEALTH

Mr. COPELAND. Mr. President, a few days ago the Senate passed the Ransdell bill to establish a National Institute of Health in Washington. This is a very notable act on the part of the Senate. I think the Senator from Louisiana deserves great credit for the enthusiasm and energy which he displayed in passing this bill.

I find in the Washington Star of yesterday an article by Hudson Grunewald entitled "War Declared on Disease." It is a description of the Ransdell bill and its proposals. I ask unanimous consent that it may be printed in the RECORD.

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

WAR DECLARED ON DISEASE—CAPITAL TO BE CENTER OF BIGGEST FIGHT EVER WAGED UNDER PLANS APPROVED BY CONGRESS

By Hudson Grunewald

The passage of the Ransdell bill to establish a National Institute of Health in Washington, D. C., marks the beginning of a new chapter in the history of medicine; a new contribution by the United States to medical knowledge of the most far-reaching influence in the relief of human suffering. A veritable declaration of war against all the physical forces detrimental to health on a greater scale than ever before attempted, this bill centers in the Nation's Capital all of the country's medical and scientific resources for the combating of disease, and creates in Washington a clearing house of health for all the world.

Here, under a commander in chief, will be marshaled the Nation's army of experts in the sciences of medicine, surgery, chemistry, physics, biology, bacteriology, pharmacology, pharmacy, dentistry, and allied professions, in a concerted drive to prevent disease by ascertaining its cause and applying preventive measures in advance of its outbreak.

Here in the Nation's Capital will be founded an institution devoted solely to the study, investigation, and research in problems relating to the health of man, where every available facility will be provided to aid and encourage scientists to combat illness and to solve the many remaining mysteries of disease, and where all medical knowledge and every advance in the promotion of human health will be pooled and correlated for the benefit of mankind.

#### PLANNED ON RECORD SCALE

Here will be begun new researches in cancer on a greater scale than ever before attempted; new investigations into the cause and cure of infantile paralysis and heart disease; new studies of influenza and pneumonia. Here for the first time the scientists of an entire Nation will unite in a mass attack against the common cold and against other widespread maladies to which all are heir. Here will be made new discoveries, new and better methods of cure and treatment will be found to replace those now in use, and new and greater safeguards of health will be devised.

No institution has ever been founded anywhere in the world for the combating of disease on so large a scale, and there is no means of foretelling what may be its eventual benefits to humanity.

The bill has been termed "the most forward step ever taken by the American Government." And it affords the United States "the unique opportunity to give to our country a new and powerful weapon for attack on the greatest problems of maintenance of health and cure of disease which is not duplicated or equaled elsewhere."

"While war claims its sacrifices in millions of lives," declared Senator JOSEPH E. RANSDELL (Democrat), of Louisiana, author of the bill, "disease each year claims its ten of millions. * * * Can we not use for the solution of these problems the same methods so successfully employed in the solution of means of making war? The experience of the ages is now being drawn upon in this fight against disease, but the means are entirely inadequate, as shown by the continued ravishment of disease."

"United efforts of the Navy, the Infantry, Artillery, Cavalry, Air Service, etc., is now the self-understood method of campaign against an enemy," Dr. Julius Stieglitz, of the University of Chicago, has pointed out. "Similarly, a campaign against disease, against invading microbes and disorganized body functions will give the greatest promise of success in an institution that can continuously call upon eminent men in the fields of science studying disease to give their whole service to the planning and execution of the campaign against these deadly enemies to the life of our people."

#### CONTAINS THREE FEATURES

The definite object of the Ransdell bill is to promote the health of human beings, to improve their earning capacity, to reduce their living expenses, to increase their happiness, and prolong their lives. It has unselfish interests to serve, and its beneficent results will enter every home in the Nation.

The bill contains three distinct features:

First. The creation of a National Institute of Health in the Public Health Service under the administrative direction and control of the Surgeon General, for the special purpose of pure scientific research to ascertain the cause, prevention, and cure of disease affecting human beings. It does not create any new bureaus or new commissions, but utilizes existing Government machinery and provides for such enlargement of the Hygienic Laboratory which is merged in and made an essential part of the national institute. It authorizes the appropriation of $750,000, or so much thereof as may be necessary, for construction and equipment of additional buildings at the present Hygienic Laboratory of the Public Health Service, Washington, D. C.

Second. It authorizes the Treasury Department to accept gifts unconditionally for study, investigation, and research in problems relating to the health of man and matters pertaining thereto, with the proviso that if gifts in the sum of half a million dollars or more are made, the name of the donor shall be attached thereto.

Third. It proposes the establishment and maintenance in the institute of a system of fellowships in scientific research in order to secure the proper personnel and to encourage and aid men and women of marked proficiency to combat the diseases that menace human health.

The main purpose of the bill as reported is "to arouse our people to the imperative necessity and wisdom of preventing the innumerable diseases that affect humanity and of making life more comfortable and happy by assuring good health, the greatest of temporal blessings." The practical effect of the legislation would be to enlarge the work of the Public Health Service and to enable it to fulfill a larger field in public-health research.

"There are millions of sufferers from painful, consuming disease," says Senator RANSDELL, "such as the common cold, about the nature, origin, and cure of which little or nothing is known, and which causes more deaths and economic waste than any other; as influenza, before which modern medicine remains impotent; measles, the offending organisms of which have not as yet been definitely proven; pneumonia, which is still unconquered; tuberculosis and cancer, which baffle the skill of scientists; child-bed sickness so fatal to mothers; infantile paralysis, which remains a curse to childhood; Bright's disease, which is so prevalent among adult men; anemia, mental troubles, heart lesions, and venereal diseases, all of which take heavy toll of human life. Leprosy, life's greatest tragedy, is only slowly being conquered. A great deal has been done recently in a scientific way to conquer malaria, but it, too, is not thoroughly understood. A vast amount of research work is awaiting the attention of scientists in the field of medicine and its application for the alleviation of suffering."

#### EXPERTS TO WORK TOGETHER

"There should be one place in the United States where unceasing efforts are being made to conquer disease," Senator COPELAND, of New York, told the committee to which the bill was referred, "it is pathetic

to think that infantile paralysis, influenza, and pneumonia are just as fatal to-day as they were a century ago. There must be found means of controlling those dread diseases. The Ransdell bill will help to accomplish this."

The plan of the institute is to make of it a great cooperative, scientific organization in which leading experts in every branch of science will be brought together and given opportunity to work in unison for the purpose of discovering all the natural laws governing human life, and especially to learn those variations of such laws which are detrimental to human health.

The bill authorizes the use of the site now occupied by the Hygienic Laboratory and adjacent lands owned by the Government for suitable and adequate buildings for the use of the institute as well as the acquisition of additional sites in or near the District of Columbia.

Public-health investigations by the Federal Government were first authorized in 1901. "Since then," states the committee report, "commendable progress has been made and many new facts discovered which have had an important bearing on the control of disease. The necessity for this work far outstripped the facilities for its conduct."

Reid Hunt, of the Harvard University Medical School, told the committee that "never in the whole history of the world have the efforts to improve health conditions been so far behind the advance in other sciences. The applications to public health are certainly lagging, simply because there are no good places to study them as they should be studied."

Pointing to the fact that the United States has lagged behind in medico-scientific advances because of its lack of adequate research facilities, such as the National Institute of Health will provide, the report showed that the big advances made in medicine in the past 60 or 70 years, with a few outstanding exceptions, have been of foreign origin, and the roots of many of them have been in the German laboratories, supported by the German Government.

"The first duty of the State is the care of the health of its citizens," said Dr. W. J. Mayo in a letter read before the committee. "By means of public-health measures in the last 60 years the average life of man has been prolonged 12 years. This extraordinary result has been brought about through researches by medical men and has been possible only through the cooperative labor of many investigators. The physician in his ministrations applies for the benefit of his patients the best which science offers."

"The public health movement has demonstrated with complete assurance that at the present time, with all of our health advances, hundreds of thousands of lives are sacrificed to ignorance and neglect and that the total economic money value of these lives is close to $6,000,000,000," Louis I. Dublin, statistician of the Metropolitan Life Insurance Co., stated in a letter to Senator RANSDELL. "Preventable disease likewise costs us well over $2,000,000,000 a year. These are the stakes for which the public-health program is playing."

The scope of work coming under the National Institute of Health is very great. An idea as to some of the problems awaiting solution is clearly set out in a recent study made by the Public Health Service of the cases of sickness in a typical small town and reported to the committee. Translated into terms of the population of the United States, it is shown that the number of persons suffering from minor sicknesses in 1927 were as follows:

| | |
|---|---|
| Colds and bronchitis | 50,232,000 |
| Influenza and grippe | 17,184,000 |
| Diseases of the digestive system | 11,589,000 |
| Tonsillitis and sore throat | 7,884,000 |
| Diseases of the nervous system, including headaches | 5,292,000 |
| Measles | 4,104,000 |
| Whooping cough | 2,712,000 |
| Rheumatism and lumbago | 2,616,000 |
| Heart and other circulatory diseases | 2,196,000 |
| Hay fever and asthma | 600,000 |

MAJOR DISEASES EXCLUDED

"It must be remembered that these figures do not touch on the more dreaded diseases, such as cancer, tuberculosis, etc.," says the report. "Furthermore, it should give rise to serious thought when we read from the report of Dr. George T. White, secretary and manager of the Association of Life Insurance Presidents, that while the death rate among policyholders of the 52 legal reserve life insurance companies was 828 per 100,000 policyholders in 1921, nevertheless the corresponding figures for 1927 were 823.5, a decrease of only 4.5 deaths per 100,000, which is equivalent to a decrease of only 0.045 of 1 per cent, and this in spite of all the wonderful developments in science during that period of six years."

The system of fellowships for researches of demonstrated proficiency, as provided in the bill, is regarded as a most important one. These fellowships would offer inducement and opportunity for those specially qualified in this line of research to serve their fellow men in the most useful of all ways. While it is contemplated that the bulk of this research work will be carried out in the laboratories in Washington, nevertheless it is not so limited, for under the terms of the bill these "fellows" could be assigned to a definite problem in educational or endowed institutions in any other part of this or other countries, wherever it would be most advantageous for the problem to be worked upon. The existence of such fellowships will direct the attention of the young men and women of our universities, and even those in our high schools, to the desirability of equipping themselves for lifetime work in this most important of all fields of applied science.

In discussing these fellowships, Surgeon Kerr, of the United States Public Health Service, declared: "The most valuable asset of the people of the country is brains, and from my experience in college and university life I know there are young men, have been young men, and I know there must be now, who by reason of lack of finances and lack of encouragement and the inaccessibility of a scientific environment in which to develop have fallen by the wayside. Now, the purpose of a measure of this kind should be to have potentially available a provision whereby a young man could be aided, not for a few days or a few weeks, to finish his education, as the universities have some funds of that character, but to aid him, after he has graduated, providing he is an extraordinary student."

Concerning the matter of gifts and donations to the national institute of health, Senator RANSDELL said: "In the field of public health no precedent can be recalled of donations from philanthropists to enable the Federal Government to maintain laboratories and institutions for the promotion of research with possibly one exception. The Smithsonian Institution was founded as the result of the gift of one man. It stands as a monument to his name and its achievements are known throughout the world. With the highest respect for Smithson and full appreciation of the great work accomplished by the Smithsonian Institution and the bureaus directed by it, I believe that the citizens of America would have derived infinitely more practical benefit had he left his endowment for an establishment to study the diseases of man, to relieve human suffering, and prolong human life. * * * I can not suggest anything to the millionaires of America, many of whom are earnestly seeking some wise use for their wealth, that will do as much good to humanity as to contribute generously to their Federal Government for public-health purposes in combating disease.

"A great chemico-medical laboratory fully equipped to cope with all diseases that afflict mankind, where he can carry on his important work fruitfully and in an unlimited way is the need of the American scientist. Our lagging in the matter of medical research has not been the result of the inefficient mentality of our scientists, but, on the contrary, the lack of facilities and the discouraging insufficiency of funds to stimulate recruits in science."

What results will be accomplished by the National Institute of Health, which will be perhaps the greatest single agency ever formed for the combating of disease, can hardly be visualized.

MEASURE OFFERED IN 1926

"Encouraged by this Government," Dr. Arthur McCormack, State health officer of Kentucky, declared, "it absolutely startles one's imagination to contemplate the resulting benefits to humanity that can be accomplished."

The passage of this bill is the realization of a dream come true for Senator RANSDELL, and is the third great humanitarian measure he has put through, being the author of the bill to establish the National Leprosarium at Carville, La., where lepers are to-day being cured, and having fathered the bill to eradicate Texas fever.

Senator RANSDELL first introduced the measure on July 1, 1926, and for nearly four years he has applied himself unceasingly and untiringly and with undiminished enthusiasm toward the realization of his ideal. The suffering of humanity throughout the centuries has impelled him in his efforts, the great need of his country's physicians and scientists for such a measure to aid them in their battle against suffering, and his patriotic desire to make the United States a leader in this movement of such vast benefit to countless millions in the ages to come has urged him on.

Many men of vision and love for their fellows have assisted him in doing the educational work necessary for the proper understanding of the measure by Congress. "It is impossible to name them all," he says, "but I can not refrain from mentioning President Hoover, ex-President Coolidge, Andrew Mellon, Secretary of the Treasury, and Francis P. Garvan, president of the Chemical Foundation. These four great Americans saw with clear eyes the possibility of this health ininstitute for preventing or curing disease, with its awful suffering and colossal economic losses not only to our country but to the whole world. They and many others gave their whole-hearted support to the bill."

Since the passage of the measure Senator RANSDELL has been flooded with letters of praise and congratulatory messages, and newspapers throughout the United States have paid him tribute in commendatory editorials.

The time has come to recognize the silent men of medicine and science who are every day accomplishing heroic victories in the warfare against disease and human suffering. There have been greater generals in the laboratories, in the operating rooms, and in the wards of hospitals than any who have won glory on battle fields. Senator RANSDELL has paved the way for this recognition in the National Institute of Health in Washington. Here will arise a Napoleon of science, a George Washington of health. But to Senator RANSDELL will go first honors for this great humanitarian measure, and the institute he has founded will be a lasting memorial to his name.

DISTRICT JUDGE HARRY B. ANDERSON

Mr. McKELLAR. Mr. President, on May 13 I wrote a letter to the Attorney General of the United States in reference to the investigation of Judge Harry B. Anderson, of Memphis, Tenn., district judge of the western district of Tennessee. I did not get an answer from him, and on June 3 I wrote him another letter asking for a reply. On June 11 I received a reply to both letters.

First, I desire to read the letter that I wrote to the Attorney General on May 13:

Hon. WILLIAM D. MITCHELL,
*Department of Justice, Washington, D. C.*

MY DEAR MR. ATTORNEY GENERAL: You will recall that some weeks ago I had a conversation with you in reference to an investigation by your department of Judge Harry B. Anderson, Federal district judge at Memphis.

Since that time I have made further investigation of the matter. I find that a number of members of your Bureau of Investigation, called special agents, I believe, the number being estimated from seven to nine all told, have been more or less constantly investigating the district judge at Memphis since last July; that in the course of these investigations they have taken many affidavits; some from criminals; others from men now in prison who had been convicted in Judge Anderson's court; others who had been charged with crime in Judge Anderson's court; some anonymous letters; some from Judge Anderson's bitter personal enemies; and some, no doubt, from well-meaning persons. I say this is my information because I have never seen the so-called secret record.

I am reliably informed also that during the investigation of Judge Anderson by your department—

I call the special attention of the Senate to this statement—

one of your assistants made a report to you in which he recommended that you call Judge Anderson before you and tell him that unless he changed his rulings in liquor cases and in matters of procedure that an investigation looking to his impeachment should be immediately begun. This report, I am informed, is a matter of record. Whether you called the judge before you is not disclosed. That the investigation looking to Judge Anderson's impeachment recommended by your assistant, Mr. Keifer, has taken place there seems to be no reasonable doubt.

I am also informed that when this investigation was completed that information was directly or indirectly furnished by your department to Congressman LAGUARDIA, of New York, who thereupon offered a resolution in the House to appoint a committee to investigate Judge Anderson; that a committee was appointed consisting of three very excellent gentlemen of the House—Mr. LAGUARDIA, of New York; Mr. SUMNERS, of Texas; and Mr. BROWNING, of Tennessee, all members of the Judiciary Committee—to inquire into the charges, and that this committee has the matter under advisement now.

It seems that these gentlemen not only had the record as prepared by your secret-service men before them but also heard a number of witnesses favorable to the charges. Thereupon Congressman FISHER and I asked that Judge Anderson be allowed to appear before the committee and be heard. This was done through the courtesy of the committee, and I am of the opinion that Judge Anderson's statements concerning the various charges were satisfactory, though the committee has not yet reported, and it may be that they, or some of them, are not satisfied. I am not attempting to speak for them in any manner, shape, or form. They are all splendid gentlemen and will speak for themselves.

It must be remembered, Mr. Attorney General, that up to the time of the report no officials in your department had ever asked Judge Anderson about any of these matters, though he was in Memphis the most of the time while these investigations were being made. He was tried by your department in secret without a hearing. Apparently he did not have as much chance as a suspected traitor during a great war. Impeachment proceedings against a Federal judge are like gossip about a virtuous woman. It injures even if wholly untrue. Surely such proceedings should not be conducted in this one-sided and secret way. I am absolutely sure that you do not approve such a course.

But, Mr. Attorney General, what I want to ask you specifically is, What right the Attorney General has to investigate secretly or otherwise Federal judges looking to their impeachment? My own interpretation of the Constitution is that the three departments of Government are separate and coequal. I find no act of Congress authorizing your department to investigate Federal judges.

Indeed, the act to which I will call your attention in a moment specifically excludes Federal judges. Why, then, is the executive department concerned with investigating charges for the purpose of removing a Federal judge? If you know of any warrant for such a proceeding, I would be glad for you to point it out. In this connection I call your attention to section 301 of the Code of Laws.

"Official for investigation of official acts, records, and accounts of marshals, attorneys, clerks of courts, United States commissioners, referees, and trustees. For the investigation of the official acts, records, and accounts of marshals, attorneys, and clerks of the United States courts, and the Territorial courts, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time, and for the investigation of the official acts, records, and accounts of referees and trustees, when requested by the presiding judge of such courts, the Attorney General is authorized to appoint officials who shall be vested with the authority necessary for the execution of such duties."

As I look at this statute, your office has the right to investigate the records and accounts and official acts of marshals, attorneys, clerks, and commissioners, of your own motion and when you are requested to examine into the records of referees and trustees by the presiding judge, you are authorized to do this. The act seems to be perfectly clear. I do not know whether Judge Anderson requested you to look into the acts, records, and accounts of referees and trustees or not. It is immaterial. At all events, I do not find any authorization to the Attorney General to investigate district judges for the purpose of having them impeached. District judges are specifically left out of this act. However, there may be some other act under which your office has authority of which I am not advised and I would be glad to know the authority. If any such act was passed, however, it must be clearly unconstitutional; for it is inconceivable that this power could be given any executive department under our Constitution. If so, is would mean that the Federal judiciary would be subservient to the Department of Justice at all times.

I next desire to call your attention to the fact that Judge Anderson lives in Memphis, and so do I, and so does Congressman FISHER, the Representative from that district. The Department of Justice did not consult Congressman FISHER about the matter, nor anyone else in official position so far as I know, but it seems that after making this secret report, the department took action through a very excellent New York Congressman, Mr. LAGUARDIA, living 1,200 miles away. Why was this course pursued? It seems to me that the ordinary civilities of the situation would have demanded that before action was taken about a Federal judge from Memphis, that the Congressman from that district, and the judge himself, might have been notified of the proceedings.

As I understand it, your record was entirely secret. Congressman FISHER, after talking with me, asked to see this record, and his request was denied. This did not and does not seem to be fair. Do you not think that this rather savors of the Russian checka? I am sure the refusal to let Congressman FISHER see the record would not have your approval.

In my conversation with you some weeks ago you told me that you did not know about the matter until about three weeks before, and I at once asked you to look into it further; but, apparently, you were satisfied to let the investigation go on because it has continued ever since, and I understand still other agents have been sent to Memphis by your department in an attempt to secure further information against Judge Anderson.

Under these circumstances, I am wondering if you do not feel that it would be right for you to state to the committee of the House now considering the matter, that this investigation of Judge Anderson was undertaken by men in your department without your knowledge or approval, as you stated to me.

I doubt if you know it because it happened before you came into the department, but when Judge Anderson was confirmed, some very influential men in Tennessee, one of whom, Mr. C. H. Huston, has since become a national figure in your party, were very much opposed to Judge Anderson, and whether that fight has been continued or not I do not know, but it certainly looks as if it had continued.

In writing you this letter I am not passing upon any of the charges against Judge Anderson. I am merely protesting against the method used in bringing about impeachment charges by your department.

I will greatly appreciate your early reply.

With high personal regards, I am very sincerely yours,

KENNETH MCKELLAR.

I received no answer to that letter, and on June 3 I wrote the Attorney General the second letter, as follows:

JUNE 3, 1930.

Hon. W. D. MITCHELL,
*Attorney General, Department of Justice.*

MY DEAR MR. ATTORNEY GENERAL: On May 13 I wrote you a letter. I have never had a reply.

Did you intend not to reply to the letter? Kindly advise me if you received it. To my mind it involves a most important question and I would like to have the attitude of the Department of Justice on the question of making an examination of district judges of the United States.

With much respect, I am, very sincerely yours,

KENNETH MCKELLAR.

Mr. President, on June 13 I received this letter, dated June 11, addressed to me:

OFFICE OF THE ATTORNEY GENERAL,
*Washington, D. C., June 11, 1930.*

Hon. KENNETH MCKELLAR,
*United States Senate.*

DEAR SENATOR: I have your letters of May 13 and June 3 with reference to Judge Harry B. Anderson, judge of the United States district court at Memphis, inquiring whether this department is authorized to make investigations of Federal judges with a view to impeachment.

The impeachment of Federal judges is a matter exclusively within the jurisdiction of the House of Representatives. It is clear that Attorneys General have no authority to make investigations with a view to impeachment of Federal judges, and, so far as I know, no Attorney General has claimed any such authority.

There has been no investigation of Judge Anderson by this department with a view to impeachment. The investigation which has been made at Memphis, and to which you refer, was an investigation by officials of this department into the administration of the bankruptcy laws at that point and was initiated in June or July of last year as a result of complaints and reports which had been received at the department.

Section 301 of title 5 of the United States Code, which you quote in your letter and which provides that the Attorney General, when requested by the presiding judge of a Federal court, shall investigate the official acts, records, and accounts of referees and trustees, is only one of a number of statutes defining the powers of the Attorney General. That statute has never been construed as preventing the Attorney General from making an investigation of the conduct of referees and trustees in bankruptcy where the investigation is not requested by the court. Other statutes make it clear that it is the duty of the officials of this department to investigate and, if necessary, prosecute violations of Federal statutes by bankruptcy officials as well as other classes of officials, without regard to whether the judge of a Federal court has requested it. So far as I know, Judge Anderson has never requested an inquiry by this department into the administration of bankruptcy cases in his district, but such a request was not necessary to authorize the investigation referred to.

Preliminary inquiry made last year into certain specific cases under the bankruptcy act at Memphis developed facts which made a further inquiry appropriate, and in November last, the assistant in charge of the matter directed that the investigation be continued to ascertain if there had been any criminal misconduct in violation of acts of Congress. That inquiry was not directed at Judge Anderson, but during the course of the investigations of departmental agents at Memphis persons at Memphis, on their own motion, went to the agents of the department and laid before them statements relating to Judge Anderson's official conduct. These agents received those statements and recorded them and transmitted them to the department with their reports, as it was their duty to do.

Reference may be made more specifically to some of the matters referred to in your letter. You state that one of my assistants made a report to me with a recommendation that I call Judge Anderson here and advise him that unless he changed his official conduct an investigation would be made looking to his impeachment. No such report or recommendation was ever brought to my attention, and those who have had charge of this matter and examined the files advise me that no such report has been filed.

The information that you have received that when the investigation was completed the results were furnished by this department to Congressman LAGUARDIA, of New York, is without foundation. After these reports had been received at this department and before they were transmitted to the Judiciary Committee of the House at its request, Congressman LAGUARDIA requested that these files be opened to him for inspection. This request was refused. Congressman FISHER, of Tennessee, made a similar request and was refused. No exception could have been made in the case of a Congressman supposed to have been friendly to Judge Anderson. To have opened the files to one would have required us to do it for all. I have made a thorough inquiry to ascertain whether prior to the transmission of the files to the Judiciary Committee, of which he is a member, Congressman LAGUARDIA received any information as to their contents from anybody connected with this department and am advised that he did not.

My attention at one time was directed to a speech made by Mr. LAGUARDIA on the floor of the House relating to this situation, and I was advised at the time that he had received no information from the department; it was suggested that those who had volunteered information about Judge Anderson to agents of this department at Memphis had given information to Mr. LAGUARDIA. However, as to the source of his information, I shall have to refer you to him.

We took no action through the Congressman from New York. It was thoroughly understood here in the department that no official of this department has any function to perform in impeachment proceedings, and it was not until a formal request was received from the chairman of the Judiciary Committee of the House that the files were delivered to the committee.

With respect to the continuation of the inquiry at Memphis I am informed by my assistants that agents of this department are still at work at that place investigating the conduct of bankruptcy cases and their work will be continued until it is completed. They are not directing their inquiry at any matter concerning Judge Anderson.

Early in May some complaints were made to this department that one of the examiners of the department who had made an investigation at Memphis in 1925 at the time of Judge Anderson's confirmation had suppressed information which he had obtained at that time and not reported it to the department. Some inquiry was recently made by agents of this department to determine whether these complaints against the bureau's agent were justified, but that proceeded no further, and at the present time the bankruptcy inquiry which has all along been the subject matter of our action is the only investigation being made at Memphis that has to do with any of the matters referred to in your letters.

Respectfully yours,

WILLIAM D. MITCHELL,
*Attorney General.*

Mr. President, the House of Representatives has appointed a committee to investigate Judge Anderson, and, of course, I am not going to discuss the facts of that case. If Judge Anderson has done wrong he should be punished, but now, after this secret investigation by the Department of Justice and its prosecution of Judge Anderson, of course there should be a full and complete investigation of the whole matter. It is due to Judge Anderson and to the public. I do want to call the attention to the Senate of the investigation by the Department of Justice of a Federal judge.

I want to commend the statement of the Attorney General that—

> The impeachment of Federal judges is a matter exclusively within the jurisdiction of the House of Representatives. It is clear that Attorneys General have no authority to make investigation with a view to impeachment of Federal judges, and, so far as I know, no Attorney General has claimed any such authority.

That is a clear statement of the law, and I commend it.

The Attorney General then says:

> There has been no investigation of Judge Anderson with a view to impeachment.

In this statement of fact I am quite sure that the Attorney General is mistaken, and that he has been misinformed as to what has taken place in his department. The getting of facts for the impeachment of Judge Anderson has been the primary purpose of this investigation, and the bankruptcy investigation has been wholly incidental. Indeed, Mr. President, the next paragraph of the Attorney General's letter suggests at least the nature of the inquiry. Though he does not quote, he states that there are other statutes than section 301, title 5 of the United States Code, which I had quoted to him, and which provides that trustees and referees in bankruptcy may be investigated when requested by the presiding judge of the Federal court. What these "other statutes" are the Attorney General does not point out, but the fact that his investigators proceeded without asking the judge's approval goes to show the nature of the investigation. They did not ask the judge's approval because he was the man actually being investigated. The Attorney General admits that the presiding judge never requested an inquiry by this department into the administration of bankruptcy cases in his district.

The first paragraph on page 2 of the Attorney General's letter also virtually admits that Judge Anderson was investigated. The Attorney General does say, "That inquiry was not directed at Judge Anderson," but he goes on to show then that, while it was not directed at Judge Anderson, he was investigated and a report made to the department.

The Attorney General's statement that the inquiry was not directed at Judge Anderson recalls the story that was told of the college days of Lord Macaulay. While that gentleman was at college, he, with a number of other students went over one night to mingle with the crowd taking part in a parliamentary election. They vote day and night over there, it seems. Lord Macaulay just went to take part in the excitement, and while standing in the crowd a big burly fellow threw a dead cat in the crowd and it hit Mr. Macaulay on the side of the head. The big fellow rushed up to Mr. Macaulay and said: "Oh, Mr. Macaulay, I did not intend that for you. I intended that for Bill Jones." Mr. Macaulay, with the quickness of wit which ever characterized him replied: "The next time I hope you will intend it for me and hit Bill Jones."

The Attorney General says it was not intended for Judge Anderson, but Judge Anderson seems to be the only man who has been hit by the department. The difference, however, between this case and the Macauley incident, is that whatever might have been the Attorney General's personal views about the matter, the department intended to hit Judge Anderson, and did hit him.

I call especial attention to the next paragraph. The Attorney General says:

You state that one of my assistants made a report to me with a recommendation that I call Judge Anderson here and advise him that unless he changed his official conduct an investigation would be made looking to his impeachment. No such report or recommendation was ever brought to my attention, and those who have had charge of this matter and examined the files advise me that no such report has been filed.

Again the Attorney General is uninformed as to what is in the files. A Congressman, and one of the most reputable Congressmen that I know, who had seen the secret files, told me he had seen this report containing this recommendation, and I challenge the Attorney General to produce the file if the statement of this Congressman is doubted. It was in the file, and if it is not there now it has been removed by some one who had no business to remove it. I can produce a copy of a part of it and a full statement of all it contains.

As to the Attorney General's statement about the connection of Congressman LAGUARDIA with the case I am not advised, and in the absence of a statement from Congressman LAGUARDIA we will, of course, assume that the Attorney General is correct about it.

With respect to his statement that his agents in Memphis have not made and are not making any inquiry concerning Judge Anderson but are only investigating bankruptcy matters, of course, I am not advised, but I suppose the congressional committee which has been appointed will be very likely to find out the true facts.

All I can say is that I saw an affidavit taken by a Department of Justice man from a prisoner at Atlanta who had been sentenced in a narcotic case for five years by Judge Anderson, having not the remotest thing to do with bankruptcy matters, and it is inconceivable to me that a Department of Justice secret agent would go to the trouble and expense of going all the way to Atlanta to get the affidavit of a convict in a narcotic case unless he was after Judge Anderson in some way.

Mr. President, I brought this matter to the attention of the Senate so that Senators would think over the proposition of whether it is in the province of the Department of Justice to put sleuths on Federal judges and have secret reports made concerning Federal judges in this country. I do not think that it is a sound policy. If a Federal judge feels that he is under constant scrutiny of the Department of Justice, I do not know that he can make a fair and upright and honest judge. Nor do I think the department, while admitting it has no authority to investigate judges looking to their impeachment, should actually exercise such authority under some other pretense.

As to the facts concerning the charges against Judge Anderson made in this secret way I am not advised. Those are matters which will come out in the investigation and I express no opinion as to them. As I said before, if Judge Anderson has been guilty of improper conduct, he should be punished.

Mr. President, the spy system in government has been despised throughout the ages. It may be justified in war, but even then it is looked upon as hideous, and a spy, when caught by the opposing nation, is usually strung up or shot without ceremony. It will be recalled that one of the causes of the French Revolution was the infamous spy system, first of Richelieu and then Mazarin. Who has not read of the efforts of the Three Guardsmen to get out of France and their helplessness because of the spy system? The people do not like it. Honest men do not like to be spied upon. To my mind it is extremely doubtful whether in peace time any government has benefited by a system of spies. Senators have recently been subjected to somebody's spy system here in Washington. Our offices have been opened and our papers ransacked, and now here we find that, under the guise of investigating bankruptcy matters, and, as I believe, without any authority of law, a Federal judge is being subjected to the third degree under the Department of Justice spy system.

In speaking of this spy system in the Department of Justice, I have no words of criticism of the present Attorney General. It was instituted long before he came into the department. I have no doubt he is a high-minded and patriotic official; but I do think it is time for us as legislators to look into the Bureau of Investigation in the Department of Justice, or any other department having a secret service, very carefully before we appropriate any more money for such purposes. The good that they may do is probably vastly more than offset by the harm they do.

The American people especially do not believe in the spy system. One of the causes of our Revolution was the search and seizure law—the secret laying-in-wait law. The very term "star-chamber proceeding," as brought about in England in the time of the Stuarts, has been anathema ever since this system was in vogue. Happily, it has long since been abolished. But it ought not to be permitted to grow up in America. The peoples' business should be conducted in the open. The days of secrecy in government have gone by, and I hope have gone by forever. It took a number of us years and years to get secret sessions of the Senate abolished, and I hope they are gone and gone forever. But while we have abolished secrecy in government in the Senate, we appropriate vast sums for secret organizations and services in the departments, and these, too, ought to be abolished, and speedily abolished, and never permitted to function any more.

Let us do away with the spy systems in all departments. They are inimical to free government. They are at war with all traditions held most dear by the American people.

## RIVER AND HARBOR BILL

The Senate resumed the consideration of the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER (Mr. COUZENS in the chair). The clerk will read the bill for action on the committee amendments.

The legislative clerk proceeded to read the bill.

The first amendment of the Committee on Commerce was, on page 3, line 5, before the word "feet," to strike out "28" and insert "30," and in line 8, after the words "sum of," to strike out "$400,000" and insert "$718,000," so as to make the paragraph read:

New Bedford Harbor, Mass., in accordance with the report of the Chief of Engineers as submitted in House Document No. 348, Seventy-first Congress, second session, except that the depth to be obtained in the entrance channel shall be 30 feet and the width shall be 350 feet. There is hereby authorized to be expended on this project the sum of $718,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 8, to insert:

Taunton River, Mass., in accordance with the report submitted in House Document No. 403, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, at the top of page 5 to insert:

East Chester Bay, N. Y., in accordance with the report of the Chief of Engineers as submitted in Senate Document No. 37, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 5, after line 15, to strike out:

Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

And in lieu thereof to insert:

The Secretary of War is authorized and empowered to accept from the State of New York the State-owned canals, known as the Erie and Oswego Canals, and to operate and maintain them at their present depth, at an annual estimated cost of $2,500,000, as barge canals only, and not as, or with any intention to make them ship channels, or to hinder or delay the improvement of the St. Lawrence Waterway as the seaway from the Great Lakes to the ocean: *Provided*, That such transfer shall be made without cost to the United States, and without liability for damage claims arising out of said canals prior to their acquisition by the United States, and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways and their service: *And provided further*, That no project for the widening or deepening of these canals, or for the elevation of bridges in connection therewith, shall proceed without subsequent authorization of Congress.

Mr. VANDENBERG. Mr. President, inasmuch as this paragraph has been the subject of prolonged and heated controversy, but is now the text of amicable and useful agreement, I think the RECORD should carry briefly a statement on the subject. Inasmuch as the future may be required to confront interpretations, it seems to me that the situation can not be passed without a limited presentation of the philosophy of the committee and the meeting of minds which has resulted in this unanimous recommendation from the committee.

If the Erie and Oswego Canals are to be federalized at all—a proposition which, I regret to say, I still am forced inherently to oppose—this paragraph writes a proper prospectus which gives them their appropriate barge status and at the same time leaves unhampered and unimpaired the larger vision of the St. Lawrence seaway to the ocean. This discriminating definition is specific and undeniable. It marks a useful armistice between what heretofore have been rival purposes. It commits each project to its own logical sphere.

Despite my own belief that the Erie, even as a barge canal, is inherently unstable, I hope that its future barge prosperity, if it be federalized, will belie my pessimism.

Despite the belief of my able friend, the senior Senator from New York [Mr. COPELAND], on the other hand, that the St. Lawrence seaway is equally inherently unsound, I am sure he likewise will hope that this new working agreement between the two projects will justify all the economic dreams of the landlocked Middle West in respect to this ocean outlet.

I want to thank the senior Senator from New York [Mr. COPELAND] and his House colleague [Mr. DEMPSEY], chairman of the Rivers and Harbors Committee, for the spirit of rational cooperation in which this composition has been written. They have not been blind to the rights, the aspirations, and the viewpoints of other sections of the country. We have tried to reciprocate. We have all acted in good faith, and I have no question regarding the good faith in which this prospectus will eventuate. Therefore, Mr. President, I repeat that if the Erie and Oswego Canals are to be federalized—if they are to be federalized—I heartily favor the language in the pending Senate committee amendment.

This still leaves the basic question, however, whether any such Federal legislation is justified at the present time. I regret that not even our agreement upon this substitute language permits me to change my position on the fundamental proposition. Inasmuch as I moved in the Commerce Committee to strike the Erie project entirely from the bill—a motion, however, which mustered but one other vote besides my own—I feel that I should submit to the Senate in a very few words the reasons which moved me to the conclusion that, at least at the present writing, an adequate and dependable and conclusive basis has not been established for any such prodigal adventure.

The contemplation which the committee confronted in connection with this paragraph divided into these two propositions: First, is the project a threat to the St. Lawrence waterway? Second, regardless of the St. Lawrence waterway, should the Federal Government take over the Erie Canal at all? I speak of the second contemplation first.

I am opposed on economic grounds to the present federalization of the Erie Canal. It always has been a burden, and I fear it always will be a burden. I do not feel that a sound basis has been submitted to the Congress to warrant the transfer of the Erie deficit from the treasury at Albany to the Treasury at Washington. Neither do I feel that we have warrantable recommendations from the Board of Rivers and Harbors Engineers upon which to act with finality upon a problem of such stupendous size and implication. This is not the way to legislate.

The Erie Barge Canal system has cost the taxpayers of the State of New York $216,000,000 from 1905 to 1929, exclusive of capital charges. It does not begin to carry as much tonnage to-day as it did half a century ago. The average tonnage over the canal has shrunk from 5,434,000 tons in the 5-year period from 1877 to 1882 to an average of but 1,640,000 tons during the 5-year period from 1919 to 1924. It is somewhat larger now. I believe the tonnage in 1929 was slightly in excess of 2,500,000 tons. But it is still far below its own ancient mark and still far below its own capacity.

May I say parenthetically in passing, as a relative measure of the importance of waterways, that the great Erie system, into which this $216,000,000 have been poured in the last quarter of a century, to-day carries but 3 per cent as much traffic as passes up the Detroit River?

In 1925 it cost the State of New York $4.51 per ton for all freight floated on the Erie Canal regardless of length of haul, whilst the rail rates on the same commodities carried from Buffalo to New York averaged $3.70 per ton. This moved Colonel Greene, the chief engineer of New York canal operations, to report to Governor Smith in a special 1925 report as follows:

> From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

That is New York's own official verdict on the utility of the Erie Canal system in specific terms. Regardless of its noble, ancient history—and I join in glorifying its pioneering epoch of bygone days—it seems to be an unpromising economic liability to-day.

There are other official New York verdicts. These are not my own witnesses. These are New York's witnesses.

New York has heroically sought to bring its canal system into practical fruition; and anyone who contemplates the courage and the vision with which New York has undertaken the task can not help but pause to pay compliment to that vision and that courage, and wonder whether under Federal auspices anything like similar courage and vision may be anticipated.

At one time New York thought that the construction of warehouses and terminals would encourage traffic; so New York ambitiously built 66 terminals, of which 50 are located on the Erie and Oswego branches. I believe another $40,000,000 was sunk in this aspiration. Did it succeed? Again let Colonel Greene, the New York operator of the canal, testify. I read from his special report of February 26, 1926, in which he states:

> During the past two years no freight was handled at 49 of these terminals and only five warehouses were used for canal freight. * * *
>
> Following the failure of the terminals to increase canal tonnage, a demand arose for grain elevators. The State has built two. In spite of the rosy predictions of success made by proponents of these elevators, they have thus far been financial failures; and yet in the face of these failures there is now strong agitation for the State to build more elevators.

There we have the testimony of the New York operator of these canals, speaking in a forum where he had every incentive to be ruthlessly accurate. I believe he was accurate. Again he stated:

> Spending money for terminals and grain elevators in the hope that increased tonnage will follow has thus far been unsuccessful.

Every effort has been unsuccessful, Mr. President; the canals themselves are unsuccessful by their own confession. They are a tremendous burden upon New York—a "white elephant" is the favorite expression which, by a significant coincidence, seems to find its way into numerous editorial expressions from newspapers up and down the country. Indeed, even the New York press itself has been occasionally similarly candid. The Wall Street Journal of March, 1927, states:

> It is proposed that Uncle Sam take over the New York State canals. New York could well afford to pass them over plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

I have no illusions, Mr. President, about the temper of the Senate in connection with this proposition, any more than I had any illusions respecting the temper of the Commerce Committee. Uncle Sam is to be foolish within the definition of the Wall Street Journal and without any $50,000,000 for damages to his reputation as a rational business man.

The canals now operate at a depth of between 10½ and 12 feet. This is at least 1½ feet deeper than the average 9-foot depth in the other canalization projects of the inland intercoastal Federal water system. Therefore it means nothing by way of increased traffic to federalize them and "link them up"—as the favorite bromide goes—with the balance of the Federal canal system.

Mr SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from North Carolina?

Mr. VANDENBERG. I yield.

Mr. SIMMONS. The Senator from Michigan is partly correct and partly in error. I think the Atlantic seaboard canalization system, starting at Boston and running down to the Gulf, now completed to Beaufort, N. C., and shortly to be completed to Wilmington, N. C., near the South Carolina line, is all of a 12-foot depth, and by increasing the depth of the Erie Canal to 12 feet its depth will be harmonized with that of the canal system along the Atlantic seaboard.

Mr. VANDENBERG. I think the Senator from North Carolina overlooks the fact that the Erie Canal is nearly 12 feet deep; it is supposed to be fully 12 feet deep at the present time. Be that as it may, I hope his optimism is well justified, because, as I said in the beginning, inasmuch as we have found a common

ground upon which to proceed, in the event that the New York canals are federalized they certainly have my very best wishes in line with the Senator's prophecy; but I am submitting, Mr. President, that on the face of information available to the Senate to-day there is no sound basis to ask that the New York canals be federalized at all.

Whatever money the Federal Treasury has to invest in waterways can and should be spent in more profitable directions. The single argument in favor of this proposition which appeals to me is the frank statement that New York pays her rich share of the burden of carrying other Federal waterways, and, therefore, we should not object if she asks us to reciprocate; that, at least, has the virtue of candor, and I am inclined to think that I could not oppose the logic, but I can not at the present time agree that it suffices to justify the addition of the Erie and Oswego systems to the federalized system of the country, and the annual addition of a minimum of two and one-half million dollars to the upkeep cost of the inland waterways of the country. The Senate must remember that two and one-half million dollars is 15 per cent of all the money being spent at the present time upon the upkeep of inland waterways, and we are adding in one single item 15 per cent at a minimum because never yet has the deficit arising from the operation of the New York canals gone as low as two and a half million dollars.

I pass, Mr. President, the question of what the added burden would be if these canals should be developed either through the widening or deepening of their beds or through the elevation of bridges. I pass it because the pending substitute expressly precludes any such expenditure without subsequent authorization by Congress, which will be a matter of at least five years, for it will take two or three years at a minimum to effectuate this Greek gift. However, as an indication of what would be involved if we ever shall launch out upon this expansion, I think the Senate should have clearly in mind the fact that a 13-foot project upon the Erie and Oswego Canals would cost $27,000,000, and that a 14-foot project would cost $81,000,000. Approach it from whatever angle you please, Mr. President; figure it in however optimistic arithmetic you wish; I do not see how you can escape the conclusion that the pending take-over is without justification.

What do the department engineers say, Mr. President? Ah, this is a poignant chapter in the story. I must dwell upon it for a passing moment, because it is calculated to be an exhibit that will return subsequently in the debate in connection with other projects with respect to methods of procedure, engineering and otherwise.

Let me call the attention of the Senate to the fact that in March, 1926, the river and harbor engineers refused to recommend the Erie project at from 20 to 25 feet in depth; and in May, 1926, the House committee asked for a review, which they got in December, 1926, when the engineers reiterated their previous verdict. Then, in 1929, the House committee asked for a review of the project on the basis of 14 feet. On November 1, 1929, the engineers declined to approve. In December, 1929, the House committee asked for a review of the project at 13 feet—a constantly receding depth—and in February the engineers reported that they could not approve the project even at 13 feet. In March, however, as the result of interesting negotiations, to which I do not intend to advert at the present moment because they are more pertinent in the discussion of a subsequent paragraph of this bill—in March and then in April the engineers finally overturned every recommendation they had written theretofore and brought in a blanket proposal which, as paraphrased by the Chief of Engineers, suggested that the Federal Government should take over the canal and study it afterwards. To me that is an astounding contemplation in the science of engineering. Leap before you look—the philosophy of hazard. I say this with greatest respect for the Chief of Engineers, whom I highly esteem. But I can not withhold the observation that such summary and speculative rejection of all the prior engineering reports has been something of a shock to my belief in engineering continuity.

Mr. President, holding these views, I moved in committee to strike out the Erie project from the bill. The motion was defeated by a vote of 13 to 2. I repeat that, if I sense properly the general disposition of the Senate in regard to this and other items in the bill, the same ratio will persist here. Therefore, being a realist, I passed then, as I pass now, to the other consideration, namely, is the federalized Erie project as described in the pending committee amendment a hazard to the St. Lawrence seaway from the Great Lakes to the ocean?

Mr. President, assuming that we shall take over the Erie system from New York, the question before the Senate is whether or not, under these specifications, it can be done without menace to the supreme among all our transportation projects, namely, the St. Lawrence seaway.

In cooperation with my able friend the senior Senator from New York [Mr. COPELAND], the substitute language now before the Senate was drafted and approved unanimously by the Commerce Committee. In addition, I think it is only fair to say, and I think it is pertinent to say, that the language has at least the unofficial approval of the distinguished chairman of the House Rivers and Harbors Committee [Mr. DEMPSEY]. Now that we have left behind the controversial field, which I shall not advert to again, respecting the fundamental question of federalization at all, I desire to renew my expression of belief that in conjunction with the senior Senator from New York [Mr. COPELAND] and the chairman of the House Rivers and Harbors Committee we have actually produced a program which has within it the best possible legitimate advantage not only for the Erie system but for the St. Lawrence system.

If the Erie system of canals is to be taken over at all, I repeat that I approve this form of acquisition. I do it in the belief that it has removed all possible Erie menace to the St. Lawrence waterway, and I do it on the theory that it terminates the prior rivalry between the St. Lawrence route and the so-called all-American or Ontario-Hudson route through New York. I do it on the theory that it gives the St. Lawrence the unobstructed right of way if and when we shall proceed with the stupendously and incalculably advantageous connection between the Great Lakes and the Atlantic Ocean. If language means anything at all, the language of the pending substitute means precisely what I have summarized. Indeed, I would go so far as to prophesy that it actually puts the St. Lawrence prospectus in the most advantageous position it has ever occupied.

This is not my opinion alone. I should hesitate to rely upon my own opinion in a matter of such critical importance. It is also the opinion of many jealous friends of this St. Lawrence outlet. If it were not my abiding view, or if the substitute should be changed or defeated, I could not discharge what I conceive to be my responsibility without invoking every possible recourse, no matter how futile in finality, to stop the tragedy. In terms of transportation, it is my own judgment that the completion of the St. Lawrence seaway will prove to be the greatest engineering achievement since Roosevelt bisected Panama, the greatest of all boons to landlocked agriculture and industry from the Lakes to the Rockies. I also hazard the prophecy that it will be perfected within the next five years, opening the Great Lakes to 88 per cent of all the cargo vessels upon the oceans of the world.

Heretofore it has been rivaled chiefly by the competitive aspirations of a trans-New York route with the Erie system as the nucleus for a $631,000,000 channel with 153 miles of restricted water, from 25 to 27 locks, and involving 54 bridges; this compared with the St. Lawrence project at a net $100,000,000, with only from 21 to 25 miles of restricted water, and only from 7 to 9 locks, and only 8 bridges.

The comparison never has been even remotely favorable to the rival nucleus; but the rivalship, none the less, has been one of the important obstacles which the St. Lawrence has faced.

There is no further need, however, to analyze this rivalry. By the express terms of the pending substitute, the rivalry is ended. I linger upon the subject only to emphasize the plain meaning of this language in the bill, for the sake of the record.

We take over the Erie and Oswego Canals "as barge canals only, and not as, or with any intention to make them, ship channels, or to hinder or delay the improvement of the St. Lawrence waterway as the seaway from the Great Lakes to the ocean." Nothing could be more explicit. The charter could not be more exact.

Oh, but some one says, cynically, that one Congress can not bind another. True; but what of it? We can bind the terms of transfer. We do put the people of New York upon specific notice as to their limited expectations when they vote, as they must, to amend their constitution in order to validate the transfer. There can be no question raised hereafter as to what they anticipated. There can be no misunderstandings. We can and do bind our War Department and its engineers. If and when there is a seaway, it is the St. Lawrence. The Erie canals are barge canals only and by the express mandate of the instrument which validates their transfer. I decline to impute bad faith to those who concede these definitions in behalf of the State of New York.

Mr. President, in conclusion I desire to advert to a question which has been repeatedly asked of me respecting this matter—the question which my able friend the senior Senator from New York [Mr. COPELAND] has asked me more than once. It is typified and summarized about as follows:

"You must realize that there can be no St. Lawrence seaway without Canadian consent to an international agreement. Suppose no such agreement can be secured within a reasonable time: Will you then still oppose a ship canal by the all-American or the Ontario-Hudson route?"

Mr. President, I think that is a thoroughly fair question, and I think it deserves a thoroughly candid answer.

Personally, I believe that Canada has such a vast stake in the development of the St. Lawrence seaway that her assent to an international agreement is too logical to be denied as a matter of self-interest. Without it, she can not possibly capitalize the advantages of her gigantic investment in her new Welland Canal. I expect a mutually fair agreement to be negotiated in the near future. But if such an agreement clearly becomes impossible within a reasonable time—let us say five years—and we are no nearer an agreement then than we are now, I should say that we must take up in dead earnest the possibilities of developing the New York route, even though it be six times as expensive and, in my judgment, sixty times less advantageous. The point is that the land-locked Middle West must be given access to the ocean. I want unhindered American opportunity to pursue the St. Lawrence project with Canada; and I believe that our mutual interests will shortly produce mutually advantageous results. But our needs are such that we can not wait for this international agreement forever.

So, Mr. President, I can not escape the conclusion that if the Erie Canal system is to be federalized, the language of the pending substitute is adequate for the protection of the contingent interests of 50,000,000 people who rightly believe that the St. Lawrence seaway is vital to their economic life and progress. Contemplating the Senate's disposition respecting the basic question of the take-over, I am content to rest my opposition to that basic issue upon this statement, and in conclusion to reassert that working from that hypothesis I believe the paragraph now pending is to the best advantage of New York and of the Middle West and of the St. Lawrence prospectus and of the Erie canals in their proper category; and I again desire to express my appreciation for the assistance that has been rendered in this composition by the senior Senator from New York [Mr. COPELAND], and by his House colleague, the chairman of the Rivers and Harbors Committee.

I do not believe, for the reasons heretofore stated, that the Federal Government is warranted in assuming the burdens incident to the transfer of these canals to Federal auspices; and I have so voted. But I do believe that if and when this basic question has been answered in the affirmative, there is no reason left—if this pending substitute be adopted—why those of us who believe in the St. Lawrence seaway should object. On the contrary, I conceive, if anything, that the St. Lawrence seaway now enjoys a right of way which is clearer and more inviting and more tangible and more encouraging than ever before. We could not have consented to the language in the House bill, nor to some of the New York interpretations that were put upon it. But six weeks of earnest intervening effort in the Senate Commerce Committee have produced an entirely different prospectus. It is a clear and distinct and unequivocal prospectus. It means what is says, and it will be administered in this spirit. Now, let the St. Lawrence negotiations proceed under new impulse and with renewed enthusiasm.

Mr. WALSH of Montana. Mr. President, the provision of this bill with respect to the New York State canals as it came from the House gave no little concern to those of us who have been interested in the establishment of a sea route from the Great Lakes to the ocean by the St. Lawrence River. It reads as follows:

Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided,* That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

It is well known to the public generally, and certainly to the Members of this body, that a rivalry has long existed between these two proposed routes from the Great Lakes to the sea—one by the natural course, following the flow of the waters draining into the Lakes; the other by a route across the State of New York, either from Lake Ontario by way of the canals across that State to the Hudson River, utilizing the Welland Canal, or by the so-called all-American route, utilizing the canals now in existence and constructing another canal upon the American side around Niagara Falls.

The controversy has gone on now for more than 10 years; and the people of the State of New York with quite general unanimity, although not entirely so, have pinned their faith upon the so-called all-American route, or upon the Lake Ontario-Hudson River route. The Oswego and Erie Canal is to be utilized in connection with either route.

These two routes, together with the Great Lakes-St. Lawrence route, were reported on by the international joint commission created by virtue of the treaty of 1909, which investigated the entire subject pursuant to concurrent resolutions of the Congress of the United States and the Parliament of the Dominion of Canada in the year 1920 and subsequent years. Throughout the inquiries conducted by the commission and in its report it was clearly developed that these two routes were rival routes, the State of New York appearing officially before that commission in the course of its hearings and arguing against the Great Lakes-St. Lawrence route and in favor of the route through their State.

A part of the plan was to transfer the state-owned canals to the General Government and enlarge them and deepen them so as to make of them ship canals of depth sufficient to accommodate seagoing vessels drawing at least 25 feet of water.

It seemed quite reasonable, then, when this bill came to the Senate containing the provision to which I have invited attention to suppose that it was a step in the plan and project to make that the route from the Great Lakes to the sea for seagoing vessels.

The matter was presented to the Committee on Commerce of the Senate, having this bill under consideration, and they have reported an amendment, which, as I understand, was arrived at after conference with Hon. S. WALLACE DEMPSEY, the chairman of the House Committee on Rivers and Harbors, generally regarded as the sponsor of the provision under consideration and long known as an advocate of the sea route across the State of New York.

That amendment seems to be framed in such a way as ought to still all apprehension those of us who favor the Great Lakes-St. Lawrence route may have entertained. It provides as follows:

The Secretary of War is authorized and empowered to accept from the State of New York the state-owned canals, known as the Erie and Oswego Canals, and to operate and maintain them at their present depth, at an annual estimated cost of $2,500,000, as barge canals only, and not as, or with any intention to make them ship channels, or to hinder or delay the improvement of the St. Lawrence waterway as the seaway from the Great Lakes to the ocean: *Provided,* That such transfer shall be made without cost to the United States, and without liability for damage claims arising out of said canals prior to their acquisition by the United States, and shall include all land, easements, and completed or uncompleted structures and appurtenances of said waterways and their service: *And provided further,* That no project for the widening or deepening of these canals, or for the elevation of bridges in connection therewith, shall proceed without subsequent authorization of Congress.

Those of us, I say, who are and who have been in favor of the Great Lakes-St. Lawrence route, accepted the assurances thus given as settling the controversy, so far as the choice between these two routes is concerned, and it would seem that if, under these circumstances, the State of New York should transfer these canals to the General Government, it would bind itself, in morals, if not in law, hereafter to cease to advocate the enlargement of those canals in order to make them ship channels, and would bind itself for all time to advocate the retention of these canals as barge canals only.

Mr. NORRIS. Mr. President, of course, we could not bind any future Congress except morally.

Mr. WALSH of Montana. Certainly not.

Mr. NORRIS. Let me call the attention of my friend the Senator from Montana to the fact that when we provided by law for the development of Muscle Shoals, we solemnly provided that never should that property be leased to a private party or corporation, that it should always be retained by the Government. We made that provision before we put public funds into it. We provided that it should be operated by the Government. Yet hardly was the ink dry upon the law in which that was provided before propaganda nation-wide in its scope started, through the most deceitful kind of literature, which has been carried on ever since, and there is a matter now before Congress, in dispute between the two Houses, as to whether we shall violate that law morally, admitting, of course, that technically we have the right to do it. Can not the Senator conceive that that precedent and that history, now fresh in our minds, might apply to this particular provision, and that no sooner would we

have the law enacted than the agitation would commence at once, notwithstanding the law, to make a ship canal out of that barge canal?

Mr. WALSH of Montana. Of course, the Senator from Nebraska is entirely right. All these assurances may be disregarded. The honor of the State of New York being pledged in this direction may of course be forfeited, and it may take an opposite position in the future. But in this case it seems to me we should be no worse off than we are now. The choice now is between these two routes. It does not seem to me that the State of New York would be in any more favorable attitude should it in the future endeavor to advocate the route which it has advocated in the past, by reason of the fact that the Government of the United States now takes over these canals with these assurances accompanying them.

Mr. President, the admonition given by the Senator from Nebraska is particularly pertinent because of a feature of this matter to which I shall now invite attention. Notwithstanding the solemn assurances found in the Senate committee amendment, after this bill had been reported to the Senate, or at least after the amendment had been agreed upon by the Committee on Commerce, on the 3d day of June last an organization known as the Great Lakes-Hudson Waterway Association held at Albany, N. Y., its third annual convention. At that convention speeches and addresses were made by distinguished citizens of the State of New York, as well as by representatives of the great State of Illinois, in which the strongest kind of adherence was expressed to the original project of an all-American canal across the State of New York, and congratulations were extended to the people of the State of New York about the progress which had been made in that direction, and on the prospect of its speedy realization.

The report of the proceedings of that convention will be found in the Knickerbocker Press for June 5, 1930, a copy of which I have here, and I ask at this time that the article may be incorporated in the RECORD.

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

[From the Knickerbocker Press, June 5, 1930, Albany, N. Y.]

WATERWAY UNIT WANTS UNITED STATES ACT FOR SHIP CANAL

Resolutions asking for immediate action by Congress on the construction of a Lakes-to-sea ship canal by the Hudson and Mohawk Valleys were adopted yesterday at the third annual convention of the Great Lakes-Hudson Waterway Association.

The gathering brought together 300 men and women interested in waterway development, unusually large representation being from New York State communities along the waterway route, as well as from Atlantic seaboard States.

William D. Saltiel, city attorney of Chicago, declared that the St. Lawrence route to the sea is opposed by the Province of Quebec, and said that even if this opposition were overcome the St. Lawrence Canal would be "a constant source of international dispute."

THINKS BATTLE NEARLY WON

"I think your battle for a shipway through New York State is almost won," he said. "Only one Senator is opposed to it. But you must not be indifferent. You should continue to arouse public attention to the obvious necessity of a waterway entirely within the United States. Chicago is with you."

Strong indorsement was given to the plan for federalizing the Erie and Oswego Canals, which was hailed as a step toward the ship canal.

J. P. Magill, of the Maritime Exchange of New York, and Alfred E. Olcott, representing the New York State Chamber of Commerce, urged that full support be given to Representative S. WALLACE DEMPSEY, of Lockport, for his work in this project.

"I do not believe that Mr. DEMPSEY has any intention of 'selling out' New York State," Mr. Magill declared. "I believe that he is entitled to have our confidence, and that he knows that the project is going forward. Mr. DEMPSEY has made the Erie and Oswego Canals national for the first time. Our trouble has been that we built the canal and gave it to the Nation and then have forgotten about it."

FORD SEES ROUTE VITAL

"Recently Henry Ford and some other of our great industrialists are waking up and are seeing that this is a vital waterway route."

Assemblyman Louis A. Cuvillier sounded the only opposition voiced at the convention, in declaring that the New York State Legislature "will never consent to a transfer with such string as are involved in the rivers and harbors act."

He said that it would be better for New York State to build the ship canal herself than to make a bargain such as is now proposed. He called attention to the provision only for Federal maintenance of the canal in the present bill, with the restriction that its future development shall be only for barge traffic.

Mr. Olcott said that the State chamber of commerce is prepared to take an active part in promoting the ship canal and declared that great credit was due Mr. Dempsey. He also said that he believed the federalizing plan was a long step in advance, and felt confident that Mr. Dempsey's complete plans will see it built.

W. J. L. Banham, president of the New York Board of Trade, said that the Federal plan is in no way intended to impair the barge canal, but to lead to larger development.

BIG THING FOR BARGE CANAL

"People are saying of the ship canal through New York State what they said of the Panama Canal," he said. "But we have learned to see the value of the Panama Canal. The barge canal to-day can do greater and bigger things, and this ship-canal plan is only to help it on the way.

"Everybody knows which is the right route for the ship canal. It should be in the United States. It is when transportation is improved that tall buildings are built."

Col. Edward C. Carrington, president of the association, said that the fight to have the barge canal developed as a part of the national waterways is not limited to this State, but includes the seaboard and Great Lakes States.

He predicted that the ship canal would bring 23,000,000 tons of freight to the Hudson River, effecting savings nationally distributed.

"There is an impression that the United States engineers reported against the New York State route for a ship canal," he said. "They simply said it would cost $500,000,000. This is about half what New York City is spending on its subways. It is feasible to extend the Panama Canal to the Great Lakes, and that is just what this proposal means. It will do more to make this a self-contained Nation than anything else.

"We do not propose that the Great Lakes ports or the cities of Buffalo, Syracuse, and Rochester shall be denied an all-water bill of lading when it is obvious that they are entitled to it."

Peter G. Ten Eyck, chairman of the Albany Port District Commission, declared he was "in accord with the taking over of the Erie and Oswego Canals by the Federal Government," but said:

"We should not sell this canal, which the people of this State have built, too cheaply. We should know what is really proposed. Anyone who would oppose any enlargement of the Barge Canal would be a traitor."

"President Hoover is regarding with favorable interest the development of waterways on the Atlantic seaboard," J. Hampton Moore, of Philadelphia, said. Mr. Moore is president of the Atlantic Deeper Waterways Association and has long been interested in the port of Albany.

"People in the East have been apathetic," Mr. Moore said. "The Hudson River has long been neglected. But now let us hope that the awakening is at hand." He referred to the recent unbroken voyage of canal motorships from Detroit to the Hudson River at Troy as showing the new impetus on the waterway.

The convention met in the morning in the Ten Eyck ballroom, continuing with luncheon on the *Berkshire*, followed by a motor-bus trip to the port of Albany.

Among those present were George E. Edmonds, of the Detroit Chamber of Commerce; John A. Tait, Philadelphia Board of Trade; J. Monroe Holland, port commissioner of Baltimore; and L. P. Nickel, of the United States Department of Commerce.

Mr. WALSH of Montana. Mr. President, feeling that the occasion called for some explanation from the Representatives of the State of New York and others heretofore advocating the so-called all-American route, under date of June 11, 1930, I addressed a communication to Mr. DEMPSEY, as follows:

JUNE 11, 1930.

Hon. S. WALLACE DEMPSEY,
*House of Representatives.*

DEAR MR. DEMPSEY: My attention is called to an article appearing in the Knickerbocker Press, published at Albany, N. Y., of date June 5, reporting proceedings of the third annual convention of the Great Lakes-Hudson Waterway Association, held in that city on June 4, copy of which is herewith inclosed.

The remarks made by distinguished citizens of your State concerning the significance of the provision in the rivers and harbors bill, now before the Senate, dealing with the subject of the transfer of the New York State-owned canals, known as the Erie and Oswego Canals, are so at variance with assurances given by you to me when you were good enough to call on me in relation to that subject, and to assurances, as I am informed, given by you and others associated with you to the Senate committee as to give me no little concern, and I must confess apprehension.

As I understood you at least, you had entirely abandoned the idea of longer proposing to advocate a ship canal across the State of New York connecting the Great Lakes with the Hudson River, and that you desired simply that the Federal Government should take over the canals

referred to and maintain and operate them as barge canals as distinguished from ship canals. I was given to understand that the language found in the report of the Senate committee to the effect that, the canals being taken over by the Federal Government, it was "to operate and maintain them at their present depth at an annual estimated cost of $2,500,000, as barge canals only, and not as or with any intention to make them ship channels, or to hinder or delay the St. Lawrence waterway as the seaway from the Great Lakes to the ocean" had your entire approval and acquiescence and was inserted to still apprehensions that the acquirement of the same by the national authority was merely a step in the plan to transform them into a ship canal as a substitute for the improved outlet by way of the St. Lawrence from the Great Lakes to the sea; in other words, I was led to believe that the offer of the State of New York was made in perfect good faith and for the purposes, and only for the purposes, indicated in the provision of the bill on that subject reported by the Senate committee.

A careful perusal of the press report of the Albany meeting mentioned forces one to the conclusion that if you have not changed your attitude with respect to the Senate provision it is not shared by eminent citizens of your State who, apparently, believe that you still sympathize with their purpose eventually to transform the canals into ship channels. I quote from the article as follows:

"William D. Saltiel, city attorney of Chicago, declared that the St. Lawrence route to the sea is opposed by the Province of Quebec, and said that even if this opposition were overcome, the St. Lawrence canal would be 'a constant source of international dispute.' 'I think your battle for a shipway through New York State is almost won,' he said. 'Only one Senator is opposed to it. But you must not be indifferent. You should continue to arouse public attention to the obvious necessity of a waterway entirely within the United States. Chicago is with you.'"

I pause to observe that if Mr. Saltiel's information is as here stated, that only one Senator is opposed to the ship canal across the State of New York, it is far from being accurate.

Mr. COPELAND. Mr. President, where is that gentleman from?

Mr. WALSH of Montana. According to this article he is the city attorney of the city of Chicago.

Mr. COPELAND. I thought he was from outside of the State of New York.

Mr. WALSH of Montana. My letter to Mr. DEMPSEY continues:

The above is of particular significance in view of the fact that the charge has been freely made, as you may know, that a Representative from the State of Illinois, interested in the federalization of the canal connecting Lake Michigan with the Illinois River, and you, representing the New York canals, jointly prevailed upon the Chief of Engineers to approve the taking over by the Federal Government of both the canal systems referred to. The article in question continues:

"Strong indorsement was given to the plan for federalizing the Erie and Oswego Canals, which was hailed as a step toward the ship canal."

The article reports remarks of Alfred E. Olcott, of the New York State Chamber of Commerce, as follows:

"The State chamber of commerce is prepared to take an active part in promoting the ship canal, and declared that great credit was due Mr. DEMPSEY. He also said that he believed the federalizing plan was a long step in advance, and felt confident that Mr. DEMPSEY's complete plans will see it built";

and those of Mr. W. J. L. Banham, president of the New York Board of Trade, thus:

"the Federal plan is in no way intended to impair the barge canal, but to lead to larger development. 'People are saying of the ship canal through New York State what they said of the Panama Canal,' he said. 'But we have learned to see the value of the Panama Canal. The barge canal to-day can do greater and bigger things, and this ship-canal plan is only to help it on the way. Everybody knows which is the right route for the ship canal. It should be in the United States.'"

Other expressions clearly indicated the set purpose eventually to transform the canals now offered by the State of New York into ship channels.

Will you have the kindness to advise me at your early convenience whether the occurrences related signify that there has been no abandonment whatever of the project of the so-called all-American ship canal across the State of New York or of utilizing the Oswego and Erie Canals as the basis of whatever ship canal may be authorized by the Federal Government, connecting the Great Lakes and the sea, or whether the Senate may, with entire safety, rely upon the assurances in the provision found in the river and harbor bill for the acceptance by the Federal Government of the New York State canals, that the same are to be operated and maintained simply as barge canals, and that the transfer of them to the Federal Government is not with a view to hinder or delay the improvement of the St. Lawrence waterway as the seaway from the Great Lakes to the ocean.

It would be comforting to have your own assurance, if you are unable to speak for others, that it is not your purpose, either now or in the future, to advocate the construction of a ship canal across the State of New York instead of affording a water outlet for ocean-going ships from the Great Lakes to the sea by the St. Lawrence route.

Very respectfully yours,

T. J. WALSH.

Mr. DEMPSEY very promptly replied, and replied in a perfectly frank and candid manner, that whatever views he may have entertained concerning the matter in the past, he entertains now no idea of the construction of a ship canal across the State of New York; that the proposition of taking the canals over and operating them as barge canals, and as barge canals only, was made in perfect good faith, and so far as he is concerned it is his purpose to maintain that good faith. I am disposed to take those assurances from Mr. DEMPSEY as those from the gentleman that I know him to be.

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

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New York?

Mr. WALSH of Montana. I yield.

Mr. COPELAND. The Senator has referred to the congratulations expressed by Colonel Carrington. Would the Senator be willing to have a very brief article read by the clerk? It is a full answer to the joking, perhaps sarcastic, remarks made by my friend Colonel Carrington. I am sure it fits into the argument and shows how a great editor of a great newspaper feels about the "congratulations" which were expressed.

The VICE PRESIDENT. Does the Senator from Montana yield for that purpose?

Mr. WALSH of Montana. I yield.

The VICE PRESIDENT. The clerk will read as requested.

The legislative clerk read as follows:

[From the Buffalo Courier, Saturday, June 7, 1930]

CARRINGTON'S LITTLE JOKE

Colonel Carrington, we take it, is somewhat of a joker. Only on that ground can we explain this paragraph from his reported speech to those who attended his personally conducted convention at Albany this week:

"Our Representatives in Congress, including Representative J. WALLACE DEMPSEY and Senators ROYAL S. COPELAND and ROBERT F. WAGNER, are to be congratulated, at least in having the Federal Government undertake to enlarge our present barge canal and have it operated, as it should be, by the Federal Government."

The point of the joke is, of course, that when the United States Senate agreed to federalization of the Erie-Oswego Canals, it specifically and positively did so with the provision that the Federal Government should not undertake their enlargement or development.

With that thoroughly understood, the colonel may proceed with the engrossing of his congratulations.

Mr. WALSH of Montana. The letter of Mr. DEMPSEY is as follows:

COMMITTEE ON RIVERS AND HARBORS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
*Washington, D. C., June 12, 1930.*

Hon. THOMAS J. WALSH,
*United States Senate.*

DEAR SENATOR WALSH: I have read with much care your favor of yesterday advising me that certain statements were made at the recent convention of the Great Lakes-Hudson Waterways Association.

It is impossible, in a State with 12,000,000 people, not to have some differences of opinion. In fact, I myself long entertained the belief that there should be a deep waterway across New York. I was led to change my opinion through the advice of the practical shippers who feel that we need and want to use practical barge canals connecting the Great Lakes and the Hudson.

The uses of the two proposed waterways are quite different, but both will be exceedingly valuable. The New York barge canals will furnish the most economical transportation between these two great waterway systems for our very large domestic commerce, carrying oil, lumber, sugar, rubber, and sulphur from the Texas and Pacific coasts for distribution among the 60,000,000 people whom the Government engineers estimate will be served by them; and will also distribute the three-fourths of our grain consumed in this country, and largely in New York and New England, where only 5 per cent of our foodstuffs are raised, as well as automobiles from Michigan and Ohio for New York, New England, and the South Atlantic States.

The usefulness of these barge canals to the Mid West has been recognized by the Mississippi Valley Association, embracing 25 States, the Missouri River Association, covering 9 States, the Great Lakes Carriers' Association, the annual conference of the merchant marine of the country, which indorsed the Federal acquisition of the canals at its third annual conference last month by a unanimous resolution, and, I

am advised, also by several of the directors of the Great Lakes-St. Lawrence Tidewater Association.

I am convinced, however, that the carriers and the large shippers of the country feel very deeply—

That the Federal acquisition of the Erie and Oswego Canals is of vital importance to the country as a whole;

That federalization will mean the giving of these canals such a depth in the channels and through the locks as will make them usable by barges carrying from 2,500 to 3,500 tons, in view of the fact that barges are being constructed for navigation of the St. Lawrence canals, with their present depth of 14 feet, which will carry 113,000 bushels of grain, or 3,490 tons; that such an improvement of the canals, giving them 20-foot clearance, also, to the bridges, will involve a very small expense, considering the large volume of traffic they will carry, and the low rate at which it will be transported; that this work can be done within a very brief time, and that during the improvement period the traffic on the canals will not be stopped or even interfered with; and

They believe that this is the practical, sensible view of the situation, that these canals will be more useful as barge canals than for deeper waterways, and they are, therefore, earnestly for the federalization of these canals and for their improvement and use as modern, efficient barge canals, and not for deeper waterways.

I fully share this feeling.

In brief, I accept the Senate provision with regard to these canals in entire good faith.

Cordially yours,

S. WALLACE DEMPSEY.

Accordingly I am not disposed to oppose the Senate provision with respect to the matter upon the ground that it would be inimical to the eventual successful carrying out of the Great Lakes-St. Lawrence waterway, a project which promises and holds out the hope to the people of the Northwest of blessings that are incalculable.

However, Mr. President, it will be recalled that in earlier discussions of the matter on the floor my esteemed friend the senior Senator from New York [Mr. COPELAND] has indicated his adherence to the project of a ship canal across the State of New York, the so-called all-American route. I wonder if he would be prepared at this time to give us his assurance of his purpose to maintain these canals as barge canals only?

Mr. COPELAND. Mr. President, I assume the words contained in the amendment on page 6 mean exactly what they say; at least they say what I have in mind. Of course, the Senator from Montana does not expect me to say that I am in favor of the St. Lawrence Canal, but so far as this project is concerned it is written in good faith and I so accept it.

Mr. WALSH of Montana. The remarks of the Senator have not by any means given any comfort to me at all. Of course, I understand perfectly well that the Senator has heretofore been opposed to the Great Lakes-St. Lawrence canal and that he is now opposed to it. I understand that perfectly well; but that is not really the question. The question is whether the Senator is prepared to abandon his advocacy of the New York route for the canal?

Mr. COPELAND. If the Senator will read and reread every speech I have made on the subject he will find that I have said and reiterated that if a canal must be built from the Great Lakes to the Atlantic I would prefer to have it go through the State of New York. I do not favor any canal from the Great Lakes to the Atlantic at the present time. So far as I am concerned, I am accepting this proposal exactly at face value as a barge canal. I have no other thought in mind.

Mr. WALSH of Montana. Of course, that does not mean anything, and I may just as well frankly say so to the Senator from New York. It gives us no assurance whatever. Of course, these are accepted as barge canals. The question is, Do the people of the State of New York, so far as the Senator from New York can speak for them, propose to continue to advocate a ship channel through the State of New York as an opposing proposition to the Great Lakes-St. Lawrence canal?

Mr. COPELAND. I can not speak for Colonel Carrington.

Mr. WALSH of Montana. No; but the Senator can speak for himself.

Mr. COPELAND. I can speak for myself. I do not know how the people of the State of New York feel about it, but they are going to be told exactly what this means. This is a proposal to give the barge canals to the Federal Government to be used as barge canals. Then the people at the polls on two occasions will determine whether or not they wish to give the barge canals to the Federal Government on that basis.

Mr. WALSH of Montana. The Senator has excited again the apprehensions which led me to address my letter to Mr. DEMPSEY. There are no assurances whatever in that statement from the Senator.

Mr. COPELAND. What would the Senator have me say?

Mr. WALSH of Montana. I would have the Senator say what Mr. DEMPSEY said. He said in his letter that at one time he was an advocate of the construction of a ship canal across the State of New York. He has reconsidered that and reached the conclusion that that is not a wise thing and he believes that these canals ought to be maintained as barge canals, and as barge canals only.

Mr. COPELAND. His conclusion is exactly what I believe.

Mr. WALSH of Montana. The Senator did not say so.

Mr. COPELAND. I say so now. That is exactly what I believe.

Mr. WALSH of Montana. At any time whenever a proposition to create a ship route from the Great Lakes to the sea is before the Senate the Senator will be in no embarrassment whatever from anything he has said to-day to argue in favor of a ship canal across the State of New York rather than by the St. Lawrence River.

Mr. COPELAND. I will not be embarrassed, but I want to say frankly to the Senator from Montana that I am opposed to a ship canal via the St. Lawrence River to the ocean. The Senator knows that, and I shall not propose any plan for a canal across the State of New York.

Mr. WALSH of Montana. The Senator may not be obliged to propose it. Some one else may propose it.

Mr. COPELAND. The Senator must at least take me at what I say.

Mr. WALSH of Montana. I am taking the Senator at what he says.

Mr. COPELAND. I am perfectly set in my opinion that to build an all-British canal would be an absurd thing. I do not believe in it. I do not want anybody here to vote for this project in the belief that I think it is a good thing to build a St. Lawrence canal, because I do not.

Mr. WALSH of Montana. I desire to say just a word in respect to the "all-British canal."

Mr. President, under treaty with the Dominion of Canada and with Great Britain when we dealt indirectly with Canada through Great Britain, and without treaties with Canada, we have jointly improved those natural waterways and natural outlets from the Great Lakes to the sea so that now ships drawing 14 feet of water may ascend the St. Lawrence to the Lakes and descend from the Lakes to the sea by the St. Lawrence.

As to its being an all-British route, the Senator from New York is sufficiently familiar with the geography of our country to know that Lake Superior is water common to both of the countries; that the Sault Ste. Marie is water common to both countries; that Lake Huron is water common to both countries; that the St. Clair River is water common to both countries; that Lake St. Clair is water common to both countries; that the Detroit River is water common to both countries; that Lake Erie is water common to both countries. The Welland Canal, it is true, is upon Canadian territory exclusively, with a treaty right upon the part of the Government of the United States to navigate that water. There then comes Lake Ontario, which is water common to both countries. Then comes a very considerable stretch of the St. Lawrence River, which is water common to both countries. Then we reach the lower reaches of the St. Lawrence River, which are, of course, entirely within Canada.

The term "an all-British canal" or "all-British water route" thus used inconsiderately by the Senator from New York is quite as appropriate as the term "all-American route," which he has heretofore used in describing the plan of a ship canal across the State of New York. There is no such thing as an "all-American" or "all-British" route from the Great Lakes to sea by either the one or the other route.

I wish that the Senator from New York had been quite as frank as Mr. DEMPSEY, of the House.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 10, after line 16, to insert:

Claiborne Channel, Md.: The existing project is hereby modified so as to provide for a channel 14 feet deep from the vicinity of the harbor wharves to deep water in Eastern Bay with widths of 100 feet for a distance of 1,800 feet to the bend opposite the existing Black Beacon, thence widening in a distance of 260 feet to 150 feet to 14 feet depth in Eastern Bay, with necessary widening at the bends at an estimated cost of $12,125, with $3,000 per year for maintenance.

The amendment was agreed to.

The next amendment was, on page 12, line 13, after the figures "$500,000," to strike out the comma and "conditioned upon contributions from local or other interests in the amount of $100,000," so as to make the paragraph read:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., in accordance with report submitted in Senate Document No. 23, Seventy-first Congress, first session, for a tidal guard lock in the Albemarle and Chesapeake Canal at or near Great Bridge, Va., at a limit of cost, however, of not to exceed $500,000.

The amendment was agreed to.

The next amendment was, on page 12, line 21, after the word "improvement," to strike out the colon and the following additional proviso:

*Provided further,* That the channel from the mouth to Hopewell shall be improved to a width of 250 feet, and the channel from Hopewell to Richmond shall be improved to a width of 150 feet. The amount hereby authorized to be expended upon the said project shall not exceed the sum of $3,555,000.

So as to make the paragraph read:

James River, Va., in accordance with the report submitted in House Document No. 314, Seventy-first Congress, second session, and subject to the conditions set forth in said document: *Provided,* That no expense shall be incurred by the United States for the acquiring of any lands required for the purpose of this improvement.

The amendment was agreed to.

The next amendment was, on page 13, after line 13, to insert:

Cape Fear River at and below Wilmington, N. C., and between Wilmington and Navassa, N. C., in accordance with the report of the Chief of Engineers submitted in House Rivers and Harbors Committee Document No. 39, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 15, after line 10, to strike out:

Far Creek, N. C., in accordance with the report submitted in House Document No. 112, Seventy-first Congress, first session, and subject to the conditions set forth in said document.

And in lieu thereof to insert:

Far Creek, N. C., in accordance with the report submitted in House Document No. 112, Seventy-first Congress, first session, but subject only to the condition that local interests shall furnish all necessary rights of way and areas for the disposal of dredged material.

The amendment was agreed to.

The next amendment was, on page 17, line 16, after the word "modify," to insert "in accordance with the report submitted in Senate Document No. 132, Seventy-first Congress, second session," and in line 21, after the words "sum of," to strike out "$394,000" and insert "$1,210,000," so as to make the paragraph read:

Brunswick Harbor, Ga.: The existing project is hereby modified in accordance with the report submitted in Senate Document No. 132, Seventy-first Congress, second session, so as to provide for a channel 30 feet deep and 500 feet wide over the bar, and a channel 27 feet deep and 400 feet wide at Brunswick Point. The sum of $1,210,000 is hereby authorized to be appropriated for the prosecution of the work herein adopted.

The amendment was agreed to.

The next amendment was, on page 18, after line 14, to insert:

Intracoastal waterway from Jacksonville, Fla., to Miami, Fla.: The existing project is hereby modified in accordance with the report submitted in Senate Document No. 71, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

The amendment was agreed to.

The next amendment was, on page 18, after line 19, to strike out:

Miami Harbor, Fla.: Enlarging the turning basin in accordance with the plans submitted in Rivers and Harbors Committee Document No. 15, Seventy-first Congress, second session. The amount authorized to be expended on the project hereby adopted shall not exceed the sum of $200,000.

And in lieu thereof to insert:

Miami Harbor, Fla.: The existing project is hereby modified in accordance with the report submitted in House Rivers and Harbors Committee Document No. 15, Seventy-first Congress, second session. The sum of $200,000 is hereby authorized to be expended for the prosecution of the works herein adopted.

The amendment was agreed to.

The next amendment was, on page 20, line 6, after the word "contribute," to strike out "$4,546,000" and insert "$2,000,000," so as to make the paragraph read:

Caloosahatchee River and Lake Okeechobee drainage areas, Florida, in accordance with the report submitted in Senate Document No. 115, Seventy-first Congress, second session, and subject to the conditions set forth in said document, except that the levees proposed along Lake Okeechobee shall be constructed to an elevation of 31 feet instead of 34 feet above sea level and shall be so built as to be capable of being raised an additional 3 feet, and that the United States shall perform the work of constructing all levees: *Provided,* That the State of Florida or other local interests shall contribute $2,000,000 toward the cost of the above improvements, in lieu of the contributions called for in the aforesaid document: *And provided further,* That no expense shall be incurred by the United States for the acquirement of any lands necessary for the purpose of this improvement.

The amendment was agreed to.

The next amendment was, on page 20, line 16, after the word "authorized," to strike out the colon and the following proviso: "*Provided,* That the expenditure for the work hereby authorized shall not exceed the sum of $239,200," so as to make the paragraph read:

Tampa Harbor, Fla.: The improvement of the Egmont Bar Channel and the Sparkman Bay Channel recommended in the report submitted in House Document No. 100, Seventieth Congress, first session, is hereby authorized.

The amendment was agreed to.

The next amendment was, on page 21, line 14, after the word "improvement," to strike out "The sum of $100,000 is hereby authorized to be appropriated for the prosecution of this project," so as to make the paragraph read:

Intracoastal waterway from Pensacola Bay, Fla., to Mobile Bay, Ala., in accordance with the report submitted in House Document No. 42, Seventy-first Congress, first session, and subject to the conditions set forth in said document: *Provided,* That no expense shall be incurred for any lands required for the purpose of this improvement.

The amendment was agreed to.

The next amendment was, at the top of page 23, to insert:

Cedar Bayou Channel, Tex., in accordance with Senate Document No. 107, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 25, after line 23, to strike out:

Mississippi River, between mouth of Missouri River and Minneapolis, Minn.: The report submitted by the Chief of Engineers in House Document No. 290, Seventy-first Congress, second session, is hereby adopted. The following work, to be prosecuted in accordance with the plan for a comprehensive project to procure a channel of 9-foot depth, is hereby adopted: Additional lock at Twin City Dam, additional lock at Keokuk, dredging in Twin City Pool, and dredging at head of pool No. 2. For the prosecution of the work hereby adopted there is authorized to be appropriated the sum of $3,058,000.

And in lieu thereof to insert:

Mississippi River between Illinois and Minneapolis: The existing project is hereby modified so as to provide a channel depth of 9 feet at low water with widths suitable for long-haul common-carrier service, to be prosecuted in accordance with the plan for a comprehensive project to procure a channel of 9-foot depth, submitted in House Document No. 290, Seventy-first Congress, second session; and the sum of $7,500,000, in addition to the amounts authorized under existing projects, is hereby authorized to be appropriated for the prosecution of initial works under the modified project: *Provided,* That all locks below the Twin City Dam shall be of not less than the Ohio River standard dimensions.

Mr. SHIPSTEAD. I send to the desk an amendment to the amendment and ask for its adoption. It is in the nature of a correction.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. In the amendment on page 26, line 10, it is proposed to strike out the word "Illinois" and insert in lieu thereof the words "the mouth of the Illinois River."

Mr. JOHNSON. Mr. President, that is a formal correction which I deem appropriate.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to, and without objection the amendment as amended is agreed to.

Mr. VANDENBERG. May I ask the Senator from Minnesota if the amendment just adopted respecting the Mississippi River

project is purely a change in phraseology and does not import additional projects into the paragraph?

Mr. SHIPSTEAD. Not at all.

Mr. VANDENBERG. I thank the Senator.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 26, line 23, after the name "Sioux City, Iowa," to strike out "the Secretary of War is hereby authorized to expend in the prosecution of the existing project, and within a period of three years after the date of the passage of this act, an amount not exceeding $15,000,000," and insert "There is hereby authorized to be appropriated in the prosecution of the existing project the sum of $15,000,000, in addition to the unexpended balance of funds previously authorized, and it is intended that said sum be expended within a period of three years: *Provided, however*, That if said sum is not expended within said period said authorization shall not lapse," so as to make the paragraph read:

Missouri River between Kansas City, Mo., and Sioux City, Iowa: There is hereby authorized to be appropriated in the prosecution of the existing project the sum of $15,000,000, in addition to the unexpended balance of funds previously authorized, and it is intended that said sum be expended within a period of three years: *Provided, however*, That if said sum is not expended within said period said authorization shall not lapse.

The amendment was agreed to.

The next amendment was, on page 27, line 15, after the word "authorized," to strike out "for the first 83 miles upstream from Paducah, together with detailed surveys and investigations for low dams for navigation only covering that portion of the Tennessee River below the Hales Bar Dam: *Provided*, That the total expenditures under this authorization shall not exceed $3,500,000," and insert a colon and the following proviso: "*Provided*, That an expenditure of $5,000,000 shall be authorized to be appropriated for the prosecution of work under this project," so as to make the paragraph read:

The project for the permanent improvement of the main stream of the Tennessee River for a navigable depth of 9 feet in accordance with the recommendations of the Chief of Engineers in House Document No. 328 of the Seventy-first Congress, second session, is hereby authorized: *Provided*, That an expenditure of $5,000,000 shall be authorized to be appropriated for the prosecution of work under this project: *Provided further*, That the Chief of Engineers is hereby directed to ascertain and report to Congress on the first day of the first regular session of the Seventy-second Congress, advising the prospective cooperation offered by responsible interest, under the Federal water power act, in the program of construction recommended by the Chief of Engineers, providing for the 9-foot project by means of high dams.

The amendment was agreed to.

The next amendment was, on page 30, line 25, after the word "said," to strike out "document: *Provided*, That the channel in the Calumet River branch of the Indiana Ship Canal may be extended for a distance of 550 feet south of the north line of One hundred and forty-first Street" and insert "document, except that the Calumet River branch of the Indiana Harbor Ship Canal shall be dredged to a depth of 22 feet, and a bottom width of 160 feet, for a distance of 550 feet, immediately south of the south end of the turning basin at the Forks, the original work having been practically completed. The conditions required under the act of June 25, 1910, are hereby waived," so as to make the paragraph read:

Indiana Harbor, Ind., in accordance with the report submitted in Rivers and Harbors Committee Document No. 21, Seventy-first Congress, second session, and subject to the condition set forth in said document, except that the Calumet River branch of the Indiana Harbor Ship Canal shall be dredged to a depth of 22 feet, and a bottom width of 160 feet, for a distance of 550 feet, immediately south of the south end of the turning basin at the Forks, the original work having been practically completed. The conditions required under the act of June 25, 1910, are hereby waived.

The amendment was agreed to.

The next amendment was, on page 31, line 16, after the word "document," to strike out the comma and the words "except that the State of Illinois's plans of improvement are not adopted as to the volume or so as to require the volume of water contemplated in said plans, but the said project shall be so constructed as to require the smallest flow of water with which said project can be practically accomplished in the development of a commercially useful waterway: *Provided*, That nothing in this act shall be construed as authorizing any diversion of water from Lake Michigan, but the whole question of diversion from Lake Michigan shall remain and be unaffected hereby, as if this act had not passed," and to insert a colon and the words "*Provided*, That the diversion of water from Lake Michigan shall be so controlled by the Secretary of War, under the supervision of the Chief of Engineers, as to meet the needs of a commercially useful waterway, as defined in said Senate document, from Lake Michigan to the Mississippi River and to conserve fully existing interests of navigation on the Great Lakes: *Provided*, That nothing in this act shall prejudice any action at law or in equity respecting the diversion of water from the Great Lakes watershed: *Provided further*," so as to make the paragraph read:

Illinois River, Ill., in accordance with the report of Maj. Gen. Lytle Brown, Chief of Engineers, submitted in Senate Document No. 126, Seventy-first Congress, second session, and subject to the conditions set forth in his report in said document: *Provided*, That the diversion of water from Lake Michigan shall be so controlled by the Secretary of War, under the supervision of the Chief of Engineers, as to meet the needs of a commercially useful waterway, as defined in said Senate document, from Lake Michigan to the Mississippi River and to conserve fully existing interests of navigation on the Great Lakes: *Provided*, That nothing in this act shall prejudice any action at law or in equity respecting the diversion of water from the Great Lakes watershed: *Provided further*, That there is hereby authorized to be appropriated for this project a sum not to exceed $7,500,000.

Mr. JOHNSON. Inasmuch as this is a controverted item, which will be discussed somewhat at length, I ask for the time being that it may be passed over.

Mr. BLAINE. Mr. President, before passing over the item I desire to offer the amendment which I proposed on last Friday. I wish to say in this connection that the amendment which I proposed on that day is the result of conferences between representatives of the Lake States in both Houses of Congress and is in accordance with the opinion and judgment of the attorneys who have been representing and are now representing the Lake States in the litigation that has been before the courts, including the Supreme Court of the United States, for a great number of years. The amendment which I proposed on last Friday has been worked out by the parties to whom I have referred. I now offer the amendment.

The VICE PRESIDENT. Does the Senator desire to have it read or to have it considered as pending, to be considered when the committee amendment shall be taken up?

Mr. JOHNSON. Mr. President, my desire in making the suggestion I did was to have the entire matter go over until to-morrow, when the amendment which the Senator presented on Friday last may be considered in conjunction with the amendment reported by the committee. I do not wish to interfere, however, with such mode of procedure as the Senator from Wisconsin may desire to follow, although I advised the Senators from Illinois that I thought the amendment would not come up to-day.

Mr. BLAINE. My own view was to offer the amendment at this time and then pass over the entire proposal, as the Senator from California suggests, to be taken up later.

Mr. JOHNSON. Let the amendment be considered as pending to-morrow.

The VICE PRESIDENT. The amendment will be considered as pending, and the committee amendment will be passed over together with the amendment offered by the Senator from Wisconsin.

Mr. COPELAND. May I ask the Senator from Wisconsin if he has modified his amendment from the printed form?

Mr. BLAINE. No modifications have been made from the form as proposed and printed.

The VICE PRESIDENT. The clerk will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 36, line 1, after the word "document" to strike out the colon and the following provisos:

*Provided*, That the entrance channel shall be dredged to a width of 600 feet, and the dredging along the south bank of the main channel between Beacon 4 and Beacon 10 is hereby eliminated from the project herein adopted: *Provided further*, That the condition requiring a local contribution of $10,000 shall apply only to the National City Chula Vista Channel.

So as to make the paragraph read:

San Diego Harbor, Calif., in accordance with the report submitted in Senate Document No. 81, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

The amendment was agreed to.

The next amendment was, on page 38, after line 18, to insert:

Willamette River between Oregon City and Portland, Oreg., in accordance with the report submitted in House Document No. 372, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

The amendment was agreed to.

The next amendment was, on page 39, line 6, after the words "width of," to strike out "four" and insert "five," so as to make the paragraph read:

Columbia and Lower Willamette Rivers below Portland, Oreg., and the sea, in accordance with the report submitted in House Document No. 195, Seventieth Congress, first session, as modified by the recommendation submitted in Rivers and Harbors Committee Document No. 8, Seventy-first Congress, first session, and subject to the conditions set forth in the said committee document: *Provided*, That the channel herein authorized shall be dredged to a width of 500 feet.

The amendment was agreed to.

The next amendment was, on page 40, after line 17, to insert:

Everett Harbor, Wash., in accordance with the report submitted in House Document No. 377, Seventy-first Congress, second session.

The amendment was agreed to.

The next amendment was, on page 40, after line 20, to insert:

Lake River, Wash., in accordance with House Document No. 2, Sixty-ninth Congress, first session, as modified by the report of the War Department dated May 10, 1930, pursuant to the Commerce Committee resolution of February 22, 1930.

The amendment was agreed to.

The next amendment was, on page 41, after line 6, to insert:

Harbor of Refuge, Seward, Alaska, in accordance with the report submitted in House Document No. 109, Seventieth Congress, first session.

The amendment was agreed to.

The next amendment was, on page 49, after line 3, to strike out:

Inland waterway from Beaufort to Jacksonville, N. C., leading from Craigs Point and via Salliers Bay, Howard Bay, and New River.

And in lieu thereof insert:

Inland waterway from Beaufort to Jacksonville, N. C., leading from Craigs Point and by way of Salliers Bay, Howard Bay, and New River, and a further survey of New River with a view to providing suitable depth for navigation from Jacksonville, N. C., by way of Ware Landing to Doctors Bridge to a point near Richlands, N. C.

The amendment was agreed to.

The next amendment was, on page 49, after line 13, to strike out:

Channel from Pamlico Sound near the mouth of Neuse River, to Beaufort, N. C., via Swan Point, Cedar Inland Bay, Thoroughfare Cut, Thoroughfare Bay, Core Sound touching at Atlantic Wharves, and through the straits and Taylors Creek Cut with a view to securing a depth of 7 feet with suitable width.

And in lieu thereof insert:

Channel from Pamlico Sound near the mouth of Neuse River to Beaufort, N. C., by way of Swan Point, Cedar Island Bay, Thoroughfare Cut, Thoroughfare Bay, Cora Sound, and to run through Mill Point Shoal by Sealevel, across to Piney Point, and touching the wharves of the various communities through the straits and Taylors Creek Cut with a view of securing a depth of 7 feet with suitable width.

The amendment was agreed to.

The next amendment was, on page 50, after line 16, to insert:

Trent River, from Trenton to Tuckahoe Bridge, N. C.

The amendment was agreed to.

The next amendment was, on page 50, after line 18, to insert:

Resurvey of Contentnea Creek, a tributary of the Neuse River, N. C.

The amendment was agreed to.

The next amendment was, on page 50, after line 20, to insert:

Limestone Creek, Duplin County, N. C.

The amendment was agreed to.

The next amendment was, on page 51, after line 22, to insert:

Preliminary survey and examination of Shem Creek, from Hog Island Channel, S. C.

The amendment was agreed to.

The next amendment was, on page 52, after line 24, to insert:

Flint River, Ga., to Montezuma, Ga.

The amendment was agreed to.

The next amendment was, on page 54, after line 8, to insert:

From the mouth of the St. Marys River on the Atlantic Ocean.

The amendment was agreed to.

The next amendment was, on page 54, after line 21, to insert:

Alafia River, Fla., to connect Government channel in Hillsboro Bay with said river.

The amendment was agreed to.

The next amendment was, on page 55, after line 17, to insert:

Channel from Pensacola Bay, Fla., into Bayou Chico.

The amendment was agreed to.

The next amendment was, on page 55, after line 22, to insert:

Waterway from Choctawhatchee Bay to West Bay, Fla.

The amendment was agreed to.

The next amendment was, on page 56, after line 5, to insert:

Upper St. Johns River, Fla., from Lake Harney to Lake Washington, with a view to securing a navigable channel of suitable depth and width together with its incidental effect on flood control.

The amendment was agreed to.

The next amendment was, at the top of page 57, to insert:

Kissimmee River, Fla., from Kissimmee to Fort Bassenger; and from Fort Bassenger to Lake Okeechobee, with a view to its improvement for the purposes of navigation together with its effect on flood control.

The amendment was agreed to.

The next amendment was, on page 57, after line 4, to insert:

Channel 30 feet deep at mean low water and 500 feet wide extending north or northeastwardly from present channel in Pensacola Harbor to a point on the established Government pierhead line opposite the piers of the St. Louis-San Francisco Railway Co.

The amendment was agreed to.

The next amendment was, on page 57, after line 18, to insert:

Sunflower River, Miss.

The amendment was agreed to.

The next amendment was, on page 57, after line 19, to insert:

Quiner River, Miss.

The amendment was agreed to.

The next amendment was, on page 57, after line 20, to insert:

Steeles Bayou, Miss.

The amendment was agreed to.

The next amendment was, on page 57, after line 21, to insert:

Deer Creek, Miss.

The amendment was agreed to.

The next amendment was, on page 57, line 24, after the name "Back Bay," to insert "of Biloxi," so as to read:

Back Bay of Biloxi, Miss.

The amendment was agreed to.

The next amendment was, on page 58, line 3, after the name "Alabama," to strike out the comma and "with a view to removing obstructions," so as to read:

Mobile River, Ala.

The amendment was agreed to.

The next amendment was, on page 58, after line 5, to insert:

Chickasaw Creek, Mobile County, Ala.

The amendment was agreed to.

The next amendment was, on page 58, at the beginning of line 7, to insert "Bayou La Batre," so as to read:

Bayou La Batre, Bayou Plaquemine Brule, La.

The amendment was agreed to.

The next amendment was, on page 58, after line 21, to strike out:

Lake Charles Deep Water Channel, La., with a view to maintaining said channel to its enlarged dimensions.

And in lieu thereof to insert:

Lake Charles Deep Water Channel, La., with a view to reporting the amount of funds heretofore furnished by local interests for such water way and as to the advisability of the United States Government reimbursing the local interests for all or any part of the funds so contributed.

Mr. VANDENBERG. Mr. President, we have been running over a number of amendments against which I voted in committee because of my own very profound belief that they establish dangerous precedents. I intend to address myself to that

subject upon the final passage of the bill; but I want particularly to call attention to the extreme danger in the very simple and innocent amendment now pending and the amendment on page 59, seeking a survey and a report upon the amount of funds heretofore furnished by local interests, and a survey looking to the advisability of the reimbursement of these local contributions.

Mr. President, we have proceeded for years on the theory of local contributions in the building of our rivers and harbors bills. If we are ever going to undertake to turn back and in any degree establish the principle of general reimbursement, there will not be any money left for any new projects whatever in the very near future. I think it is an exceedingly dangerous precedent. It was flatly rejected by the House of Representatives Rivers and Harbors Committee, and I think it is in direct contravention of sound practice.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 59, after line 22, to insert:

Sabine-Neches Waterway, Texas, with a view to reporting the amount of funds heretofore furnished by local interests for such waterway and as to the advisability of the United States Government reimbursing the local interests for all or any part of the funds to be contributed.

Mr. SHEPPARD. Mr. President, there is a typographical error in line 3, page 60. The words "to be" should be stricken out, and the word "so" inserted in lieu thereof.

The VICE PRESIDENT. Without objection, the amendment to the amendment will be agreed to.

The amendment, as amended, was agreed to.

The next amendment was, on page 60, after line 7, to insert:

Aransas Pass: Corpus Christi Channel, Tex., from Corpus Christi Breakwater to shore line of Corpus Christi Bay.

The amendment was agreed to.

The next amendment was, on page 60, after line 10, to insert:

Houston Ship Channel, examination and survey for further improvement by deepening, widening, or otherwise to meet requirements of present and prospective commerce.

The amendment was agreed to.

The next amendment was, on page 60, after line 13, to insert:

Channel and turning basin between Houston Ship Channel, Tex., and Barbour Terminals.

The amendment was agreed to.

The next amendment was, on page 61, after line 7, to insert:

Red River, Ark., Okla., and Tex., from Fulton, Ark., to mouth of Washita River, Okla.

The amendment was agreed to.

The next amendment was, on page 61, after line 21, to insert:

Louisiana and Texas Intracoastal Waterway from Corpus Christi to the Rio Grande Valley.

The amendment was agreed to.

Mr. JONES. Mr. President, I desire to join with the Senator from Michigan [Mr. VANDENBERG] with reference to the two amendments he referred to a moment ago. I did not know that any such amendments were in the bill. I do not think we want to begin the practice of reimbursing contributions heretofore made in the river and harbor matters. I hope, therefore, that we shall have a separate vote on this matter later.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 68, after line 10, to insert:

Port of San Francisco east of Belmont, South San Francisco Bay, Calif.

The amendment was agreed to.

The next amendment was, on page 68, after line 12, to insert:

Middle River, Calif., from the Santa Fe Railroad at Middle River to Latham Slough; Latham Slough, from Empire Cut to Middle River; Turner Cut, from San Joaquin River to Whiskey Slough; and Whiskey Slough, from Turner Cut to Empire Cut, so as to provide a depth of 9 feet and a width of 100 feet, and to clear at least 50 feet on both sides of the channel of all sunken vessels, débris, and shoals which might in any way endanger navigation on these streams.

The amendment was agreed to.

The next amendment was, on page 69, after line 12, to insert:

Coquille River, Oreg., with a view to determining the advisability of providing for navigation, in connection with power development, control of floods, and the needs of irrigation.

The amendment was agreed to.

The next amendment was, on page 69, after line 16, to insert:

Yaquina Bay and entrance.

The amendment was agreed to.

The next amendment was, on page 69, after line 17, to insert:

The Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of the harbor at Port Orford, Oreg. The cost of such examination and survey shall be paid from appropriations heretofore or hereafter made for examinations and surveys.

The amendment was agreed to.

The next amendment was, on page 69, after line 22, to insert:

Lewis and Clark River, and the lower harbor of Astoria, Oreg.

The amendment was agreed to.

Mr. COUZENS. Mr. President, I desire to enter a motion to reconsider the amendment just approved of and have it go on record, because it involves the same precedent that the Senator from Washington [Mr. JONES] and the Senator from Michigan [Mr. VANDENBERG] have raised with respect to reimbursing contributions already made.

The VICE PRESIDENT. The Senator moves to reconsider the votes whereby the two amendments previously adopted were agreed to.

Mr. COUZENS. I make a motion for reconsideration.

The VICE PRESIDENT. Without objection, the motion of the Senator from Michigan will be entered, to be taken up later.

The reading of the bill was resumed.

The next amendment was, on page 70, after line 6, to insert:

Multnomah Channel, Oreg.

The amendment was agreed to.

The next amendment was, on page 70, after line 7, to insert:

The Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of the Willamette River, Oreg., from Portland to Eugene, with a view to improving the said river to the extent necessary to make it navigable between said points. The cost of such examination and survey shall be paid from appropriations heretofore or hereafter made for examinations and surveys.

Mr. COUZENS. That is the same sort of an amendment. I raise the same question with respect to that, and include that in my proposal to reconsider.

The VICE PRESIDENT. The motion will be entered and argued when the other motion is considered.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 70, after line 15, to insert:

Intercoastal waterway from the mouth of Columbia River to Puget Sound by way of Shoal Water Bay and Grays Harbor, Wash.

The amendment was agreed to.

The next amendment was, on page 70, line 26, after the name "Port Ludlow," to insert "Harbor," so as to read:

Port Ludlow Harbor, Wash., and vicinity.

The amendment was agreed to.

The next amendment was, on page 71, after line 2, to insert:

Lake Washington Canal and waterway from the locks to and into Lake Washington, Wash., with a view to widening and deepening the channel.

The amendment was agreed to.

The next amendment was, on page 71, after line 5, to insert:

Channel from Puget Sound into Lake Crockett, Wash.

The amendment was agreed to.

The next amendment was, on page 71, line 10, after the name "Port Gamble Harbor," to insert "and vicinity," so as to read:

Port Gamble Harbor and vicinity, Washington.

The amendment was agreed to.

The next amendment was, on page 72, line 7, after the word "from," to insert "Northeast Bight," and in line 8, after the word "to," to insert "Sanborn Harbor," so as to make the paragraph read:

Isthmus south of Wedge Cape, Nagai Island, Alaska, with a view to dredging a channel from Northeast Bight, East Nagai Strait, to Sanborn Harbor, West Nagai Strait.

The amendment was agreed to.

The next amendment was, on page 72, after line 22, to strike out:

Survey for an interoceanic canal in Nicaragua.

Mr. JOHNSON. Mr. President, on line 23 the amendment was made under a misapprehension by the Commerce Committee. I should like to have that amendment rejected, because I am advised by the engineers that there is a certain sum of money on hand at the present time that is being utilized in a Nicaraguan survey and that without this authorization they will be unable to utilize it. So I should like to have the amendment rejected.

Mr. McKELLAR. That is entirely true; and it is necessary that the authorization should be made.

Mr. DILL. What is this amendment?

The VICE PRESIDENT. Let the amendment be stated.

The CHIEF CLERK. On page 72, line 23, the committee proposes to strike out "Survey for an interoceanic canal in Nicaragua."

Mr. DILL. What is the necessity of any additional legislation. We had a great fight here last year about this matter.

Mr. JOHNSON. The only reason is that it is doubtful whether or not the small sum of money that is to be utilized in the survey there can be used without the authorization for its use.

Mr. DILL. We passed a bill through the Senate authorizing it.

Mr. JOHNSON. Quite true.

Mr. DILL. Is this an authorization to spend some more money on the survey down there?

Mr. JOHNSON. No; it is an authorization to spend the money that has already been appropriated; that is all.

Mr. DILL. But is it not a fact that the engineers are already down there at work?

Mr. JOHNSON. Yes; and the engineers fear that striking out this authorization might interfere with their ability to utilize the appropriation.

Mr. DILL. There has been no objection raised by the Comptroller General up to this time, has there?

Mr. JOHNSON. There has been the authorization, as I understand. Now we strike the authorization from the bill.

Mr. DILL. But the authorization never was a part of this bill. The authorization was put through in a special bill, reported here by the Interoceanic Canals Committee and urged by the then Senator from New Jersey, Mr. Edge. I do not see why it needs to be dragged into this bill.

Mr. JOHNSON. That is quite true, and we thought exactly the same thing; but after this language was stricken out the engineers feared that they would be stopped in the use of the money that had been appropriated, and asked that it be reinserted.

Mr. DILL. But the fact is——

Mr. JOHNSON. I have not any interest in the matter, and if the Senator wants to continue to strike it out I am perfectly willing. I am simply suggesting what has been suggested to me by the United States engineers.

Mr. DILL. The objection I have is that I do not want to put in this bill an additional authorization to appropriate money in the future. The original authorization was made by a special bill that came out of the Interoceanic Canals Committee.

Mr. JOHNSON. I quite agree; and there is no intention of an additional authorization.

Mr. DILL. But in fact there is an additional authorization by this language. I think it is a serious mistake to attempt now to cover into this bill an authorization for more work on the Nicaragua canal when we have not had a report from the special authorization of the bill that was passed here last spring.

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

Mr. DILL. I yield.

Mr. JOHNSON. Will the Senator let the matter pass until to-morrow? Then doubtless we can bring out an adequate explanation of the matter?

Mr. DILL. Very well.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

Mr. McKELLAR. Mr. President, just one moment. I think this is the proper time to state what the facts are.

That survey is being made now. The engineers are all down there. That appropriation will lapse after July 1, in the view of the engineers, unless there is an authorization to use it. That is their opinion. I have my doubts about it; but surely the Senator would not want to bring those engineers back home before they have finished their job. They have not spent all the money that has been appropriated. This language merely authorizes the expenditure of that money. It ought to be done; and I hope the Senate will vote down this amendment.

Mr. JONES. Mr. President, I desire to suggest to the Senator that this is not an appropriation at all.

Mr. McKELLAR. Why, no; of course, not.

Mr. JONES. And this does not lapse with the 1st of July.

Mr. McKELLAR. This does not lapse; but the appropriation already made would lapse on the 1st of July unless there is an authorization.

Mr. JONES. But this would not prevent the appropriation from lapsing at all. The appropriation would lapse unless reappropriated.

Mr. DILL. Why, of course.

Mr. JONES. This would not stop its lapsing at all.

Mr. McKELLAR. No; it would probably have to be reappropriated in the deficiency bill.

Mr. DILL. There is not anything in this bill about the appropriation that has already been made. The truth of the matter is that this is an authorization for the survey of the Nicaraguan canal under this new bill. It has nothing to do with the bill we passed last spring. We passed a bill authorizing that this investigation and survey be made, and an appropriation was made. If that appropriation is going to lapse, nothing we put into this authorization bill would continue it, and that is not the purpose of it at all. The purpose of it is to get the survey of the Nicaraguan canal under the rivers and harbors bill. It does not belong there, and it ought not to be put into this bill.

The VICE PRESIDENT. Without objection, the amendment will go over.

Mr. McNARY. Mr. President, I ask unanimous consent to recur to page 70, where there is provision for a survey, which was like all the others, which I think the Senator from Michigan misunderstood. I think the Senator asked that the vote be reconsidered.

The VICE PRESIDENT. The Senator simply entered a motion to that effect.

Mr. COUZENS. Mr. President, with respect to the amendment on page 70, referred to by the Senator from Oregon, I withdraw my motion to reconsider the vote by which the amendment was agreed to.

Mr. McNARY. I thank the Senator.

The VICE PRESIDENT. Is there objection to the withdrawal of the motion? The Chair hears none, and the motion is withdrawn.

The next amendment was, on page 80, line 6, after the word "appropriations," to insert "heretofore or hereafter," and in line 9, after the word "law," to insert "and with section 8 of the merchant marine act, approved June 5, 1920," so as to make the paragraph read:

The Chief of Engineers is hereby authorized to have printed a further edition of the report entitled "Transportation in the Mississippi and Ohio Valleys," prepared by the Board of Engineers for Rivers and Harbors in cooperation with the United States Shipping Board under authority of section 500 of the transportation act approved February 28, 1920 (to be brought down as nearly as possible to date), to be paid for from appropriations heretofore or hereafter made by Congress for the improvement of rivers and harbors; and the cost of printing such other reports and data as are prepared in compliance with that law and with section 8 of the merchant marine act, approved June 5, 1920 (not exceeding $35,000 in any one year), may be paid from similar appropriations.

The amendment was agreed to.

Mr. FESS. Mr. President, I call the attention of the chairman of the committee to page 63, line 23, where the phraseology is "Miami River." There are two Miami Rivers in Ohio. This refers to the Great Miami, and it ought to be amended by the insertion of the word "Great."

Mr. JOHNSON. I have no objection.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 63, line 23, before the word "Miami," to insert the word "Great," so as to read:

Great Miami River, Ohio.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I submit an amendment to the amendment found on page 54, line 9, to complete the sentence.

The VICE PRESIDENT. Without objection, the vote by which the amendment was agreed to is reconsidered and the amendment to the amendment will be stated.

The CHIEF CLERK. On page 54, line 9, after the word "Ocean" and before the period, to insert the words "waterway for barge traffic to connect with the proposed Gulf intracoastal waterway by the most practicable route."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SHEPPARD. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. The amendment will be stated.

Mr. McNARY. The Senator does not desire to have the amendment considered this afternoon, does he?

Mr. SHEPPARD. It is an amendment to the survey section.

Mr. McNARY. An individual amendment?

Mr. SHEPPARD. An individual amendment.

Mr. McNARY. The Senate gave its consent to the consideration of committee amendments only, and the chairman of the committee would rather complete consideration of one amendment that has gone over until to-morrow before taking up individual amendments.

Mr. SHEPPARD. I was under the impression that we had finished with the committee amendments. I withdraw my amendment for the present.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9110) for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TEMPLE, Mr. FISH, and Mr. LINTHICUM were appointed managers on the part of the House at the conference.

### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble;

S. 969. An act for the relief of Edna B. Erskine;

S. 1447. An act for the relief of Pasquale Iannacone;

S. 1469. An act to quitclaim certain lands in Santa Fe County, N. Mex.;

S. 2371. An act to provide for the appointment of two additional justices of the Supreme Court of the District of Columbia;

S. 3784. An act for the relief of John Marks, alias John Bell;

S. 3866. An act for the relief of Joseph N. Marin;

S. 3939. An act to authorize the appointment of two additional justices of the Court of Appeals of the District of Columbia;

S. 4050. An act to confer full rights of citizenship upon the Cherokee Indians resident in the State of North Carolina, and for other purposes;

S. 4140. An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes;

S. 4583. An act to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872; and

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

### REORGANIZATION OF THE FEDERAL POWER COMMISSION

Mr. COUZENS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3619) entitled "An act to reorganize the Federal Power Commission," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

Page 3, line 7, of the engrossed House amendment, change the word "session" to read "sessions."

Page 3, line 14, of the engrossed House amendment, insert the words "a solicitor," after the comma following the word "counsel."

Page 3, line 18, of the engrossed House amendment, change the word "classificaton" to read "classification."

Page 5, section 4, of the engrossed House amendment, strike out said section 4 and insert in lieu thereof the following:

"SEC. 4. This act shall be held to reorganize the Federal Power Commission, created by the Federal water power act, and said Federal water power act shall remain in full force and effect, as herein amended; and no regulations, actions, investigations, or other proceedings under the Federal water power act existing or pending at the time of the approval of this act shall abate or otherwise be affected by reasons of the provisions of this act."

And the House agree to the same.

JAMES COUZENS,
JAMES E. WATSON,
KEY PITTMAN,
*Managers on the part of the Senate.*

JAMES S. PARKER,
HOMER HOCH,
SAM RAYBURN,
*Managers on the part of the House.*

Mr. DILL. Mr. President, what is the meaning of the agreement?

Mr. COUZENS. The meaning of this conference report is that the Senate conferees receded from the position of the Senate in providing for three commissioners and agreed to the House provision for five commissioners. The House receded from its provision for a solicitor.

Mr. DILL. Has the Senator conferred with the junior Senator from Montana [Mr. WHEELER] about this matter?

Mr. COUZENS. I have not. I have received no request that I confer with any Senator.

Mr. DILL. I do not want to object, but I take it that if in the morning the Senator from Montana should have any objection the Senator from Michigan would not object to a reconsideration?

Mr. COUZENS. That is satisfactory.

The report was agreed to.

### AMERICA'S SERVICE

Mr. SHEPPARD. Mr. President, I ask to have printed in the RECORD a poem by Robert Baker, a former Member of Congress.

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

AMERICA'S SERVICE

O'er Atlantic's billowed waters,
Though the way was dark and drear,
Came the Pilgrim sons and daughters,
Led of God, untouched by fear.

This America's beginning,
Here her glorious work began.
Through great sacrifices winning
Broader love for God and man.

With the centuries that followed
Came the strength to serve the world,
And when men for freedom struggled
Stars and Stripes were then unfurled.

Freedom's torch held ever higher,
With its far-flung world-seen light,
The brave and noble does inspire
To end tyranny's dark night.

Then all peoples, nations, brothers,
Freed now from oppression's rod,
Live in peace and love with others,
Children of one Father—God.

—ROBERT BAKER,
*Democratic Member of the Fifty-eighth Congress.*

### THE TARIFF

Mr. SIMMONS. Mr. President, I ask unanimous consent for the printing in the RECORD of a thorough study of all the items in the Hawley-Smoot bill relating to agriculture, showing the possible or probable effect upon agriculture of the increases or decreases.

This study is one made by one of the most outstanding experts in the United States, a man who is acknowledged by the Committee on Finance to be a reliable and thoroughly competent and trustworthy expert and man.

I have not had opportunity myself to look over this study, which is rather lengthy, but I wish to have it printed in the RECORD.

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

*Duties upon principal agricultural articles increased by new tariff*

| Item | Tariff No. | Present duty | New duty | Production, 1928 | Imports, 1928 | Exports, 1928 | Import value, 1928 | Effect |
|---|---|---|---|---|---|---|---|---|
| Soybean oil | 54 | 7½¢ lb | 3½¢ lb.; not less than 45% ad valorem. | 4,715,908 lbs | 12,587,150 lbs | 7,142,097 lbs | 6.2¢ lb | As this oil is too dear for soapmaking, and not good enough as a substitute for linseed oil, its use will be much decreased, and instead of being dearer, will be excluded from import. (No benefit to agriculture). |
| Olive oil, entering with weight of container, less than 40 lbs. | 53 | do | 9½¢ lb | 1,438,017 lbs | 49,265,513 lbs | | 18.5¢ lb | If this oil is imported in bulk, the duty is only 6½¢ per lb. There is no competition with the California oil, and the effect will be to bring more in in bulk, and to add to the consumer's cost. (No benefit to agriculture.) |
| Turpentine: | | | | | | | | |
| Spirits of | 90 | Free | 10% ad valorem | 35,396,471 gals | 342,528 gals<br>$170,756 | 13,549,570<br>$7,199,460 | 49.8¢ gal | There is no competition. (No benefit to agriculture.) |
| Gum | 90 | do | do | 1,200,000,000 lbs | 108,890 lbs<br>$9,119 | Not available | 12.5¢ lb | |
| Rosin | 90 | do | 5% | 1,052,740,000 lbs | 2,087,601 lbs<br>$83,462 | 589,096,500<br>$17,616,680 | 4.0¢ lb | No competition. (No effect on agriculture or price.) |
| Wood tar and pitch of wood and tar oil from wood. | 97 | do | 1¢ lb | 8,900,347 gals | 14,577 bbls | 21,067 bbls | | Production has increased materially from 1921. Imports have decreased very much from 1926. The source of supply: Poland and Danzig. Price decreased in 1928. No real competition and no effect upon agriculture. |
| Maple sugar | 503 | 4¢ lb | 8¢ lb | 2,388,000 lbs | 6,954,530 lbs | | 17.1¢ lb | Tariff commission made an investigation as to the cost of production in U. S. and in Canada in 1925. To equalize this cost, a duty of 5½¢ per lb. on sugar and 3.55¢ a pound on sirup was needed. The imports for 1928 seem to agree with this as the imports of sugar were large and of sirup small. The probable effect will be to increase the cost to the consumer. |
| Maple sirup | 503 | do | 5½¢ lb | 3,013,000 lbs | 398,644 lbs | | 13.3¢ lb | |
| Wrapper tobacco (unstemmed). | 601 | $2.10 lb | $2.27½ lb | 11,166,000 lbs | 5,879,104 lbs. (195,986 lbs. Cuba). | | $2.13 lb<br>$2.13 lb | The present duty is from twice to four times the total cost of production of the domestic wrapper. The effect will be to reduce the manufacture of the 5¢ cigar and to reduce the price of the poorer grade of domestic wrapper, as well as the price and amount grown of the domestic filler and binder tobacco, as there will be fewer cigars used, so less tobacco used. |
| Cattle: | | | | | | | | |
| Weighing less than—<br>700 lbs | 701 | 1½¢ lb | 2½¢ lb | 12,425,000 cattle slaughtered. On farms, cattle and calves, 55,696,000. | 528,989 head, cattle and calves. | 11,267 head | $38.70 | This increase will bear heaviest upon our imports of cattle from Canada, which are heavier and better than the small inferior cattle from Mexico. The increased price of cattle has reduced the consumption and this will still further reduce the number consumed, with very little profit, if any, to agriculture. Since 1919 the production has not kept pace with the consumption, despite large increases in cost. About 25% to 30% of the beef consumed comes from dairy herds as does practically all of the veal. |
| 700 lbs. to 1,050 | | 1½¢ lb | 3¢ lb | | | | | |
| Weighing 1,050 lbs. or more. | | 2¢ lb | 3¢ lb | | | | | |
| Sheep, lambs, and goats | 702 | $2 ea | $3 ea | Sheep and lambs slaughtered: 1927, 16,589,000 on farms. 1928, 44,545,000. | 21,802 sheep and lambs. | Average 1922 to 1928, 14,863. | $8.62 ea | The number on farms in the United States has slowly increased from 37,452,000 in 1921 to 44,545,000 in 1928. The price also has slowly increased from $5.10 per 100 lbs. in 1921 to $6.80 in 1927, for sheep. The effect of the tariff will be small, probably the price will continue to increase slightly with inferior meat, as the duty on wool will tend to increase the wool sheep at the cost of food sheep. |
| Meat, fresh, chilled or frozen: | | | | | | | | |
| Mutton | 702 | 2½¢ lb | 5¢ lb | 645,000,000 lbs | 834,699 lbs | Average 1919–1928, 2,389,322 lbs. | 8.4¢ lb | |
| Lamb | 702 | 4¢ lb | 7¢ lb | | 2,447,729 lbs | | 17.9¢ lb | |
| Swine | 703 | 2¢ lb | 2¢ lb | Slaughtered 1927, 69,250,000; on farms 1928, 58,969,000. | 10,170,916 lbs. Estimated number 50,855. | Average number, 1919 to 1928, 60,000. | 9.8¢ lb | The increase in duty will have no effect whatever upon the domestic industry. Our imports are of high-grade pigs and pork, and certain products desired by our people because of taste. The effect upon agriculture will be nil. |
| Fresh pork | 703 | 2½¢ lb | 2½¢ lb | 1927, 8,533,000,000 lbs. | 7,681,653 | Average 10 yrs., 28,800,000 lbs. | 19.2¢ | |
| Pork, prepared or preserved (hams, etc.). | 703 | 2¢ lb | 3¼¢ lb | 3,296,000,000 lbs. (1925). | 2,536,750 lbs | 289,834,000 lbs | 35.5¢ lb | |
| Lard | 703 | 1¢ lb | 3¢ lb | 2.356,000,000 lbs. (1927). | Average, 1923 to 1927, 34,274 lbs. | 783,000,000 lbs | | |
| Lard compounds | 703 | 4¢ lb | 5¢ lb | 1,129,000,000 lbs. (1925). | 137,098 lbs | 5,000,000 lbs | | |
| Meats, n. s. p. f. | 706 | 20% | 6¢ lb. but not less than 20%. | 1,838,000,000 lbs. (1925). | 880,834 lbs | 58,000,000 lbs | 11.4¢ lb | The only change made was to increase the duty from 20% ad valorem to over 52%, based upon 1928 imports, and over 69% on 1927 imports. The principal imports are of canned or prepared meats, sausage, etc. The effect upon agriculture will be nil, while the packers may benefit to some degree by a prohibitive rate. |
| Milk | 707 | | | | | | | The only possible source of fresh milk importation is Province of Ontario and Quebec. The Tariff Commission information is that it costs from 25¢ to 26¢ per gallon to produce milk in New York and Vermont; and 21.2¢ in Canada. The import price of our milk from Canada in 1927 was 16.7¢ per gallon and in 1929, 17.4¢, never as much as 20¢ since 1921. Our imports in 1928 were about 1 gallon out of every 2,400 gallons produced, or about 1/24 of one per cent, and less in 1929. About 60% of this enters the United States during the 5 months beginning with May. About 60% is used for condensed milk; 37% goes to New York City, and 3% to Boston—places in the greatest need of fresh milk. |
| Whole— | | | | | | | | |
| Fresh | | 3¼¢ gal | 6½¢ gal | 14,070,000,000 gal. (1926) | 5,499,424 gals | 124,610,000 gals | 17.4¢ gal | |
| Sour | | 1¢ gal | do | | 4,165,000 gals., 1929 | | | |
| Skimmed | | 2½¢ gal | 2½0¢ gal | | 132,213 gals | | 30.4¢ gal | |
| Buttermilk | | 1¢ gal | do | | 3,620,903 gals | | 162.9¢ gal | |
| Cream | | 30¢ gal | 56⁹⁄₁₀¢ gal | | | | | In June, 1929, the President increased the rate upon whole milk from 2½¢ to 3¼¢ per gallon, and upon cream from 20¢ to 30¢ per gallon, an increase of 30% upon milk and 50¢ upon cream. The new rates, however, are an increase upon the 1922 rates of 160% and 183% respectively. The effect of this upon agriculture will not be felt. The only effect will be to cripple the condensers in the region now supplied by imported milk, placing them at a disadvantage as compared with other domestic condenseries. |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Milk | 708 | | | | | | | |
| Condensed— | | | | | | | | |
| Unsweetened | | 1¢ lb. | 1 9/10¢ lb. | 1,570,000,000 lbs. | 1,192,849 lbs. | 76,788,833 lbs. | 7 3/8¢ lb. | The statistics of imports of these forms of prepared milk seem large, but they are in fact very small as compared with our industry. The total value of the imports for 1928 were $871,035, while our direct exports were valued at $15,130,492, or over $14,000,000 more than our imports, or over seventeen times as valuable as our imports. The imports seldom reach the consumer directly, only through candy or cakes. |
| Sweetened | | 1 1/2¢ lb. | 2 3/4¢ lb. | 343,000,000 lbs. | 1,309,600 lbs. | 38,762,549 lbs. | 8.2¢ lb. | |
| Other | | 1 3/8¢ lb. | 2 53/100¢ lb. | (Included above) | 1,105,315 lbs. | (Included above) | 9.2¢ lb. | |
| Milk, dried: | | | | | | | | |
| Whole | | 3¢ lb. | 6 1/2¢ lb. | 11,464,000 lbs. | 2,998,754 lbs. | 4,015,975 lbs. | 17.5¢ lb. | The effect upon agriculture will not be felt, nor will the consumer be touched unless as an excuse for higher prices. |
| Cream | | 7¢ lb. | 12 1/2¢ lb. | 338,000 lbs. | 11,425 lbs. | | 16¢ lb. | |
| Skim and buttermilk | | 1 1/2¢ lb. | 3¢ lb. | 118,123,000 lbs.; 38,435,000 lbs. | 3,296,893 lbs. (1927) | | 7.2¢ lb. | |
| Malted milk, etc. | | 20% | 35% | 22,116,000 lbs. | 1,809 lbs. | | 25.6¢ lb. | |
| Butter | 709 | 8¢ lb. | 14¢ lb. | 2,097,712,000 lbs. (1927) | 4,334,684 lbs. | 3,898,157 lbs. | 36¢ lb. | In spite of the fact that our imports of butter in 1927 were 0.4 of 1 per cent of our production, and in 1928 were only one-fourth of 1 per cent, and only 436,000 pounds greater than our exports, the President, in 1926, increased the duty on butter, after the Senate in 1924 had requested an investigation as to the cost of production, from 8¢ to 12¢ per pound. The result seems discouraging. The present price of butter is lower than for years, and the Farm Board, this winter has been loaning money to large creameries so as to enable them to withhold their product so as to increase the price of butter made from cream purchased from the farmers at low prices—a help to the manufacturer and not to agriculture. This new rate will not affect agriculture a particle. |
| Oleo. and butter substitutes. | | do | do | 257,157,000 lbs. (1927) | None | 644,565 lbs. | | |
| Cheese | 710 | 5¢ lb.; not less than 25%. | 8¢ lb.; not less than 40%. | 406,686,000 lbs. (1927) | 79,944,234 lbs. | | 30.4¢ lb. | At one time the United States produced an enormous surplus of cheese, especially New York, which State supplied immense quantities to the British consumer. In a spirit of retaliation for high duties imposed by the United States on her products, she instructed her farms in dairying, and especially in cheese making. The United States was driven out of the British market. Our dairymen now find it more profitable to send their milk to the cities or to the creameries and condenseries. This high duty on cheese means nothing whatever to our farmers nor even to our manufacturers, who are imitating the special varieties of European cheeses. The native and the connoisseur will not use the domestic product at any price, while to others cheese is cheese, and they will buy the ordinary varieties at low prices. |
| Do | | President proclamation 1927, Swiss 7 1/2¢; not less than 37 1/2%. | | 18,141,000, all Swiss | 18,584,304 lbs. | 2,599,944 lbs. | 30.4¢ lb. | |
| Birds | 711 | | | | | | | Our imports are decreasing under the present law, and average about one-half of 1 per cent of our present kill. Exports are about 40% of our imports. The further increase of 5¢ per pound is uncalled for and will be of no possible aid to the farmer. The only possible effect will be to give the dealers a further excuse for increasing prices to the consumer. |
| Live (chickens, ducks, geese, guineas and turkeys). | | 3¢ lb. | 8¢ lb. | 230,000,000 birds (1927) | 1,497,187 lbs. | 621,346 lbs. (average 1922 to 1925). | 25.3¢ lb. | |
| Baby chicks | | 4¢ each | | | | | | |
| Birds, dead | 712 | | | | | | | We imported through the port of New York, during a recent year, over 2,500,000 lbs. of dressed turkeys, about 70% from Argentina, 13% from Austria, 10% from Hungary, 4% from Great Britain, 3% from Uruguay. This increase of 66% in duty will not affect the farmer, and means nothing to the consumer. |
| Poultry, fresh, etc. | | 6¢ lb. | 10¢ lb. | 575,000,000 (1927) | $5,811,742 | 4,773,611 lbs. (average 1922 to 1927). | 26.7¢ lb. fresh poultry. | |
| | | | | | | | 34.3¢ lb. fresh geese. | |
| Prepared or preserved. | | 35% | 10¢ lb. | | $304,024 | | 61.2¢ lb. prepared poultry. | |
| | | | | | | | 20.8¢ lb. prepared geese. | |
| Eggs | 713 | | | | | | | The domestic production of eggs is steadily increasing, especially the fall and winter production. During three seasons, the fresh eggs are gradually driving the storage ones from the market. The surplus is now being converted into frozen eggs which are in great favor with bakeries. The duty increase will not be felt by the farmers. We export high-grade eggs in the shell, and import cheaper frozen and dried eggs. The farmer or poultry man will not be affected by this increase in duty. |
| In shell | | 8¢ doz. | 10¢ doz. | 2,162,000,000 doz. (1927) | 286,631 doz. | 20,192,000 doz. | 29.0¢ doz. | |
| Frozen, or otherwise prepared, n. s. p. f. | | | | | | | | |
| Whole eggs | | 6¢ lb. | 8¢ lb. | | 5,349,827 lbs. | 129,000,000 lbs. (egg products). | 17.7¢ lb. | |
| Egg yolks | | do | do | | 2,298,936 lbs. | Evaporated, 303,000 lbs. | 20.1¢ lb. | |
| Albumen, egg | | do | do | | 606,435 lbs. | | 15.8¢ lb. | |
| Buckwheat | 723 | 10¢ per 100 lbs. | 25¢ per 100 lbs. | 13,163,000 bu., of 48 lbs. | 66,000 bu. | 160,545 bu. | $1.81 per 100 lbs. | This product needs no protection, often the price is higher in Canada than the United States. It is used largely on the farm and milled locally, small quantities reaching the markets. The 150% increase in duty means nothing, as our imports are about one-half of 1 per cent of our production, and about 40% of our exports. |
| Corn: | 724 | | | | | | | This is one of the major crops of the United States, and is about 70% of the world's crop. We export about 50 times as much as we import. Any duty thereon can only affect price when the farmer has none to sell. When he has a surplus, or any to sell, the duty can not possibly help him. |
| (Grain, whole or cracked.) | | 15¢ bu. (56 lbs.). | 25¢ bu. | 2,839,959,000 bu. | 574,120 bu.; 9,258 bu. | 25,799,000 bu. | $1.075 bu. | |
| Meal and grits, etc. | | 30¢ per 100 lbs. | 50¢ per 100 lbs. | About 4% of crop | 22,689 lbs. | 72,000 lbs. | $1.45 per 100 lbs. | |
| Oats | 726 | 15¢ bu. (32 lbs.). | 16¢ bu. | 1,449,531,000 bu. | 489,368 bu. | 10,421,056 bu. | 65.5¢ bu. | About 93% of our imports are from Canada, and 7% from Sweden. The Canadian price of oats is often higher than the United States price. Our exports are over 20 times our imports, and our imports are less than 0.04 of 1 per cent of our production. The increase means nothing but a claim that the duty was increased. |
| Rice | 727 | | | | | | | Our total imports for 1928 were valued at $1,212,190, while our total exports were valued at $13,235,000, or over ten times our imports. The total value of the production of our rice-cleaning establishments for the season 1926-27 was $54,000,000, or nearly 50 times our imports. This increased duty is meaningless, except as to uniformity in increasing our duties on all farm products. |
| Paddy | | 1¢ lb. | 1 1/4¢ lb. | 1,232,000,000 lbs. | 3,423,646 lbs. | 288,702,000 lbs. | 4.9¢ lb. | |
| Brown rice | | 1 1/4¢ lb. | 1 1/2¢ lb. | | 2,205,862 lbs. | | 5.3¢ lb. | |
| Milled rice | | 2¢ lb. | 2 1/2¢ lb. | | 20,121,361 lbs. | | 4.3¢ lb. | |
| Broken, etc. | | 1/2¢ lb. | 5/8¢ lb. | | 1,496,470 lbs. | 90,257,000 lbs. | 3.7¢ lb. | |

*Duties upon principal agricultural articles increased by new tariff*—Continued

| Item | Tariff No. | Present duty | New duty | Production, 1928 | Imports, 1928 | Exports, 1928 | Import value, 1928 | Effect |
|---|---|---|---|---|---|---|---|---|
| Wheat | 729 | 30¢ bu.; President's proclamation, April, 1924, 42¢ bu. | 42¢ bu | 871,691,000 bu. (including hard spring wheat, 243,152,000 (1927). | 224,133 | 96,290,418 bu | $1.25 | The duty was increased 40% by the President in 1924, to 42¢ per bushel. This is a prohibitive rate, and the price of wheat is lower now than it has been for several years. In other words, a duty on wheat affects very little the price. No change has been made in the new tariff over the present duty. |
| Bran, shorts, etc | 730 | 15% | 10% | 4,526,736 tons (1925) | 572 tons | 5,077 tons (1927) | $31.40 | The cost of production of these by-products are practically the same in Canada as in the United States, as found by the Tariff Commission. Our imports cost more per ton than our exports, and were very small. The change means nothing. |
| Apricots | 735 | ½¢ lb | 2¢ lb | 50,000,000 lbs. (1927) | 61,978 lbs. (includes all apricots). | 20,913,280 lbs. (1927) | 8.3¢ lb | California practically produces all our dried apricots. The imported are valued at about $5,000, and are negligible. The 300% increase in duty is meaningless and silly. It will not affect price or benefit the farmer. It may be used as an excuse for increasing the price by the dealer. |
| Cherries | 737 | | | | | | | |
| Dried | | 2¢ lb | 6¢ lb | Not known. Statistics as to California for fresh cherries alone available; 34,000,000 lbs. (1927). | Not known. General imports of cherries, 225,169 lbs. (1927). | Not available | 8.8¢ lb | The duty upon dried cherries was increased 200% without any knowledge of the production or importation. This duty was increased solely in the supposed interest of California, although New York, California, and Washington are known to dry cherries. The production and imports are relatively insignificant. This duty is meaningless and will have no effect upon anything other than sentiment. |
| Sulphured, or in brine | | 3¢ lb | 5½¢ lb. or 9½¢ lb | 6,000,000 lbs. (est.) | 10, 955, 345 | | 14. 2¢ lb | Our imports of prepared cherries are small compared with our production. The duty was more than doubled without any knowledge or knowledge of the existing conditions and will have no effect whatever upon farmers. |
| Prepared in any manner, including Maraschino. | | 40% | 9½¢ lb. plus 40% | 20,000,000 lbs. (est.) | 744,693 lbs. (est.) | | 21.2¢ lb | |
| Peels, candied, etc | 739 | | | | | | | Without knowing any facts about the other peels included in the new duties; in spite of our vast production of oranges and lemons, very little of the domestic peel is candied or prepared. The imported peel in brine is used. The new duty will not aid the farmer or orchardist in the least, but will increase the price to the consumer materially. |
| Citron | | 4½¢ lb | 6¢ lb | 1,066,944 lbs. (1927)[1] | 2,952,066 lbs | | 12.8¢ lb | |
| Orange and lemon | | 5¢ lb | 8¢ lb | 1,089,954 lbs. (1927)[1] | 1,747,034 lbs | | 10.4¢ lb | |
| Other peel— | | | | | | | | |
| Crude | | 10% | 2¢ lb | Not known | | | | |
| Candied, etc | | 20% | 8¢ lb | | | | | |
| Figs | 740 | | | | | | | The acreage of bearing figs in California in 1920 was 11,023 acres; in 1927 it was 45,000 acres. In 1930 it is estimated to reach 58,300 acres. This shows that under the present rates of duty this is a very profitable business. The increase of 150% in the duty is not warranted in any way, and will not stimulate the business at all, as it now is growing very rapidly. The poor consumer will suffer at the hands of the dealer. The statistics as to fig paste is not known, but as it is used in our cheapest cakes, the duty must be raised. |
| Fresh, dried or in brine | | 2¢ lb | 5¢ lb | California only 24,000,000 lbs. (1927). | 30,573,354 lbs | | 7.6¢ lb | |
| Fig paste | | 35% | 5¢ lb | | | | | |
| Preserved, n. s. p. f | | do | 40% | Texas alone; 22,000,000 lbs. | 1,363,661 lbs | | 5.6¢ lb | |
| Dates: | | | | | | | | |
| Pitted | 741 | do | 2¢ lb | 500 acres bearing; 2,500 acres not bearing (1928); 1,250,000 lbs. (1927). | 46,422,501 lbs | | 5¢ lb | |
| In packages; less than 10 lbs. each. | | 1¢ unpitted; 35% pitted. | 7½¢ lb | | Included above | | | The principal criticism of our imported dates is their sanitary condition. An industry has arisen here, principally in New York, cleaning, grading, and packing imported dates. This must be protected, and this is the only industry, although not agricultural that is protected by the new tariff. Although our imports of pitted dates and small packages is negligible, the duty on such is made prohibitive. Agriculturists growing dates and the consumer must pay for this increase in duty. |
| Lemons | 743 | 2¢ lb | 2½¢ lb | 525,400,000 lbs | 69,747,436 lbs | 18,570,744 lbs | 3.1¢ | The citrus fruit industry is in little need of higher protection. The domestic fruit dominates the market. As far as lemons are concerned, we produce more than our ordinary consumption, many being used for by-product purposes. The increases in duty are meaningless and will not aid the growers. Limes have been tried, and other fruits found more profitable. |
| Limes | | 1¢ lb | 2¢ lb | 2,051,650 lbs. (1919), 888,000 lbs. (1926). | 5,162,446 lbs | | 2.6¢ | |
| Grapefruit | | do | 1½¢ lb | Florida only, 58,400,000 lbs. | 7,252,297 lbs | Cuban | 5.9¢ lb | |
| | | | | | 391,215 lbs | Elsewhere, 49,601,867 lbs. | | |
| Olives | 744 | | | | | | | California produces our domestic olives, but her crop is of ripe olives. She dominates the market with her ripe olives in brine, and any increase in duty thereon is meaningless, and will have no effect upon her producers. The imports of dried ripe olives during the last two years have increased enormously. The increase in duty of 25% will have little effect upon the industry. |
| Ripe— | | | | | | | | |
| In brine | | 20¢ gal | 30¢ gal | California alone, 4,350,000 gals. (1927). | 237, 716 gals | | 68.1¢ gal | |
| Dried ripe | | 4¢ lb | 5¢ lb | 1929 production; California, estimated, 1,198,000 lbs. | 5,123,252 lbs | | 10.9¢ lb | |
| N. s. p. f | | do | 5¢ lb | | | | | |
| Mangoes | 746 | 35% | 15¢ lb | Florida, 11,197 crates, (1927). | 1925; 889 lbs.; none since. | | | Our imports are negligible, while in 8 years our production has more than doubled. The duty is meaningless and can have no possible effect. |
| Pineapples | 747 | | | | | | | The increase in duty is about 78% in crates and about 56% in bulk. It will give Porto Rico an advantage over Cuba in all that she can produce. Florida formerly produced large quantities, but on account of plant disease, her industry had almost ceased. The large increase of duty means nothing to the American producer, although the consumer will surely feel the effect. |
| In crates | | 22½¢ per 1.96 cu. ft. | 50¢ per 2.45 cu. ft. | Florida, 31,016 crates (1926). Porto Rico, 641,518 crates (1927). | Cuba: 1,201,987 crates; 142,732 number estimated. | | $1.504 crate; 27¢ each. | |
| In bulk | | ¾¢ each | 1⅛¢ each | | 25,032 crates; 8,231 number. | | $1.59 crate; 9.6¢ each. | |

See footnote at end of table.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Plums, prunes, and prunelles. | 748 | | | | | | | |
| Dried, etc. | | 1½¢ lb. | 2¢ lb. | 386,000,000 lbs. | 616,000 lbs. | 200,000,000 lbs. | 6.7¢ lb. | Prunes are produced principally in California and Oregon. We export about 340 times as many prunes as we import, and are now driving foreign prunes out of the market. The increase in duty of 300% is a sample of the new tariff idea. We import less than one-fiftieth of 1 per cent of our production, yet the producers are given this immense, but absolutely futile, increase of 300% in duty. It will of course have no effect upon the producer. |
| Avocados | 750 | 35% | 15¢ lb. | 5,500,000 lbs. (California, 4,000,000; Florida, 1,500,000). | 2,300,000 lbs. (reduced by hurricane, from 5,000,000 lbs.) | | | This is another meaningless duty; 98% of our imports came from Cuba, and are very inferior to the domestic production and sell for less. By treaty these are free. The California industry will more than double under present conditions as the acreage planted in 1928 exceeded the old acreage. In the last four years the California production increased 1,500 per cent. |
| Fruits, candied, etc. | 752 | do | 40% | No data | No data | No data | No data | Nothing is known as to this industry, other than that California and Oregon, as well as five other States, have factories producing it. It is not a farm product but is really confectionery and the new duty taxes it as such. It will not affect the farmers in any way, but the consumer will, of course, pay more for it. |
| Flower bulbs | 753 | | | | | | | The imports of these bulbs is under the authority of the Department of Agriculture. Many are restricted to importation for propagation. The increase of 200% in duty, with these restrictions, means little, although in many lines these bulbs can not be produced in quality equal to the foreign inportation. A duty will not affect the quality of domestic production, so this increase under existing conditions is futile. |
| Tulip | | $2 per M. | $6 per M. | Number: 10,000,000–12,000,000. | Number: 241,790,545 (tulip, lily, narcissus, and lily of the valley). | No data, included in "all other," 4,862,364 (number). | 2.2¢ ea. | |
| Lily | | do | do | 15,000,000 | | | | |
| Narcissus | | do | do | 140,000,000 | | | | |
| Crocus (corms) | | $1 per M. | $2 per M. | 1,000,000 | 18,838,599 | | 1.2¢ ea. | |
| Lily of the valley (pips). | | $2 per M. | $6 per M. | 10,000,000 | | | | |
| Almonds | 756 | | | | | | | The California almond has practically taken the domestic market for unshelled nuts. The confectioners claim that the shelled nuts dry out too quickly, and are unsuitable for their use. They pay more for the imported nuts than is the price for the domestic nuts. The California industry is increasing rapidly. The duty upon peanuts, flavored as almonds, is increased enormously. These increases will not be felt by the farmer. |
| Not shelled | | 4¾¢ lb. | 5½¢ lb. | 27,400,000 lbs. (val. 17¢ lb.). | 1,138,840 lbs. | No data. | 13.9¢ lb. | |
| Shelled | | 14¢ lb. | 16½¢ lb. | 5,000,000 lbs. | 17,483,470 lbs. | | 35.8¢ lb. | |
| Almond substitute | | 35% | 18½¢ lb. | No data | No data; included in n. s. p. f., 358,381 lbs. | No data. | | |
| Chestnuts, candied, etc. | | Free | 25¢ lb. | Practically nil. | No data. | do. | 10.5¢ lb. | The domestic chestnut industry ended with the life of the trees, which were killed by the blight. The increase in duty from free to 25% will not cure this blight nor restore the trees. |
| Brazil nuts | 757 | | | | | | | Brazil, or cream nuts, are not produced in this country. They are very oily and will not keep well if shelled. The duty is increased 50% on the unshelled nuts and 350% upon the shelled. They do not compete directly with any other nut. The increased duty without helping agriculture in the slightest will increase the cost of these nuts to the consumer. |
| Not shelled | | 1¢ lb. | 1½¢ lb. | Not produced in United States. | 21,077,042 lbs. | | 10.2¢ lb. | |
| Shelled | | do | 4½¢ lb. | | 2,959,820 lbs. | | 35.1¢ lb. | |
| Filberts | | | | | | | | Hazel nuts, or filberts, are not much of a crop in the United States, a few being grown in Washington and Oregon. Nevertheless the duty is increased 100%. This will not aid the farmer or grower, but will tend to reduce consumption. |
| Not shelled | | 2½¢ lb. | 5¢ lb. | 400,000 lbs. | 12,743,669 lbs. | | 10.2¢ lb. | |
| Shelled | | 5¢ lb. | 10¢ lb. | | 5,714,665 lbs. | | 17.1¢ lb. | |
| Peanuts | 759 | | | | | | | The increase of duty upon unshelled peanuts of 50% will not be felt by the producers. The new duty is about 94% of the 1928 import price, while the 7¢ duty is over 127% on the shelled nuts. Again, the duty, if really effective, would help the manufacturer at the expense of the producing farmer. This is the case in general with this schedule. The protection to the manufacturer of the agricultural product is greater than to the farmer. |
| Not shelled | | 3¢ lb. | 4¼¢ lb. | 866,822,000 lbs. (1927). | 10,636,643 | 5,419,177 lbs. | 4.5¢ lb. | |
| Shelled | | 4¢ lb. | 7¢ lb. | | 38,891,599 | | 5.5¢ lb. | |
| N. s. p. f. | | 4¢ lb. or 35%. | do. | | Included above. | No data. | | |
| Walnuts | 760 | | | | | | | California produces much the largest part of our crop. She specializes in the unshelled nuts, shelling only the inferior and damaged nuts for market. Their cooperative marketing is of much more advantage than is the tariff to the producer. This 25% increase in duty will not be felt by the producer, being absorbed by the dealers if felt at all. |
| Not shelled | | 4¢ lb. | 5¢ lb. | California crop: 102,000,000 lbs. (1927); 50,000,000 lbs. (1928). | 14,603,239 lbs. | No data. | 12.1¢ lb. | |
| Shelled | | 12¢ lb. | 15¢ lb. | | 18,561,984 lbs. | | 27.5¢ lb. | |
| Pecan nuts | | | | | | | | About 1% of our consumption of pecans is imported, and these principally wild seedlings of inferior quality. The increase of 66⅔% in duty will not affect the producer, as his nut now sells for more than the foreign nut plus the new duty. |
| Unshelled | | 3¢ lb. | 5¢ lb. | 41,972,000 lbs., farm price 17¢ lb. | 476,002 | | 9.2¢ lb. | |
| Shelled | | 6¢ lb. | 10¢ lb. | | 24,568 | | 35.8¢ lb. | |
| Edible nuts, n. s. p. f. | 761 | | | | | | | The bulk of these nuts are cashew nuts, something that is very poisonous until treated. The increase of 400% on these nuts means nothing to our agriculture, but will necessarily be felt by the consumer. |
| Not shelled | | 1¢ lb. | 2½¢ lb. | Not produced in United States. | | None. | | |
| Shelled | | do | 5¢ lb. | | 3,883,000 lbs. | | 22.2¢ | |
| Flaxseed | 762 | 40¢ lb. | 65¢ lb. | About 16.5% of world's production, 27,583,000 bushels (1927). | 17,578,609 bu. | 39,475 bu. | $1.777 bu. | About 50% of our consumption is imported, chiefly from Argentina and to a less degree from Canada. The average price for the 1927 crop was: |

| | Duty to even price |
|---|---|
| Buenos Aires, $1.67 per bu. 56 lbs. | 57¢ |
| Winnipeg, Canada, $1.95 per bu. 56 lbs. | 29¢ |
| Minneapolis, $2.24 per bu. 56 lbs. | |

The August, 1928, quotations were as follows:

| | Duty needed |
|---|---|
| Buenos Aires, $1.63 | 42¢ |
| Winnipeg, $1.82 | 23¢ |
| Minneapolis, $2.05 | |

The duty was made 65¢, much higher than the amount needed to equalize prices. It is doubtful whether the farmer will receive any more aid from the new duty.

*Duties upon principal agricultural articles increased by new tariff*—Continued

| Item | Tariff No. | Present duty | New duty | Production, 1928 | Imports, 1928 | Exports, 1928 | Import value, 1928 | Effect |
|---|---|---|---|---|---|---|---|---|
| Soybeans | 762 | ½¢ lb | 2¢ lb | 8,688,000 bu. (60 lb.) | 70,929 bu | Small | $2.18 | China produces about 167,000,000 bushels per annum. The uses are so great that this bean will be produced in the United States in increasing quantities. It is already displacing cowpeas, because of easier cultivation and handling. The increase in duty of 300% will mean very little, if anything, to the farmer. |
| Grass seeds, etc., alfalfa | 763 | 4¢ lb | 8¢ lb | 51,200,000 lbs. (average, 50,000,000 lbs.). | 650,000 lb | 826,000 lbs. (1929) | 17¢ lb | Exports exceed imports. Very few farms produce these seeds as compared with the very large number who plant them for hay, forage, and soiling crop. The most good to the largest number of farmers would really mean the free importation of most of these seeds. |
| Clover: | | | | | | | | |
| Alsike | | do | do | 25,000,000 (1929) | 6,786,228 lb | | 19.6¢ lb | These increases of from 100% to as high as 3,800% (on bent grass) means an additional burden on over 300 farms for every one farmer growing the seed, and it is very doubtful whether it will help this one. A study of our import statistics of grass seed, despite the much lessened demand for hay and forage due to automobiles, show that actually more such seeds are imported at the present high rates of duty than when they were on the free list. |
| Crimson | 183 | 1¢ lb | 2¢ lb | 300,000 lbs. (1927) | 2,868,870 lbs | | 9.4¢ lb | |
| Red | | 4¢ lb | 8¢ lb | 95,000,000 lbs. (1929) | 5,931,465 lbs | 455,738 | 19.3¢ lb | |
| White | | do | 6¢ lb | 1,200,000 lbs | 2,483,146 lbs | | 19.1¢ lb | |
| Sweet | | 2¢ lb | 4¢ lb | 60,780,000 lbs | 1929, 1,494,000 lbs | | | |
| N. s. p. f | | do | 3¢ lb | Not stated | Not stated | | | |
| Orchard | | do | 5¢ lb | 3,150,000 lbs | 1,251,547 | | 12.4¢ lb | |
| Rye grass | | do | 3¢ lb | 2,500,000 lbs | 1,195,801 | | 7.2¢ lb | The exports of other grass seeds, not including alfalfa, clover, and timothy, for 1927, was 5,659,642 lbs. and for 1928, 5,257,668 lbs. |
| Vetches— | | | | | | | | |
| Hairy | | do | do | 2,500,000 to 4,000,000 lbs. | 3,794,373 lbs | | 6.4¢ lb | |
| Other | | 1¢ lb | 1½¢ lb | | 274,846 lbs | | 4.6¢ lb | |
| Bent grass | | 2¢ lb | 40¢ lb | 150,000 lbs | 533,900 lbs | | | |
| Blue grass | | do | 5¢ lb | 4,500,000 lbs | 1,085,815 lbs | | 11¢ lb | |
| Tall oat grass | | do | do | | | | | |
| Garden and field seeds | 764 | | | | | | | About one-fourth of seed used is grown by home gardens. About 35% of seed used is grown noncommercially. Noncommercial seed, or home grown or home-used seed, amounts to from 30 to 35% of total consumption. This duty will not aid the few western farmers growing these seeds commercially. |
| Cabbage | | 10¢ lb | 12¢ lb | 447,000 lbs. (1923) | 244,675 lbs | | 50.7¢ lb | |
| Radish | | 4¢ lb | 6¢ lb | 743,000 lbs. (1922) | 588,766 lbs | 404,000 (1919) | 16.2¢ lb | |
| Turnip | | do | 5¢ lb | 15,000 lbs. (1922) | 1,526,870 lbs | | 10.7¢ lb | |
| Rutabagas | | do | do | 46,000 lbs. (1922) | 234,201 lbs | | 9.2¢ lb | |
| Beans, n. s. p. f | 765 | | | | | | | The imports of green beans are only seasonable. That is, during the winter, chiefly from Cuba, and are as a rule noncompetitive, until Florida begins to market her early beans. This increase in duty of 600% means nothing. The increase of duty on dried beans will have little or no effect as we import about 8% of our consumption. |
| Green, etc | | ½¢ lb | 3½¢ lb | 294,400,000 | 517,687 lbs<br>3,112,572 Cuba | | 4.6¢ lb<br>3.2¢ lb | |
| Dried | | 1¾¢ lb | 3¢ lb | 995,880,000 lbs | 112,564,380 lbs | About 50% of imports. | 4.5¢ lb | |
| In brine, or preserved | | 2¢ lb | do | | | | | |
| Black-eyed cowpeas: | | | | | | | | We are now including as dried beans, the dark-eyed cowpeas, produced chiefly in California for human consumption. In 1926 black-eyed cowpeas were removed from the free list and made dutiable at 3½¢ per pound. In 1927, Mexico, the source of our import of these beans, prohibited the export of cowpeas. |
| Green | | 25% | 3½¢ lb | | | | | |
| Dried | | 1¾¢ lb | 3¢ lb | | | | | |
| Preserved | | 35% | do | | | | | |
| Sugar beets | 766 | 80¢ per 2,240 lbs. | 80¢ per 2,000 lbs | 7,040,000 tons of 2,000 lbs. | 37,238 tons of 2,240 lbs. | | $6.34 per long ton | Imported from Canada adjacent to the United States beet-sugar factories. The duty means little to the domestic producer and the factories are the gainers by the increased rates. |
| Mushrooms | 768 | | | | | | | The principal form of use of the domestic production is in the fresh form. The domestic canning industry is increasing, and now the domestic canned brings higher prices than does the imported article. Dried are not produced. The duty will not affect the industry. |
| Fresh or dried | | 45% | 10¢ lb. plus 45% | 30,000,000 lbs. annually | 707,245 lbs. dried | | 19.4¢ lb | |
| Prepared, etc | | do | do | | 5,511,284 canned | | 76.4¢ lb | |
| Peas | 769 | | | | | | | The green or unripe peas imported are seasonable imports, from Mexico or a few from Canada, before we can produce them in the winter or spring, or after our production is ended in the hot summer. The duty as imposed means nothing to our producers, simply increasing the cost to the consumer. Our imports of dried peas are small as compared with our production. |
| Green or unripe | | 1¢ lb | 3¢ lb | 554,000,000 lbs | 14,325,528 lbs | | 5¢ lb | |
| Dried | | do | 1¾¢ lb | 3,660,000 bu. 60 lbs | 203,790 bu. (60 lbs.) | | $2.31 bu | |
| Split | | 1½¢ lb | 2½¢ lb | 189,700 bu. (1925) | 20,305 bu | | $2.60 bu | |
| Onions | 770 | do | do | 1,084,425,000, value 21¢ lb. | 125,311,910 lbs | 31,500,000 lbs | 2.1¢ lb | The Tariff Commission made an investigation of the cost of production of onions, and based thereon the President, January 21, 1929, increased the duty to 1½¢ per lb. to equal this difference. The new tariff rate, notwithstanding, is made 2½¢, or an increase of 67%. It will have no effect upon the United States producer. |
| Garlic | | 2¢ lb | 1½¢ lb | Very small | 5,930,296 | | 4.6¢ lb | There is no commercial domestic production of garlic. Used practically all by foreigners. Duty means nothing and reduction means loss. |
| Potatoes: White or Irish | 771 | 50¢ per 100 lbs. | 75¢ per 100 lbs | 462,943,000 bu. (60 lbs. to the bu.) or 277,765,800 100 lbs. | 1,872,959 (100 lbs.) | 1,618,990 (100 lbs.) | $1.485 per 100 lbs | Potatoes are a bulky crop, and our imports are chiefly from Canada. The imports fluctuate, depending upon our crop. If this is large, we import very small quantities, while if it is small, we import large quantities. That is, the duty works the wrong way. When we have plenty, the duty is ineffective; when we have none to protect, the duty, of course, protects nothing and simply adds to the cost to the consumer. The duty means nothing. Under the present rate we collected duty as low as $127,285 in 1924, and as high as $8,200,000 in 1926. |
| Tomatoes | 772 | | | | | | | Our imports are seasonable, when we have none or only a few from the extreme South. Mexico sends 80%; Cuba, 12%; and Bahamas, 7% of our total imports. The duty again acts the wrong way, working when we produce none and not needed when we are producing. It means nothing and will not aid the producers except to a small extent in Florida, Mississippi, California, and Texas. |
| Natural state | | ½¢ lb | 3¢ lb | 885,920,000 lbs. Average price 3.1¢ lb. | 96,076,245 lbs<br>23,932,290 lbs | No data<br>Cuba | 3.2¢ lb<br>3.3¢ lb | |
| Prepared or preserved | | 15% | 40% | | | | | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Turnips (and rutabagas) | 773 | 12¢ per 100 lbs. | 20¢ per 100 lbs. | No record, but about 1,500 car loads are shipped annually, or about 60,000,000 lbs. The total production is immeasurably great. | 150,425,232 lbs. | | 60¢ per 100 lbs. | Our principal imports are rutabagas or Swedish turnip, from Canada. They do not come into our market in large quantities at the same time as the domestic production. Again, they are a bulky and cheap article, transportation is expensive and acts as an additional duty. Millions of bushels are grown by our farmers of which no record is kept. The duty means nothing to the farmer. |
| Vegetables in their natural state. | 774 | | | | | | | These fresh vegetables are chiefly imported during winter and early spring, and can not be said to be really competitive. The increase as a rule is much over 50% and can not aid our farmers or gardeners except possibly in the extreme South. The reason for the imposition of such a duty was the difficulty to find the cultural articles upon which a duty can be imposed, so these duties, immaterial of their futility, were chosen. |
| Peppers | | 25% | 3¢ lb. | 4,418,000 bu. | United States imports of all fresh vegetables, except cabbage. | | | |
| Egg plant | | do | do | 896,000 bu. | 40,235,311 lbs. | | 3.7¢ lb. | |
| Cucumbers | | do | do | 8,535,000 bu. | 13,417,431 lbs. (Cuba). | | do. | |
| Squash | | do | 2¢ lb. | | | | | |
| Celery | | do | do | 7,173,000 crates. | | | | |
| Lettuce | | do | do | 18,589,000 crates. | | | | |
| Cabbage | | do | do | 19,538,000 lbs. | 3,198,175 lbs. | | 1.4¢ lb. | |
| Horseradish | | Free | 3¢ lb. | | | | | |
| All other, n. s. p. f. | | 25% | 50% | | | | | |
| Vegetables, etc. | 775 | | | | | | | There are no statistics of the trade in these two articles, and without any information as to imports, prices, or competition, the duties were much increased, about 45% on sauerkraut, and materially upon pimentos. Sauerkraut is made largely from unsalable or surplus cabbage, and not commercially by the farmers. These increases of duty are meaningless. |
| Sauerkraut | | 35% | 50% | $2,974,000 | Small. | | | |
| Pimentos (in brine, oil, or preserved, etc.). | | do | 6¢ lb. | 1925, $4,573,844 | | | | |
| Chicory | 776 | | | | | | | Chicory is used as an adulterant for coffee, and coffee so adulterated is labeled and is sold principally in the Southern States, especially Louisiana. The duty means nothing to the farmer. The imports are decreasing. |
| Crude | | 1½¢ lb. | 2¢ lb. | 18,196,000 lb. | 197,830 lbs., including acorns and dandelion root. | | 10.8¢ lb. | |
| Acorns, chicory, and dandelion root, ground or prepared. | | 3¢ lb. | 4¢ lb. | No statistics. | 1,090,860. | | 4.4¢ lb. | |
| Chocolate | | 777 | | | | | | This is not an agricultural product, as none is produced in the United States. It is a purely manufactured product, made from imported cocoa beans, and imported sugar. Any duty can not aid the farmer, as he is merely a consumer of these products. Our production of both cocoa and chocolate is steadily increasing. The only change is that the pound cans of cocoa are being produced in slightly decreasing numbers, but at increasing prices. which explains the decrease in number. The duty on unsweetened chocolate of 3¢ per lb. as a whole, is a reduction, while on cocoa, it is about the same as the 17½% ad valorem. The same may be said of the 4¢ per pound duty, but the increase of 128% upon other sweetened cocoa and chocolate is without warrant. These duties mean nothing but increased cost to the consumers of sweetened chocolate and cocoa in small packages. |
| Unsweetened | | 17½%; not less than 2¢ lb. | 3¢ lb. net. | 1927: 10,805,121 lbs. | 9,063 lbs. min. rates; 323,531 lbs. adv. rates. | 903,076 lbs. | 9.7¢ lb. | |
| Sweetened— | | | | | | | | |
| In bars or blocks; 10 lbs. or more. | | 2¢ lb. | 4¢ lb. | 142,015,557 lbs. | 191 lbs. min. rate | | 28.6¢ lb. | |
| | | | | | 4,001,374 lbs. ad valorem rates. | | 10.5¢ lb. | |
| Other | | do | 40% | | | | 31.6¢ lb. | |
| Cocoa: | | | | | | | | |
| Unsweetened | | Same as on chocolate. | | | 2,763,607 lbs. min. duty; 1,253,367 lbs. ad. v. duty. | | 7.7¢ lb.<br>18.4¢ lb. | |
| Sweetened | | do | | 90,910,156 lbs. | 178,136 lbs. min. duty. Ad valorem duty, 765,336 lbs. | 2,133,140 lbs. | 9.3¢ lb.<br>22.3¢ lb. | |
| Chocolate coatings | | | | 1927: 235,389,648. | | | | |
| Hay | 780 | $4 long ton | $5 per short ton | 93,031,000 short tons | 62,384 long tons | 14,471 long tons | $9.04 long ton | The long ton has always been the customs ton, corresponding to the British ton and to a certain extent to the kilogram of the metric system. This ton is 12% larger than the short ton. In order to increase duties without seeming to, the short ton is being substituted in this act for the long ton. The increase in duty on hay is 40% and on straw 68%. This increase of duty is purely local, and to 60 to 90% of our farms it will mean nothing. Again, it helps those who need no help, while to those far from market it means nothing. |
| Straw | | $1 long ton | $1.50 short ton | 85,386,750 tons. | 19,186 long tons | (1922) 705 tons. | $5.63 long ton | |
| Broom corn | | Free | $20 short ton | | | | | |
| Rice straw and fiber | | do | $10 short ton | No data. | No data. | No data. | No data. | The duty on broom straw is really ludicrous. We produce 45,500 tons of which we have no record, and many more of which we have no record in 1928, and imported, under rigorous and expensive quarantine inspection only 172 tons for the 2 years, 1927 and 1928.<br>Rice straw and fiber was removed from the free list and made dutiable at one-half cent per pound without any authentic information or statistics thereof. It will not aid any farmer. |
| Lupulin | 780 | 75¢ lb. | $1.50 lb. | | 37,213 lbs. | | $1.13 lb. | Lupulin is the yellow resinlike pollen found on hops. From 2,000 to 3,000 lbs. are collected annually by our western hop growers. This increases the duty 100% upon something that is merely a by-product of the hop grower, upon something used principally in brewing. It will not aid the hop growers. |

*Duties upon principal agricultural articles increased by new tariff*—Continued

| Item | Tariff No. | Present duty | New duty | Production, 1928 | Imports, 1928 | Exports, 1928 | Import value, 1928 | Effect |
|---|---|---|---|---|---|---|---|---|
| Spices | | | | | | | | These are all spices that are not produced in the United States, and were first made dutiable in 1913 as a revenue producer. The duty is here imposed upon the ground spices and curry on account of the plea that it helps American labor, which is disingenuous, as machines do this work. |
| Mustard seed— | | | | | | | | |
| Unground | | 1¢ lb. | 2¢ lb. | | 15,443,216 lbs. | | 5.4¢ lb. | |
| Ground, etc. | | 8¢ lb. | 10¢ lb. | | 1,987,782 lbs. | | 56.1¢ lb. | |
| Red pepper— | | | | | | | | |
| Unground | | 2¢ lb. | 5¢ lb. | | 2,818,616 lbs. | | 15.4¢ lb. | |
| Ground | | 5¢ lb. | 8¢ lb. | | 32,640 lbs. | | 23.2¢ lb. | |
| Paprika— | | | | | | | | |
| Unground | | 2¢ lb. | 5¢ lb. | | 8,262 lbs. | | 27.7¢ lb. | |
| Ground | | 5¢ lb. | | | 4,974,493 lbs. | | 18.5¢ lb. | |
| Curry, and curry powder. | | Free | do | No data | 35,875 lbs. | | 31¢ lb. | |
| Cotton, with staple of 1⅛ inches or more. | 783 | do | 7¢ lb. | 660,526 bales, of which 28,313 bales was Pima, or Egyptian. | 315,225 bales | Pima only available; 1929, 4,545 bales, 37.3¢. | 28.45¢ lb. | The long-stapled cotton of Egypt is the competitor of our long-staple cotton. There is in Egypt from 600,000 to 700,000 bales of this cotton available for the world's markets. The yield of this cotton is about 300 pounds per acre. The long-stapled cotton grown in Louisiana yields only 175 pounds per acre, while upper average about 500 pounds. The objection to domestic production of long staple is the smaller yield is not made up fully by the price. Also the western-grown Egyptian is claimed to be inferior to the native Egyptian. This duty is hoped to encourage the growth of the more expensive less yielding long staple. |
| Flax straw | 1001 | $2 ton | $3 ton | Not produced for fiber. | 41 tons | | $50.44 ton | The production of flax for fiber requires so much labor of a kind that our farms dislike that it is not and never has been produced here. During the war the demand for hemp increased and we produced it. This demand disappeared and now we produce enough to satisfy the demand and produce no more. The increase of duty by 50% is not made with any idea of assisting our producers, and will not affect them. |
| Flax, not hackled | | 1¢ lb. | 1½¢ lb. | | 1,819 tons | | $593.24 ton | |
| Hackled and dressed lin. | | 2¢ lb. | 3¢ lb. | | 2,136 tons | | $1,043.04 ton | |
| Flax tow | | do | do | | 1,180 tons | | $410.93 ton | |
| Noils and crin vegetal | | ¾¢ lb. | 1¢ lb. | | 374 tons | | $186.45 ton | |
| Hemp: | | | | | | | | |
| Tow | | 1¢ lb. | 2¢ lb. | Less than 1,000 tons. | 1,356 tons | | $302.51 ton | |
| | | | | | 18 tons | | $285.06 ton | |
| Hackled | | 2¢ lb. | 3½¢ lb. | | 316 tons | | 513.11 tons | |
| Wool | 1101 | | | | | | | There is no industry among the farmers producing this grade of wool. The increase in duty is meaningless as a protection measure. A small quantity of the finer carpet wools are used in very coarse textured suiting, and overcoatings, and certain coarse, heavy footwear for winter lumbermen. |
| Carpet wools | | 12¢ lb. grease 18¢ lb. washed, 24¢ lb. scoured. | 24¢ lb. clean content. | A few hundred thousand pounds produced by Indians of the Southwest, United States. | 11,346,797 lbs. dutiable. | | 33.6¢ lb. | |
| | | | | | 99,661,981 lbs. bonded. | | 23.1¢ lb. | |
| | | | | | 130,182 dutiable | | 34.6¢ lb. | |
| | | | | | 27,440,239 bonded | | 28.6¢ lb. | |
| | | | | | 54,537 lbs. dutiable | | 40.6¢ lb. | |
| | | | | | 16,200,077 bonded | | 30.2¢ lb. | |
| On the skin | | 11¢ lb. | 22¢ lb. clean content. | | 14,320 dutiable | | 21.6¢ lb. | |
| | | | | | 339,487 lbs. bonded | | 14.0¢ lb. | |
| Sorted or matchings | | 11¢, 12¢, or 18¢ lb. | Not scoured, 25¢ clean content. | | | | | |
| Total carpet wools | | | | | 155,187,620 lbs. | | 25.6¢ | |
| Dutiable | | | | | 11,545,836 lbs. | | | |
| Under bond | | | | | 143,641,784 lbs. | | | |
| Wools and hair, etc., improved. | 1102 | | | | | | Clean content | Owing to the rapid growth in production of improved wools and mohair in the United States, the imports for 1928 and 1929 were only 25% of the total available for consumption. The wool industry flourished very much under the rates of the 1922 act, and there was no evidence that further increases in duty would be advisable. Sheep raising is a dual industry—meat and wool. The only trouble is that the finest wool is from sheep that are the poorest for food. It is doubtful whether the increases made by the new tariff will aid the woolgrower more than the present rates. There is no doubt that it will be used in order to increase prices to the consumer. |
| N. s. p. f., not finer than 44s grease or washed. | | 31¢ lb. clean content. | 29¢ lb. clean content. | Wools improved: 347,600,000 lbs. | Wool, clean content; average 1923-29. | | 59¢ to 66¢ lb. | |
| Scoured | | 31¢ lb. c. c. | 32¢ lb. clean content. | Or 13% of world's production. | 92,700,000 lbs. | | 67¢ lb. | |
| On the skin | | 30¢ | 27¢ lb. clean content. | Mohair, U. S., 13,470,000 lbs. | Mohair, 3,000,000 lbs. | | 86¢ lb. | |
| Sorted or matchings. | | 31¢ | 31¢ lb. clean content. | Turkey, 10,000,000 lbs. S. Africa, 8,788,000 lbs. | | | | |
| N. s. p. f. grease or washed. | | do | 34¢ lb. clean content. | | | Very little | | |
| Scoured | | do | 37¢ lb. clean content. | | | | 72¢ to 73¢ per lb. | |
| | | | | | | | 68¢ lb. | |
| On the skin | | 30¢ | 32¢ lb. | | | | 53¢ lb. | |
| Sorted etc. | | 31¢ | 35¢ lb. | | | | | |

[1] Practically all made from imported peel.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

CAPT. CHARLES H. HARLOW, UNITED STATES NAVY, RETIRED

Mr. HALE, from the Committee on Naval Affairs, reported the nomination of Capt. Charles H. Harlow, United States Navy, retired, to be a commodore on the retired list of the Navy, from the 29th day of May, 1930, in accordance with a provision contained in an act of Congress approved on that date, which was placed on the Executive Calendar.

EXTRADITION TREATY WITH AUSTRIA

The Chief Clerk proceeded to read Calendar No. 14, extradition treaty with Austria, signed at Vienna, January 31, 1930, which was considered as in Committee of the Whole and is as follows:

The United States of America and Austria desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice, between the two countries and have appointed for that purpose the following Plenipotentiaries:

The President of the United States of America:

Mr. Albert Henry Washburn, Envoy Extraordinary and Minister Plenipotentiary to Austria,

and

The Federal President of the Republic of Austria:

Mr. Johann Schober, Federal Chancellor,

who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

It is agreed that the Government of the United States and the Federal Government of Austria shall, upon requisition duly made as herein provided, deliver up to justice any person, who may be charged with, or may have been convicted of any of the offenses specified in Article II of the present Treaty which are designated in the laws of the surrendering state as crimes other than misdemeanors and which were committed within the jurisdiction of one of the High Contractings Parties, whenever such person shall seek an asylum or shall be found within the territories of the other; provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the offense had been there committed.

ARTICLE II

Persons shall be delivered up according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following offenses:

1. Murder, comprehending the crimes designated by the term parricide, assassination, manslaughter when voluntary, poisoning or infanticide.

2. Rape, abortion, carnal knowledge of children under the age of fourteen years.

3. Abduction or detention of women or girls for immoral purposes.

4. Bigamy.

5. Arson.

6. Wilful and unlawful destruction or obstruction of railroads, which endangers human life.

7. Crimes committed at sea:

*a*) Piracy, as commonly known and defined by the law of nations, or by statute.

*b*) Wrongfully sinking or destroying a vessel at sea.

*c*) Mutiny or conspiracy of two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of such vessel.

*d*) Assault on board ship upon the high seas with intent to do bodily harm.

8. Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein.

9. The act of breaking into and entering the office of the Government and public authorities or the offices of banks, banking houses, savings-banks, trust-companies, insurance and other companies, or other buildings not dwellings with intent to commit a felony therein.

10. Robbery, defined to be the act of feloniously and forcibly taking from the person of another goods or money by violence or by putting him in fear.

11. Forgery or the utterance of forged papers.

12. The forgery or falsification of the official acts of the Governments, or public authority, including Courts of Justice, or the uttering or fraudulent use of any of the same.

13. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and marks of State or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.

14. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds one hundred dollars or the Austrian equivalent.

15. Embezzlement by any person or persons, hired, salaried or employed, to the detriment of their employers or principals, when the crime is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds one hundred dollars or the Austrian equivalent.

16. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them, their families or any other person or persons, or for any other unlawful end.

17. Larceny, defined to be the theft of effects, personal property, or money, of the value of one hundred dollars or more or the Austria equivalent.

18. Obtaining money, valuable securities or other property by false pretenses or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds one hundred dollars or the Austrian equivalent.

19. Perjury or subornation of perjury.

20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds one hundred dollars or the Austrian equivalent.

21. Crimes against the laws of both countries for the suppression of slavery and slave trading.

22. Wilful desertion or wilful non-support of minor or dependent children.

The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact or for any attempt to commit any of the aforesaid crimes; provided such participation or attempt be punishable by imprisonment by the laws of both Contracting Parties.

ARTICLE III

The provisions of the present Treaty shall not import a claim of extradition for any offense of a political character, nor for acts connected with such offenses; and no person surrendered by or to either of the High Contracting Parties in virtue of this Treaty shall be tried or punished for a political offense committed before his extradition.

The State applied to or Courts of that State shall decide whether the offense is of a political character or not.

When the offense charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offense was committed or attempted against the life of the Sovereign or Head of any State or against the life of any member of his family, shall not be deemed sufficient to sustain that such offense was of a political character; or was an act connected with offenses of a political character.

ARTICLE IV

No person, except with the approval of the surrendering State, shall be tried for any crime committed before his extradition other than that for which he was surrendered, unless he has been at liberty for one month after having been tried for that offense, to leave the country, or, in case of conviction, for one month after having suffered his punishment or having been pardoned.

ARTICLE V

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, either according to the laws of the country within the jurisdiction of which the crime was committed or according to the laws of the surrendering State, the criminal is exempt from prosecution or punishment for the offense for which the surrender is asked.

ARTICLE VI

If the person whose extradition has been requested, pursuant to the stipulations of this Convention, be actually under prosecution for a crime in the country where he has sought asylum, or

shall have been convicted thereof, his extradition may be deferred until such proceedings be terminated, or until such criminal shall be set at liberty in due course of law.

ARTICLE VII

If a fugitive criminal claimed by one of the parties hereto, shall be also claimed by one or more powers pursuant to treaty provisions, on account of offenses committed within their jurisdiction, such criminal shall be delivered to that State whose demand is first received, unless its demand is waived. This Article shall not affect such treaties as have already previously been concluded by one of the Contracting Parties with other states.

ARTICLE VIII

Under the stipulations of this Treaty, neither of the High Contracting Parties shall be bound to deliver up its own citizens.

ARTICLE IX

The expense of transportation of the accused shall be paid by the Government which has preferred the demand for extradition. No claim other than for the board and lodging of an accused prior to his surrender arising out of the arrest, detention, examination and surrender of fugitives under this Treaty shall be made against the Government demanding the extradition; provided, however, that any officer or officers of the surrendering Government, who shall in the course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the act or services performed by them, in the same manner and to the same amount as though such act or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

These claims for board and lodging and for fees are to be submitted through the intermediary of the respective Government.

ARTICLE X

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime, or which may be material as evidence in making proof of the crime, shall so far as practicable, according to the laws of either of the High Contracting Parties, be delivered up with his person at the time of surrender. Nevertheless, the rights of a third party with regard to the articles referred to, shall be duly respected.

ARTICLE XI

The stipulations of the present Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the High Contracting Parties. In the event of the absence of such agents from the country or its seat of Government, or where extradition is sought from territory included in the preceding paragraph, other than the United States or Austria, requisitions may be made by superior consular officers. Requisitions for surrender with accompanying documentary proofs shall be required to be translated by the Government which has preferred the demand for extradition into the language of the surrendering Government.

The arrest and detention of a fugitive may be applied for on information, even by telegraph, of the existence of a judgment of conviction or of a warrant of arrest.

In Austria the application for arrest and detention shall be addressed to the Federal Chancellor, who will transmit it to the proper department.

In the United States, the application for arrest and detention shall be addressed to the Secretary of State, who shall deliver a mandate certifying that the application is regularly made and requesting the competent authorities to take action thereon in conformity to statute.

In case of urgency, the application for arrest and detention may be addressed directly to the competent magistrate in conformity to the statutes in force.

The person provisionally arrested shall be released, unless within three months from the date of commitment in the United States—or from the date of arrest in Austria, the formal requisition for surrender, with the documentary proofs hereinafter described, be made as aforesaid by the diplomatic agent of the demanding Government, or in his absence, by a consular officer thereof.

If the fugitive criminal shall have been convicted of the crime for which his extradition is asked, a copy of the sentence of the court before which such conviction took place, duly authenticated, shall be produced. If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, with such other evidence or proof as may be deemed competent in the case.

ARTICLE XII

In every case of a request made by either of the High Contracting Parties, for the arrest, detention or extradition of fugitive criminals, the appropriate legal officers of the country where the proceedings of extradition are had, shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every appropriate legal means within their power.

ARTICLE XIII

The present Convention shall be ratified by the High Contracting Parties, in accordance with their respective constitutional method and shall take effect on the thirtieth day after the date of the exchange of ratifications, which shall take place at Vienna as soon as possible, but it shall not operate retroactively.

On the day when the present Convention takes effect, the Convention of July 3, 1856, shall cease to be in forces except as to crimes therein enumerated and committed prior to the date first mentioned.

The present Convention shall remain in force for a period of six months after either of the two Governments shall have given notice of a purpose to terminate it.

In witness whereof the above named Plenipotentaries have signed the present Treaty and have hereunto affixed their seals.

Done in duplicate at Vienna this 31st day of January, nineteen hundred and thirty.

ALBERT HENRY WASHBURN. [SEAL.]
SCHOBER. [SEAL.]

Mr. BORAH. Mr. President, I have no suggestion to make with regard to this treaty further than to say that it is the ordinary extradition treaty.

There are no terms in the treaty I know of different from those which ordinarily appear in an extradition treaty, with this possible exception, about which the Senate might like to know something.

The laws of Austria do not provide for capital punishment. Therefore, in the exchange of notes, we find this:

VIENNA, *January 31, 1930.*

His Excellency Dr. JOHANN SCHOBER,
*Austrian Federal Chancellor.*

EXCELLENCY: At the moment of signing the treaty of extradition between the United States of America and the Republic of Austria, I have the honor to state that I have been duly authorized to inform your excellency that in the event of the conviction in the United States of a person extradited from Austria where such conviction is followed by a sentence of death, the Government of the United States will undertake to recommend to the appropriate authorities the exercise of mercy by way of the commutation of the sentence to life imprisonment.

Accept, excellency, the renewed assurances of my highest consideration.

ALBERT H. WASHBURN.

The effect of that, through the exchange of notes, is to engage the United States, when a party is convicted under a law which imposes the death sentence, to recommend to the State life imprisonment.

The treaty was reported to the Senate without amendment, and the resolution of ratification was read, as follows:

*Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of Executive H, Seventy-first Congress, second session, a treaty with Austria for the extradition of fugitives from justice, signed at Vienna on January 31, 1930.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to, two-thirds of the Senators present voting in the affirmative.

ARBITRATION TREATY WITH ICELAND

The Chief Clerk proceeded to read Calendar No. 15, arbitration treaty with Iceland, signed at Washington, May 15, 1930, which was considered as in Committee of the Whole, and is as follows:

The President of the United States of America and His Majesty the King of Iceland and Denmark

Determined to prevent so far as in their power lies any interruption in the peaceful relations that have always existed between the United States and Iceland;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between the two countries; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the Powers of the world;

Have decided to conclude a new treaty of arbitration enlarging the scope and obligations of the arbitration convention signed at Washington on May 18, 1908, which expired by limitation on March 29, 1914, and for that purpose they have appointed as their respective Plenipontentiaries

The President of the United States of America: Henry L. Stimson, Secretary of State of the United States; and

His Majesty the King of Iceland and Denmark: Mr. Constantin Brun, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, having communicated to one another their full powers found in good and due form, have agreed upon the following articles:

ARTICLE I

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the Permanent International Commission constituted pursuant to the treaty signed at Washington April 17, 1914, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of Iceland in accordance with its constitutional laws.

ARTICLE II

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

(a) is within the domestic jurisdiction of either of the High Contracting Paries,

(b) involves the interests of third Parties,

(c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine,

(d) depends upon or involves the observance by Iceland, in the event that Iceland becomes a Party to the Covenant of the League of Nations, of its obligations in accordance with the Covenant.

ARTICLE III

The present treaty shall be ratified. The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of the ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith whereof the respective Plenipotentiaries have signed this treaty in duplicate in the English language and hereunto affixed their seals.

Done at Washington the 15th day of May, one thousand nine hundred and thirty.

For the United States of America:
[SEAL] HENRY L. STIMSON
For Iceland:
[SEAL] C. BRUN.

Mr. BORAH. This is the ordinary arbitration treaty.

The treaty was reported to the Senate without amendment, and the resolution of ratification was read, as follows:

*Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of Executive J, 71st, 2nd, an arbitration treaty with Iceland signed at Washington on May 15, 1930.

The resolution was agreed to, two-thirds of the Senators present voting in the affirmative.

HANFORD MACNIDER

The Chief Clerk read the nomination of Hanford MacNider, of Iowa, to be envoy extraordinary and minister plenipotentiary, Canada.

Mr. BORAH. At the request of the senior Senator from Iowa [Mr. STECK], in a letter which I have in my desk, the nomination may go over.

The VICE PRESIDENT. Without objection, the nomination will be passed over.

EDWARD T. FRANKS

The Chief Clerk read the nomination of Edward T. Franks to be a member of the Federal Board for Vocational Education.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

MISS BESS GOODYKOONTZ

The Chief Clerk read the nomination of Miss Bess Goodykoontz, of Iowa, to be Assistant Commissioner of Education.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

THE JUDICIARY

Mr. JONES. Mr. President, my colleague earlier in the day reported the nomination of Charles E. Allen to be United States marshal for the western district of Washington, and I ask that the nomination be acted upon at this time.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified. The Senate resumes legislative session.

ADJOURNMENT

Mr. McNARY. As in legislative session, I move that the Senate adjourn until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Tuesday, June 17, 1930, at 12 o'clock meridian.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate June 16, 1930*

UNITED STATES MARSHAL

Charles E. Allen, western district of Washington.

MEMBER FEDERAL BOARD FOR VOCATIONAL EDUCATION

Edward T. Franks.

ASSISTANT COMMISSIONER OF EDUCATION

Miss Bess Goodykoontz.

POSTMASTERS

MISSOURI

Fred M. Meinert, O'Fallon.

PENNSYLVANIA

Jennie Larkins, Ford City.

SOUTH DAKOTA

Samuel G. Mortimer, Belle Fourche.

VIRGINIA

David A. Sergent, Big Stone Gap.

WASHINGTON

William C. Black, Lowell.

## HOUSE OF REPRESENTATIVES

MONDAY, *June 16, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

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

Our Father, we wait a moment to acknowledge Thee as God over all. We desire to thank Thee for looking down from Thy sovereign throne, concerned for our welfare. We would take heed to ourselves and to Thy law. We are grateful to Thee that we are not solitary and alone. In the hour of temptation, in the stern discharge of duty, and when the burdens bend low Thou art our Father, touched with a feeling of our infirmity.