

## SENATE

THURSDAY, January 16, 1930

(Legislative day of Monday, January 6, 1930)

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

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. McNary. I desire to announce the absence of the senior Senator from Ohio [Mr. Fess] on official business.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

## EXECUTIVE MESSAGES

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

## ANNUAL REPORT OF THE PUBLIC PRINTER

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, transmitting, pursuant to law, his annual report of the operations of the Government Printing Office for the fiscal year ended June 30, 1929, and the calendar year 1929, which was referred to the Committee on Printing.

## THE FIVE CIVILIZED TRIBES

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Interior, transmitting, pursuant to law, a letter from the Acting Superintendent of the Five Civilized Tribes Agency, containing a special report of expenditures of that agency from the appropriation "Support of Indians and administration of Indian property, 1929," which was referred to the Committee on Indian Affairs.

## JUDICIAL SALARIES (S. DOC. NO. 69)

Mr. Overman. Mr. President, I submit a report of the special committee of the American Bar Association on the subject of "Judicial Salaries," which I ask may be printed as a public document.

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

## PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Salem County (N. J.) Chamber of Commerce favoring the passage of legislation permitting the construction of a suspension bridge between the States of Delaware and New Jersey, at a point near the city of Wilmington, Del., and the Borough of Penns Grove, N. J., which was referred to the Committee on Commerce.

He also laid before the Senate a petition of sundry citizens of Atchison County, Kans., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. Bingham presented resolutions adopted by 153 civic, fraternal, religious, and other organizations in the State of Connecticut, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. Greene presented resolutions adopted by 129 civic, fraternal, religious, and other organizations in the State of Vermont, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. Gillett presented resolutions adopted by 21 civic, fraternal, religious, and other organizations in the State of Massachusetts, favoring the prompt ratification by the Senate

of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. Walcott presented resolutions adopted by 33 civic, fraternal, religious, and other organizations in the State of Connecticut, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. Simmons presented resolutions adopted by sundry women's organizations in the State of North Carolina, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. Keane presented resolutions adopted by approximately 300 civic, fraternal, religious, and other organizations in the State of New Jersey, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of New Jersey, praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. Overman presented a petition of sundry citizens of Kinston and Snow Hill, N. C., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

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

Mr. Patterson presented petitions of approximately 300 citizens of the State of Missouri, praying for the passage of legislation granting increased pensions to Spanish War veterans, which were referred to the Committee on Pensions.

Mr. Walsh of Massachusetts presented a petition of sundry citizens of Boston, Mass., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. Tydings presented petitions of sundry citizens of Baltimore and Westminster, in the State of Maryland, praying for the passage of legislation granting increased pensions to Spanish War veterans, which were referred to the Committee on Pensions.

## THE WORLD COURT

Mr. Fess. Mr. President, a delegation of ladies appeared in my office to-day to meet the two Senators from Ohio and present petitions on the World Court. They represent something like 15 or 20 different associations, and presented to me about 300 petitions, which I wish to submit.

The VICE PRESIDENT. The petitions will be received and properly referred.

Mr. Fess presented resolutions adopted by approximately 300 civic, fraternal, religious, and other organizations in the State of Ohio, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

## FREIGHT RATES ON ROAD-BUILDING MATERIALS

Mr. McKellar. Mr. President, I ask unanimous consent to have inserted in the Record another protest, from the Madison County Court, of Tennessee, against the proposed increase of freight rates on road materials by the Interstate Commerce Commission.

The imposition of this increased tax upon the people of Tennessee at this time is indefensible. That there is now a period of depression throughout the country there can be no doubt. The President has urged increased public improvements, he has urged increased appropriations for public roads. Just at such a time it would be utterly indefensible to permit the railroads, now enjoying their greatest prosperity, to increase freight rates on road-building materials.

There being no objection, the protest was ordered to be printed in the Record and referred to the Committee on Interstate Commerce, as follows:

The following resolution was unanimously adopted by the county quarterly court of Madison County, Tenn., at its January, 1930, term, January 6, it being the regular term of said court, there being present and participating 19 members of said court, which consists of a membership of 34, 4 being absent on account of sickness.

## FREIGHT RATE INCREASE, RESOLUTION PROTESTING SUCH

The following resolution protesting the increase in freight rates on road-building and other construction material was offered by Esquire Meriwether and unanimously adopted by the court, which said resolution is in the following words and figures, to wit:

"To the INTERSTATE COMMERCE COMMISSION,

"Washington, D. C.

"Whereas the report as shown in Document 3250 of Examiner Waters asking the railroads to increase freight rates on road-building and other construction material, should this be put into effect, it would entail a very heavy burden upon the taxpayers in the Mississippi Valley, which would amount to about \$1,000,000 annually.

"We see no reason for this increase from the viewpoint of the railroads since they are very prosperous, while on the other hand, the taxpayers and farmers are now heavily burdened in providing that which is essential to their maintenance: Therefore be it

"Resolved, That we, the members of the Madison County Court of Tennessee, in regular session, call upon the Interstate Commerce Commission to seriously consider the interests of the taxpayers as we feel sure they will not allow the increase under the circumstances."

"STATE OF TENNESSEE,

"Madison County.

"I, A. M. Young, clerk of the county court of the aforesaid State and county, hereby certify that the foregoing and attached sheet is a full, true, and correct copy of the proceedings had and resolution adopted by the county quarterly court at its regular session on the 6th day of January, 1930, pertaining to the increase in freight rate on road-building and other construction material as appears of record in my office.

"Witness my hand and seal of office this January 13, 1930.

[SEAL.]

"A. M. YOUNG,  
"County Court Clerk."

#### CURRITUCK SOUND AND BACK BAY DISTRICT

Mr. SWANSON. Mr. President, I have here a resolution passed by the General Assembly of Virginia which I desire to present to the Senate and have printed in the RECORD under the rule. It is a petition, reciting very fully the reasons therefor, for the construction of a lock in the Albemarle & Chesapeake Canal, forming a part of the Norfolk and Beaufort intracoastal waterway.

Before this canal was in the possession of the Government there was a lock in the canal which prevented sea water and polluted water going into Currituck Sound and thence into Back Bay, Va. The Government destroyed this lock, and now polluted water and sea water come into this sound and go into Back Bay and all that section of the country. The polluted water and sea water have destroyed all kinds of foliage there, all kinds of grasses, all kinds of growth that sea water affects. They have destroyed the fresh-water fish. They have destroyed all of the vegetation that the migratory birds live on in Back Bay, which was the greatest bay in the world for ducks and other migratory birds, and have been very destructive.

We have been trying for some time to get the Government to reestablish this lock, to prevent the overflow of salt and polluted waters into this section of Virginia and North Carolina. It has been delayed, and we hope to be able to have it done at this session of Congress. It is absolutely necessary for the protection of a vast fishing, hunting, and vegetation interest in that section.

I ask unanimous consent that this resolution, with the reasons assigned by the General Assembly of Virginia, may be printed in the RECORD and referred to the Committee on Commerce.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, it is so ordered.

The resolution is as follows:

Resolution praying the Congress of the United States to restore a tidal guard lock in the Virginia cut of the Albemarle and Chesapeake Canal forming a part of the Norfolk-Beaufort Intracoastal Waterway

Be it resolved by the House of Delegates and the Senate of the General Assembly of the State of Virginia—

Whereas the Albemarle and Chesapeake Canal, built in 1854, had a tidal guard lock at Great Bridge, Va., which by controlling the difference in water levels, maintained a condition favorable to navigation, and also prevented the flow of salt and polluted waters from Chesapeake Bay into the fresh and pure waters of Currituck Sound and Back Bay, Va.; and

Whereas when the Federal Government acquired the said canal in 1912, provision was made for the installation of a tidal guard lock in the enlarged canal if found necessary; and

Whereas in the deepening, straightening, and widening of the canal the old lock was left open from about 1917, and when the enlargement was completed in 1923, no lock was installed on the theory that it was not absolutely essential for the purposes of navigation, and the dangers of the pollution of the Currituck Sound and connected waters do not appear to have been considered; and

Whereas as early as 1920 complaints began to be made by users of the canal of the highly unfavorable effect of the currents, and by residents of the region and State and Federal authorities of the salting and

fouling of the waters and the killing of the water grasses in upper Currituck Sound, Back Bay, and connected waters in Virginia due to the unobstructed flow of salt and polluted waters from the north through the canal, resulting in the marked reduction of the catch of fresh-water fish and of the numbers and stay of migratory fowl; and

Whereas these complaints continued and increased, and were voiced at a public hearing before the Army Engineers at Munden on March 3, 1926, at a meeting held at Norfolk on May 21, 1926, at the invitation of the Army Engineers, and on December 14, 1927, at a meeting before a board of engineers at Washington, attended by a representative of the Governor of this Commonwealth, one of our United States Senators, the Congressmen from the Districts affected, representatives of Federal bureaus and scientific associations, officials of this Commonwealth charged with the duty of caring for the interests of navigation, game, and fisheries, representatives of the local interests affected, and like representatives of the State of North Carolina; and

Whereas at all of these meetings the testimony of officials and of individuals long and intimately acquainted with the facts was without exception to the effect that the interests of navigation would be served by the installation of a lock in the Albemarle and Chesapeake Canal, and that the installation of such a lock was essential to the checking of the flow of salt and polluted waters into the Currituck Sound and through the sound into the waters of Back and North Bays in Virginia; and

Whereas the testimony thus presented and further and later testimony by State and Federal authorities, by scientific institutes, and by the people of the region is unanimous to the effect that the succulent and nutritious water grasses, which formerly grew luxuriantly over practically the entire area of Currituck Sound, Back and North Bays preserving the purity and clarity of these waters favorable to the propagation of bass and perch, and affording an extensive and ideal feeding ground for multitudes of migratory birds, have been almost entirely destroyed, resulting in an extraordinary diminution and threatened annihilation of the bass and perch fisheries and an appalling reduction in numbers and in length of stay of the migratory wild fowl, all to the very great loss in property values in the region, and of opportunities for employment and means of livelihood by the people of the section; and

Whereas the evidence thus presented, based on careful official examination, through scientific investigation and wide personal experience is to the effect that these calamitous conditions can only be cured and the former favorable conditions measurably restored by the installation of a lock in the said canal, as proved in the attached documentary evidence hereby made a part hereof: Be it

Resolved, That the General Assembly of the State of Virginia respectfully and urgently represents to the Congress of the United States the facts above recited, which have caused great loss and injury to the people and the interests of this Commonwealth, and earnestly prays for the early restoration of a suitable and commodious tidal guard lock in the said Albemarle and Chesapeake Canal to remedy the conditions complained of and to restore as early a date as possible these afflicted regions to the condition that there obtained prior to the removal of the lock by the United States.

Agreed to by house of delegates, January 9, 1930.

JNO. W. WILLIAMS,  
Clerk House of Delegates.

Agreed to by the senate, January 10, 1930.

O. V. HAUGE,  
Clerk of the Senate.

#### REPORTS OF COMMITTEES

Mr. KENDRICK, from the Committee on Indian Affairs, to which was referred the bill (S. 320) authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyo., reported it with amendments and submitted a report (No. 92) thereon.

Mr. THOMAS of Idaho, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 2890) granting the consent of Congress to compacts or agreements between the States of Oregon, Washington, Idaho, Montana, and Wyoming with respect to the division and apportionment of the waters of the Columbia River and all other streams in which such States are jointly interested, reported it without amendment and submitted a report (No. 94) thereon.

#### REPORTS OF NOMINATIONS

Mr. SMOOT, as in open executive session, from the Committee on Finance, reported sundry nominations in the Customs and Public Health Services, which were ordered to be placed on the Executive Calendar.

Mr. WALSH of Massachusetts, as in open executive session, reported nominations in the Customs Service, which were ordered to be placed on the Executive Calendar.

Mr. DENEEN, as in open executive session, from the Committee on the Judiciary, reported the nomination of Alfred J. Chretien, of New Hampshire, to be United States marshal, dis-

strict of New Hampshire, which was ordered to be placed on the Executive Calendar.

Mr. STEIWER, as in open executive session, from the Committee on the Judiciary, reported the nomination of Don A. Preussner, of Iowa, to be United States marshal, northern district of Iowa, which was ordered to be placed on the Executive Calendar.

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

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. GEORGE:

A bill (S. 3144) for the relief of J. D. Stewart; to the Committee on Claims.

By Mr. PATTERSON:

A bill (S. 3145) for the relief of De Witt & Shobe; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 3146) to aid in the establishment of State parks; to the Committee on Public Lands and Surveys.

By Mr. CAPPER:

A bill (S. 3147) to provide for uniform regulation of marriage and divorce; to the Committee on the Judiciary.

By Mr. DALE:

A bill (S. 3148) extending the classified civil service to include postmasters of the third class, and for other purposes; to the Committee on Civil Service.

By Mr. TOWNSEND:

A bill (S. 3149) granting a pension to Mary McHugh (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3150) placing John A. McAlister, jr., on the retired list of the Army as a lieutenant colonel; to the Committee on Military Affairs.

By Mr. McKELLAR:

A bill (S. 3151) to amend the World War veterans' act, 1924; to the Committee on Finance.

By Mr. VANDENBERG:

A bill (S. 3152) to legalize a combined sewer and submarine cable constructed under the Grand River near the pumping station on Market Avenue at Grand Rapids, Mich.; to the Committee on Commerce.

By Mr. ROBINSON of Indiana:

A bill (S. 3153) to aid the Grand Army of the Republic in its Memorial Day services, May 30, 1930; to the Committee on Appropriations.

By Mr. ROBSION of Kentucky:

A bill (S. 3154) to provide for the erection of a suitable memorial to the memory of John James Audubon at Henderson, Ky.; to the Committee on Military Affairs.

By Mr. STEIWER:

A bill (S. 3155) to amend the Federal farm loan act, as amended; to the Committee on Banking and Currency.

A bill (S. 3156) providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon; to the Committee on Indian Affairs.

A bill (S. 3157) granting a pension to Frank A. Benedict (with accompanying papers);

A bill (S. 3158) granting a pension to James Harvey Fisher (with accompanying papers); and

A bill (S. 3159) granting a pension to Frank Brown (with accompanying papers); to the Committee on Pensions.

By Mr. BROOKHART:

A joint resolution (S. J. Res. 121) directing the Interstate Commerce Commission to readjust freight rates on farm products; to the Committee on Interstate Commerce.

By Mr. PATTERSON:

A joint resolution (S. J. Res. 122) providing for the issuance of a special postage stamp in commemoration of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski; to the Committee on Post Offices and Post Roads.

By Mr. CAPPER:

A joint resolution (S. J. Res. 123) proposing an amendment to the Constitution of the United States relative to marriage and divorce laws; to the Committee on the Judiciary.

By Mr. PATTERSON:

A joint resolution (S. J. Res. 125) authorizing and directing the Postmaster General to design and issue a special postage stamp commemorating the two hundredth anniversary of the birth of Baron Frederick William von Steuben, Inspector Gen-

eral of the Army of the United States under Washington; to the Committee on Post Offices and Post Roads.

#### AMENDMENTS TO THE TARIFF BILL—MOLASSES

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

#### REVISION OF THE TARIFF

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

The VICE PRESIDENT. The Senator from Texas [Mr. CONNALLY] is entitled to the floor.

Mr. BROUSSARD. Will the Senator yield? I have here an article which has reference to the specific vote to be taken at 12 o'clock, which I would like to have printed in the RECORD.

Mr. CONNALLY. I yield for that purpose.

Mr. BROUSSARD. Mr. President, on yesterday the junior Senator from Wisconsin [Mr. BLAINE] referred to labor conditions in the Hawaiian Islands. I have here an article written by Dr. Frederick L. Hoffman, consulting statistician of the Prudential Insurance Co. of America, relating to conditions in the Hawaiian Islands, which I ask permission to have inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

#### WHAT SUGAR HAS DONE FOR HAWAII

By Frederick L. Hoffman, LL. D., consulting statistician, Prudential Insurance Co. of America

A journey to the "Paradise of the Pacific" is in very truth a glimpse of a world in which the wildest of dreams have come true. For Hawaii offers everything that the heart desires, marvelous natural scenery, a superabundance of beautiful and fragrant tropical flowers, trees, ferns, and fruits, with a human background of hospitality, natural graces, and strange racial castes, of which the world has no duplicate. Only 2,100 miles from San Francisco, the road to Hawaii lies most appropriately through the Golden Gate across the usually placid Pacific, a fitting introduction to the paradise beyond. A nearly always pleasant sail of four to six days brings one at early dawn within sight of the lonely lighthouse at Makapuu Point, while to the east through the mist one catches just a sight of the shore line of far-famed Molokai, where "lepers go to live and die." Makapuu Point is on the Island of Oahu, the most important of the string of volcanic summits that constitutes the Hawaiian group, in years past known as the Sandwich Islands. The most important of these is Kauai, or the garden island. To the west and adjoining it lies the much smaller and remote post, the island of Nihau which, however, is practically uninhabited. To the east of Oahu lies Lanai, only of late developed for the growing of pineapples, also the island of Kahoolawe, and the great island of Maui, often spoken of as the richest agricultural region of the world. Further south still lies the largest of all the islands, the island of Hawaii, famous for its volcano and many other natural attractions and curiosities.

None of these islands should be missed by the visitor, though unhappily the majority of visitors are satisfied with a rapid journey from Honolulu to Hilo for a glimpse into the abyssal depths of Kilauea, and the pit of fire of Halemauau. Every island, however, has its special attractions demanding close attention. Yet everywhere the outstanding feature of the landscape is the seemingly endless fields of sugarcane, though of recent years, a considerable area of land otherwise hardly useful has been made useful for the raising of immense quantities of pineapples which are not matched for flavor by those grown in other tropical parts. Both Hawaiian sugar and Hawaiian pineapple are products of such superior excellence that they take precedence over all others. If a journey of inspection over a sugar plantation and through a sugar mill is an inspiration in applied agriculture and mechanical efficiency, a visit to a pineapple factory seems the last word in mechanical ingenuity. Hardly a human hand touches the product from the time the fruit is placed into the hopper to the moment the label is placed on the can ready for shipment to every part of the civilized world.

But sugar dominates the islands from the great plantations of the McBryde Sugar Co., of Kauai, to the plantations of the Hawaiian Agricultural Co. at the southern end of the island of Hawaii. The story of sugar is an absorbing one, as well as a fascinating account of human energy and ingenuity to master not only difficulties and incredible obstacles, but also human and political problems taxing the mind to the utmost. Sugar was found in Hawaii when Captain Cook made his first epoch-making visit to the islands in 1778. It is supposed to have been introduced into Hawaii by Japanese traders in the thirteenth century, but, like all historical references, this claim has been disputed. When the first American missionaries arrived in 1820 they found a veritable Eden with kind-hearted natives basking in the ever-present sunshine

bidding them a hearty welcome. The missionaries brought Christianity and civilization, but also peace, industry, and prosperity. They and their children established human relations, order, and morality, transfused with a degree of kindness and hospitality for which the only prototype may be said to have been the feudal system of the old South. Previous to 1851 the missionaries and those who have followed them seem to have absorbed the generous spirit of the native race and carried forward from generation to generation an attitude of mind and manners of which the outside world is most urgently in need. For though great wealth has come to Hawaii it has not spoiled the spirit of kindness. Sordidness or hard-heartedness is rarely met with. A spirit of generosity dominates all races who seem to fully understand and respect one another.

It may possibly be the sweetness in the sugar that gives the Hawaiian temperament such an ever-present degree of amiableness. The smiling faces of Paris find their counterpart in the smiling faces of Hawaiians, for they are all Hawaiians, be they white or Portuguese, Japanese or Chinese, Filipino or Korean, of every conceivable degree of intermixture. There is no race antagonism in Hawaii. All are Americans and proud of the land of their adoption. All are imbued with a spirit of progress and are rapidly absorbing American standards of life. There is little poverty in the islands, for there is an abundance of work for all. There is a marvelous spirit of helpfulness and few ever suffer want. There are no beggars, few drunkards, and there is little of immorality. The descendants of the original race, the missionaries, emigrants, and settlers are all fused into a heterogeneous population which offers most enticing opportunities to the student of race problems.

The arrival of the visitor at any port of Hawaii is a rare and exhilarating experience. Beautiful and fragrant leis or garlands of flowers are draped about one's neck and shoulders, giving one a fitting introduction to the "Paradise of the Pacific." An atmosphere of welcome and good will is never lost during one's stay. Time and again in my search for the facts of life I have entered the houses of natives or orientals without a warning, but never once did I fail to meet with a hearty "Aloha," the native word for welcome and good cheer. And it is the facts of everyday life in Hawaii that stand out in such marked contrast to the life and labor of the masses in other countries. After weeks of wandering about in the highways and byways of the different islands it dawned upon me that it was primarily the organized sugar industry that had promoted the well being of these contented, prosperous, and healthy people of all races. For the sugar plantations employ in one way or another about one-third of the entire population and those depending upon them. On June 30, 1929, the total population connected with the sugar industry was 101,115, of whom 50,045 were male adults, the remainder being women and children, all living in 19,589 houses owned by the different corporations. The significance of these figures is better understood when it is stated that the total present population of the territory is about 350,000.

The rise of the sugar industry in Hawaii dates from 1870, when the first reciprocity treaty between the United States and the then existing Kingdom of Hawaii was adopted. In that year the sugar exports of Hawaii amounted to only 13,036 tons. As the result of tariff concessions, exports a few years later began to increase rapidly, or from 31,792 tons in 1880 to 108,112 tons by 1886. The American annexation of Hawaii in 1898 put sugar on the free list. By this time sugar exports had increased to 229,414 tons, reaching 521,000 tons in 1908, and the highest figure on record was obtained during 1928, when 904,000 tons were exported. In the words of Governor Farrington's admirable report for 1928, "This industry has thrived under the protection of the tariff that has enabled the sugar plantations of Hawaii to pay the higher costs of production, resulting from the higher wages and better housing conditions offered workers in the cane fields of Hawaii as compared with any foreign country."

For many years one of my chief concerns has been labor health and welfare. I am not particularly interested in the fine homes of the rich, however attractive from the point of view of beauty and art. To me there is nothing more discouraging in life than the neighborhood of a large slum area near to a palace. I would like everywhere to see the widest diffusion of wealth and comfort, so that all the people may enjoy the blessings of a happy and secure life consistent with our American standards of a struggle for more than a mere existence. In Hawaii the ideal in this respect has been realized. The contrast to me was much more startling, since only a few months before I had observed living conditions in Cuba, Haiti, and San Domingo, suggestive of progress, but far from what has been achieved in Hawaii.

The corporate organization of the sugar industry in Hawaii and its intelligent coordination to a well-defined and thoroughly consistent labor and welfare policy lies at the root of this condition, reflecting both the wisdom and the unusual humanity of the Hawaiian sugar planters. Some 50 of them have consolidated their interests in the Hawaiian Sugar Planters' Association, while their economic interests are concentrated in the Sugar Factors Co. (Ltd.), which controls the selling of the product, and managed admirably through the California & Hawaiian Sugar Refining Corporation of Crockett, Calif., not far from San Francisco, where it operates what is probably the largest sugar refinery in the world.

The labor question in Hawaii for two generations has been a troublesome one on account of the increasing demand for a personnel suitable for plantation needs. Even if the native Hawaiian were sufficiently numerous, it has been shown by long experience that he is not well adapted to the exacting toil required. A discussion of the Hawaiian immigration question would carry me too far afield for the present purpose. Various experiments were tried during the royal régime, particularly when the late Col. William N. Armstrong was secretary of the interior under King Kalakaua. The Chinese were among the first to be introduced, and the earliest laborers were landed in Honolulu in 1852. Up to the time of the annexation of Hawaii in 1898 about 37,000 had been admitted. Under the Chinese exclusion act this element, of course, was thereafter out of reach. Portuguese were introduced also in the fifties, but large numbers did not arrive until after 1876. The total immigration seems to have been about 20,000 up to 1900. It was not until the Japanese were introduced that the immigration question assumed outstanding importance. The first immigrants for this purpose seem to have arrived in 1868, when 148 were landed. The aggregate since that time must have reached impressive proportions. The largest number in any one year was in 1899, when nearly 20,000 were landed. At the present time immigration is of no material importance, for the Japanese have entered into trade and industry on a large scale, as well as related occupations, so that the present dependence for labor in the cane fields is largely for the useful and industrious Filipino. They seem, first, to have been introduced about 1896, when 200 arrived. At the present time on all the plants, according to the census of June 30, 1929, the number of Japanese, including their dependents, was 38,948. The number of Filipinos is given as 43,433; Chinese, 1,709; Koreans, 1,422; Porto Ricans, 2,609; Portuguese, 4,407. Aside from these, there are 2,032 native Hawaiians and 2,059 Americans. The number of other races was 815. Unfortunately I can not give any occupational distribution for the different races, but the statement remains true that the principal source of the labor supply at the present time is the Filipino, the immigration of whom is unrestricted.

To comprehend the foregoing in relation to the population at large it may be pointed out that the total number of American and European whites in the Territory of Hawaii is estimated at 70,000; native Hawaiians, 20,000; mixed-blood Hawaiians, 25,000; Japanese, 130,000; Chinese, 23,000; Filipino, 60,000; and others, about 15,000; in truth, a veritable melting pot suggestive of no end of complications, but happily productive of none of practical importance.

The labor-welfare policy of the Hawaiian sugar planters may be briefly summarized in essential points as follows: The planters provide in the first place free medical, surgical, and hospital service to all laborers and their families. Each plantation has adequate hospital facilities, and the number of beds averages at least one bed to each 100 persons housed on the plantation. Thirty competent surgeons are employed by the planters, serving, as has been pointed out, a total plantation population of about 101,000.

As regards sanitation, it may be said that all sanitary services are furnished free, including street cleaning, garbage removal, etc. The majority of villages are provided with sanitary sewerage systems, each family being provided with a separate toilet, wash, and bath house. Housing is free, and all buildings are kept in repair by the plantation. The general housing rule is one family to a house of the bungalow type. Each house is provided with running water and sanitary facilities. All potable water supplies are approved by the board of health. The houses have enough space around them for a garden which is cultivated for domestic use. There is an abundance of flowers everywhere, and most of the houses are surrounded by hedges of flowering plants, giving them a neat and homelike aspect. Fuel is furnished free, but a small charge is made for electric lights as a safeguard against excessive electricity consumption.

Abundant provision is made for amusements and recreation. All plantations have moving-picture theaters and clubhouses. Athletic fields are provided for outdoor sports, of which baseball is the most popular. There are facilities for outdoor gymnastics and much is being done to encourage physical development, amplified often by contests in which all races participate.

It is estimated that the welfare services rendered to the laborers for medical attention, fuel, housing, recreation, etc., cost the plantation at least \$15 a month per capita. The average earnings for laborers on short-term contracts is \$1.70 a day, while for long-term contracts as much as \$2.35 a day is earned. In addition to these amounts, a bonus of 10 per cent is given to all men who work 23 days a month. An additional bonus is paid when raw sugar sells for 5 cents a pound which, however, is rarely the case.

The foregoing provisions have led to the development of a thoroughly wholesome plantation community life. It would seem difficult to conceive any practical needs which have not been met far beyond normal expectations. For example, free medical services are everywhere amplified by a visiting nurse system for maternal welfare, prenatal care, etc., which has resulted in a low infant mortality, or a rate about the average for the Territory as a whole.

It may also be said that the plantation stores carry a full line of American goods, the staple articles being sold at cost. An interesting

sight is the not inconsiderable number of automobiles owned by plantation laborers who may be seen driving their own cars all over the islands. One of the most gratifying aspects of the labor situation is the fact that there is practically no seasonal work, but all laborers can work 25 days every month throughout the year. There is no system of bondage or contract labor, but anyone is free to move when and where he wishes.

The best test of a labor and welfare policy is after all the general death rate. The latter, of course, is to a certain extent conditioned by the birth rate. This in 1928 on Hawaiian sugar plantations was 30.25 per 1,000, and the evidence of an abundant crop of children was to be seen everywhere all over the plantations. The general death rate in 1928 was only 8.51 per 1,000, which compares with a general death rate for the Territory of Hawaii for the same period given as 11.70. In considering these figures, the fact must not be overlooked that they include a large number of Filipinos, a recent introduction into the islands, and as yet far from assimilated to American sanitary ideals, but they are making progress in this direction and in another 10 years will no doubt show extraordinary changes.

I will not enlarge upon other statistics, particularly those of crime and punishment, except to say that law and order prevail to an extraordinary degree among all elements of the population with the possible exception of the Filipinos who contribute the largest share of serious crimes. Out of 152 Territorial prisoners in Oahu prison on June 30, 1929, 53 were Filipinos, 44 Hawaiians, but only 9 were Chinese, 12 Japanese, and 4 Koreans. Orientals, therefore, have about the best record of any except the white element which is largely American.

Thus for these social and economic results affecting the labor element of Hawaii, the largest portion of credit in the first place belongs to the organized sugar industry. But this is but one of its many remarkable achievements of which the most important perhaps is the extraordinary agricultural development of an area which, but for American enterprise and ingenuity, would contribute a much smaller share to the world's needs. The cultivation of sugar itself requires a high degree of scientific attainment in the light of important international competition. The Sugar Planters' Association, therefore, maintains a great experiment station which is the source of many of the most valuable suggestions for the further improvement of the industry applicable to the world at large. They concern themselves first of all with sugar technology; second, with diseases of sugarcane; third, with economic entomology; and fourth, with the chemistry of sugar involving every phase of the industry but particularly so the study of the composition of the cane crop. But for these experiments it is safe to say insect pests would long since have played havoc with cane growing, while the scientific use of fertilizer in maintaining a high degree of productive results has received continuous and highly qualified attention. Nowhere, perhaps, have the mineral and chemical qualities of soils been studied more intensely than in Hawaii, and it is to these and other factors concentrated upon in the experiment station that the industry owes its high degree of attained perfection.

Thus the economic benefits are shown to have been shared by the labor element which lives under conditions in Hawaii not exceeded by the progress in labor in any other part of the world. As shown by some of the illustrations, the homes present no longer the dreary aspect of labor colonies, but in every way a wholesome condition of community life has been reached and is being maintained. This would have been impossible but for the fact that an entire division of the Sugar Planters' Association concerns itself with housing, home, and recreational problems, including schools, kindergartens, hospitals, etc., all of which are maintained at the highest possible degree of usefulness and efficiency.

These then are just a few of the outstanding instances of what sugar has done for Hawaii, but what sugar has done for Hawaii in this respect has been a contribution to the world at large by setting it a splendid example of high-minded business administration. Hawaii is now the mecca for more than 20,000 tourists a year. One and all of these gain some insight into the social and economic life of the people and all gather new impressions of life lived on a higher spiritual and intellectual plane than in many other parts. The islands have a charming and instructive history and literature with which all should have at least a passing acquaintance. Everyone who has visited the islands will have felt the spell and the lure of the abundance of flowers which are met with everywhere in glorious profusion. Everyone in Hawaii knows something worth while about the many strange trees and exotic forms of plant growth that greet the bewildered tourist on every hand. But in the background always looms the mystic life of the oriental. Buddhist and Shinto temples abound, and even the Mormons have placed their imprint upon the landscape by a magnificent temple, a reminder of "the glory that was Greece." Yet to me the most lasting impression of the spiritual life of the people was a visit during a service to one of the leading native churches in Honolulu. The sermon was in the native language, followed by brief and feeling remarks in excellent English. The singing was touching to the point of tears. There is always a sad note in Hawaiian melodies. But the music is not wanting in expressions of robust joy. I never tired of it, and one can hear

the people sing everywhere almost the whole day long. To have heard real Hawaiian music amidst a setting of tropical plants on a balmy night is to have felt a touch of the heartbeat of a vanishing race.

The story of Hawaii is expressed in its music and dances. The island takes much pride in its royal band, of which a German, Herr Berger, was the founder while serving under King Kalakaua, and who is practically the originator and inspiration of the native music of the Hawaii of to-day. The joy of listening to Hawaiian music is increased manifold when one understands the songs that go with it. A very favorite tune is Aloha Oe, meaning farewell to thee. With music and song go the native dances of which the hula is best known to the outside world, but generally much misunderstood. Rightly performed, it is a ceremonial dance in which the legends of the natives are recited and traditions are preserved. Unspoiled by modernism and vulgarity, the hula dance is an exquisite performance. The dance and the music with it has been made the subject of a scientific report by the Bureau of Ethnology published in 1909 and now out of print.

It would be impossible, however, to do justice to Hawaii and the efforts of the sugar planters in a brief descriptive account subject to the limitation of space. I would like to have said something as regards the tariff situation which fundamentally conditions the future prosperity of the islands. I can not do more than say, however, that we owe it to the islands, which are ours, to leave nothing undone to maintain American standards of life threatened by the competition of the outside world. Adequate tariff protection for Hawaiian sugar is, therefore, a national duty which it is to be hoped will not be disregarded in the present conflict for tariff revision. Our chief competitor is Cuba, where living conditions are infinitely inferior to those prevailing in Hawaii, and I speak in the light of extended personal investigations. Hawaii can not hope to compete with the lower wages and inferior living conditions in the Philippines, or in Jamaica, or in India, from which much of the world's cane-sugar supply is derived. A marvelous experiment in human relations is in progress in the Hawaiian Islands, which for its continuity and extension requires the payment of wages sufficient for the maintenance of American ideals of what constitutes an adequate, happy, and contented family life. This requires that the selling price of the product be raised sufficiently to adequately safeguard against the risk of excessive foreign competition. The sugar industry in Hawaii would be ruined by ill-advised legislation that would not only raise a social problem of outstanding importance but that would wreck an experiment in labor welfare that has not its counterpart anywhere in the world. For good or for evil, we have permitted vast numbers of orientals and Filipinos to come to the islands and most of them, or their children, are American citizens entitled to the utmost solicitude of the Government. At the same time a generous feeling of appreciation is due the Hawaiian sugar planters and others who have carried practical American business ideas to the highest degree of actual performance. They, or their ancestors, found a "Paradise in the Pacific," and they have left nothing undone to maintain it, make it prosperous, happy, and a benefit to its people and to the whole world.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Texas yield to me that I may ask to have a statement printed in the RECORD?

Mr. CONNALLY. I yield for that purpose.

Mr. WALSH of Massachusetts. In connection with the debate on the pending amendment I ask that certain extracts from a statement of the American bottlers of carbonated beverages opposing the proposed blanket advance of the tariff on sugar may be inserted in the RECORD. I think it is one of the best statements made in opposition to a higher duty. It expresses my views with respect to many aspects of this important tariff question.

The VICE PRESIDENT. Without objection, leave is granted. The statement is as follows:

INCREASE OF SUGAR TARIFF NOT INDICATED BY OFFICIAL ASCERTAINMENTS OF DIFFERENCES IN COSTS OF PRODUCTION

The United States consumes yearly 6,000,000 tons of sugar. Five-sixths of this, 5,000,000 tons, must be imported from overseas. Of this 5,000,000 tons 47 per cent came from Cuba in 1928; the remainder, exempted from duty, came from Hawaii, Porto Rico, and the Philippine Islands. These insular sugars receive the protective bonus given Louisiana and the beet-sugar States, although they present no problem of American wages to protect and nature has been lavish in bestowing upon them favors in sugar fertility.

Thus Cuban sugars alone are subject to the tariff. How much should it be? A Republican Congress has answered this question when it laid down the following rule to govern the Tariff Commission and the President in adjusting tariff rates:

"The difference in cost of production of articles \* \* \* the product of the United States and of like or similar articles \* \* \* the product of competing foreign countries."

The question of the difference in cost of production of sugar between Cuba and the United States has received four determinations:

1. The Tariff Commission, considering pre-war years and the years 1916-17, 1917-18, and 1918-19 found a difference of 1.349 cents per pound (p. 2612).

2. During the war the Food Administration and the Tariff Commission investigated the subject to obtain costs for determining the price of sugar, and found the difference to be 1.38 cents per pound.

3. The Institute of Economics in 1923 found the difference to be from 1.25 to 1.50 cents per pound (p. 2612).

4. In July, 1924, again, the Tariff Commission, reporting to the President, found the difference to be 1.23 cents per pound (p. 2612).

Here are four responsible, including three official, determinations of the cost differences. They are:

	Difference per pound (cents)
Tariff Commission pre-war and 1916-17 to 1918-19	1.349
Food Administration	1.380
Institute of Economics, 1923	1.25-1.50
Tariff Commission, 1917 to 1922	1.23

It appears from all these determinations that the present duty is from a quarter to half cent greater than the cost differences, and they indicate a reduction of about 1/2 cent and not an advance in the rate (p. 2612).

A minority of the Tariff Commission reported a difference of 1.85 cents. However, it omitted to include "other advantages in competition," amounting to 0.7644 cent per pound as provided in subsection C of section 315. The Attorney General has since ruled that these factors must be included; and when included, the minority difference in cost is found to be 1.09 cents per pound (p. 2335).

No other official or disinterested and competent determinations have been made that we know of.

THE TARIFF COMMISSION

To determine these differences in cost of production, which involved trained accountancy as well as competent and unbiased interpretations, Congress found it necessary to establish the Tariff Commission, an institution which should provide the experts essential for such work. Moreover, the act provided for adequate (public) hearings where the opposing interests could meet and have the evidence and its interpretations sufficiently scrutinized. Tariff rates based on bare interested claims, untested statements as to financial conditions and experience, ex parte access to and interpretation of the facts, had been found to be (not supportive but) perverse of the protective principle, and productive of more abuses than of benefits.

The present claimants for a blanket increase in the tariff on sugar should have presented their facts and arguments to the Tariff Commission for proper testing before going to Congress. They have not done so.

Should other industries be subjected to the dangers of improvident legislation when the claimants have a safe remedy before the Tariff Commission, where their claims can be adequately investigated?

PRESENT EXCESSIVE TARIFF HAS DISASTROUSLY REDUCED OUR EXPORTS, ESPECIALLY FARM EXPORTS, TO CUBA

The present excessive tariff has enabled Cuba's competitors in Porto Rico, Hawaii, and the Philippines, who are exempt from duty payments on sugar, to expand their production and imports into the United States by 93 per cent since 1921, at the expense of Cuba, though United States consumption has increased by only 16 per cent (p. 2610), while continental (United States) production has remained at a standstill.

In consequence Cuba's inability to market her sugars in the United States has resulted in great declines in her purchases here, especially of farm products. Further restriction must aggravate these conditions. The effect sought by a further increase of the sugar tariff is to raise the price and increase the proportion of the sugar crop taken by us from Cuba's subsidized competitors. It must operate, if granted, to reduce the quantity which Cuba may supply us and further lessen her purchasing power in American markets.

Inability to market her sugar crop has produced a depression in Cuba which has continued from 1925 through 1927 (p. 2610).

We quote from a consular report: "Economic conditions have shown no improvement since the close of 1925. The low sugar prices have materially affected the general business situation, and in 1927 Cuban trade and industry experienced a most unsatisfactory year. For the first time since 1921 Cuba in 1927 ceased to be the leading Latin-American market for American products" (p. 2610).

The resultant of these Cuban sugar conditions is generally unfavorable to our exports to Cuba and radically so in the case of our farm products. It appears that Cuba's purchases of American farm products from 1924 to 1927 suffered quantitative declines as follows:

Declining exports to Cuba

	Per cent
Ham and shoulders	41.7
Bacon	26.4
Eggs in shell	12.4
Milk condensed	60.5

	Per cent
Lard	14.7
Corn grain	33.6
Beans	18.5
Potatoes	38.9
Boots and shoes	27.2
Shirts	54.2
Cement	67.6

The sales of seven American farm products to Cuba have fallen from a gross of \$60,000,000 to less than \$30,000,000, since the sugar tariff increase of 76 1/2 per cent in 1921-22. Conditions have not improved but have grown worse since 1927. In the first 10 months of 1928 our exports to Cuba fell to \$104,982,784 from \$131,979,187 in the like 10 months of 1927 (p. 2610).

LAW OF THE MARKETS

If legislation for but 0.4 of 1 per cent of our farming acreage devoted to sugar beets is to further obstruct our natural trade with Cuba, our farmers in general and other productive industries must pay for its reactionary effect in a reduction of their exports to Cuba and (by indirect causation) to other countries as well.

The law of the markets does not differ from the law of the tides. The incoming tides must equal the outgoing. So imports make exports possible. Both laws are in truth special cases of Newton's third law of motion. Trade is reciprocal and interdependent. It is mutual; it is triangular; even quadrangular. Acting positively, one sale may provide the effective demand conditions for many others. Acting negatively, the effect is well illustrated in the remark of a prominent British banker, who said:

"If Russia fails to buy tea in China or India, our English eastern market for cotton is narrowed. The United States sells less raw cotton to us, and our shipping, banking, and insurance business is impaired."

The destruction of a single market such as that of Russia, may ruin markets far removed, such as our own markets for cotton in England and Germany, and in turn the market in the Southern States for agricultural machinery and, partly dependent on the latter, the market in Chicago for many articles consumed by the builders of agricultural equipment.

In the light of our specific experience with Cuba, a bill proposing to further advance the sugar sales tax might aptly be entitled "An Act to Discourage American Industry."

COST TO CONSUMERS OF SUGAR SALES TAX

The American consumption of sugar exceeds 6,000,000 short tons annually; the sales tax on Cuban sugar, refined basis, is 1.888 cents per pound; the resultant direct burden upon consumers is \$226,000,000 and the "pyramiding effect" \$57,000,000 more—altogether \$283,000,000. Of this sum, the Treasury received but \$118,000,000 in 1928, leaving an uncompensated burden on consumers of \$165,000,000, a sum larger than the total value of all sugars produced in the continental United States (p. 2613).

The differences between domestic prices and our export prices for foreign markets are shown (pp. 2613, 2635) to be (1.954 cents) approximately 2 cents per pound, refined basis. These prices show that the full tariff on Cuban sugar is added to the domestic price. The United States Tariff Commission so concluded in its special report to President Harding. In a later report to President Coolidge recommending the reduction of the duty from \$1.765 per 100 pounds to \$1.23 on Cuban sugars, 96° centrifugal, the Tariff Commission stated:

"The present cost to the country of retaining the present rate of \$1.76 per pound as against the establishment of a rate of \$1.23 per pound is approximately \$75,000,000, of which \$35,000,000 accrues to the Government" (p. 163).

THE "PYRAMIDING EFFECT"

The sales tax on sugar now, equivalent to 1.888 cents a pound, refined basis, enters into the cost, after importation, of the refinement of raw Cuban sugars. It is besides subject to an increase known as the "pyramiding effect," as it passes on from the refinery, to pay for commercial processes intermediate between its manufacture and consumption. This "pyramiding effect" rises to over 100 per cent with some articles. (It is, however, in general much smaller in the case of sugar.)

The report of the Sugar Equalization Board (p. 2616) showed approximately one-fourth of the national consumption going into certain manufacturing industries. In these cases the "pyramiding effect" is large—probably not less than 100 per cent. While the effect is much smaller in sales of sugar direct to table consumers, yet combining both classes, it probably exceeds 25 per cent.

In 1928 our consumption exceeded 6,000,000 short tons. The direct tax of 1.888 cents a pound, refined basis, was thus \$226,000,000 and the 25 per cent "pyramiding" addition \$57,000,000 more; so that the direct and indirect charge on consumers by increase in price now totals \$283,000,000, about twice the value of the whole continental sugar product.

Adding the 36 per cent (sixty-four one-hundredths cent per pound) advance proposed would increase the gross price to consumers by \$101,880,000. The farmers number 28,981,668 (p. 2637). Their proportion

of present burden of \$283,000,000 amounts to \$71,000,000. Of this \$283,000,000, \$118,000,000 represents revenue accruing to the United States. This may be regarded, though erroneously, as a salvage, for it is now accepted as an axiom in taxation that taxes should be levied upon citizens only in accordance with their ability to pay. The sugar sales tax is not so levied; but is an indirect impost on the needs of consumers.

#### DOES THE BEET GROWERS' SITUATION JUSTIFY MAGNIFYING THESE EVILS?

(a) The sugar sales tax already involves a charge on consumers of \$283,000,000, to be raised to \$384,880,000 if the advance be granted.

(b) The present tax has already reduced farm exports to Cuba, alone, by \$30,000,000, losses which can only be increased by an increase of the tax.

(c) The proposed advance in the tax would deprive the beverage industry of more than \$4,000,000, though its capital is now realizing less than a 6 per cent return, and the industry is already paying a sugar tax of \$11,328,000.

Is there anything in the proved situation of the sugar-beet growers to justify such a costly and perilous program? Consider the following circumstances:

#### FARM-LAND REWARDS

The improved farm land of the United States is given by the census as 505,027,400 acres (p. 2637), of which 754,000 acres were devoted to sugar beets in 1927. Thus, less than one-sixth of 1 per cent (0.149 per cent) of our farming land has responded to the present tariff on sugar.

The Department of Agriculture (Year Book, 1927, p. 1134), reporting on farms in general, shows an income, "net result" per farm of 315 acres, in 1926, of \$1.133 or \$3.60 per acre. Capitalized at 6 per cent, this return corresponds to \$60 per acre—farm value reward (p. 2614). The Tariff Commission gives the value of general farm lands in the sugar-beet States as \$57.36 per acre; and the average "net result" to the sugar-beet growers as \$17.09 per acre in 1921-23, corresponding to \$285 per acre when capitalized at 6 per cent (p. 2637).

Summarizing: United States farmers are compensated with a land value of \$60 per acre; farmers in the sugar-beet States, generally, with a land value of \$57.36 per acre, while the sugar-beet grower is compensated with a land value of \$285 per acre. Obviously greater contributions ought not to be forced from the general farmer or from industries earning less than 6 per cent on their capital and added to the value of lands devoted to sugar beets. The beet grower already exceeds the farmer by from four to five times in reward per acre.

An increase in the sugar tax of 36 per cent as proposed would, it has been shown, create a new public burden of \$101,880,000, one-fourth of which, that is, \$25,470,000, would fall with the present levy of \$71,000,000, on the farming population. If the sugar factory should share the proposed increase equally with the beet growers the maximum benefit to such growers, on the basis of a beet crop of 7,000,000 tons and a sugar extraction of 275 pounds per ton, would be much under \$10,000,000, which means a bonus of \$10,000,000 at a cost of \$101,880,000. It is a tax burden of \$101,880,000 to effect another subsidy of \$10,000,000 to a small group of beet growers, already highly subsidized.

The Tariff Commission (p. 2636) shows that two-thirds of the beets grown (64.6 per cent) were raised at costs running from \$4 to \$6 per ton. They received an average of \$7.70 per ton in 1921-22 and 1923 and in 1928, the year of complaint, \$7 per ton. This left \$1 per ton profit to the \$6 grower, and with a crop of 11.46 tons to the acre, gave him 6 per cent on his land at \$191 per acre. The others in the 2-3 group secured profits of \$1.50, \$2, \$2.50, and \$3 per ton, corresponding to 6 per cent on their land when capitalized, respectively, at \$286.50, \$382, \$477.50, and \$573 per acre. The remaining growers, one-third, had costs running from \$6.50 per ton to \$24.50 and over. What of it? They are the unsuccessful among the sugar-beet growers. Must they be insured? Does the principle of protection call for insurance? If so, then we solicit the Congress to insure us and our investments in the beverage and soft-drink industry before taking away from us more of our present nonremunerative return of less than 6 per cent.

#### SUGAR PRICES AND OTHERS

The growers say that their prices have been low compared with the commodity index and pre-war prices. Taking single years this statement is both true and false. But who would be so unwise or unjust? During seven years their prices were lower, but during eight years their prices have been higher. Let the whole period, pre-war to 1928, be taken. It shows an average for all commodities of 162, and for sugar 169.9—that is, commodities in general have averaged 62 per cent above 1913, and granulated sugar 70 per cent.

Nevertheless there is a note of sincerity in the complaint about prices. The beverage industry with its "roof" price of a "nickel" (for 90 per cent of its sales) can sympathize. But is the sugar producer being weathered alone in these business troubles? There is the coal, the textile, the shoe industries, merchandising generally, staple-crop farmers, not to speak of other equally unfortunate sugar producers throughout the world—all from a common cause, viz, the failure of world consumption to keep pace with increases in production. But is it the function of the tariff to insure against the effects of world overproduction? Experience shows that in the case of these sugar producers an increase

of the tariff in 1921-22 has acted only to aggravate the troubles of the beet-sugar interests by greatly multiplying the production of Hawaii, their competitor, though Cuba actually curtailed her output.

#### "INVERSION POINT" PASSED IN SUGAR TARIFF AS A REVENUE PRODUCER

Sugar, until recent years, has been yielding a high customs revenue to the Treasury. In 1922 it brought \$147,444,000, the equivalent ad valorem rate being 64 per cent. By 1928 the subsidized insular sugars of Porto Rico, Hawaii, and the Philippines had so far displaced the revenue-paying Cuban sugars in our market as to reduce this revenue to \$118,000,000, forcing the equivalent ad valorem rate c. i. f. Cuba up to nearly 100 per cent. The "critical point" as a revenue producer for the sugar tax was reached and the "inversion" point passed with the increase in 1921-22 of the rate by 76½ per cent; i. e., from 1 cent to 1.765 per pound on raw sugar from Cuba.

Already some \$30,000,000 of revenue has been lost to the Treasury and added to the insular subsidies. Its loss has had to be made up out of the income and corporation taxes. How much greater will it be if the proposed advance be conceded?

#### NO PROBLEM OF PROTECTION TO AMERICAN LABOR INVOLVED

The sugar industries which supply the United States are all equally American, so far as the capital invested is concerned, whether in Cuba, Porto Rico, or Hawaii. Even in the Philippine Islands a large percentage of the investment is said to be American (p. 2639). In respect to the labor employed, it is American only in Louisiana. Even here the investigators of the Tariff Commission were told that the negroes in the cane fields worked "from kin to kant"—that is, from sunrise to sunset.

There is little difference in the type of labor employed in the several regions of domestic sugar supply. The Mexican peon who predominates in the beet-sugar industry and the negro in the Louisiana cane section are on a parity with the Malayans of the Philippines, the Japanese of Hawaii, and the half-caste natives of Porto Rico (p. 2640) with respect to standards of living.

Of the 100,000 laborers employed on the 1926 sugar-beet crop, 78,594 were contract laborers, consisting of 14,885 northern Europeans, 24,503 Mexicans, and 39,206 other nationalities (p. 2641).

The labor superintendent of the American Beet Sugar Co. testified before the House Committee on Immigration as follows: "The class of labor used in the beet fields of which I speak (Iowa and Minnesota) is composed of German-Russians, Bohemians, Belgians, Hungarians, and Mexicans—approximately 40 per cent white and 60 per cent Mexican. We are now dependent upon Mexican farm labor as the only available kind to be secured." Congressman EDWARD T. TAYLOR, of Colorado, states: "Our American labor does not do this kind of work. I never in my life have known of any member of organized labor going into a sugar-beet field. The American laboring people will not get down on their hands and knees in the dirt and pull weeds and thin these beets and break their backs doing that kind of work" (p. 2640).

#### WAGES

The payment made to these contract laborers in the beet fields amounts to \$23 per acre. As the season lasts for five and one-half months and the average area cultivated by one man amounts to 8½ acres, the net return to the laborer is about \$1.16 per 12-hour day, out of which he must provide for himself during the period and pay his transportation back to Texas or Mexico at the close of the season (p. 2640).

It is clear enough that there is no more a problem of American labor to protect in the sugar-beet fields, in Hawaii, in Porto Rico, or the Philippines than there is in Cuba. Protection to "American labor" is not involved in the present proposal to advance the tariff on sugar. However, the sugar industries supplying the United States do present genuine American aspects as to the capital employed, and in this respect Cuba is equally American with the others (p. 2332).

#### SUGAR PROFITS

Analysis of the profits of the sugar companies (pp. 2350 to 2353) shows the excessive profits secured by the Porto Rican, Hawaiian, and Philippine companies as well as the substantial profits of some of the beet companies in the years 1924-1927.

Companies representing over half the sugar production of Hawaii earned on the average per share of capital as high as 30.6 per cent in one year, and in the lowest year 15.7 per cent; over half of the Porto Rican production shows profits paid exceeding 11 per cent, with earnings ranging from 12.22 per cent to 27.50 per cent, after allowing for preferred dividends; over three-fourths of the beet-sugar production shows earnings, after depreciation and taxes, per share, between 6.23 per cent to 33.84 per cent, after allowing for preferred dividends, while the amounts paid per share common have ranged from 13.75 per cent to 15.86 per cent. While data on the Philippines are not as adequate, the San Carlos Milling Co. showed a profit per share between 34.06 per cent to 65.42 per cent, and the amount paid in 1927 reached the startling figure of 48½ per cent (pp. 2350-2353). The effects of the tariff are thus clearly seen. A bonus of \$22,431,000 to Porto Rican sugar has magnified its production by 77½ per cent. A like bonus of \$29,084,000 raised the production of Hawaii 73¼ per cent, while the bonus of \$19,571,000 lifted Philippine production by 142 per cent. The tariff

method employed forces all these sugars into the United States. Meanwhile a bonus of \$43,866,000 to beet-sugar producers leaves their production at a standstill (p. 2337).

**BEET-SUGAR COMPETITION IS WITH HAWAII—NOT CUBA; AND IS NOT REMOVABLE BY TARIFF**

Under the Fordney-McCumber Act, increasing the sugar tariff 76½ per cent, production in Hawaii increased since 1922-23 from 479,463 to 830,000 long tons. Hawaiian sugar is refined in the Hawaiian producers' refinery in San Francisco and is distributed thence throughout the Western States in direct competition with domestic beet sugar.

In 1928 over 1,700,000,000 pounds of refined sugar were thus distributed from San Francisco. Our per capita consumption of sugar during 1928 was 104 pounds, but as a large proportion of the total was used in industrial establishments throughout the East, it is conservative to estimate the consumption of Western States at 90 pounds. On this basis the distribution of such Hawaiian cane sugar from San Francisco was sufficient to supply a population of over 19,000,000; that is, sufficient to supply the entire area west of the Mississippi River, except Minnesota, Iowa, Missouri, Louisiana, and Texas.

It is this region, however, which produces 90 per cent of the beet sugar, some 1,800,000,000 pounds; cane sugar from the Atlantic seaboard is effectively barred from it by freight rates. Competition is direct and intense between Hawaiian and beet-sugar producers to market as much of their sugar as possible in the West and thus avoid the freight charges into eastern territory. No increase in the tariff can alleviate this situation for the beet-sugar industry. It must also continue under the sliding scale of rates recently proposed. It would remain if Cuba utterly disappeared. On the contrary, any increase of the tariff must stimulate production in Hawaii and ultimately render her competition even more controlling.

Mr. CONNALLY. Mr. President, the debate on the sugar schedule of the pending bill has been very informing and exhaustive, and I should not intrude upon the time of the Senate except for the fact that some of my colleagues on the Committee on Finance have suggested that, since I was a member of the subcommittee which held hearings on the sugar schedule, I should submit some remarks based upon my conclusions as a member of the subcommittee.

Mr. President, we find that the proponents of increased duties on sugar have voiced the usual cry that it is an agricultural relief measure, and that, therefore, the proposed legislation should be enacted. I approach the subject with entire sympathy for the sugar producer; I approach it with entire sympathy for any measure that will give real relief to the American farmer; but I can but reflect, and I want to call the attention of the Senate to the fact, and especially the attention of the coalition and the progressives, that when we had in this Chamber a fight on behalf of all agriculture, for the debenture plan, the leading proponents of the sugar duty were not among the ranks of those who proposed to aid agriculture. The Senator from Michigan [Mr. VANDENBERG], who pleaded here so strongly the other day for a bounty in behalf of the sugar producers, was against the farmer when we offered a measure in behalf of all the farmers. My distinguished friend on my right, the Senator from Louisiana [Mr. RANDELL], who the other day made an address in which he said all he demanded for the sugar producer was what every other farmer in the country gets, when the vote on the debenture plan designed to aid all the farmers came was found voting against all the other farmers.

If he really only desired for the sugar farmers what the remainder of the farmers are getting out of the tariff he would vote to reduce the rate to about 10 per cent or some lower figure. I say that not in reprisal and not in complaint, but I want to call attention to the viewpoint of some of the proponents of the sugar duty in behalf of the American farmer, and to see how broad their outlook is in behalf of agriculture. Then, I want to point out to them that this measure, if enacted, will not accomplish the result for which they contend.

The Senator from Utah [Mr. SMOOT], who is now so industrious in behalf of the beet-sugar farmer, when the interests of all the farmers were at stake here in the debenture plan used his tremendous influence against the remainder of the farmers.

Mr. SMOOT. Mr. President—

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

Mr. CONNALLY. I yield.

Mr. SMOOT. The Senator from Utah has supported the rates asked for on all farm products, including the high rate on figs, which the Senator wanted. On all agricultural products the Senator from Utah has voted to put into the bill the rates which were asked for.

Mr. CONNALLY. I was prepared for just such an answer from the Senator from Utah.

Mr. SMOOT. I thought the debenture plan was entirely improper in a bill providing for tariff rates.

Mr. CONNALLY. The Senator from Utah twits me with the statement that he voted for a duty on figs because I wanted it. That is the doctrine; that is the theory.

Mr. SMOOT. No; I did not say I voted for a duty on figs because I thought the Senator wanted me to do so. I do not think the Senator ever told me whether he wanted me to vote for it or not. So the Senator from Texas is mistaken in that statement.

Mr. CONNALLY. I withdraw that statement, if I am in error as to what the Senator said.

Mr. SMOOT. I voted for a duty on figs because I thought it was necessary to protect the fig industry, as I voted for duties on all the other agricultural products which are embraced in the pending tariff bill.

Mr. CONNALLY. I will say to the Senator from Utah that I am not trying to impugn his motives; I have the very highest respect for the Senator from Utah; I think that he is sincere; but I was about to observe that when there was before the Senate the debenture amendment, which would have aided all of the farmers of the United States, the Senator from Utah used his tremendous power against that measure.

Mr. SMOOT. Mr. President, I voted against the debenture plan because I did not think it was a proper form of legislation. If I had thought it a proper form of legislation, I would have supported it; but, I repeat, I do not think it is a proper form of legislation.

Mr. CONNALLY. Mr. President, with all respect, I hope the Senator from Utah will not interrupt me again, because I have but a very short time remaining before we must take a vote.

Mr. SMOOT. I shall not again interrupt the Senator.

Mr. CONNALLY. Mr. President, I wish to try to point out that the proposal before us will not accomplish the result which those who contend for it seek to attain. What are the facts?

Under the proposal before the Senate it is admitted that the sugar consumers of the United States will be taxed \$54,000,000 a year additional by reason of the increased cost of sugar. I contend that that increased cost amounting to \$54,000,000 a year upon the sugar consumers of America will not go to the sugar farmers of the United States.

The consumption of sugar in the United States is 6,000,000 tons annually. How much of that sugar is produced in the United States? The statistics show that of all the sugar consumed in this country continental United States produces only 20.82 per cent, or one-fifth of the consumption. Where does the rest of the sugar come from? It comes from the Philippines; it comes from Hawaii; from the Virgin Islands, from Porto Rico and Cuba, with about half of the sugar consumed in the United States coming from Cuba.

Let us, for the sake of the argument, assume that every cent of the \$54,000,000 is passed on to the sugar producers, what is the result? Out of the \$54,000,000 increased cost to the American consumer, the American sugar producer will receive one-fifth, or \$11,000,000; that is all.

The Senator from Utah on yesterday admitted that out of the total amount which will be received by the sugar industry the American sugar farmer will only receive 50 per cent. So what is the fact? The fact is that, with an increased cost of \$54,000,000 to the American consumers of sugar, the sugar farmers of the United States will get only about five and a half million dollars.

I am sorry that the Senator from Utah is not on the floor at the moment. I should like to challenge him with those figures. He can not deny them. If there is on the floor at the present time any Senator advocating the increased tariff on sugar I now challenge him with those figures.

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

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Michigan?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. In the first place the figures given by the Senator, \$54,000,000, are inaccurate because—

Mr. CONNALLY. I yield for a question, but I do not invite an argument. However, if the Senator will ask a question I shall yield.

Mr. VANDENBERG. Very well, I will ask the Senator this question: Is it not admitted that the increased price of sugar, in so far as it goes into processing, can not be passed on to the ultimate consumer, and, therefore, the Senator's figures of \$54,000,000 are erroneous.

Mr. CONNALLY. I will say to the Senator that the figures \$54,000,000 cited by the Senator from Texas are not erroneous. Instead of that sum being too much the chances are that it is too little, because when the increased cost is pyramided



through the hands of the retailers and through the hands of the industry generally the cost to the American consumer will be not \$54,000,000 but much more than \$54,000,000.

The Senator from Michigan does not challenge the statement, however, that out of the total amount, whatever it may be, received by the sugar producers only 10 per cent, or five and one-half million dollars out of the \$54,000,000, will trickle down into the hands of the sugar farmers of the United States.

I desire to ask the Senator from Michigan, who runs a great newspaper plant, would he justify an expenditure of \$54,000,000 when only 10 per cent of it trickled down into the coffers of his company?

Mr. VANDENBERG. Mr. President, may I answer the Senator? I do not want to take his time.

Mr. CONNALLY. I thank the Senator.

Mr. VANDENBERG. I merely wish to answer the Senator's question. He asked me if I would justify that sort of a situation. Even if I conceded the \$54,000,000 if, on the other hand, I could definitely see that except as I spent the \$54,000,000, the American sugar consumer would be exposed to hundreds of millions of dollars of exactions due to price fixation by foreign sugar importers I most certainly would think I had made a good investment.

Mr. CONNALLY. The Senator does not answer the question, of course, but I shall with reluctance be compelled to decline to yield further because I only have a short time.

The proposition which I lay down is that it is proposed here to tax the American consumer \$54,000,000 in order to give to the sugar farmer five and one-half million dollars. That is the proposition, and it can not be disputed. The Senator from Michigan contends that it will not cost \$54,000,000. If it does not cost \$54,000,000, the gain to the sugar farmer will be so much the less.

What are the facts, Mr. President? Why is an increased tariff urged? It is proposed to increase the tariff rate on sugar on the ground that it will increase production. It is proposed, in fact, to increase the tariff on sugar for two reasons: First, to increase the price, of course, in order that the sugar producer may get more profit, and, secondly, it is proposed on the theory that if the tariff shall be increased sugar production in the United States will be increased. I propose to demonstrate that that is not a conclusion which will follow.

Let us see what the history of the past seven years has been. In 1922, at the time the last increase in the tariff on sugar was adopted, the United States was producing more sugar, a larger percentage of its consumption of sugar, than it is producing to-day under the increased tariff. In 1922 the United States produced 23 per cent of the sugar which it consumed, while in 1928, under an increased tariff of \$1.76 on a hundred pounds, instead of the production of the United States increasing, it decreased, until in that year the United States produced only 20.82 per cent of its consumption.

Where will the sugar production be increased if the duty proposed by the Finance Committee shall be levied on sugar? As was so well pointed out by the senior Senator from Idaho [Mr. BORAH] a few days ago, the sugar production which will be increased by reason of the advance in the tariff rate on sugar will not be the production of the United States, but it will be the production of the Philippines, Hawaii, Porto Rico, the Virgin Islands, of the insular possessions of the United States. Those who advocate the increased duty deny that statement. What are the figures? What are the statistics? In the Philippine Islands in 1922 the production of sugar was 274,000 tons, but, under the stimulation of an increased rate, in 1928 the Philippines produced 575,000 tons. In seven years the Philippines have more than doubled their sugar production.

In 1922 Hawaii produced 567,000 tons of sugar—and I mean, of course, sugar consumed in continental United States—while in 1928 Hawaii sent to the United States 878,000 tons of sugar, or an increase of over 300,000 tons.

In 1922 Porto Rico produced 360,000 tons, while in 1928 Porto Rico sent to the United States 661,000 tons. In seven years the production of Porto Rico was almost doubled.

In 1922 the Virgin Islands produced 5,700 tons, while in 1928 they produced more than 11,000 tons.

So, Mr. President, the history of the past demonstrates that an increase in the sugar tariff increases the production in the Philippines, in Hawaii, in Porto Rico, in the insular possessions of the United States; but, in the face of an increased duty, the fact is that sugar production in the United States has absolutely decreased. Why? There are many reasons for that situation. In the first place, we have not the climate and the favorable soil conditions of the tropical countries. In the second place, as to beet culture, the United States is the lowest

in yield per acre in the production of beets of any country in the world except Russia.

Let me quote the figures for you a moment.

Italy produces, per acre, 20 tons; Germany, 14; Denmark, 13; Sweden, 13; France, 12; Belgium, 12; the Netherlands, 11; Spain, 10; the United States, 9.76; and Russia alone is below us with 7.60.

The Senator from Michigan [Mr. VANDENBERG] was greatly alarmed a while ago about beet sugar. Of all the States in this country, Michigan produces the smallest amount of beets per acre. So the Senator from Michigan can not hope to maintain in Michigan a highly profitable sugar industry when, according to the records, his State is the poorest in production in all the world in that respect, expect possibly some districts in Russia.

What are the other facts as to the production among the various States?

The records demonstrate that in the United States Colorado has a high percentage of beet yield. The average yield is 12.7 tons per acre. In 1928, Nebraska produced 11 tons; Wyoming, 10.8 tons. In these States where the beet yield is large, the industry is prosperous. That is the territory of the Great Western Sugar Co., which, it has been shown in debate, has made tremendous profits. But when we come to Utah, although it has a large percentage of beet yield, that State does not enjoy a favorable freight situation. I should like to suggest to the Senator from Utah [Mr. SMOOT] that if he would but serve his people half so well in securing a readjustment of the freight rates which are smothering agriculture as he has in contending for an additional tariff, he would be able to serve not simply Utah but all of the farmers of the United States.

The Utah sugar producer can not ship his sugar in competition with the other States just mentioned. It costs him 13 cents per hundred pounds more in freight rates to ship the sugar from Utah to Chicago and other consuming centers; and, of course, he can not stand up against it, and make as high profit as his competitors.

One other point in this situation is that the beet-sugar producers voluntarily discount their sugar. I shall be glad if the Senator from Utah will bear witness to this: The beet-sugar producers voluntarily discount their sugar 20 cents per hundred under cane sugar. Is not that true?

Mr. SMOOT. They do not do it voluntarily.

Mr. CONNALLY. But they do it.

Mr. SMOOT. They are compelled to do it.

Mr. CONNALLY. I never have been able to understand why, when the chemists tell us that beet sugar and cane sugar chemically are identically the same, yet the beet-sugar producer goes into the market and underbids the cane-sugar producer by 20 cents per 100 pounds. That was brought out in the hearings. He discounts his own product 20 cents per 100 pounds.

These are reasons why the beet-sugar industry in the United States, in certain sections, has not been prosperous.

Take the States of Ohio and Michigan and Indiana: The industry is not prosperous there because the yield of beets is very low. Those are industrial States. They have to compete for labor with the automobile factories and the other factories of Ohio and Michigan and Indiana. Of course, the beet-sugar farmers can not pay the high labor rates which are offered by the industrial centers; and so those particular States claim that they can not profitably produce beet sugar. But, Mr. President, it was shown in the hearings, and it has been shown here in the Senate, that they get \$7 a ton for their beets. In the case of Colorado, with 13 tons to the acre, seven times 13 is \$91 per acre. In the case of Utah, 11.8 tons per acre is about \$80 per acre yield. In the case of Louisiana—and I have great sympathy with the cane producers of Louisiana—it was shown the other day by the senior Senator from Louisiana [Mr. RANSDELL], as well as the junior Senator [Mr. BROUSSARD], that one of the causes for distress in the cane-sugar industry of Louisiana was because diseases had attacked the cane in recent years, and their production had greatly declined. It was also shown, however, that they have imported a new cane from Java, a cane of fine quality and high production which is able to resist disease, and that that particular cane offers hopes of producing as high as 18 tons of cane per acre, and at a price, I believe, of 3.70 cents.

Mr. BROUSSARD. The price we got for the last crop was 3.70. It sold for 3.70 the past year.

Mr. CONNALLY. Three and seven-tenths cents, which even at the depressed price now, would yield a revenue per acre of about \$66. My understanding is that it does not cost as much to cultivate cane as it does to cultivate cotton. I may be in error, but I will say to the Senators from Louisiana that if that be true the cane sugar producers of Louisiana are not receiving less than the average cotton farmer throughout the South.

But, Mr. President, I want to submit that it is absolutely economically unsound. I want to submit that no Senator having a business would indulge in such a practice of placing upon the back of the American sugar consumer an increased burden of \$54,000,000, pyramiding, perhaps, in order for \$5,500,000 of that sum to trickle down to the sugar producer of the West and of the South. So far as I am concerned, I should much prefer to vote out of the Treasury a direct bounty, if I knew that bounties were going to be traced into the hands of the sugar farmer himself, rather than to tax the American people with \$54,000,000, and give the larger portion of that amount to other countries.

Mr. President, I have made a little calculation as to what will become of the \$54,000,000 which the American people are going to pay.

Out of the \$54,000,000, we find that the sugar industry of the United States, on the present basis of production, will receive \$11,242,090. I want to show the consumer, and I want you Progressives over there, and those of us on this side who are members of the coalition—I want the “sons of the wild jackass,” in other words—to listen to what I am talking about when you go back home and tell the American consumer what became of the \$54,000,000 that you took out of his pockets while he was not looking—\$54,000,000!

Out of that \$54,000,000 the American sugar industry will get \$11,000,000. Half of that \$11,000,000 will go to the sugar manufacturers; part of it to the Great Western, which produces practically half of the beet sugar. So we can figure that the Great Western will get about \$2,500,000—not quite so much, probably about \$2,000,000—out of that amount; but the sugar industry of the United States will get \$11,000,000. Only half of that, or \$5,500,000, will go to the sugar farmer.

How much will Hawaii and Porto Rico receive? Hawaii, Porto Rico, and the Virgin Islands will receive 23 per cent of the \$54,000,000, which amounts to \$12,425,400. The Philippine Islands will receive 8.59 per cent, or \$4,638,600.

So, Mr. President, when we vote to increase the sugar tariff \$54,000,000, we are voting to give the American sugar farmer \$5,500,000; but while we are doing that we are voting to give the inhabitants of Hawaii and Porto Rico and the Virgin Islands \$12,000,000. We shall give to the sugar industry of these three possessions twice as much money as we give to the American sugar farmer. We shall give to the Philippine Islands \$4,638,000. We shall give to the Philippine Islands alone practically as much money as we are giving to all of the sugar-beet and sugarcane farmers in the United States. Can we justify it? I deny that anyone can justify a vote for such a proposition.

Mr. President, where will the increased production come? The increased production, of course, as it has done in the years that are gone, will come from the Philippines and from Hawaii.

Much has been said by Senators on this floor with reference to Philippine independence. The junior Senator from Louisiana [Mr. BROUSSARD] some time ago made a very scholarly and exhaustive address on the subject of Philippine independence.

Mr. President, I am now and have always been, since being a Member of this body, ready to vote for Philippine independence; but I want to vote for Philippine independence upon some higher ground than that we desire to give them their political independence simply in order to tax them. That, however, shall not stand in my way; but in the meantime, so long as the Philippines are under our flag, I see no way by which the United States can, with honor, tax the products of those islands.

The Senator from Louisiana practically admits that a sugar tariff will be of no benefit to the American sugar producer unless the bars are put up against the Philippines and its increasing production. The senior Senator from Louisiana [Mr. RANSELL] the other day contended that any duty short of \$2.40 per hundred pounds would be of very little, if any, benefit to the sugar producer. If the Senator from Louisiana is correct, if \$2.20 will not do the sugar farmer of his State any good, why should the Senate be called upon to lay this increased burden upon the consumers of America?

The Senator from Colorado [Mr. WATERMAN] a few days ago also bitterly complained that gentleman belonging to the progressive wing of the Republican Party had refused and were refusing to give sugar the same protection and the same benefit that other agricultural products were receiving.

I should like to remind the Senator from Colorado [Mr. WATERMAN] that when all of the farmers of the United States were struggling here for relief under the debenture system, the Senator from Colorado was not in the ranks of those who were trying to aid the American farmer.

Mr. President, I want to talk for just a moment to Senators from those States who have, throughout this long struggle, been fighting against higher industrial rates, and have been en-

deavoring to do something in behalf of American agriculture. Let me suggest to them that this particular schedule, the sugar schedule, is one that will not really benefit the American farmer, but that if you surrender on this schedule, you will probably be in the attitude of going back and telling your constituents that you have accomplished nothing substantial for the great body of American farmers.

In the first place, the Senate has adopted the debenture plan; it is an amendment on this bill. But do not delude yourselves, progressives, do not delude yourselves. The President of the United States is not going to let the debenture become a law. The body at the other end of this Capitol will not permit the debenture to become a law. There is a presidential veto awaiting it, even if it emerges from the House, which it will never do.

Let me suggest to the progressives on the other side of the Chamber, do not delude yourselves about the flexible tariff. I realize that those who now propose high rates on sugar were not with us in the fight in behalf of the repeal of the flexible tariff, but I would suggest to them that if the flexible tariff which was in operation had been faithfully carried out by the President in the past, we would be dealing to-day with a duty on sugar of 1.23 under the present law, instead of 1.76.

Let me suggest to the progressives, you are not going to get the flexible tariff law repealed, because the President would veto such a law. The House of Representatives would veto it. What will be the attitude of the progressive Members of Congress when they go back to their constituents? They will go back and say, “Yes; we voted for a higher tariff on sugar, we voted to put upon the backs of all of the farmers of the United States, about 7,000,000 farmers in the United States, along with the other consumers of the United States, \$54,000,000, in the name of farm relief, in the name of helping the farmer.”

How much of that would the farmer get? He would get 10 per cent. Mr. Wheat Farmer will say, “O Mr. Progressive, you with the loud voice but a slow vote, what did you do for the wheat farmer?” “Well, we voted in the debenture.” “Yes; but what became of the debenture?” “The debenture is over in the presidential waste basket.”

“Well,” says Mr. Corn Farmer, “what did you do for me?” “We did not do anything for you. We tried to do something for you, but we could not make the grade. The debenture was thrown out.”

Mr. Cotton Farmer and Mr. Every Other Kind of Farmer will say, “What did you do for us?” “We did not do anything. We talked loud for you. We talked awfully loud, and we filled a great many columns of the newspapers about you; but when it came to getting results we were not able to accomplish anything.”

He will say, “What kind of a farmer did you help?” “We helped the sugar farmer.” “How much?” “We gave him five and one-half million dollars, your dollars, dollars from every farmer.” “How much did it cost us?” “It cost you \$54,000,000.” “You mean to say, Mr. Progressive, that you taxed us \$54,000,000 in order to get \$5,000,000 for a few beet farmers in Ohio and in Colorado and in Nebraska?”

Mr. Progressive, that sort of an argument is not going to stand up. That sort of a plea will not get you the votes.

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

Mr. CONNALLY. I yield.

Mr. SIMMONS. The Senator has said that the Philippine farmers will get as much of this \$54,000,000 as the American farmer will get.

Mr. CONNALLY. I have said that the Philippine sugar producers will get almost as much as all American sugar farmers.

Mr. SIMMONS. How much of that \$54,000,000 will the Philippine farmers have to pay?

Mr. CONNALLY. Of course, the question answers itself. I will say to the Senator from North Carolina that the Filipino farmer will pay none of that, of course, because he pays no tariff duty on his sugar when he is at home.

Mr. President, that is the situation in which the coalition is going to be placed; that is the situation in which those of us who have been advocating progressive measures in this body are going to find ourselves. We have pleaded for all of the farmers through the debenture. We are not going to get it. Then we are going back to our farmers and tell them that the only farmer who has gotten any relief out of this legislation is the sugar farmer, and he gets only 10 per cent of the amount which it costs the American consumer.

Have we not treated the sugar farmer pretty well in the past? To-day, with the present rates on sugar, the sugar farmer is receiving about 88 per cent protection. There are limits to all things. We want to give them reasonable protection, yes; equalized conditions, yes. But when it comes to giving exorbitant, outrageous rates, there is some boundary to our judgment and some end to our patience.

Mr. President, there will not be the results that are claimed. We have already pointed out that it will not increase production in the United States. It has not done so during the past seven years. It produces increased production, yes; but in the Philippines, in Hawaii, in the Virgin Islands, in Porto Rico.

It has already been demonstrated that the people of the Philippines, the people of the Virgin Islands, and the people of Hawaii need no increased protection. They are already prosperous. The industry in those places is smiling, and an increased rate on sugar will simply mean that their profits will be pyramided.

Mr. President, from any consideration this increased rate is not justified. In the first place, it is economically unsound to pay out \$54,000,000 in order to get five and one-half million. In the second place, it will not increase American production but will increase production in the islands of the sea. Already it has been pointed out that it can not be justified as a revenue measure. I will not vote to place \$54,000,000 upon the backs of the consumers of the United States—a sales tax, a consumption tax, that bears more heavily upon the weak than it does upon the strong, that takes more from the poor than it does from the rich—and, at the same session of Congress, hand back to the income-tax payers \$160,000,000, which the Government says it does not need.

This increased rate can be justified neither as a revenue producer nor as a protective measure. The only justification on earth for it is a political justification. There are those who believe that the protective tariff is the remedy for all economic ills. If the Senator from Utah wants really to benefit the beet-sugar producers, why does he not come forward boldly and ask for a direct subsidy from the Treasury which will go actually to the beet-sugar producers of the United States?

It has been pointed out that American labor will not be the beneficiary of this increased rate. I shall not attack the beet-sugar growers because of the character of labor they employ. They are human beings, subject to all of the same passions that actuate business men everywhere. They try to get the cheapest labor they can get, in order that their profits may be the highest. They are not unlike the manufacturers of New England; they are not unlike the manufacturers and farmers of other sections. They are simply trying to extract from the beets all the profits they can get. But I want to remind Senators that while the beet and cane sugar producers may be able to import their labor from Mexico or some other foreign country, a tariff law can not import from the Philippines and Hawaii the soil that in those lands quickens and stimulates the growth of sugarcane. There is no statute that can transport to the shores of Michigan the climate of the tropics. No act of Congress can adjust the seasons and the sunshine. The Philippines, Hawaii, the Virgin Islands, and Porto Rico will continue to possess the qualities that make sugar production more prolific, make profits greater, and result in the extension in those portions of the earth, of the increased production which it is hoped to bring about here at home.

Let me suggest to my progressive friends, you sons of the wild jackass, do not let the regulars when the vote comes put the halter on you. As long as you are wild you are free; and I am one of you, I am poking no jibes at you. As long as a wild jackass is unroped and unmuzzled, as long as he is out on the range he is a free being; but if you let the standpat regulars at this time once get the halter on you, if you surrender your necks to the yoke you are going to be in bondage throughout the rest of the consideration of this bill, because this is going to be the only real farm relief that the regulars are going to put into this bill.

Mr. President, no sort of juggling, no sort of standpat-progressive coalition, no kind of legislative magic will bring about any other result than an increase of \$54,000,000 upon the American people in the name of five and one-half millions of farm relief, which will be a burden upon the American consumer and will break the hope of the sugar farmer himself for increased production.

Ah, I say to the Senator from Utah, this \$54,000,000 will never satisfy the beet-sugar man, because he is not going to get it. It will be like one of the mirages of the Senator's own deserts. It offers a splendid prospect but in the realization it is false and empty.

I ask the Senate, Mr. President, to vote for the amendment of the Senator from Mississippi. Let us leave this rate at \$1.76. The sugar producers already have 88 per cent. Let us not build up the industry of the Philippines and Hawaii and Porto Rico, while at the same time we degrade and, I fear, destroy, by reason of this increased and stimulated competition, the beet-sugar growers of Michigan and of Utah and the cane-sugar growers of Louisiana.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll. The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Keyes	Shortridge
Ashurst	Gillett	King	Simmons
Baird	Glass	La Follette	Smith
Barkley	Glenn	McCulloch	Smoot
Bingham	Goff	McKellar	Steck
Black	Goldsborough	McMaster	Steiwer
Blaine	Gould	McNary	Sullivan
Bleasie	Greene	Metcalf	Swanson
Borah	Grundy	Moses	Thomas, Idaho
Bratton	Hale	Norbeck	Thomas, Okla.
Brock	Harris	Norris	Townsend
Brookhart	Harrison	Nye	Trammell
Broussard	Hastings	Oddie	Tydings
Capper	Hatfield	Overman	Vandenber
Caraway	Hawes	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Couzens	Hebert	Pine	Walsh, Mass.
Dale	Heflin	Ransdell	Waterman
Deneen	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Keane	Sheppard	
Frazier	Kendrick	Shipstead	

Mr. SHEPPARD. The Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are absent, being in attendance on the naval conference in London. They have a general pair on all questions.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present. The question is upon agreeing to the amendment proposed by the Senator from Mississippi [Mr. HARRISON] to the committee amendment.

Mr. COUZENS. Let it be read. The VICE PRESIDENT. The amendment to the amendment will be read.

The CHIEF CLERK. On page 121, line 12, in the committee amendment, strike out "1.5425 cents" and insert in lieu thereof "1.24 cents," so as to make the first clause of paragraph 501 read:

Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 sugar degrees, and all mixtures containing sugar and water, testing by the polariscope above 50 sugar degrees and not above 75 sugar degrees, 1.24 cents per pound.

Mr. HARRISON. Let us have the yeas and nays. The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FESS (when his name was called). On this question I have a pair with the Senator from New York [Mr. COPELAND]. If he were present, he would vote "yea." Were I permitted to vote, I would vote "nay."

Mr. FLETCHER (when his name was called). On this vote I have a pair with the Senator from New Mexico [Mr. CUTTING]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay."

Mr. GLENN (when his name was called). On this question I have a pair with the senior Senator from Montana [Mr. WALSH], who is necessarily absent.

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS], who is necessarily absent. I understand that if he were present he would vote as I would vote; therefore I feel free to vote. I vote "yea."

The roll call was concluded.

Mr. SHEPPARD. I desire to announce that the senior Senator from Arkansas [Mr. ROBINSON] and the senior Senator from Pennsylvania [Mr. REED] are absent in attendance on the naval conference in London. They have a general pair on all questions.

I also wish to announce that the Senator from Nevada [Mr. PITTMAN] is necessarily detained on official business.

Mr. HARRISON. I wish to announce that my colleague the junior Senator from Mississippi [Mr. STEPHENS] is necessarily detained from the Senate by illness. If present, he would vote "yea."

The result was announced—yeas 48, nays 38, as follows:

YEAS—48			
Allen	Connally	Keyes	Sheppard
Ashurst	Dill	La Follette	Shipstead
Barkley	George	McCulloch	Simmons
Black	Gillett	McKellar	Smith
Blaine	Glass	McMaster	Steck
Bleasie	Goff	Metcalf	Swanson
Borah	Harris	Norbeck	Thomas, Okla.
Bratton	Harrison	Norris	Trammell
Brock	Hastings	Overman	Tydings
Brookhart	Hatfield	Pine	Wagner
Capper	Hayden	Robinson, Ind.	Walsh, Mass.
Caraway	Heflin	Robison, Ky.	Wheeler
	Jones	Schall	

NAYS—38

Baird	Grundy	McCulloch	Stelwer
Bingham	Hale	McNary	Sullivan
Broussard	Hastings	Moses	Thomas, Idaho
Couzens	Hatfield	Nye	Townsend
Dale	Hebert	Oddie	Vandenberg
Deneen	Howell	Patterson	Walcott
Frazier	Johnson	Phipps	Waterman
Goldsborough	Kean	Ransdell	Watson
Gould	Kendrick	Shortridge	
Greene	King	Smoot	
NOT VOTING—10			
Copeland	Fletcher	Reed	Walsh, Mont.
Cutting	Glenn	Robinson, Ark.	
Fess	Pittman	Stephens	

So Mr. HARRISON's amendment to the amendment of the committee was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee, as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The CHIEF CLERK. On page 121, line 15, in the committee amendment, the Senator from Mississippi [Mr. HARRISON] proposes to strike out "575" and insert in lieu thereof "460," so as to read:

And for each additional sugar degree shown by the polariscopic test 0.0460 of 1 cent per pound additional.

And so forth.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. COUZENS. Let us have the amendment stated.

The VICE PRESIDENT. The amendment as amended will be stated.

The CHIEF CLERK. On page 121, line 14, strike out the words "but not above 94 sugar degrees, 625," and insert "460," so as to read:

And for each additional sugar degree shown by the polariscopic test 0.0460 of 1 cent per pound additional, and fractions of a degree in proportion.

Mr. BLAINE. Mr. President, as supplemental to and in confirmation of what I said during the debate yesterday, I want to quote briefly some official authorities. I claimed and asserted that women were employed in the beet fields; that they had to crawl upon their hands and knees in weeding and thinning the beets, and that in the topping of beets in many instances they were compelled to crawl along the rows of beets upon their knees whenever there were no small children of 6 or 7 years of age who could take the beets and give them to their mothers in the topping process. Those mothers, where mere babes are not in existence in the families that are working in the beet fields, must shuffle along on their knees in the topping of the beets. I want to read some statements from official sources. I have a report, dated January 11, 1930, from the industrial commission of my own State, in which the commission says:

In most of the migratory families the mother of the family works in the field with the father and the children. Probably there are not more than three or four families in which this does not occur.

The fact that I have just quoted from an official source was developed as the result of an investigation made in 1926 in my own State. Practically every mother and the children of families that are migratory in the beet fields work in the beet fields.

Mr. President, I want to quote some additional authorities upon this question. I will now refer to conditions in the State of Michigan. I have in my hand an official report made by the Children's Bureau, Department of Labor of the United States, under the direction of Miss Grace Abbott, chief, whose report is entitled "Child Labor and the Work of Mothers in the Beet Fields of Colorado and Michigan." On page 107 of that report, under the title "Work of Mothers in the Beet Fields," I find this statement:

In all except a few of the beet-field laborers' families visited, the mother as well as the children worked on the crop.

The mothers in the Michigan families studied were not such experienced workers as those in Colorado, the average number of seasons at work being only three as compared with eight for the mothers in the Colorado families.

Field work—

I am now quoting from page 108, and I especially call the attention of the Senate to the statements in this official report—

Field work throughout pregnancy is not uncommon with these women, even when they are not feeling well, some reporting they worked "in the beets" up to within a few hours of the birth of a baby. They do

not in some cases have adequate rest after confinement, especially if it occurs during the beet season. One mother was out thinning and blocking two weeks after her confinement; another began to pull and top one week after her baby was born.

Many women declared "beet work is no work for a woman," and told of their difficulties in trying to help in the fields and perform the most necessary household tasks even when adequate care for the children was not considered. The following are typical comments on this situation made by mothers, all of whom had young children—

I am now quoting from this official report what these mothers said:

I have to work in the field from 4 o'clock in the morning until 7 at night, and then come home and cook and bake until 12 and 1 o'clock.

These are not exceptional cases, Mr. President. As shown in this report, similar conditions exist on all the principal beet plantations of Michigan and Colorado and in every other State wherever there is a production of beets on a large scale.

At first I tried to cook—worked in the field from half past 5 in the morning until 7 at night—

This is taken from the statement of another mother—

and then came home and was often making bread and cake at 1 and 2 in the morning. But it was too much and toward the end of our hoeing there were days when we practically lived on milk.

I could go on and cite innumerable instances, showing the experience of the mothers who work in the beet fields. I will not take the time of the Senate to do so at present.

I quote from page 110:

Many of the working mothers had young children. Some had two children less than 3 years of age, and one mother had three. Of the 679 children under 6 years of age included in the study, 423 were in contract laborers' families, where mothers had little opportunity, because of their work in the fields, to give much attention to their babies. The mothers of 9 out of 10 of the laborers' children and of 6 out of 10 of the farm owners' children under 6 years of age were beet-field workers.

On page 111 this report continues:

Many of the laborers lived at some distance from their work, and unless some one could be left with the children they had to be taken to the field by their parents and kept there throughout the working hours. Practically one-half of the children under 6 years of age (331) were usually and 267 were invariably taken to the fields. Of these children, 152 were under 3 years of age and 43 were not 1 year old.

I am quoting now from the report as to the beet fields in the State of Michigan.

Mr. SHORTRIDGE. What about Wisconsin? Are the conditions in Wisconsin referred to in the report?

Mr. BLAINE. I have a report of the conditions in the beet fields of Wisconsin, and in my State the work of women and children in the beet fields is rapidly diminishing.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from California?

Mr. BLAINE. I yield for a question but not for a speech.

Mr. SHORTRIDGE. Certainly. My question is this: The Senator is quoting from the report as to conditions in Michigan. I understood him to say that the State of Wisconsin had eliminated or done away with the labor of women and children in the beet fields.

Mr. BLAINE. Not entirely.

Mr. SHORTRIDGE. I was going to ask him if it is not quite possible by appropriate laws to do that in all the beet-growing States?

Mr. BLAINE. Not where migratory families work in the fields. Many States in which migratory families of Mexicans or other recent immigrants are employed have not adopted such laws, and many have adopted laws to keep mothers and children out of the beet fields, yet the States have not enforced them. That is the report of the Department of Labor of the United States Government made in 1923.

Mr. SHORTRIDGE. My question was: Have not the States the power to regulate that matter?

Mr. BLAINE. That is academic, of course.

Mr. SHORTRIDGE. It is academic; but I was going, then, to ask if the States had passed appropriate laws curing the evil complained of.

Mr. BLAINE. If they have done so, the laws have not cured the evil.

I quote further from the report:

The babies were sometimes left in baskets or boxes under a tree, though many fields were without any shade. A small canvass tent was sometimes put up for them, and was a common sight in the beet fields. Few children were protected by netting from flies and mosquitoes.

This report shows that sometimes the children were left in the care of a dog, and they were, indeed, fortunate if some of these migratory families even had a dog. That is the report of the Department of Labor. It is not my declaration, but is a statement of fact obtained from a survey in the beet fields by the Department of Labor.

In the same report, on page 112, it is stated:

Seventy per cent of the laborers reported that they were engaged by company agents.

Thus we have a sort of contract system of indenture growing up in the United States, which is as vicious as is the indentured labor in portions of Africa.

Now let me turn to the report on the beet fields in Colorado. First, however, I wish to call attention to the fact that on page 116—and this is supplemental to the printed page—are two photographs, published by the United States Government, showing the hovels in which these migratory families must live in the beet regions; hovels in construction and equipment not equal to a well-regulated pigsty in many States of this Union. They are living under conditions unfitted for human habitation. This is the sort of thing that there has been an endeavor to perpetuate by the proposed increase in the sugar rates.

Turning now to Colorado, on page 6 the report states:

In the Colorado section 1,073 children—

These were the ones investigated. This does not include a census of all the children and women working in those sections—1,073 children between 6 and 16 years of age, and in the Michigan section, 763 had worked in the beet fields in the summer of 1920. A large proportion (from one-fifth to one-fourth) even of the 6 and 7 year old children in the families interviewed had worked.

On page 8—I am quoting:

The children of migratory laborers are likely to lose even more time from school than resident children, as they are withdrawn from school early in the spring in order to get settled in the beet-growing area in time for thinning, and seldom return to town until late November or December, some weeks after school has begun. Among the migratory laborers' families in the Colorado section the percentage of retarded children was 62; that for children in the Michigan migratory families was 47.

That pictures the conditions under which child labor is employed in the beet fields.

Quoting further:

The mothers of many young children were beet-field workers.

On page 26, under the title "Hours and Duration of Work in Each Process," we find this:

About one-half of them, both boys and girls, were under 12, and 273 children, or more than a fourth, including 30 per cent of the boys, were under 10 years of age. In fact, 6 per cent of these child workers were less than 8 years old—15 of them only 6 years and 50 of them 7 years old.

Mr. President, those figures relate only to the families that came under this survey. This was not a census of the entire population of the beet fields of Colorado.

On page 53, under the title "Work of Mothers in the Beet Fields," you will find this expression:

In families where the children work in the beet fields it is customary for the mother to work also. A few fathers were apologetic over the fact that in order to make both ends meet their wives were obliged to help in the beet fields, but for the most part field work for women was regarded in Colorado as a matter of course. In the 542 families studied were 454 mothers who were beet-field workers.

On page 59 I again quote:

Usually the babies were brought to the field and left in a box or basket within sight of their mothers. Occasionally a family would report that "the dog takes care of the children." Sometimes a small tent was put up as a shelter, as there was seldom any shade near the fields. If the mother came out early the baby had to come early, too, and stay until the mother went home. In some families a grandmother, aunt, or older sister cared for the children left at home, but in the majority of cases the mother had no adult on whom to depend.

And so these little babies were taken out to the beet fields and there placed in boxes from early morning until late at night, while their mothers crawled along the ground of the damp irrigated regions for hours in the blistering hot sun. Out of that kind of a background what kind of a civilization do you expect to create in these sugar-beet field regions?

This report goes on in great detail respecting the conditions under which the mothers and the children work. Yes; the children crawl on their hands and knees, children under 8 years of age, from early morning, the report says, 11 and 12 hours a

day. Of course, they are subjected to the ravages that come from damp places. Of course, their hands and fingers become twisted. Of course, they have enlarged joints and deformed legs. Of course, mothers complain of what they call "rheumatism," when even during the later stages of their pregnancy they are compelled to get down on their knees in topping the beets.

We have heard talk to the effect that mothers, in topping the beets, top them while standing. Mr. President, if there is a child 6 or 7 years of age in the contract family who can perform the service of handing the beet to its mother without any cost to the contractor, then the mother has the privilege of standing erect while she tops the beet; but if there are no small children in that family whose service can be obtained for nothing, whether those beets are in piles or strewn along the ground in rows, the mother in topping those beets shuffles along the row upon her knees. The Senator from Utah knows that to be a fact. There is no other way by which she can perform the physical labor. She is in no condition to stoop. It is impossible. So in order to protect the unborn babe it becomes necessary for her to go down on her knees, where she may find these beets readily available for her in the topping process.

These are not single instances. The conditions which are described in the report of the Labor Department are universal in the beet fields wherever there are migratory families, every one of them, whether in Wisconsin, Michigan, Nebraska, Colorado, Utah, Idaho, or elsewhere. There is no exception.

On page 26-1 you will find a picture of a small boy thinning beets. According to this report, a working day of 11 or 12 hours was not uncommon. On the same page you will find a picture of little children at work, and the statement that four-fifths of the working children hoed beets, the majority of them nine hours or more a day.

On page 26-2 you will find a picture of a young boy topping beets. A sharp, heavy knife, with a hook at the end, is used in this operation. In the picture underneath that boy you will find the mothers and the children working side by side. The 9-year-old boy on the left had worked 11 hours a day for three weeks at pulling and topping. That picture is official. It comes from no propagandist organization. It does not come from the lobby. It comes from the Labor Department of our own Government. Any Senator who looks at that picture knows full well that the mothers, in the condition in which those pictures show them, can work in no other physical position than on their hands and knees, or on their knees.

Mr. President, there is other proof. In my own State the growing of sugar beets has been diminishing very rapidly, due to several causes, principally because the growing of sugar beets can not be made economically profitable. There are other farm crops and other farm undertakings in which the farmers choose to engage where their wives and children will not be subjected to the conditions under which women and children must work when they do work in the beet fields. A large portion of the beets for the three sugar-beet factories in Wisconsin come from other States than Wisconsin.

Another cause for the diminishing cultivation of sugar beets in my own State is the laws relating to women and children, and the enforcement of those laws. As difficult as it sometimes is, however, Wisconsin, in my opinion, is solving this problem, and solving it as rapidly as possible.

I hold in my hand some photographs. The first photograph is one of an old lady near Swink, Colo., who is being kept by the county in which she lives as a charge against the county. It was in the fall of 1928 when she became ill, pulling and topping beets in the snow. The pulling and topping of beets, even in the snow, is no unusual occurrence. The husband, a Mexican, worked for the Holly Co. 22 years. He died in 1928. The widow has beside her two little children, 8 and 9 years of age, whose only prospect, under the conditions existing in the beet fields, is to become the toilers in those fields in 1930. I can not have these photographs reproduced in the Record, I understand.

I have another photograph, taken in 1929, which shows little children working in the beet fields of Colorado, down on their hands and knees, crawling along, thinning or weeding, whichever the process may be at the particular season of the year when they were at work, in the hot, blistering sun, with sombreros on. Whenever there was an investigator in sight, or a report was made in the beet fields that an investigator might be present within the next day or two, the contract agents, those who find these Mexicans, see to it that the day the investigator is there the boys and girls are given protection against the sun. On other days those sombreros are snugly tucked away until another visitor comes to the beet fields.

Mr. President, the worst degradation that has ever been pictured in the iron mills or in the mines of the United States is

not comparable with the degradation of the women and children in the beet fields of the United States where women and children who belong to the migratory families are employed.

I have another picture of five little tots, one a girl of about 16 years of age, three little boys from 8 to 11 years of age, and another little girl of probably 12 years of age, showing the little girls down upon their hands and knees toiling in the hot sun of the beet fields of Colorado.

I could go on for hours quoting from the official records of the United States Government, quoting from the statements of those who have had experience in the beet fields, and there is overwhelming evidence, irrefutable, that the beet fields of the United States to-day are worked by women and children, migratory families from Mexico, and other recent immigrant families. At no time of our history have labor conditions been more intolerable than they are in the beet fields of the United States where migratory families are employed.

Mr. President, yesterday when I made some remarks I did not quote from these official reports, but when the veracity of my statements was challenged I concluded that I owed it to the Senate of the United States to present the official evidence to substantiate every word I said on yesterday. This evidence, brief as it is, can be multiplied and cumulated in substantiation of my statements in the debate of yesterday.

I repeat that in the face of this official evidence I can not and have not accepted the opinion of a single Senator, whosoever he may be, whether he has an actual financial interest in the sugar-beet industry or only a personal concealed interest.

The PRESIDING OFFICER (Mr. FESS in the chair). The question is on agreeing to the amendment on page 121, line 15, as amended.

Mr. BLAINE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Allen	George	Keyes	Shortridge
Ashurst	Gillett	King	Simmons
Baird	Glass	La Follette	Smith
Barkley	Glenn	McCulloch	Smoot
Bingham	Goff	McKellar	Steck
Black	Goldsborough	McMaster	Steiner
Blaine	Gould	McNary	Sullivan
Blease	Greene	Metcalf	Swanson
Borah	Grundy	Moses	Thomas, Idaho
Bratton	Hale	Nerbeck	Thomas, Okla.
Brook	Harris	Norris	Townsend
Brookhart	Harrison	Nye	Trammell
Broussard	Hastings	Oddie	Tydings
Capper	Hatfield	Overman	Vandenberg
Caraway	Hawes	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Couzens	Hebert	Pine	Walsh, Mass.
Dale	Hedlin	Ransdell	Waterman
Deneen	Howell	Robinson, Ind.	Watson
Dill	Johnson	Robison, Ky.	Wheeler
Fess	Jones	Schall	
Fletcher	Kean	Sheppard	
Frazier	Kendrick	Shipstead	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present. The question is on the committee amendment as amended.

Mr. BLAINE. Mr. President, may we have the amendment stated?

The PRESIDING OFFICER. The clerk will read the amendment of the committee as amended by the amendment of the Senator from Mississippi.

The LEGISLATIVE CLERK. On page 121, line 15, in lieu of the matter proposed to be inserted by the committee, insert the words "four hundred and sixty," so as to read:

And for each additional sugar degree shown by the polariscopic test 0.0460 of 1 cent per pound additional, and fractions of a degree in proportion.

The amendment as amended was agreed to.

#### PROPOSED REPEAL OF EIGHTEENTH AMENDMENT

Mr. BLAINE. Mr. President, I understand that the Senator from Nebraska [Mr. HOWELL] is about ready to propose an amendment to the pending tariff bill. In order that he may have a little further opportunity to adjust certain essential things in connection with offering his amendment I desire to ask leave, out of order, to introduce a joint resolution providing for the absolute repeal of the eighteenth amendment. The joint resolution provides that "Article XVIII of the Constitution is hereby repealed."

The eighteenth amendment became operative 10 years ago to-day. As I recall, in the last two decades 15 countries, including the Provinces of Canada, adopted prohibition. Only three of those countries, namely, the United States, Finland, and Prince Edward Islands, have prohibition to-day. Experience demonstrates, therefore, that prohibition is a failure.

It is bound to be a failure. Any law to regulate the purely personal habits and customs of the people has always been a failure. Nowhere and in no time has prohibition been enforced or enforceable.

The recent suggestions of the President for the remodeling of the machinery of enforcement do not change the situation. Prohibition is fundamentally wrong in principle and neither constitutions nor laws can make it right.

Sober-thinking friends of orderly government in the 12 countries that have repudiated prohibition found that the only solution of the evils that had grown up under prohibition was to abandon the unworkable and ineffective plan of trying to make people good by law.

Only last Monday the President of the United States informed Congress that more than half of the arrests under the Federal criminal laws were for violations of the prohibition law.

In the last nine years three Presidents have been ardent advocates of prohibition enforcement. None of them succeeded in enforcement, though they had all the governmental machinery under their control and they had a Congress that yielded to every request for more machinery of enforcement, and yet they failed.

To liberalize the Volstead Act would help to reestablish moderation and temperance, but the ultimate solution of the evils of prohibition will be the repeal of the eighteenth amendment.

Of course, the Government will worry along for a time with prohibition, but the time has come for those who are prohibitionists to make good with enforcement or surrender to moderation and ordinary horse sense in dealing with the question of intoxicating liquors.

I ask that the joint resolution be referred to the proper committee.

The joint resolution (S. J. Res. 124) proposing an amendment to the Constitution of the United States repealing the eighteenth amendment, relating to prohibition, was read twice by its title and referred to the Committee on the Judiciary.

Mr. GLASS. Mr. President, I should like to ask the Senator from Wisconsin if any unusual significance may attach to his statement that he desires this done "out of order"?

Mr. BLAINE. Mr. President, may I ask the Senator from Virginia if he considers the resolution out of order?

Mr. GLASS. No; but I asked the Senator if he attached any significance to his statement that he wanted it done "out of order."

Mr. BLAINE. I understand that the request to introduce a resolution "out of order" is ordinarily made by a Senator when he wishes to introduce a resolution under similar circumstances. The request is merely to comply with the rule of the Senate. I had assumed that under the Constitution Congress has the right to amend the Constitution, and that there is nothing out of order in proposing an amendment to the Constitution in the regular and orderly way.

Mr. GLASS. I desire to thank the Senator from Wisconsin for his response to my inquiry.

Mr. BLAINE. I hope the Senator from Virginia does not regard the proposal as an unconstitutional method to pursue.

Mr. WALSH of Massachusetts. Mr. President, in connection with the joint resolution just introduced by the Senator from Wisconsin [Mr. BLAINE], but dealing with other aspects of the prohibition question, I ask to have inserted in the RECORD an editorial published in the New York World on yesterday, January 15, entitled "Are the Wickersham Proposals Acceptable?" and another printed in the Washington Post of this day entitled "Federal Police Courts."

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

The editorials are as follows:

[From the New York World, January 15, 1930]

#### ARE THE WICKERSHAM PROPOSALS ACCEPTABLE?

Mr. Hoover's letter to Doctor Thompson was published on the day when he transmitted the Wickersham report to Congress. Has it occurred to him that the one is a mockery of the other? In the Thompson letter Mr. Hoover avows his faith in "the search for production and distribution of truth" through "more and more temporary committees, commissions, conferences, researches." In the Wickersham commission's researches Mr. Hoover is furnishing a spectacularly stubborn example of a refusal to admit that there shall be a search for production, and distribution of the whole truth about prohibition. What, one may ask, is the use of writing heartfelt letters to a friend saying how deeply the President loves the truth and how much he desires the truth, when on the paramount domestic issue of the day he resolutely refuses to tell his own commission to look for the whole truth? Would it be adding to his wardrobe of hair shirts to suggest that Mr. Hoover is afraid to tell the commission publicly that it is to

examine the whole question of prohibition? Would it be unfair to say that Mr. Hoover combines a love of truth in the abstract with a large fear of it in the concrete? Perhaps there is a more edifying explanation of this curious paradox; if so, we should like to hear it.

In any event, as the matter is now presented, Mr. Hoover's policy is to disregard public sentiment in prohibition enforcement. The proposals laid before Congress have one common purpose—to eliminate as far as possible the influence of local sentiment in punishing violations of the prohibition laws. By various ingenious devices the Wickersham commission proposes to diminish the part played by the local citizenry in determining guilt; it wishes to get rid of the grand jury and the petit jury whenever it can. Why? Because experience has shown that citizen juries are extremely reluctant to convict and very willing to let prohibition violators take advantage of the law's delays. One effect is an intolerable congestion of business in the Federal courts. Another effect is a large-scale nullification of the prohibition law.

If the only point to be considered was the relief of the courts, the proposals would in principle be entitled to full public sympathy. But an examination of the circumstances which surround the proposals shows, we believe, that they originate with drys who have seen the only possible way of getting a large number of convictions is to insulate the Federal judicial machinery from contact with the influence of civic opinion in the locality. The fundamental principle of this attempt to get away from juries is that of the carpetbaggers. The theory is that in localities where the law is hated the only way to enforce it is through Federal appointees beholden to Washington and unresponsive to local opinion. In this respect the Wickersham report carries us another step on the road away from a genuinely Federal society and toward a highly centralized bureaucracy.

Were these proposals put forward with any convincing assurance that they are intended to be experimental we should be inclined to advise the wets in Congress to waive their objections and let the experiment be made. But there is no such assurance. There can be no such assurance until Mr. Hoover says explicitly to the country, and not implicitly as some congenial optimists like to think he has said it, that he is seeking extraordinary powers for the Federal Government in order that a complete test may be made of the enforceability of the present prohibition laws, and that his commission has been instructed to reach an opinion on the success of the experiment. Mr. Hoover ought not to ask support for these proposals on any other terms.

In other words, the wet opposition would be quite justified, in our opinion, in using the full power of parliamentary opposition to insist that the Hoover-Wickersham proposals shall not pass unless there goes with them the substance of the Andrew or Wagner resolution. These provide, in effect, employing Senator WAGNER'S language, that the commission shall inquire into and report on "the suitability of existing prohibition laws for the promotion of temperance." Without such an inquiry and report the Wickersham proposals would belong simply to that series of attacks on the spirit of federalism which the eighteenth amendment has inspired. They would lack the one justification which would make them tolerable—namely, that they are honestly experimental. They would be simply one more attempt to arm fanaticism, to make dogmatism efficient, and obscurantism effective.

[From the Washington Post, January 16, 1930]

#### FEDERAL POLICE COURTS

Widespread opposition has begun to develop against the administration's plan for handling petty violations of the liquor laws without the formality of grand jury indictments. The Law Enforcement Commission apparently anticipated such opposition when it presented, in its supplemental report, a lengthy argument to support the constitutionality of the plan. But there is a growing feeling that this proposal to convert United States commissioners into virtual police court judges violates the spirit if not the letter of the Constitution.

The plan in brief is this: For all "casual or slight violations" indictment by a grand jury would not be necessary. The accused would be arraigned before a United States commissioner. If he should plead guilty, the commissioner would so report to the Federal district court and sentence would be imposed. If a plea of not guilty should be entered, a hearing would be conducted before the commissioner, and his findings sent to the judge for conviction or acquittal of the defendant. If convicted the defendant would have the right to demand a jury trial, but the district attorney would also have the right to submit the case to the grand jury and ask for an indictment carrying a heavier penalty.

The first objection to the plan is that it would put the Government in the business of prosecuting petty violators of the dry laws. The administration insists that prohibition can not be enforced without co-operation of the States, and at the same time moves to revise its court procedure so that the whole burden will be thrown on the Federal authorities. The proposed special system to deal with petty violations is a substitution for the police powers of the States.

A second objection is the natural opposition of the people to a special judicial system set up to expedite enforcement of a district law. Other minor offenses against Federal law, and they are almost innumerable, would be handled in the same old way. But petty violations of the dry laws would be "railroaded" through, under threat of indictment under the Jones law if the accused should object. Possibility that the American people will approve of singling out this one law for special enforcement is very slight, even if the plan should be enacted by Congress.

The right of trial by jury is deeply ingrained in American judicial customs and traditions. The sixth amendment provides that "in all criminal prosecutions the accused shall enjoy the right to a speedy public trial by an impartial jury of the State and district wherein the crime shall have been committed." Under this new enforcement scheme, the accused would have the right to trial by jury only after he had been already convicted by a Federal judge, and only if he desired to risk prosecution for a much more serious offense than that of which he was originally accused.

Jury trials, it is true, have been a bugbear in the enforcement of prohibition. In communities where people are not in sympathy with the law, juries have deliberately refused to convict their fellow men for petty violations, even when the evidence of guilt was plain. One reason has been the heavy penalties that Congress has prescribed for the man who sells or transports a pint of liquor. The plan for non-jury trials is represented by the commission as a method of relieving crime congestion, but it is also an obvious move to deter any defendant from claiming his right to a trial by jury.

If the rights of trial by jury are ever altered, that alteration should apply to the whole field of criminal law. Congress must not single out one statute for special enforcement by a system not applied to other statutes. The commission's proposal, nakedly stated, is an attempt to set the prohibition law above other laws and to intimidate defendants so that they will not dare to demand a trial by jury.

#### SPECULATIVE TRANSACTIONS IN COTTON

Mr. HEFLIN. Mr. President, the subcommittee of the Committee on Agriculture and Forestry having under consideration the cotton situation and cotton exchanges have concluded their investigation. The time expires on the 20th instant within which the committee were required to report. I have been requested by the chairman of the subcommittee, the Senator from Delaware [Mr. TOWNSEND], to ask for additional time. I ask that the time may be extended 15 days beyond the 20th instant.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### THE POPE'S ENCYCLICAL

Mr. HEFLIN. Mr. President, I desire to comment briefly on an editorial which appeared in the New York Times on last Sunday.

On last Sunday, January 13, the Pope of Rome, who is now also a Catholic king, issued an "encyclical," or promulgation, of Roman Catholic law against the public school. This is the boldest and most direct and vicious assault upon the public-school system of America that has come from Pope Pius XI since he became a Catholic king.

The public school is the citadel and stronghold of American liberty, and this arrogant and terrific assault upon it is indeed a dangerous attack upon the free institutions of our country. The New York Times, which has been classed by many wide-awake Americans as a Roman Catholic sympathizer and as a vehicle for carrying Roman Catholic political propaganda, was so shocked by the Catholic pope-king's attack on the public school that it felt called upon to sound a note of warning against the Pope's last "encyclical." On January 13, 1930, the New York Times had this to say, editorially:

#### THE CHURCH AND THE SCHOOL

The Pope's encyclical sounds a note that will startle Americans, for it assails an institution dearest to them—the public school—without which it is hardly conceivable that democracy could long exist. As was said only yesterday by a critical authority, despite its shortcomings and mistakes, the public school has "already contributed to society more than all other agencies combined." Under its tuitions not only are the elemental lessons which the race has learned taught to children of diverse traditions, racial qualities, and religious faiths but these children have been prepared to live together as citizens in a self-governing state. If the declaration of the encyclical were scrupulously obeyed by those to whom it is addressed, the public school would be emptied of all its Catholic pupils except as the bishop in his discretion in special circumstances may permit them to remain. The language of the encyclical is:

"We therefore confirm our previous declarations and sacred canons forbidding Catholic children to attend anti-Catholic, neutral, or mixed

schools, by the latter being meant those schools open equally to Catholics or non-Catholics."

If other churches were to make like claim—that is, that "the educative mission belongs preeminently" to them for their children—and were to lay like inhibitions, the very foundations of this Republic would be disturbed.

Probably the Pontiff had Italy specially in mind, but his encyclical is addressed to the world and must be assumed to have the same authority here in his church.

Mr. President, this is indeed a remarkable document. As I have already stated, it is the most pronounced, the most arrogant and vicious assault upon the public-school system that has yet come from this source, which has always been the enemy of the public-school system.

I ask unanimous consent to print in connection with my remarks an editorial from the News and Observer, of Raleigh, N. C. The editorial was written by former Secretary of the Navy Josephus Daniels and is entitled "Wants Smith Again." I desire to say in this connection that Governor Smith is the first prominent man of the Catholic faith in the United States who has undertaken to assault in the open the public-school system of America.

When a delegate in the constitutional convention of New York State in 1915, he offered an amendment to the State constitution providing that the Roman Catholic parochial schools should share the public-school fund of the State of New York. His amendment was adopted. Mr. Daniels's editorial has to do with Governor Smith, and I ask that it may be printed in the RECORD at this point.

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

The editorial is as follows:

[From the News and Observer, Raleigh, N. C., January 10, 1930]

#### WANTS SMITH AGAIN

Edward I. Edwards, wet Senator from New Jersey, who was defeated last November by a big majority, is out in favor of the renomination of Governor Smith in 1932. He told the Jackson Day diners at Detroit that he would be glad to follow the former Governor of the Empire State again. He did not stop there. He said "the Democrats must stand for modification of the prohibition amendment, not because of expediency but because of duty. It is a great issue created by conditions of the day. The only thing we need is courage to grasp it and will to advocate it bravely and intelligently."

Such talk as the above shows that some wets will learn nothing. The Democratic national convention declared "for enforcement" of the eighteenth amendment and declined to even squint at modification. Governor Smith, unwisely and without justification, raised the liquor issue in a telegram after his nomination and in his speech of acceptance practically took ground against prohibition and in favor of putting the Government, a la Canada, into the whisky business. The result was that he did not carry an electoral vote west of Rhode Island or south of Washington except in those States where there was no opposition party, losing Virginia, West Virginia, Tennessee, Kentucky, North Carolina, Florida, Texas, Missouri, and Oklahoma. Thousands of tried dry Democrats stood by the ship, knowing that Smith could not change the Volstead Act or affect the eighteenth amendment. But very many declined to do so.

The day after the November election, Governor Smith said he was out of politics, but has said nothing since. His book was called "Up to Now" and many believe that his friends would not be advocating his nomination if he was not inclined to be a receptive candidate. Color is lent to this view by Raskob's continuance as national chairman and little headway being made recently in wiping out the \$450,000 debt he contracted against the party.

The speech of ex-Senator Edwards is disturbing. The outlook of the Democratic Party, due partly to the fall down of Republican policies, is excellent. The suggestion of the renomination of Governor Smith retards the growth toward victory in a reunited party. Governor Smith ought to put a quietus on any such talk. The Democracy gave him his chance. He not only lost every State west of Rhode Island, most of the South, all of New England, and all the Middle States, but his own State as well.

There are great issues upon which the Democracy can win in 1932, but any suggestion of success tied to a whisky barrel shows no judgment whatever.

Mr. HEFLIN. I also ask to have printed in the RECORD in this connection a letter addressed by myself to the Montgomery Advertiser, of Montgomery, Ala., replying to Sam Small's attack upon the South. The Advertiser, which printed the attack, declined to print my reply.

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

The letter referred to is as follows:

SENATOR HEFLIN REPLIES TO SAM SMALL'S ATTACK ON THE SOUTH,  
WHICH WAS PUBLISHED IN THE MONTGOMERY ADVERTISER

WASHINGTON, D. C., November —, 1929.

EDITOR ADVERTISER,

Montgomery, Ala.:

The inspired agents of wet "Tammanyism" in the South have commenced their campaign of misrepresentation and slander against the southern people for a specific purpose. Prominent among them seems to be Sam W. Small, of Atlanta, Ga. He has written a mean and nasty attack upon the South, which appeared recently in the Atlanta Constitution and then in the Montgomery Advertiser, of Montgomery, Ala.

This false and vicious article of Sam Small's impresses me that he is a Roman-Raskob-Tammany agent in disguise. His article reads like an editorial which appeared some time ago in the Gaelic American, a Roman Catholic paper published in New York City. That editorial was a bitter and vicious attack upon the South. A part of that very offensive article of Mr. Small's reads like it might have been written by the editor of the Gaelic American for use in Al Smith's next race for President in 1932.

As a son of the South, a southern Democrat, and as a United States Senator from a great Southern State, I resent, condemn, and repudiate Mr. Small's insulting and slanderous attack upon the South. I do not know who is paying to have this false indictment of the South published in certain Alabama papers and some other southern papers, but I have an idea who is back of it. Here is one of the nauseating and false statements from Mr. Small's article:

"We have always boasted of the chivalry and high sense of honor of the southern people, but all this spirit and practice of religious and political intolerance give a blunt lie to such claims."

The Roman Catholic political machine has always been able somehow to find a renegade Protestant who would carry forward their propaganda behind the false cry of "religious intolerance," just as Mr. Small seems to be seeking to do here. Let me remind Mr. Small that there is not a single Protestant man or woman or Jewish man or woman in the South who cares anything about how Roman Catholics carry on their devotional exercises in their church or elsewhere. They want the Catholics and everybody else to worship God just as their conscience and judgment tell them they should worship Him. But the reason that prompts patriotic Protestants and Jews in the South to oppose placing a Roman Catholic in position of great power in our Government is because the Roman Catholic Church denies and rejects the American doctrine that every citizen has the right to have the religion of his or her choice and to worship God according to the dictates of his or her own conscience.

Pope Pius IX, whose doctrine is accepted and followed by the Roman Catholic Church the world over, boldly declares that "The government has no right to permit the citizen to have the religion of his choice." That ridiculous and astounding statement announces the Roman Catholic attitude toward other religious denominations and not only challenges but flings defiance in the face of the highly prized, sacred, and blood-bought American principle of religious freedom. Are the southern people to be abused and slandered by Mr. Small because they are earnestly and intensely interested in the protection and preservation of religious liberty in America? In the light of the real truth of the matter, is it not a fact that Protestant and Jews are not "intolerant" on this question raised by Mr. Small? The Protestants and Jews of the South, so far as I know, subscribe to the doctrine of the American Government, which provides that every person in the United States, high or low, rich or poor, shall have the religion of their choice; but the Roman Catholic Church does not subscribe to that doctrine.

I will remind Mr. Small of another thing in this connection that he already knows and that is, that this Government is founded upon the principle of the "separation of church and state" and that in spite of that fact the Roman Catholic Church and the Roman Catholic parochial schools in every State in the Union attack the American Government's position on the separation of church and state, and are to-day preaching and teaching the doctrine of the "union of church and state." Are the southern people who object to this un-American Catholic program and practice who view with alarm and dread the dangerous effects and evil results of these things upon our free institutions in the years to come, to be put down by Mr. Small as an "ignorant" and an "intolerant" people?

Let me remind Mr. Small of another thing and that is, that the most widely read and accepted book in recent years among the Roman Catholics of America is a book written by a Catholic priest here in Washington, named Ryan, a professor in the Catholic University of America located in Washington. He was appointed to that position by the Pope of Rome. His book is called "State and Church," and in it, among other things, he sets forth the Catholic plan and purpose in the United



States. He boldly asserts that when the Roman Catholics are strong enough in the United States they will "set up" the Catholic state, which means the destruction and overthrow of the principles that "set up" the American Government; and then he goes on to say that when that time comes and the Roman Catholics have compelled the Government of the United States to declare by law (think of it) that the "Roman Catholic religion" shall be "the religion" and the only religion of the American people to the exclusion and abandonment of all other religions; that the Catholics will not permit other churches, other religious groups to carry on their accustomed religious worship or what Priest Ryan called it in his book the general religious propaganda. Is not that statement alone enough to stir with righteous indignation the blood of every true American in the South and elsewhere and put them on guard against allowing Roman Catholics to take control of the Government of the United States? Are intelligent patriotic southerners to be branded by Mr. Small as being "ignorant" and "intolerant" because they have intelligence enough, self-respect enough, sentiment enough, pride enough, courage enough, manhood and womanhood enough, and genuine Americanism enough to dare to do what they think is right and best and necessary to preserve for themselves and their children the blessings and benefits of free constitutional Government in America?

I will remind Mr. Small and those he represents in these vicious attacks upon the South of another thing in keeping with the Roman Catholic program and purpose in the United States and that is, without a single exception in all the countries of the world whenever and wherever the Roman Catholics have obtained the political power with which to do it, they have set up the Roman Catholic state which is the Roman Catholic government, and declared by law the Roman Catholic religion to be the only religion of the Government and people of that country to the exclusion of all other religions.

Roman Catholic newspaper articles and editorials and Roman Catholic Congressmen and Roman Catholic political leaders, including Roman Catholic priests have from time to time attacked and slandered the southern people, accusing us of being "ignorant," "fanatical," and "intolerant." And now comes Mr. Small who appears to be their southern mouthpiece and says in his false and inspired attack on the South that, "The stern fact stares one in the face that we southerners are the most 'intolerant' of the American tribe." Mr. Small's statement is not only unwarranted and untrue, but it is wickedly false and slanderous. Mr. Small mistakes for "intolerance," "intelligence and vigilance" on the part of the patriotic American citizen of the South—he mistakes his devotion to duty and love of country and a desire and determination to protect and preserve our great and free Government in its true American form for a species of "ignorance and intolerance," and he refuses to give us credit for good intentions and patriotic purposes when we openly and boldly declare ourselves in favor of protecting and preserving in its integrity our great American Government.

Let me now serve notice on Mr. Small and those back of him in Georgia, Alabama, New York, Massachusetts, and elsewhere, that the campaign which he has started of abuse and slander against the people of the South in an effort to obtain an Al Smith delegation for President from the South in 1932, will not be successful. Those Democrats who voted for Smith in order to be regular and those who supported Hoover will see to it that the Democracy of the South is not betrayed at the next Democratic National Convention. In the name of all that is decent, fair, and dear to the southern people, whose patriotic forefathers led the way to liberty in America, I demand for them the right to do whatever they believe is right and necessary to preserve in its true form our great American Government, and I resent Mr. Small's charge that southerners who seek to save their Government from the Roman dangers and pitfalls that have lined the paths of all the free governments that have perished under Roman rule are "ignorant" and "intolerant." These wide-awake and loyal southerners who guard with intrepid vigilance free government for themselves and their children should be commended and praised for their intelligence, their watchfulness, and for their love of American ideals and institutions, and for their willingness to fight, and if need be to die, to preserve them.

The American doctrine of religious freedom and the separation of church and state have become sacred institutions in America. They have become permanently fixed landmarks in the American Government, and the Bible admonishes us to "Remove not the ancient landmarks of the fathers."

Mr. Small knows that if the Roman Catholics get control of our Government they will set up the Catholic state, and that would mean that this Government had pointedly and publicly placed the stamp of its disapproval upon all other religious denominations in the United States—not only that, but at the instance of the Roman Catholic group had spurned and repudiated every branch of the Protestant religion in order to compel by law other religious denominations of this country to accept and swallow the Roman Catholic religion as "the religion" and the "only religion" of the once brave, proud, and unyielding people of the United States, and Mr. Small knows that that would mean the death of the public school, and that the Roman Catholic doctrine would be taught in every school in the country. It would also mean that the Government would be pledged to support the Roman Catholic Church

with its finances and defend it with its Army and its Navy. Why, the thought of such a dastardly and damnable thing is enough to bring out of his grave the Father of his Country, George Washington, the great American Protestant and Mason, and all the other Protestant colonial fathers and mothers who fled from the Old World to get away from Roman intolerance and Roman persecution and came here to this wilderness of the West and established a government of the people, by the people, and for the people, where every human being from the highest to the lowest can worship God in his or her own way without fear of persecution by Roman Catholic priest or Pope.

Very truly,

J. THOS. HEFLIN.

Mr. HEFLIN. Mr. President, in the same connection I ask to have printed in the RECORD a letter addressed to me by Franklin Ford, of the Defenders of Truth Society of New York City.

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

The letter is as follows:

DEFENDERS OF TRUTH SOCIETY (INC.),  
New York, N. Y., December 19, 1929.

Senator J. THOMAS HEFLIN,

Senate Office Building, Washington, D. C.

DEAR SENATOR HEFLIN: In the New York Times for November 15, 1929, is an article from Rome on the publication of a revised edition of the Index of Prohibited Books, issued by order of His Holiness Pope Pius XI. The despatch quotes Cardinal Merry del Val in defense of the papal right to forbid the faithful to read certain works. Says the Times:

"Cardinal Merry del Val makes an impassioned defense of the church's right to forbid the faithful to read books harmful to religion or morals and expresses severe disapproval of the practice, prevalent in Protestant countries, of reading non-Catholic versions of the Bible, which he says breeds heresy. \* \* \*

("Let nobody say," continued the cardinal, "that the condemnation of harmful books is a violation of liberty or a war against the light of truth, or that the Index of Prohibited Books is a permanent hindrance to the progress of letters or science. \* \* \* Only those infected by that moral pestilence known as liberalism can see in a check placed on unlawful power and profligacy a wound inflicted on freedom. As if man, because he is master of his own actions, were authorized always to do whatever he pleases. \* \* \*

"Those who wish to feed the Holy Scriptures to people without any safeguards are also upholders of free thinking, than which there is nothing more absurd or harmful."

In this typically papal statement, the most interesting sentence to me is the cardinal's condemnation of "those infected with that moral pestilence known as liberalism." What does the Roman Church mean by "liberalism"? A careful reading of Catholic authorities indicates that liberalism means liberty of conscience and of worship, free speech, a free press, and that governments derive their just powers "from the consent of the governed" (Declaration of Independence).

Liberalism is clearly defined in the widely known Manual of Christian Doctrine, issued 1910 by John J. McVey, Philadelphia, with the imprimatur or approval of the Catholic censor and of Archbishop, now Cardinal Dougherty. The following appears at page 133:

"122. May the State separate itself from the [Roman Catholic] church?

"No; because it may not withdraw from the supreme rule of Christ.

"123. What name is given to the doctrine that the State has neither the right nor the duty to be united to the [Roman Catholic] church to protect it?

"This doctrine is called liberalism. It is founded principally on the fact that modern society rests on liberty of conscience and of worship, on liberty of speech, and of the press.

"124. Why is liberalism to be condemned?

"1. Because it denies all subordination of the state to the [Roman Catholic] church; 2, because it confounds liberty with right; 3, because it despises the social dominion of Christ, and rejects the benefits derived therefrom."

This expression, "the social dominion of Christ" is, I take it, a euphemism for the social dominion of the Roman Catholic Church. Liberalism is further described in the article under that heading in the Catholic Encyclopedia, edition of 1910, published by the Knights of Columbus, with the imprimatur of Cardinal Farley. Regarding this "moral pestilence," the reference work declares:

"Usually the principles of 1789—that is, of the French Revolution—are considered as the Magna Charta of this new form of liberalism. The most fundamental principle asserts an absolute and unrestrained freedom of thought, religion, conscience, creed, speech, press, and politics. The necessary consequences of this are, on the one hand, the abolition of the divine right and of every kind of authority derived from God; the relegation of religion from the public life into the private domain of one's individual conscience; the absolute ignoring of Christianity and the [Roman Catholic] church as public, legal, and social institutions;

on the other hand, the putting into practice of the absolute autonomy of every man and citizen, along all lines of human activity and the concentration of all public authority in one 'sovereignty of the people.' This sovereignty of the people in all branches of public life, as legislation, administration, and jurisdiction, is to be exercised in the name and by order of all the citizens in such a way that all should have share in and control over it. A fundamental principle of liberalism is the proposition, 'It is contrary to the natural, innate, and inalienable right and liberty and dignity of man to subject himself to an authority, the root, rule, measure, and sanction of which is not in himself.' This principle implies the denial of all true authority, for authority necessarily presupposes a power outside and above man to bind him morally."

Section 3 of this article in the Catholic Encyclopedia is headed "Condemnation of Liberalism by the Church," in which Popes Gregory XVI, Pius IX, Leo XIII, and Pius X are all cited in opposition to liberalism.

May not Americans ask the Catholic priests this question: In defining liberalism, which Cardinal Merry del Val in his latest utterance terms a "moral pestilence," have not the two Catholic textbooks above cited defined Americanism? Is it not fundamental doctrine in the United States, and asserted in the first amendment of our Constitution, that we shall enjoy free speech, freedom of conscience and of the press, the separation of church and State, and government, not by so-called "divine right" or the monarchical system, but by the "sovereignty of the people" or the democratic system?

I am aware that many Roman Catholic laymen in this country are in favor of these human rights. But they, it would seem, unfortunately are living in a Protestant country and have been therefore "infected by that moral pestilence known as liberalism." In so far as they believe in our first amendment and the rights it asserts they are heretical.

With these considerations in mind, I would ask the priests to answer these questions:

1. As citizens of the United States you owe allegiance to our Constitution, including the "liberalism" embodied in the first amendment. As priests of the Roman Catholic Church you have taken solemn vows to obey and uphold the doctrine of the papacy, including its condemnation of "liberalism." How can you reconcile these two conflicting allegiances? How can you be loyal to both at one time?

2. Since your church is on record in opposition to liberty of conscience and government "of the people, by the people, and for the people," what defense have you against the charge that the polity of the Roman Church is un-American?

3. How can you, in honesty and sincerity, condemn as "intolerant religious bigots" those Americans who oppose the doctrine of your church as defined above from Catholic sources, and which is against free speech, free press, freedom of worship, separation of church and state, and government by the consent of the governed instead of by so-called divine right?

Any priest, any editor of any official Roman Catholic diocesan paper can have free time on my radio station to answer these questions. I have broadcast this offer many times, but no representative of the hierarchy so far is willing or able to attempt an answer.

With kind regards, yours very truly,

FRANKLIN FORD,

President Radio Station WHAP, New York City.

#### LEGISLATIVE PROGRAM—REPORT OF COMMITTEE OF AMERICAN LEGION

Mr. McKELLAR. Mr. President, I ask to have inserted in the RECORD the report of the committee on legislative program submitted to the national executive committee of the American Legion at Indianapolis on November 15, 1929.

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

REPORT OF COMMITTEE ON LEGISLATIVE PROGRAM, SUBMITTED BY ROANE WARING, OF TENNESSEE, CHAIRMAN TO THE NATIONAL EXECUTIVE COMMITTEE, INDIANAPOLIS, IND., NOVEMBER 15, 1929

Your committee having met and considered all of the resolutions dealing with national legislation coming out of the Louisville convention, we have the following report and recommendations to make to this executive committee:

We recommend that the legislation be divided into two groups; a major program of preferred resolutions that the national legislative committee is instructed to present to Congress and use all possible and necessary means to secure its early enactment into law. This major program we consider constructive and necessary legislation and we believe that it will receive the consideration of the Congress. These resolutions in full are attached to this report for the information and guidance of the national executive committee:

I. Two resolutions dealing with aviation; the first calling for increased appropriations for military, naval, and civil aviation; the other calling for the completion of the 5-year building program.

II. Resolutions dealing with the disabled:

First. One calling for the creation of a separate veterans' committee in the Senate.

Second. One calling for the consolidation of the Veterans' Bureau, Pension Bureau, and the soldiers' homes.

Third. One calling for the creation of a medical corps in the Veterans' Bureau.

Fourth. Twelve resolutions calling for amendments to the World War veterans' act as follows:

Dependency pay increases for helpless veterans; full insurance coverage for recovered permanent totals; insurance revival modified; substandard insurance for disabled, who are not now insurable; time for insurance suits eliminated; arrested tuberculosis award amended to overcome comptroller's decision; arrested tuberculosis award to be additional to other disability awards; dependency pay for permanent disability; presumptive provisions for constitutional diseases; compensation claim deemed application for all benefits; presumption of service connection conclusive in certain cases; repeal sections 206 and 209.

III. A resolution calling for a flag to cover the coffin of every deceased veteran.

IV. Twenty-four resolutions calling for increased hospital construction of 6,450 beds; this in addition to the 3,676 beds included in the Rogers bill, which bill we believe should receive first and immediate consideration.

V. On immigration, one passport restriction resolution.

VI. On military Affairs, four resolutions:

First. One calling for the free transportation of dead in soldiers' homes.

Second. Open awards on medals.

Third. Twenty-five year retirement for enlisted men.

Fourth. Retirement for native troops.

VII. On Naval Affairs, two resolutions. One calling for the increase of the Naval Reserve to 25,000 and one calling for legislation to preserve the *Olympia*.

VIII. A resolution for the enactment of the Reed-Wainwright resolution now pending before Congress for the creation of a committee to consider the universal-draft legislation.

A second group of 17 resolutions is as follows:

Civil and military resource, immigration police approved, national defense act, strength of the Army of the United States, legion marksmanship, training youth in rifle marksmanship, field training coordination, reduction enlisted personnel, Regular Army to increase Air Service, pay bill indorsed, pay readjustment for services, pacifists should be investigated, United States naval cruiser strength, increase in personnel, flood-relief vessel on Mississippi or Ohio Rivers, merchant marine, greetings to Premier MacDonald, limitation of armaments needed, United States adherence to World Court.

These can be properly handled by the presentation of the resolutions to the proper committees in Congress.

All other resolutions we recommend should be placed in the deferred classification and should await action by the National Legislative Committee until the major program has been disposed of.

Respectfully submitted,

ROANE WARING, *Chairman*.

Maj. M. S. EDDY.

WILLIS BREWER.

#### REVISION OF THE TARIFF

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

Mr. NORBECK. Mr. President, out of order, I ask unanimous consent that there may be printed in the RECORD a telegram from Rudolph Spreckels suggesting a plan for an effective encouragement of mainland production of sugar. This plan has been discussed informally by a number of Senators, but I hardly think it has the consideration that it is entitled to. It may prove to be an equitable way of helping that part of the sugar industry which is in greatest need of encouragement without adding to the profits of those who already enjoy great prosperity.

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

NEW YORK CITY, N. Y., January 11, 1930.

Hon. PETER NORBECK,

*United States Senate Office Building, Washington, D. C.*

The sugar schedule now being considered in the United States Senate is of such far-reaching importance to our Nation and its people that I venture to call your attention to the more important points involved. Sugar is so essential to human life that the Nation's security in the unhappy event of war demands that we make certain that an adequate supply be always available. An increase in our import duty on raw sugar will surely be destructive of that aim. Our sources of sugar

supply available in the event of war would be limited to the mainland production—Porto Rico, Cuba, and possibly Hawaii. By no stretch of the imagination can we hope to produce on our mainland—Porto Rico, and Hawaii—one-half of our present sugar requirements, and since the natural increase in sugar consumption, due to increasing population, is about 150,000 tons per annum, it is obvious we must depend upon Cuba—only 90 miles from our shores—to insure an adequate supply at all times. An increase in the import duty on raw sugar would almost certainly destroy the sugar industry in Cuba, because it would induce greatly increased sugar production in the Philippine Islands, whose products pay no duty. I doubt if any informed person would assert that we could transport sugar from the Philippines in the event of war, and if, by encouraging increased production there, we destroy the sugar industry in Cuba, where would we secure enough sugar to sustain our people in case of war? The earning records of our major beet and cane sugar producers, even during the past year of cheap sugar, clearly demonstrate that only a few badly located or badly managed companies require increased protection. But it is not my desire to deny even to those companies or the farmers, whom they underpay, adequate profits. A direct bounty to mainland producers would, in my opinion, be subject to successful legal attack by the sugar producers in our insular possessions and dependencies, but by the imposition of an internal-revenue tax upon the sale of refined sugar and a remission of said tax to the producers of sugar where the American standard of farm wages prevail, we would equalize the production cost between our mainland producers and the producers in our insular possessions and dependencies, who employ cheap foreign labor and who need no additional tariff protection. Under my plan our Government could always protect the American consumer by an increase in the internal-revenue tax if the price of refined sugar be in excess of a proper margin between the cost of raw sugar and the price of refined. Having no financial or contractual interest in Cuban sugar, my views are unbiased, and I submit them for your consideration, confident that they are wholly in the interest of my country, its people, and would do justice to every branch of the sugar industry.

RUDOLPH SPRECKELS.

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

The LEGISLATIVE CLERK. On page 121, line 17, after the word "proportion," strike out the semicolon and the words "testing by the polariscope 94 sugar degrees, 2.75 cents per pound, and for each additional sugar degree shown by the polariscopic test, 0.125 of 1 cent per pound additional, and fractions of a degree in proportion."

Mr. HOWELL. Mr. President, in connection with the committee amendment which has just been stated I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

Mr. HOWELL. Mr. President, I will not ask that the amendment be stated at this time.

Mr. SMOOT. Mr. President, I should like to have the amendment read, so that it may appear in the RECORD.

Mr. HOWELL. Very well.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In lieu of the language proposed to be stricken out, beginning in line 17, on page 121, and extending to and including line 21, on page 121, it is proposed to insert:

(a) Subject to the limitations hereinafter specified, there shall be paid, out of the proceeds of issues of customs warrants, allowances upon sugar produced by domestic manufacturers from sugar beets or sugarcane grown within the continental United States. Such allowances shall be at the following rates: For each pound of sugar testing by the polariscope above 88 sugar degrees and not above 90 sugar degrees, 0.365 cent, and for each additional sugar degree shown by the polariscope test, 0.0075 of 1 cent additional, and fractions of a degree in proportion. After making the deduction provided for in subdivision (b), 90 per cent of the remainder of the allowance upon any sugar shall be paid to the grower of the sugar beets or sugarcane from which the sugar is produced and 10 per cent of the remainder of the allowance shall be paid to the manufacturer producing the sugar.

(b) The Secretary of the Treasury is authorized and directed to issue and sell from time to time customs warrants in amounts sufficient to meet allowances payable under this paragraph. If any customs warrants to meet allowances payable upon sugar produced from sugar beets or sugarcane of any crop year are issued and sold for less than par value, the amount of the difference between the par value and the amount for which issued and sold shall be deducted from the allowances to be paid upon such sugar, in accordance with such regulations as the Secretary of the Treasury shall provide. Claims for allowances upon any quantity of sugar are authorized to be filed at any time within six months after the production of the sugar and shall be paid promptly by the Secretary of the Treasury.

(c) Title to customs warrants shall be transferable by delivery. A customs warrant when presented by the bearer thereof within one year

from the date of issuance shall be legal tender at its par value for payment of duties on imports. The Secretary of the Treasury shall prepare and issue all customs warrants. Customs warrants shall be obligations of the United States within the definition in section 147 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended (U. S. C., title 18, sec. 261).

(d) No allowance shall be paid upon any sugar which has at any time been imported into the continental United States or upon which an allowance has previously been paid under this paragraph.

(e) No manufacturer shall be eligible to receive any allowance upon sugar produced from sugar beets or sugarcane of any crop year unless such manufacturer files with the Secretary of the Treasury, prior to July 1 of such year, a notice of an intention to claim the benefits of this paragraph. Such notice shall be in such form as the Secretary of the Treasury shall by regulation prescribe and shall include an estimate of the amount of sugar proposed to be produced by the manufacturer from sugar beets and sugarcane of such crop year. No allowance shall be paid to any manufacturer upon sugar produced from sugar beets or sugarcane of any crop year unless the manufacturer produces at least 2,000 pounds of sugar from sugar beets and sugarcane of such crop year.

(f) No allowance shall be paid to any person unless he files claim therefor and maintains books, records, accounts, and memoranda necessary for the purposes of this paragraph, in such form and manner as the Secretary of the Treasury shall by regulation prescribe, nor unless such person permits the examination of and produces such books, accounts, records, and memoranda in accordance with such regulations as the Secretary of the Treasury shall prescribe.

(g) Any transaction of the Treasury Department in issuing or receiving customs warrants or in paying allowances under this paragraph, shall be final and conclusive upon all officers of the Government; except that all such transactions shall be examined by the General Accounting Office at such times and in such manner as the Comptroller General of the United States may by regulation prescribe. Such examination shall be for the sole purpose of making a report to the Congress and to the Secretary of the Treasury of expenditures in violation of law, together with such recommendations with respect thereto as the Comptroller General deems advisable.

(h) Any person who knowingly or without the exercise of due diligence makes any statement or representation that is false in any substantial particular with respect to any claim of himself or any other person under this paragraph, or who knowingly receives any allowance under this paragraph to which he is not entitled, or who knowingly files a claim for any such allowance shall, upon conviction thereof, be subject to a fine of not more than \$1,000.

The PRESIDING OFFICER. The amendment is in the form of a substitute for the committee amendment and is in order.

Mr. HOWELL obtained the floor.

Mr. BROUSSARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Louisiana?

Mr. HOWELL. I yield.

Mr. BROUSSARD. May I inquire of the Senator whether any changes have been made in the amendments since it was first printed?

Mr. HOWELL. Two amendments were printed, one on the 11th of January and the other on the 13th of January. The amendment I have now offered is the one which was printed on the 13th of January.

Mr. BROUSSARD. And there are no changes in the amendment as now presented from the draft as originally printed?

Mr. HOWELL. There have been no changes made in the amendment since it was printed and ordered to lie on the table.

Mr. President, the amendment I have offered provides, in addition to the present tariff on sugar, for a bounty equivalent to the Finance Committee's defeated increase in the sugar tariff, or 0.44 of a cent on sugar produced in continental United States only.

It also provides for the payment of such bounty in customs warrants issued by the Treasury, receivable in payment of customs dues.

It further provides for the sale of such warrants by the Secretary of the Treasury, and the payment of 90 per cent of the net proceeds therefrom to the growers of beets and cane, and 10 per cent to the processors producing the sugar, as in the amendment prescribed.

If this amendment shall be adopted, the bounty that will accrue directly to the farmer will average for beets \$1 per ton and for cane about 61 cents per ton, and the bounty will be as permanent as the tariff law itself, as annual appropriations will be unnecessary.

Mr. President, I shall not further discuss the amendment at this time, and will ask that it may go over, as the senior Senator from Montana [Mr. WALSH] has requested that no action be

taken thereon until he can be present, and he has informed me that he will be present to-morrow. Therefore I suggest that the amendment be passed over, so that we may have all of the discussion consecutively at one time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. VANDENBERG. Mr. President, merely for my information may I ask the Senator one or two questions? Is it his judgment that if the amendment were inserted in the law the bounty system established by it would be responsive to the flexible provisions of the tariff act the same as any other rate would be?

Mr. HOWELL. I have given no thought to that suggestion, and am not able to give an answer that would be satisfactory.

Mr. VANDENBERG. Perhaps the Senator will be good enough to study that aspect of the case, and will let us have an answer to the question to-morrow.

Mr. President, I should like to ask the Senator a further question. Has he given any consideration to the extent of the administrative machinery or the administrative expense which will be involved in carrying out the bounty system?

Mr. HOWELL. I have, Mr. President, to this extent: The information for the distribution of the bounty will have to come from the sugar processors, and for that reason 10 per cent of the bounty has been assigned to the processors. With their aid, there will be no great difficulty, in my opinion, in paying the amount due the producers in proportion to the sugar produced by them.

Mr. VANDENBERG. The Senator has no fear that the cost of administration will impose a substantial burden?

Mr. HOWELL. I have not.

Mr. VANDENBERG. May I ask the Senator, if he will be good enough to permit me to interrogate him further, on what theory he considers that we have a right to exempt Hawaii and Porto Rico from the operation of the proposed bounty?

Mr. HOWELL. Mr. President, it is proposed to afford a bounty by this amendment to meet certain economic conditions. In my opinion, the Congress has the power to meet such a situation. Our island possessions are not in need of aid; the sugar industry in our island possessions is prosperous, but in this country a different situation exists. We have a different climate; we have a different standard of wages; and I have come to the conclusion, from the investigation I have made, that such an amendment as this, if put into effect, would be legal.

Mr. VANDENBERG. The Senator has no doubt about its constitutionality?

Mr. HOWELL. If I doubted its constitutionality, Mr. President, I should not take the time of the Senate.

Mr. VANDENBERG. That is a conclusive answer.

The PRESIDING OFFICER. Is there objection to the Senator's request to pass over this amendment?

Mr. WALSH of Massachusetts. Mr. President, I should like to inquire whether there are enough other matters in this schedule to take the afternoon?

Mr. SMOOT. The only way I should like to have the matter passed over is to pass it all over and go to "Papers and books."

Mr. WALSH of Massachusetts. I do not think we can do that to-day.

Mr. SMOOT. I think so.

Mr. WALSH of Massachusetts. Can we not take up blackstrap molasses?

Mr. SMOOT. The Senator from Louisiana advises me that he is not prepared to take up that subject.

Mr. WALSH of Massachusetts. What is the difficulty?

Mr. HARRISON. Mr. President, I hope the item in which the Senator from Montana [Mr. WALSH] is interested—namely, the amendment of the Senator from Nebraska [Mr. HOWELL]—will go over until to-morrow.

Mr. SMOOT. That request is pending.

The PRESIDING OFFICER. That is the pending request.

Mr. SMOOT. I was going to say that if we do that, I do not know what else we can take up this afternoon unless we go to "Papers and books," Schedule 14.

Mr. HARRISON. What is the matter with taking up maple sugar?

Mr. SMOOT. I do not think that will lead to very much discussion.

Mr. McKELLAR. What page is that on?

Mr. SMOOT. Page 122. We can take up maple sugar, Mr. President.

The PRESIDING OFFICER. Is there objection to the request to pass over the amendment of the Senator from Nebraska?

Mr. McKELLAR. May I ask what was done with paragraph 502?

Mr. SMOOT. Nothing so far. That is what it is desired to have go over.

Mr. WALSH of Massachusetts. Mr. President, I make no objection to passing over this particular amendment for the accommodation of the Senator from Nebraska and the Senator from Montana; but I do desire that the rest of the afternoon be spent upon the other amendments to the sugar schedule, which the Senator from Mississippi says he is ready to discuss.

Mr. SMOOT. That will be satisfactory, Mr. President.

Mr. WALSH of Massachusetts. When the paper schedule is taken up, I want it to be taken up and finished—not taken up for an hour to-day, three hours to-morrow, and two hours the next day.

Mr. BROUSSARD. That is just what I am objecting to, Mr. President. We have put off Schedule 5 about five or six times; and now, when we take it up, Senators want to split it up. If anything goes over in paragraph 501, I want paragraph 502 to go over to follow paragraph 501, because I am not prepared to take it up to-day. I am told by the sugar expert that there is a figure that needs to be changed in the amendment I have offered, and it has to be checked up and reintroduced.

Mr. WALSH of Massachusetts. Mr. President, I desire to ask the Senator from Nebraska [Mr. HOWELL] whether he is prepared to argue his amendment?

Mr. HOWELL. I merely made a statement as to what the amendment meant, and asked that the matter be passed over until to-morrow at the request of the Senator from Montana [Mr. WALSH].

Mr. WALSH of Massachusetts. I can understand a request to have a vote deferred because of the absence of a Senator; but I can not understand why the amendment can not be argued, even if a Senator is absent. I can not understand why the Senator from Nebraska can not make his argument, and other Senators make their arguments, upon that amendment. I can understand why a request might be made to have no final vote taken until the Senator from Montana [Mr. WALSH] is here; but if it were necessary to have every Senator present to hear the arguments, we would never get anywhere.

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

Mr. WALSH of Massachusetts. I yield.

Mr. HARRISON. The Senator from Montana expected to be here to-day. He had every reason to believe that he would be here to-day; but he is having some trouble with his eyes.

Mr. WALSH of Massachusetts. I understand, and I am not objecting to having no action taken until the Senator can be present; but I am urging the Senator from Nebraska [Mr. HOWELL] to make his speech upon this matter this afternoon, so that it will be in the RECORD, and Senators can read it to-morrow.

Mr. HOWELL. As a matter of courtesy, I asked that the request of the Senator from Montana [Mr. WALSH] might be granted; and it seemed to me—and I merely asked it as a matter of courtesy to myself—that this amendment might be passed over until to-morrow.

Mr. WALSH of Massachusetts. Does the Senator from Montana desire to be present during the entire discussion, or does he only desire to be present in order to speak upon the amendment before a vote is taken?

Mr. HOWELL. I have not discussed the matter with the Senator from Montana at all.

Mr. HARRISON. The Senator from Montana only wanted to be here to make an argument.

Mr. WALSH of Massachusetts. That is what I supposed—not that he desired to be present during all the debate.

Mr. HARRISON. I think he is interested in this particular question, and wants to speak on it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the amendment will be passed over until to-morrow.

Mr. HOWELL. I have no objection if any other Senator wishes to speak on the amendment to-day.

Mr. WALSH of Massachusetts. I shall object to the paper schedule being taken up until the sugar schedule is disposed of.

#### THE EIGHTEENTH AMENDMENT

Mr. BLEASE. Mr. President, on January 7, 1930, I made certain comments with reference to nonenforcement of the eighteenth amendment, which appear on page 1168 of the CONGRESSIONAL RECORD for that date. During the course of those remarks, I said:

The legal effect of the repeal of the national prohibition acts—otherwise known as the Volstead and Jones laws—by Congress would be to render the eighteenth amendment inoperative, and to restore to the several States their rightful autonomy.

I have often said on the floor of the Senate and elsewhere that there was no prohibition in this country for the powerful and rich; but that the poor and helpless had to submit to it or else go to jail. I have also stated time and again that if prohi-

bition is good for Henry Ford's workmen, it is good for Henry Ford. I do not believe in special privileges and immunities. I do believe in the equal enforcement of all laws to all men alike.

Since making the above speech, I have been told that the reason why the big bootleggers and offenders have not been punished, while such an orgy of prosecution and persecution has been going on in this country against the man in overalls and those like him, was because certain officials of the Government were afraid of inherent defects in the eighteenth amendment, which now rendered it inoperative, and, therefore, they did not want to have it brought to light and tested in the highest courts by those who were able and threatened to do so.

There are lawyers who believe that the eighteenth amendment has become inoperative by virtue of its own terms. Section 3 is the particular thorn in the flesh; and here is much meat for sound thought by those who cry loudest about upholding the Constitution and carrying out its terms.

President Hoover speaks of the eighteenth amendment as "a noble experiment." His words have a peculiar significance. Anyone with sense knows what an experiment is. It is a test or trial, and is not designed to be permanent unless it proves to be workable and useful. When the President spoke of an experiment, did he have in mind section 3 of the eighteenth amendment, which reads as follows?—

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

The proposed eighteenth amendment was submitted to the legislatures of the several States, there being then 48 States, by a resolution of Congress passed on the 17th day of December, 1917, at the second session of the Sixty-fifth Congress.

The required number of States, namely, 36, had ratified the proposed amendment by January 16, 1919, and thereupon it became a part of the Constitution, valid to all intent and purposes as such.

In *Dillon v. Gloss* (256 U. S. 368) the United States Supreme Court said:

Its ratification, of which we take judicial notice, was consummated January 16, 1919. That the Secretary of State did not proclaim its ratification until January 20, 1919, is not material, for the date of its consummation, and not that on which it is proclaimed, controls.

It is significant, in view of the precipitate action which characterized the ratification and construction of this amendment, that Wyoming, which was one of the 36 States counted in for ratification, according to Senate Document No. 169, Sixty-sixth Congress, second session—of which the court took judicial notice in the *Dillon* case, supra—and the annotated Constitution of the United States as amended to December 1, 1924, did not actually ratify the proposed amendment until January 17, 1919.

Thereafter, the following 10 States, on the dates indicated, ratified the eighteenth amendment as such and after it had already become a part of the Constitution, namely:

Minnesota, January 17, 1919.  
Wisconsin, January 17, 1919.  
Missouri, January 17, 1919.  
Nevada, January 17, 1919.  
New Mexico, January 22, 1919.  
Iowa, January 27, 1919.  
Vermont, January 29, 1919.  
New York, January 29, 1919.  
Pennsylvania, February 26, 1919.  
New Jersey, March 9, 1922.

Two States, namely Connecticut and Rhode Island, did not ratify the proposed amendment; nor have they since ratified the amendment as such.

If section 3 of the eighteenth amendment means that the amendment was an experiment and that in order for the amendment to continue in force it was necessary for 36 States to reratify the amendment within a period of seven years from the date of the submission of the proposed amendment, then the eighteenth amendment has become inoperative by its own terms, because only 10 States have ratified it since it became a part of the Constitution—and section 3 is a part of the Constitution and has been since January 16, 1919, according to the Supreme Court of the United States.

I bring this situation to the attention of the country in order that proper steps may be taken by Congress to meet the emergency which would inevitably arise should some court of competent jurisdiction construe the eighteenth amendment now inoperative because of section 3 thereof, and also that section 3 may not continue to be held as a big stick, if it is being so held,

as charged, over the heads of Government officials by big interests and those violators of the law who are being backed by big interests and men of influence, who thereby escape prosecution, while people who do not have the means to defend themselves, or the backing of men of influence, are punished by the scores and thousands, and are thereby deprived of the equal protection of the law, in violation of the constitution of every State in this Union and the Constitution of the United States. Such a condition is intolerable to any fair-minded man who believes in a government of equal rights for all and special privileges to none.

I have a letter dated January 14, 1930, addressed to my secretary, which reads:

DEPARTMENT OF STATE,  
Washington, January 14, 1930.

Mr. JOHN D. LONG,

Secretary to Senator Blease, United States Senate.

MY DEAR MR. LONG: In compliance with your request of January 11, 1930, the department takes pleasure in sending you the attached list of the States which have ratified the eighteenth amendment to the Constitution of the United States.

No evidence has been found in the files of the Department of State of the ratification of the eighteenth amendment to the Constitution of the United States by Connecticut or Rhode Island.

Sincerely yours,

TYLER DENNETT, *Historical Adviser.*

Accompanying that is a list of the States which have ratified the eighteenth amendment, the date on which each State ratified, and the dates when the ratifications were approved by the governors of the various States. I ask that that be printed along with my remarks.

The PRESIDING OFFICER. Is there objection?

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

States which have ratified the prohibition (eighteenth) amendment to the Constitution of the United States

State	Passed house	Passed senate	Governor approved	Certificate
Alabama	Jan. 15, 1919	Jan. 14, 1919		Jan. 18, 1919
Arizona	May 24, 1918	May 23, 1918	May 25, 1918	
Arkansas	Jan. 14, 1919	Jan. 14, 1919	Jan. 15, 1919	
California	Jan. 13, 1919	Jan. 10, 1919		Jan. 15, 1919
Colorado	Jan. 15, 1919	Jan. 15, 1919	Jan. 15, 1919	
Delaware			Mar. 26, 1918	
Florida	Dec. 3, 1918	Dec. 3, 1918	Dec. 3, 1918	
Georgia	July 2, 1918	July 2, 1918	July 2, 1918	
Idaho	Jan. 7, 1919	Jan. 8, 1919	Jan. 15, 1919	
Illinois	Jan. 14, 1919	do		Jan. 21, 1919
Indiana	do	Jan. 13, 1919	Jan. 18, 1919	
Iowa	Jan. 15, 1919	Jan. 15, 1919	Jan. 27, 1919	
Kansas	Jan. 14, 1919	Jan. 14, 1919	Jan. 20, 1919	
Kentucky				Jan. 16, 1918
Louisiana			Aug. 9, 1918	
Maine	Jan. 8, 1919	Jan. 2, 1919		Jan. 15, 1919
Maryland	Mar. 12, 1918	Mar. 12, 1918	Mar. 12, 1918	
Massachusetts	Mar. 26, 1918	Apr. 2, 1918		Apr. 4, 1918
Michigan	Jan. 2, 1919	Jan. 2, 1919		Jan. 9, 1919
Minnesota	Jan. 17, 1919	Jan. 16, 1919	Jan. 22, 1919	
Mississippi	Jan. 8, 1918	Jan. 8, 1918	Jan. 17, 1918	
Missouri	Jan. 16, 1919	Jan. 16, 1919	Jan. 17, 1919	
Montana			Feb. 20, 1918	
Nebraska	Jan. 16, 1919	Jan. 16, 1919	Jan. 16, 1919	
Nevada	Jan. 20, 1919	Jan. 21, 1919	Jan. 27, 1919	
New Hampshire			Jan. 15, 1919	
New Jersey				Mar. 10, 1922
New Mexico	Jan. 16, 1919	Jan. 20, 1919	Jan. 22, 1919	
New York	Jan. 23, 1919	Jan. 29, 1919		Jan. 31, 1919
North Carolina	Jan. 16, 1919	Jan. 16, 1919		Jan. 16, 1919
North Dakota				Jan. 28, 1918
Ohio	Jan. 7, 1919	Jan. 7, 1919		Jan. 27, 1919
Oklahoma	do	do		Jan. 13, 1919
Oregon	Jan. 14, 1919	Jan. 15, 1919		Jan. 16, 1919
Pennsylvania			Feb. 26, 1919	
South Carolina	Feb. 8, 1918	Feb. 8, 1918	Feb. 12, 1918	
South Dakota				Mar. 22, 1918
Tennessee	Jan. 13, 1919	Jan. 13, 1919	Jan. 14, 1919	
Texas	Mar. 4, 1918	Mar. 2, 1918		Mar. 13, 1918
Utah	Jan. 16, 1919	Jan. 16, 1919	Jan. 18, 1919	
Vermont	Jan. 29, 1919	Jan. 29, 1919		Jan. 30, 1919
Virginia	Jan. 11, 1918	Jan. 10, 1918		Jan. 15, 1918
Washington	Jan. 13, 1919	Jan. 13, 1919		Jan. 16, 1919
West Virginia	Jan. 9, 1919	Jan. 8, 1919		Do.
Wisconsin	Jan. 17, 1919	Jan. 15, 1919		Jan. 22, 1919
Wyoming	Jan. 16, 1919	Jan. 16, 1919	Jan. 17, 1919	

#### CRIME IN THE DISTRICT OF COLUMBIA

Mr. BLEASE. Mr. President, on September 23, 1929, I made some remarks in the Senate, as appears on page 3856 of the CONGRESSIONAL RECORD, in reference to a murder that was committed in this city, and in reference to certain people being allowed to carry weapons, and with regard to a true bill having been returned by the grand jury in June, which had been kept secreted for some reason.

Since that time I have not been at liberty to say very much upon the subject, because there is a written report in the files of the Committee on the District of Columbia which shows that certain parties have been licensed to carry pistols, which gives their names, which names, under a rule of the committee, I am not at liberty now to give. Another report shows when this true bill was reported to the district attorney's office.

I wanted a true bill returned and desired the information because I was interested in a young man who was working on that case. There are yet some matters about the conditions which I can not mention because it might interfere with the further enforcement of this law at certain places. I said at that time that one of the accused was in Washington, that two of them were in other eastern cities, and that if we could get a true bill we would catch them. That is the language of the officer to me: "If I can get a true bill, I can catch these people, but I can not get any assistance until then."

When those reports came in, this young man was given the necessary information. The Evening Star of Friday, January 10, on its first page, in the first column, says:

Lee King murder suspect captured after long chase.

That is too long an article to read. I shall simply ask that it be printed along with my remarks. I call the attention of Senators to the fact that this man was chased into the eastern cities, finally driven out, and captured in New Orleans. That is one result of the true bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

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

**LEE KING MURDER SUSPECT CAPTURED AFTER LONG CHASE—22-YEAR-OLD CHINESE IS ARRESTED IN NEW ORLEANS ON OLD WARRANT—UNITED STATES AGENTS WILL SEEK TWO ALLEGED ACCOMPLICES—EIGHT-MONTH PURSUIT LED THROUGH DARK BYWAYS OF DOZEN CITIES**

A relentless chase that has run its course through the dark and devious byways of the Chinese quarters of a dozen eastern cities came to a dramatic end last night with the arrest in New Orleans of Lee Sing, 22-year-old Chinese on an eight-month-old warrant charging him with the murder of Lee King, another Chinese, in the Capital on June 12 last.

Their ways beset by the most desperate criminals in the country, the rat-faced, dangerous men and women who barter in "dope and use the stuff themselves until their minds are crazed," Federal narcotic agents have followed the trail doggedly ever since the murder of King, and when they have safely lodged Sing in the District jail, there to await trial, they'll take the trail again in search of two alleged accomplices.

Their clues in the search have been wrung from bland, but uninformative Chinese throughout the East, and scores of blind leads, false tips, and deliberate falsehoods designed to throw them off the track have been followed in the search.

**ROVER PRAISES DETECTIVE WORK**

District Attorney Leo A. Rover, whose handling of the case has been the object of fiery outbursts in the Senate by Senator COLE L. BLEASE, of South Carolina, to-day termed the arrest of Sing by Federal Narcotic Agent Commodore D. Fortner, of Washington, and another agent, whose identity the Government prefers to keep a guarded secret, as "a magnificent piece of detective work." L. C. Nutt, deputy prohibition commissioner in charge of narcotic agents, also was high in his praise of Fortner and the man who helped him arrest Sing.

Lee King is alleged by Washington police to have known too much about the drug traffic in Washington. He was used by Federal agents in undercover work for opium raids and is reported to have proved considerable of a thorn in the side of the drug bartering here.

Fortner says a drug ring put a price of \$2,500 on King's head after discovering that he was the "leak" in the ring.

**LEE KING LEFT TO DIE**

He further alleges that Lee Sing agreed to "do the job" and stop the "leak."

King was sitting in an automobile on Eleventh Street between L and M with two other Chinese, when they are alleged to have opened fire on him, fatally wounding him. The slayers fled, leaving King dying on the sidewalk.

Din was arrested and following a police investigation he and Sing were indicted on murder charges. Din is still held in the District jail, awaiting trial.

Sing will be held there also, as the search goes on for the other two men who are alleged to have been in the car from which the shots which killed King were fired.

Sing was arrested last night by Fortner and two New Orleans policemen as he walked from the headquarters of the On Leong Tong, a few blocks from the New Orleans police station.

Mr. Rover said to-day that he will not proceed immediately with the trial of Din and Sing. He said he would wait until all leads have been followed in the search for the other two men.

Mr. BLEASE. In the Times-Picayune, of New Orleans, of Friday, January 10, it is said:

Chinese murder suspect trailed here and caught.

I shall not read that, but they say that the man who captured the Chinaman was Commodore D. Fortner, who knew where these men were all the time, and if he had received proper assistance they would never have left the city of Washington. He has kept continual track of them, he knew where they were or about where they were. He arrived in this city last night with one of them, I am informed, and put him in jail. He expects to have the other one within a short time if he stays on top of the earth.

I ask that that article be printed.

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

**CHINESE MURDER SUSPECT TRAILED HERE AND CAUGHT—ALLEGED GUNMAN WANTED FOR WASHINGTON KILLING IS ARRESTED**

Two Federal narcotic agents and two policemen Thursday night arrested Lee Sing, 22 years old, as he came out of the On Leong Tong headquarters at 1112 Tulane Avenue, half a block from police headquarters. He is wanted for murder in Washington, according to the narcotic agents, who trailed him from that city to New York, then to St. Louis, and finally here.

On June 12, Lee King, who lived at 1423 Eleventh Street NW., Washington, was taken for a ride by his friend, Lee Din. A few blocks from his house he was shot to death by three Chinese gunmen in another automobile. Lee Din was arrested, and he and Lee Sing, who, according to the Federal agents, was one of the gunmen, were indicted on charges of first-degree murder.

Lee King had formerly been a member of the Hip Sing Tong, of which Lee Sing is a member, the agents said, but shortly before his murder he changed to the On Leong Tong. One of the two agents who came here to make the arrest, Commodore D. Fortner, used Lee King as an under-cover man, and through him managed to make several big opium hauls in Washington and in Virginia. Fortner said there was a price of \$2,500 on Lee King's head when members of the opium ring learned of the leak. Lee Sing, according to the agent, is a professional Chinese gunman and undertook to do the job.

Mr. BLEASE. What I said resulted in action by the grand jury after I had made my talk upon this floor, and when we got that action, then something else happened, as I was told it would.

I said at that time also, Mr. President, that opium was being sold within the shadow of the United States Capitol. A good many people laughed at that. I received some pretty threatening letters in reference to it. Some people demanded that I tell my authority. Even the grand jury went so far as to have the ignorance and the impudence as to ask me to come before them and tell them, when I had sense enough to know that if I went there and told the absolute facts and positive truth, under the pressure then being brought upon them, they would have returned no bill, and these accused would still have been at large.

Yesterday the Washington Herald said:

Five thousand dollar can of dope is dug up in den floor.

If one would watch when the sun gets up just opposite the dome of the Capitol, I think he could see that the shadow of the dome of the Capitol would just about reach the place where this raid was carried out, and where I was told the dope was; but the officers could not get the Washington, D. C., policemen to help, and they had to go and bring men here from New York before they could get action.

I ask that this article, along with the article in the Washington Post of this morning, and one from the Washington Star of yesterday afternoon, and one from the Washington Times of yesterday afternoon, be printed in the RECORD.

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

[From the Washington Herald, January 16, 1930]

**HUGE OPIUM CACHE—TWO MEN HELD IN RAID—FIVE THOUSAND DOLLAR CAN OF DOPE IS DUG UP IN DEN FLOOR—THREE GOVERNMENT AGENCIES TO FERRET OUT DRUG-SMOKING PLANT, 318 PENNSYLVANIA AVENUE**

Battering down stout doors in a squalid rooming house at 318 Pennsylvania Avenue NW., raiding forces of three Government agencies yesterday located a cache containing \$5,000 worth of opium and placed two Chinese under arrest.

Buried beneath the floor of a 2-room suite apparently used by opium smokers, a small can was unearthed. It held \$4,000 worth of gum opium. Elaborate paraphernalia, including pipes, lamps, cleaning apparatus, and small containers for retail sales, were confiscated by the officers.

## OFFER NO RESISTANCE

The two Chinese put up no resistance, though an automatic pistol was found in their room. The two were booked as Lem Wey Hing, who said he was from New York, and Lee Gong, of the Pennsylvania Avenue address.

Preparations extending over several weeks preceded the raid, which was conducted jointly by the Treasury Narcotic Bureau, the customs forces, and the narcotic squad of Washington police. Another raid launched simultaneously at 340 Pennsylvania Avenue NW. yielded nothing.

Col. L. G. Nutt, Chief of the Federal Narcotic Bureau, personally directed his men during the raid. He said agents had made several purchases of opium at the establishment recently.

## RIP UP FLOORS

Agents ripped up floor boards, opened up small caches in the walls and tore strips from door posts in an effort to discover further supplies of the narcotics. It was considered probable more would be brought to light.

The two rooms in which the men were arrested and another room in the floor below were fitted up in traditional style of the meaner "hop house." Hard benches covered with straw matting were placed about the walls. On these were hollow, curved wooden blocks designed to act as pillows for habitués of the establishment.

An arrangement of pulleys permitted the proprietor to open the door without arising from his bed. Posters of Chinese girls were the principal decorations.

In spite of the plea of Lem Hing that he had merely come to spend the night at the place and knew nothing of its activities, he was placed under arrest. Agents told him he had picked a bad place to spend the night.

Chief of the Federal narcotic agents at the raid was J. B. Greeson. Agents S. L. Rakusin and J. L. MacDonald assisted him. D. B. Clark and Jay Malanbre were representatives of the customs bureau.

[From the Washington Post, Thursday, January 16, 1930]

## QUARTER JAILED ON RUM CHARGES—TWO RAIDS NET RAIDERS QUANTITY OF ALLEGED RUM AND BEER

Four persons were arrested on charges of violation of the dry law in raids by police squads at houses on Pennsylvania Avenue NW. near Third Street.

Sergt. Oscar J. Letterman and Detectives Richard Cox, George McCarron, and James Mostyn seized a pint of liquor after a thorough search of one establishment and arrested Walter Tapscott, 29 years old, on charges of possession and maintaining a nuisance, and his wife, Marie Tapscott, 31 years old, on charges of sale and possession and maintaining a nuisance.

While the Letterman raid was in progress, Sergt. J. C. Maloney and Detective E. C. O'Meara, of the sixth precinct, invaded a house on the opposite side of the street, where James C. Rice, 73 years old, was arrested on charges of sale and possession, and his wife, Carrie Rice, 29, was taken on a possession charge. Eighty bottles of beer and a half pint of liquor were seized, police reported.

[From the Evening Star, Washington, D. C., Wednesday, January 15, 1930]

## LUNCH ROOM RAIDED—POLICE ARREST OPERATOR ON CHARGES OF DRY-LAW VIOLATION

Police of the sixth precinct this afternoon raided the A. B. C. Lunch-room, located near the police court, at Sixth and D Streets, and arrested Joe Greenstein, the operator, on charges of sale and possession.

Precinct Detective E. C. O'Meara, accompanied by Sergt. J. C. Maloney, seized four pints of whisky, which they say was found in the kitchen.

A warrant for search of the premises was sworn out when a police informer said that he made a "buy" of a half pint this morning. Greenstein was escorted to the sixth precinct and held under \$3,000 bond.

[From Washington Times, January 15, 1930]

## MOST SATISFACTORY RESULTS FROM "ELECT TO FORFEIT SYSTEM"—CONGESTION IN POLICE COURT GREATLY REDUCED

The system went into effect May 2 last, and up to December 31, 1929, 23,382 arrests had been made under it. Only 36 cases actually were tried out of this large number.

The significance is that thousands of citizens were saved time and temper and that policemen are saved prolonged attendance at court, thus enabling them to be upon the streets. The judges and prosecuting officials at the court now have more time for serious problems before them.

The costs of prosecution have been materially cut through reduction in clerical and legal work and materials.

Mr. BLEASE. The Washington Times of January 13 said there were 33 arrests for violation of the prohibition law on

that date, the largest ever known in the history of this city. I ask that that article be printed.

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

[From the Washington Times, January 13, 1930]

## THIRTY-THREE DRY ARRESTS SET DAY'S RECORD IN DISTRICT OF COLUMBIA

Thirty-eight alleged liquor-law violators were brought into police court to-day, and Assistant District Attorneys David A. Hart and James R. Kirkland made out papers against 33 of them. This is the largest number ever charged in one day with dry violations in the District.

Nine of the defendants will be held for the grand jury under the drastic Jones law.

Policeman L. F. Graham, of the thirteenth precinct, and two companion officers, Henry J. Martin and J. T. Bragg, nabbed the largest haul when they arrested William Cabell, colored, 34, 1900 block Seventh Street NW., on Sixteenth and Kennedy Streets NW. for having only one headlight.

Graham noticed the springs sagging, he said, and asked Cabell what he had in the back of his car. "Seven cases," the man is reported to have replied. A search revealed 8 cases containing 96 half gallons of alleged whisky. Cabell was held under the Jones law by Hart to-day.

Another defective headlight led to the arrest of Rober H. Battle, colored, 30, and John J. Smith, also colored, 31, by Policemen J. E. Bennett and R. E. Burton, eleventh precinct liquor detail. The defendants were stopped on Nichols Avenue in front of the entrance of St. Elizabeths Hospital, and 36 half gallons of corn whisky were found in the back of the car, police said. Both were charged under the Jones law.

## TWENTY IN FOURTH PRECINCT

Twenty of the cases in court to-day were made out by police of the fourth precinct. Although 45 cases were brought into court a week ago, 17 of them were dropped. Thirty-three is the largest number that were prosecuted in the District in one day.

"The police are making out their cases much better than they used to," Hart said.

Others who were charged under the Jones law, which provides either five years' imprisonment or \$10,000 fine, or both, were Harry Lazarus, alias Hyman Lazarus, 1100 block Sixth Street NW.; Walter Esrich, 700 block Second Street NW.; Robert B. Storey and Anthony de Genero, first block of H Street NW.; Charles W. Lee, 700 block North Capitol Street; and Sidney Winchester.

Mr. BLEASE. My object in bringing this matter up just at this time was not to make a speech, but simply to call attention to the fact that this district attorney's office and this grand jury did not do their duty, as I charged; that somebody in the District attorney's office tipped off these places when they were going to be raided, or they were tipped off from the office of the chief of police, because, as I stated before and know to be true now, at certain places when raids were going to be made, when they mapped out the program they were to follow, certain places were called over the telephone and told to "look out; the squad will reach your place about a certain hour." That might have been and I reckon would be the condition to-day if it had been left to the police force of the District of Columbia.

If I were running a town as district commissioner or as mayor, I would feel a little bit ashamed if my people had to get officers from outside to come to my town to attend to affairs for them. I do not know how these two District Commissioners feel about it; I do not know how Mr. Hoover feels about it when he considers their reappointment, but when I had the honor of being mayor of the city in which I lived all my life up to a short time ago I would have resented other officers coming there instead of asking them to come.

Another murder has just been committed, a most horrible one. Café owner murdered in Ninth Street apartment.

I ask that these articles be published, as I do not care to take up the time of the Senate in reading them.

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

[From the Washington Daily News, Tuesday, January 14, 1930]

## CAFÉ OWNER MURDERED IN NINTH STREET APARTMENT—HEAD BEATEN IN WITH BRICK BY SLAYER, WHO RANSACKED QUARTERS—ROBBERY SEEN AS MOTIVE, AS INDICATIONS THAT KILLER MADE SEARCH FOR MONEY ARE FOUND—VICTIM KEPT LARGE SUMS—COLORED MAID MAKES DISCOVERY ON OPENING ESTABLISHMENT—POLICE OBTAIN FINGERPRINTS

Christos Haralampidis, about 55 years old, Greek restaurant proprietor, was beaten to death with a brick early to-day in his sleeping quarters above his restaurant at 511 Ninth Street NW.

The restaurant is on the second floor of the Ninth Street address, next door to the Gayety Theater.

## ROBBERY SEEN AS MOTIVE

Police believe robbery was the motive, as the living quarters on the third floor, where the body was found, had been completely ransacked.

Haralampidis usually kept between \$800 and \$1,000 in his possession, police said.

The body was discovered by Mary Bower, colored, of 416 Eleventh Street SW., and Patrolman Louis Hale, of the first precinct, about 7.30 a. m. The Bower girl, who works for Haralampidis, rushed to the street and summoned Hale upon finding the restaurant and living quarters in confusion.

#### SPRAWLED ON FLOOR

The man was found sprawled on the floor, the side of his head battered in. A paving brick, which police learned later was used to cover a rat hole in the sleeping quarters, was lying near by, spattered with blood.

Clothing from a bureau and suit cases in the room were scattered about promiscuously, showing that the murderer had made a thorough search of the restaurant keeper's possessions in his hunt for money.

#### ESCAPED THROUGH REAR

The slayer apparently made his escape through a rear door on the second floor, which leads down to an alley in the rear of the Gayety Theater.

Captain Burke, of the first precinct, who took command of the investigation, said that the murderer was well known to Haralampidis, and that he probably remained after the restaurant closed shortly after 11 last night, talking to his intended victim.

#### FIND FINGERPRINTS

Police were unable to find any indications that an entrance had been forced, but they did discover the open door by which the slayer made his escape.

Sergeant Sandberg, police fingerprint expert, was called to the scene, and, it was said, was able to obtain several good prints believed to be those of the slayer.

The Bower girl told police that Haralampidis did his banking about every six or seven months and kept his money concealed in his bedroom.

#### SANITARY GROCERY NETS YOUNG BANDITS \$80—UNMASKED PAIR LINES CUSTOMERS AGAINST WALL AND RIFLES CASH REGISTER OF CONTENTS

One of the customers milling about the Sanitary Grocery store at 207 Kentucky Avenue SE. about 6 p. m. yesterday, suddenly produced a gun and ordered four other purchasers, the manager, W. H. Berry, and a clerk, Charles E. Brent, to line up against the wall.

Another young man detached himself from the threatened row and proceeded to rifle the cash register while his companion stood near the door with gun upraised.

About \$80 was stolen by the unmasked bandits. Police have their descriptions.

#### DESPONDENT HUSBAND ENDS LIFE BY INHALING GAS

Lester D. Tillman, about 35, was found overcome from gas to-day at a rooming house at 1201 Eleventh Street NW. The rescue squad worked over him to no avail.

When found, Tillman was partially clad and in bed. Gas was flowing from a gas jet in the room and the door and windows were stuffed with paper.

Despondency over the illness of his wife, who was said to be in a hospital in Danville, Ill., is believed to have motivated the act.

Mr. BLEASE. I have four or five other clippings, and I ask that they be inserted without my reading them.

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

[From the Evening Star, Washington, D. C., Monday, January 13, 1930]

#### ALLEGED ROBBERS TRACED BY SQUEAK OF DUMB-WAITER—POLICE SEIZE FOUR IN ASHLEY APARTMENT AFTER NEAR-BY STORE IS LOOTED—PHONED IN EARLY HOUR BY OCCUPANT—APPAREL VALUED AT \$360 CLAIMED BY DEALER AS PRISONER, POLICE SAY, CONFESSES

A dumb waiter that squeaked and made queer noises in the hush before dawn to-day caused the arrest of three men and a woman, who are held by police for investigation in connection with the robbery of the haberdashery of J. T. Klawans at 2002 Eighteenth Street. Some person in the Ashley Apartment at 2038 Eighteenth Street heard the dumb waiter and telephoned the police.

Detectives D. B. Crooke and R. W. Hopkins of the eighth precinct responded and caught, they say, Charles Robert Bolton sending up on the dumb waiter to an apartment above a miscellaneous assortment of men's and women's clothes, alleged to have been stolen from the store operated by Klawans, shortly after midnight. The mute testimony of a jimmed door in the Klawans establishment was said by police, together with the character of the goods sent up on the dumb-waiter, to connect them with the robbery.

In the apartment above were found Robert Duffell, who gave his occupation as a fireman and his address in the 1400 block N Street; David Russell, who said he is a doctor and lives in the Ashley Apartment; and a woman, who gave her name as Alma Russell, and claimed

to be the wife of the doctor. All were taken to the eighth precinct, from which the woman was subsequently sent to the House of Detention, while police checked up on a list of the goods said by Klawans to have been stolen from his shop.

#### CONFESSION IS REPORTED

At the precinct police said Bolton confessed his connection with the robbery, and was said to have implicated the other two men. Wearing apparel of the value of between \$360 and \$370 was said by Klawans to have been stolen. Police said the articles found in the apartment checked with the goods taken from the haberdashery. The loot included women's dresses, hose, scarfs, caps, blankets, robes, collars, belts, cuff links, neckties, and men's shirts, together with a miscellaneous assortment of small articles of clothing.

Small-time burglars were also active Saturday night, according to reports to police, who were told that four stores were broken into during the night, and miscellaneous articles, including groceries and meats, a small amount of cash, an evening dress, and other wearing apparel taken.

Thieves broke through a rear window in the store of Bernard Abrams, 1311 H Street NE, and stole, according to Abrams, a box of cheese, 7 chickens, 6 pounds of butter, 4 pork loins, 8 pounds of lard, a box of bacon, and a quantity of cigarettes.

#### CASH REGISTER ROBBED

Burglars broke a glass panel in the store of George Hillow, 2000 Seventeenth Street, and stole \$20 from the cash register, while some individual with a flair for elaborate evening clothes entered the store of Morris Needle, 421 H Street NE., and stole a black evening dress trimmed with fish scales, valued at \$80. Wearing apparel valued at \$16.65 was taken from the store of Paul Harmel, 730 Four-and-a-half Street, by thieves who broke a show window.

The homes of William V. Nessley, 518 Concord Avenue, and William Smith, 111 Massachusetts Avenue, also were robbed. Fifty-two dollars was taken from the pocketbook of Nessley, while Smith said his home was robbed of a suit case, a handbag, and a gold bracelet. Pernel Brown, of 926 Bennett Place, Baltimore, was walking along Six-and-a-half Street Saturday night with a coat over her arm when some one snatched it from her. The hen house of Harry Rousseau, 3238 B Street, was entered and seven chickens valued at \$12 were taken.

#### LIQUOR CHARGES FOR ONE DAY BREAK EXISTING RECORD—THIRTY-THREE PERSONS CHARGED WITH PROHIBITION VIOLATIONS—FIVE MORE RELEASED—NINE DEFENDANTS FACE ACTION BY GRAND JURY—TWENTY-EIGHT ARRESTS BEFORE CHRISTMAS WAS HIGH DOCKET MARK, BUT 17 OF THESE WERE RELEASED

Prohibition cases at police court to-day broke all records for the tribunal when 33 persons were charged with various violations of the liquor law. Police brought 38 cases into court, but Assistant United States Attorney David A. Hart and James R. Kirkland reported that five were arrested illegally.

Nine of the people to be arraigned were charged with either transportation or the sale of whisky, and were held for action of the grand jury under the Jones-Stalker law. The largest number of prohibition cases previously to be tried in the court in one day was 28. This number appeared on the court docket about two days before Christmas. But on this day there were 17 arrested persons freed because police made the arrests illegally.

The fourth precinct whisky squad also set a record when they arrested 20 persons on charges of possession. All but three of these were held at court to-day. The home of Maggie Sewell, 600 block of Springman's Court SW., was raided by the squad and 112 pints of liquor as well as the alleged operator of the premises were taken to the precinct house, police reported. The other arrests involved smaller amounts of contraband. The liquor squad is composed of Policemen W. C. Curtis, R. J. Barrett, Nelson Thayer, and Floyd Trescott.

Policemen L. S. Graham and H. J. Martin, of the thirteenth precinct, seized the largest amount of whisky to be charged to one defendant when they arrested William Cabell, colored 1900 block Seventh Street, on a transportation charge. The man's car was halted at Sixteenth and Kennedy Streets last night when the police say that he was driving with defective headlights.

John J. Smith and Robert H. Battle were arrested by Policeman J. E. Bennett after their automobile had been stopped because of one bad headlight on Nichols Avenue near St. Elizabeths Hospital last night. Seventy-two quarts were found in the car, according to police.

#### ABANDONED CHILD IS NEAR TO DEATH—THREE-DAY-OLD INFANT WAS FOUND IN EXHAUSTED CONDITION AT UNION STATION

By a tiny thread "Mary Margaret O'Brien," 3-day-old girl child abandoned in Union Station last night by its mother, to-day was holding to life at Children's Hospital.

"Mary Margaret" won her name with her blue eyes, black ringlets, and cheery disposition in face of great difficulties.

The Children's Hospital doctors are trying to prevent serious illness resulting from her having been left on the marble floor of the station.



When she was taken to Children's Hospital last night she was chilled through by her stay on the cold stone. Doctors think she will recover.

The mother who abandoned the child did her best to assure her comfort before leaving it. She left the baby girl on the floor with a large blanket carefully wrapped about her. The child's feet had been wrapped in cotton batting and then covered with warm stockings, wearing, in addition, a hand-embroidered bib and dress.

At the hospital it was said to-day that "Mary Margaret's" clothing indicates she is the child of parents of the better class.

The little bundle was found at about 8.30 o'clock last night by Miss Mae K. Schwartzman, of 513 Ninth Street SE., an employee of the Western Union office in the station.

"Mary Margaret" will live at Children's Hospital until she gets well. Police will search for her parents.

The abandonment of "Mary Margaret" is the fourth such case in the Capital in the past four weeks.

#### BOGUS POLICEMAN DISAPPEARS AFTER COLLISION "ARREST"—NINTH PRECINCT OFFICERS SEEK MAN DESCRIBED BY ALBERT W. STRAUGHAN

Ninth precinct police to-day are endeavoring to determine the identity of a man who early yesterday posed as a policeman when two machines collided at Twelfth and C Streets NE. and ordered the driver of one of the cars to drive "straight ahead" and then left the car and disappeared at Ninth and E Streets.

Albert W. Straughan, 26 years old, of 1433 Spring Road, told police that he was "arrested" by a man who claimed to be a policeman after his machine had collided with an automobile in which the "policeman" was riding.

Straughan reported that the driver of the other car fled after the accident, but the "policeman" stepped into his machine and ordered him to drive "straight ahead." Reaching Ninth and E Streets the "officer" ordered him to stop, left the machine, and walked away.

A baton, reported missing about a year ago by Policeman B. R. Campbell, of the eleventh precinct, was found in the car abandoned by the "policeman" and his companion after the collision. Campbell was in the precinct when the strange occurrence was reported.

Police endeavored to obtain the name of the owner of the abandoned car, which bore 1930 tags, but a search of the unfiled new license records at the District Building failed to reveal the identity of the owner.

Capt. James E. Wilson, commander of the ninth precinct, said to-day he was frankly puzzled as to the purpose of the man who told Straughan he was a policeman.

#### TWO HURT IN ROW—FIGHT ON NORTHEAST STREET SENDS COUPLE TO HOSPITAL

Paul and Howard Eagle, 209 F Street NE., fared badly yesterday afternoon in a fight with several colored men on Third Street, between F and G Streets. They were treated for wounds, none serious, at Casualty Hospital, where they told police they couldn't identify their assailants.

John McMahon, 705 Fourth Street, also was treated at Casualty for a wound in the mouth he reported he received from an unidentified colored man at his home yesterday.

#### FUGITIVE FROM LORTON REFORMATORY CAPTURED—SECOND INMATE WHO ESCAPED DURING NIGHT SUCCESSFULLY ELUDES BLOODHOUNDS

Bloodhounds from the District Reformatory, at Lorton, Va., early this morning scored a signal victory in the trailing of James McLoughlin, 20 years old, who took French leave of the prison some time during the late hours of the night. They were not so successful in their trailing of Archibald Lyles, alias Charles P. Smith, however, the latter managing to elude them.

It probably was while the dogs were on the trail of McLoughlin that they lost the trail of Lyles, and Lyles had not been captured early this afternoon.

The two prisoners, tiring of institutional life, crawled out one of the dormitory windows during the late hours of the night, and as soon as their absence was discovered the dogs were put on their trail. Police are participating in the search for Lyles.

#### OFFICER CONVICTED OF LIQUOR CHARGE—CAPITAL POLICEMAN IS GIVEN EIGHT MONTHS AND BROTHER-IN-LAW IS FINED

George L. Aikins, a member of the District of Columbia police force, and his brother-in-law, Cressman A. Pritchett, were found guilty by Judge Charles W. Woodward in the police court at Rockville this morning on charges of illegal possession of intoxicating liquor. Aikins was sentenced to the Maryland House of Correction for eight months and Pritchett was fined \$200 and costs. Both noted appeals to the circuit court and were released on bond in the amount of \$500 each.

In passing sentence Judge Woodward stated that the fact that Aikins was an officer of the law influenced him in sentencing him to prison rather than imposing a fine only.

The arrest of the pair followed a night visit to their home on Wilson Lane, near Bethesda, about two weeks ago by Chief of Police Alvie A. Moxley, of Rockville; Sergt. Leroy Rodgers, of the Bethesda substation; and several other country officers, who found there, so they stated, 350 bottles of beer, 6 gallons of whisky, 7½ gallons of wine, 5 gallons of cider, and numerous empty bottles, cans, and other containers. Aikins disclaimed all connection with the presence of the liquor in the house, but his brother-in-law, who stated that he was a taxicab driver, admitted making the beer and assumed full responsibility for everything else found there, explaining that the supply had been obtained in anticipation of entertaining a large number of relatives from New Jersey during the holidays.

#### POLICEMAN INJURED AS COLLEGE BOYS RUSH TO HOTEL CLOAKROOM—SEVERAL HUNDRED YOUNG MEN JAM STAIRWAY FOLLOWING FRATERNITY DANCE, TRAMPLING OFFICER

Policeman Patrick O'Brien, of No. 3 precinct, was bruised and trampled early Sunday by college boys who are said to have toppled him down a flight of steps at the Mayflower Hotel in their haste to get their hats and coats following a fraternity dance. Two house detectives also were overwhelmed by the rush.

Once released from the press of collegians, Policeman O'Brien reported sick to his precinct and was treated by Dr. Julian Ruffin, 1629 Twenty-first Street, for sprains and bruises about the neck and shoulders. He was to report for duty this afternoon, however, following additional treatment at the police clinic.

Shortly before the dance broke up in the main ballroom a house detective requested the policeman to come in and help handle the crowd in the event there was disorder. The policeman complied and, with two employees of the hotel, took up his stand before a stairway leading downward to the men's cloakroom.

At the first strains of Home, Sweet Home, several hundred young men detached themselves from the 1,000 dancers and dashed for the cloakroom, the detectives said. The passageway was too narrow to accommodate them all, and the officer was seeking to get a line formed when the pressure threw him backward down six steps to the landing.

Dazed for the moment, he was unable to rise and the young men in front, pushed on by those behind, were forced across his body. Meanwhile the hotel attendants fared no better and the three officers flattened themselves against the wall until the rush subsided.

The girls at the dance obtained their cloaks from another room in an orderly manner, the officer said. No arrests were made.

[From the Washington Post, Tuesday, January 14, 1930]

#### THIRTY-EIGHT WEEK-END CASES BREAK RUM RECORD—FIVE ARRESTS, HOWEVER, ARE HELD ILLEGAL AND WILL BE DROPPED—NINE SEEK JURY TRIALS

With a total of 38 cases booked under the prohibition law over the week end, Washington police and prohibition agents established a new mark.

While Assistant United States Attorneys David A. Hart and James R. Kirkland sidetracked five of the cases on the grounds that the arrests were illegal, papers were made out in the remainder. Nine of the other defendants entered pleas of not guilty and demanded a trial by jury.

The previous record for a week end was established the Saturday and Sunday before Christmas, when 28 cases were docketed. At that time, however, 17 of the cases were dropped because of the illegal aspect of the raids.

Twenty of the cases brought into court yesterday originated in the fourth precinct. This brought from officials in the office of the United States attorney the expression, "The police are doing much better than formerly. They are really making good cases."

This statement, Mr. Hart says, shows that the police are profiting by the school of instruction which he recently instituted. Hart believes that raids should be made only on the proper warrant, and it is this point which he is trying to drill into the members of the police raiding squads.

#### FRIEND OF FAMILY IS HELD IN THEFT—POTOMAC CLERK, 20, JAILED AFTER STOLEN RING IS FOUND PAWNED

Raymond Bennett Lunceford, 20-year-old clerk, of Potomac, Va., was arrested yesterday by Detective Sergeants Charles J. P. Weber and Howard E. Ogle and accused of taking a \$125 diamond ring from Mrs. Lucenda B. Hesse, of 3024½ R Street NW., who has befriended the youth on numerous occasions.

Lunceford, the detectives said, was a companion of Mrs. Hesse's nephew, who recently died. Because of the friendship, according to the detectives, the youth was permitted freedom of the Hesse residence.

On January 7 Mrs. Hesse reported the theft of the diamond ring from her home. Investigation by police resulted in location of the ring in a pawnshop, and Lunceford's alleged connection with the case. A warrant charging the youth with grand larceny was sworn out.

**ONE HUNDRED DOLLAR STORE THEFT REPORTED**

Michael Hurtwitz, proprietor of a store at 450 R Street NW., informed police yesterday that a thief gained entrance to his establishment through a rear window during the night and escaped with \$100.

**ABANDONED INFANT DIES WHILE POLICE SEEK HER MOTHER—"MARY MARGARET" DESERTED IN STATION REST ROOM PASSES IN HOSPITAL—DOCTORS NOT DECIDED ON EXACT DEATH CAUSE—PREMATURE BIRTH, EXPOSURE MAY BE TO BLAME; FELONY CHARGE LIKELY**

"Mary Margaret O'Brien" died last night at 10 o'clock in the Children's Hospital. Finis to her hectic 4-day existence will probably be written to-day in the District crematory.

Doctors say that Mary never had a chance. Her mother didn't want her—and left her on the floor of the ladies' rest room at the Union Station. That suited Mary and she went to sleep until Miss Mae Schwartzmann, a Western Union employee at the station, discovered her.

But when the tiny waif was taken to the hospital, physicians shook their heads. They said that she was suffering from exposure, privation, and weakness. They did all that could be done and Mary seemed to rally slightly.

The mother who left Mary didn't leave any identification, of course, and Mary will be officially entered on the records of the coroner's office as "Mary Doe."

The only charge that can be placed against the person who deposited the baby is that of abandonment, which, however, is a felony.

It is not known now just what caused the baby's death. She was a small infant and might have been, doctors say, of premature birth. Or she may have died because of the exposure suffered in the Union Station. That will be determined to-day.

In the meantime, police are seeking to locate the mother.

**ALLEGED RUM PACKAGE IS SEIZED AFTER CHASE**

Falling in two attempts to rid himself of a package containing two quarts of alleged liquor, William Howard, colored, 39 years old, who described himself as janitor at a California Avenue apartment house, near Eighteenth Street NW., was arrested in a short chase on Seaton Street, near Seventeenth Street NW., last night by Policeman S. M. Scott.

Howard was charged with transportation and possession. The policeman said he was patrolling his beat when Howard upon sighting him stepped to the curb and, opening the door of a car, attempted to toss the package inside. A woman occupant of the auto became frightened at his action, and Howard turned and raced a block, when he was caught by the policeman, who said Howard was endeavoring to throw the package over a fence.

**UNMASKED MEN ROB GROCERY STORE—NATTILY DRESSED PAIR GET \$88 FROM CASH TILL AND ESCAPE**

Two unmasked men, about 25 years old, one brandishing a revolver, held up and robbed the Sanitary Grocery Co. store at 207 Thirteenth Street SE. at its closing time at 6 o'clock last night and escaped with \$88 rifled from the cash register.

William H. Berry, 50 years old, manager of the store, told Headquarters Detective E. E. Thompson and Fifth Precinct Detective J. G. Russell that he was preparing to close the store when the pair, nattily attired and exhibiting no trace of nervousness, sauntered leisurely through the door.

He said one man stationed himself at the door and the other, leveling a revolver at his head, forced him behind the counter and to the till, which the man emptied. The pair then fled, turning into a near-by alley.

**DUMB-WAITER AIDS POLICE IN ARRESTS—CONSTANT SQUEAKING LEADS TO HOLDING OF FOUR IN \$360 ROBBERY**

After a dumb-waiter "squealed," three young men and a young woman were taken in custody early yesterday in an apartment building at Eighteenth and California Streets NW. in connection with a \$360 robbery of a haberdashery.

Vexed by the constant squeaking of a dumb-waiter in the apartment building, a tenant telephoned police. Detectives D. B. Crooke and R. W. Hopkins, of the eighth precinct, upon arrival at the building reported they observed Charles Robert Bolten, 27 years old, operating the dumb-waiter, which was loaded with clothes.

The detective then went to an apartment above, where, they said, Robert Duffell, of N Street NW., near Fourteenth Street; David Russell, and Mrs. Alma Russell were, who said they resided in the apartment. The clothing recovered, detectives declared, was stolen shortly before 1 o'clock from the haberdashery of J. T. Klawans, a few doors from the apartment building. The quartet were held for investigation.

**BAD CHECK ACCUSATION WAITING FOR TRAVELER**

When he steps from the prison gates in Chicago to-morrow morning at 8 o'clock, Andrew Donohoe, 45-year-old alleged check "artist," will be placed under arrest on charges preferred against him by Washington

police. Detective Sergeant Ira Keck is in Chicago to bring him back here.

Donohoe, known also as R. Terrell, is charged with having passed a bad check here for \$125 on a local hotel. An attempt will be made to connect him with several other "rubber" checks passed here at about the time he was in the city. Police say Donohoe is a traveler and does not stay in any one place long.

**THREE IN FAMILY HELD ON NUMBERS CHARGES**

Three members of a colored family were arrested by Seventh Precinct Detectives N. S. Hodkinson and J. E. Burke at 10 o'clock yesterday morning in the precinct on separate charges of operating a numbers game and released on \$500 each.

They gave their names as John Edward Carter, 59 years old, and Cora Carter, 36 years old, both of Dumbarton Avenue near Twenty-seventh Street NW., and Andrew Carter, 62 years old, of Phillips Court NW.

[From the Washington Times January 14, 1930]

**CAPPER TO PUSH LAW PROPOSED BY MITCHELL**

Senate drys are gathering their forces to-day to take action on President Hoover's recommendations for new enforcement in the District, transmitted in his prohibition message yesterday.

Senator ARTHUR CAPPER, chairman of the Senate District Committee, is in thorough accord with the recommendations and probably will call his committee next week to consider one dry bill already submitted, he said to-day.

**MITCHELL BILL READY**

The Senate District Committee will take up Attorney General Mitchell's bill, submitted at Senator CAPPER's request several days ago. It is based on a measure written by Senator HOWELL providing that all local policemen be given the powers of prohibition agents, that the District Commissioners be given authority "to enforce" the Volstead Act, and that police judges be empowered to issue search warrants in prohibition cases.

In addition, the Senate Judiciary Committee has before it a bill written by Senator CAPPER providing for two additional judges on the District Supreme Court. CAPPER thinks some legislative action should be obtained immediately to improve conditions here, which he admits are "lax."

"The President has been in close touch with the Attorney General on District prohibition matters and I am sure he will approve enactment of the bill that the Attorney General submitted, as well as my own," said Senator CAPPER.

**LAW HASN'T HAD CHANCE**

"I am in sympathy with any measure which he or the Attorney General thinks will improve conditions. The prohibition law has not had a fair chance in this part of the country except in a few cases."

He cited his own State of Kansas, where, he said, the State law failed at first, but through conscientious officers has become a success.

"I would not say the law has been actually blocked here, but its enforcement undoubtedly has been lax," he declared. "I was highly pleased with the way the President has tackled the problem, and I think we will see results we have never seen before."

**COP SENTENCED TO EIGHT MONTHS**

Policeman George L. Aikens, seventh precinct, was sentenced to eight months in the Maryland House of Correction by Judge Charles W. Woodward in Rockville police court yesterday on charges of illegal possession of liquor in his home in Bethesda.

Aikens's brother-in-law, Cressman A. Pritchett, was at the same time found guilty on a similar charge and fined \$200 and costs. Appeals were noted by both men and they were released on bond of \$500 each.

The charges were the result of a night raid about two weeks ago, when 350 gallons of beer, 6 gallons of whisky, 7½ gallons of wine, 5 gallons of cider, and a number of empty containers are alleged to have been confiscated.

[From the Evening Star, Washington, D. C., Tuesday, January 14, 1930]  
**FORMER POLICEMAN CONVICTED ON CHARGE OF PLOTTING TO ROB GIRL OF MACHINE-SHOP PAY ROLL**

Max Rubin, a former member of the police force, who was indicted for conspiracy to rob Miss Ruth Beuchert of the pay roll of her father's machine shop in the 400 block of K Street on November 14 last, was convicted by a criminal-court jury before Justice William Hitz late this afternoon. Sentence will be imposed later.

Benjamin Rubin, a brother of the convicted man, was indicted with him, but the Government had previously nolle prossed the charge.

Evidence presented during the trial disclosed that Rubin and Hugh Wineberry, of Baltimore, had conspired to waylay Miss Beuchert as she passed through the alley between her father's home on I street and the shop on K Street and take the pay roll.

Wineberry declared that when he learned the young woman was to be knocked down he went to police and told them of the plot. Detective

Arthur Fihelly then told Wineberry to go through with the plot, and on the day the robbery was to take place arrested Rubin and his brother, who was employed in the Beuchert shop and who, police said, gave the information to Max Rubin regarding the transportation of the pay roll.

Assistant United States Attorneys James Francis Hughes and Irvin Goldstein conducted the prosecution.

#### LEE SING, INDICTED FOR MURDER OF LEE KING, LODGED IN D. C. JAIL

Lee Sing, indicted in the District in the murder here last June of Lee King, informer for narcotic agents, who was arrested last Thursday night in New Orleans after an 8-month search by Federal Narcotic Agent Commodore D. Fortner, to-day was returned to the Capital and remanded to the District jail there to await trial.

One man, Lee Din, arrested shortly after the slaying of King, already is in jail awaiting trial on a murder indictment and two other men are sought by the Federal authorities.

#### RESTAURANT MAN FOUND MURDERED—CHRISTOS HARALAMPIDIS BELIEVED VICTIM OF ROBBERS, WHO CRUSHED SKULL

Slain in what police believe was a fight during the night with robbers, the body of Christos Haralampidis, 60-year-old proprietor of the Acropolis Restaurant, 511 Ninth Street, was found this morning in his ransacked living quarters over the restaurant. His skull was smashed by a brick found lying beside the body.

There was evidence of a desperate struggle in the room. One pocket of the man's clothing was turned out, but whether anything was missing in the disheveled room has not been ascertained. The brick with which the man was murdered apparently had been used to cover a rat hole.

Mary Bowers, colored, an employee, went to awaken the man, as usual, about 6.30 o'clock this morning. Hearing no answer to her knock, she opened the door. When she saw the disarray in the room, she ran screaming from the place.

At Eleventh Street and Pennsylvania Avenue she finally found a policeman, Louis Hale, of No. 1 precinct, who went with her to the address and found the body in a vacant room at the rear of the house.

Numerous finger prints were found about the place. An investigation by Capt. Frank S. W. Burke, commander of No. 1 precinct, and Lieut. Edward J. Kelly, of the homicide squad, failed to reveal any motive other than robbery for the killing. It was believed that the man had surprised the robbers at their work and was killed in a struggle that followed. His body probably was dragged into the vacant room.

Little is known of the slain man's habits. The restaurant he conducted had a clientele restricted almost entirely to Greeks. Police do not know whether Haralampidis was in the habit of keeping any considerable sum of money in his living quarters. Investigators have found a pair of pants and shoes, bloodstained, which may furnish clues.

#### JURY TRIAL DEMANDED BY TWO ACCUSED WOMEN—ELSIE BLAIR POSTS \$500 BOND AND JOSEPHINE FARLEY PUTS UP SECURITY

Arraigned in police court to-day on charges of operating a disorderly house, Betty Bradley, alias Elsie Blair, demanded a jury trial and was released on \$500 bond. Josephine Farley, arrested at the same time, also demanded a jury trial and was released on surety furnished by M. E. Buckley.

S. F. Gravely and W. F. Burke, third precinct detectives, arrested the two women when they raided a house in the 1400 block of Twelfth Street last night. The police say that they found evidence of disorder in the house, which, they allege, was operated by Betty Bradley.

While in the premises police say that Betty Bradley received a telegram from Philadelphia stating that her sister Ruth had committed suicide. Ruth Bradley was held by police in the investigation of the Green Gables fracas of the early part of last year.

#### ADDITIONAL JUDGES ASKED BY CITIZENS—NORTHEAST WASHINGTON GROUP CITES CONGESTION OF SUPREME COURT CASES

Approval of the congressional bill providing for the appointment of two additional Supreme Court justices was voiced last night in a resolution unanimously passed by the Northeast Washington Citizens' Association, meeting at the Ludlow School, Sixth and G Streets NE.

The association cited the congestion of cases on the Supreme Court docket, pointing out that it was sometimes two or three years before the tribunal rendered decisions.

After some discussion the association went on record as disapproving the bill introduced by Senator SCHALL providing for the abolishment of capital punishment in the District.

#### FAVOR SALARY INCREASE

A resolution favoring an increase in pay for police and firemen of the District was passed by the association.

The association went on record as favoring the establishment of a market somewhere north of Pennsylvania Avenue.

Strong approval of the bill authorizing the merging of the District street-car companies was given in a resolution passed by the organization, with the recommendation that bus and street car fare be uni-

form and that transfers be free and universal between street cars and busses.

In a brief address to the association, the chairman of the committee on streets and highways urged the passage of a resolution with a view to making H Street NE. from First to Fifteenth Streets an arterial highway.

The chairman stressed the immediate need of installation of stop signs at the intersections of the thoroughfare. It was brought out that H Street was rapidly becoming one of the heaviest traveled streets of the city and that the street in question was used as a direct route to the Baltimore Boulevard.

#### H STREET RESOLUTION PASSED

Following the chairman's talk, the association unanimously passed a resolution asking the traffic director to make H Street an arterial highway.

Policeman Ross Kaylor, pursuing an alleged rum-runner around what the citizens of Northeast term as a "dangerous curve and a traffic menace" at Stanton Park, was instantly killed when his motorcycle crashed.

To prevent further accidents similar to the one in which Kaylor met his death, the association passed a resolution recommending the rerouting of street-car lines around the park. At present the cars run east while traffic courses west.

#### LAWYERS PREPARE FIGHT TO RELEASE BOMBING SUSPECT—OPPOSING COUNSEL EXPECT TO WAGE VIGOROUS BATTLE WHEN BRADY FACES COURT—RELEASE OF BROTHER UNDER BOND SURPRISE—ARRAIGNMENT ON MURDER CHARGE POSTPONED FOR WEEK WHEN WITNESS REFUSES TESTIMONY

Opposing counsel prepared to-day to wage a vigorous battle Thursday at the arraignment in Marlboro of Leroy Brady, young automobile mechanic, on a charge of murder as a result of the Seat Pleasant bomb outrage.

State's Attorney J. Frank Parran was pleased by an announcement of the defense attorneys revealing that Herman Brady, Leroy's brother, had been instructed to testify freely at the automobile mechanic's preliminary hearing before Justice of the Peace Harry W. Gore. The hearing originally was postponed last week after Herman, acting on advice of counsel, declined to testify.

Herman's release from the Marlboro jail last night under \$1,000 bond as a State witness marked the culmination of a lengthy legal battle. He had been held since his arrest with Leroy more than a week ago.

Herman was greeted on his release by his mother, Mrs. Ella R. Brady, of Mitchellville. Mrs. Brady went to Marlboro with her son, Emmett Brady, to post the bond.

The freeing of Herman was a distinct surprise. Parran previously had indicated Herman would be held without bond indefinitely. Bail was arranged after a lengthy conference between Parran, M. Hampton Magruder, L. G. Sasseer, and Frank M. Hall, defense attorneys.

While attorneys disagreed as to whether Herman's testimony at the preliminary hearing would be admissible at a trial, officials disclosed a stenographic report would be made of all testimony.

It was expected that Herman will be asked to identify statements he made shortly after his incarceration, in which he is alleged to have directed suspicion at Leroy.

#### CHEERY WRITINGS MAY BE KEY TO LIFE OF POISON VICTIM—FELLOW ROOMERS KNOW LITTLE ABOUT WOMAN WHO DIED FROM DRUG

A mass of manuscripts of bright, romantic, and sentimental little poems and cheery little stories with which she has delighted her fellow roomers at the home of Mrs. Florence Browning, 1310 Belmont Street, many times in recent months to-day stood as the key to the life of Miss Lillian Richardson, 40, who died late last night in Emergency Hospital from the effects of a drug which she took last Thursday night.

The writings of Miss Richardson are not being touched, however, until a Mr. Lawrence, of Newark, N. J., who is reported to have been Miss Richardson's guardian, can be located.

#### POLICE PROBE DEATH

Coroner J. Ramsay Nevitt is holding the body of the writer until he receives a full report of the case from police, who have been ordered to investigate Miss Richardson's death. He has not decided whether there will be an inquest.

Mrs. Browning to-day knew little about Miss Richardson other than that she had been living in her home for many months and had said she came to Washington from Virginia and was the daughter of an attorney in the Old Dominion.

"She was a woman who kept to herself," Mrs. Browning said. "She never told us any of her business, but, living in the same house with her as we did, we naturally got to know something of her work. Often she would read us some of her writing, and it was lovely. She sold many of her poems and stories and really made her living by them."

## WRITINGS WERE CHEERFUL

Mrs. Browning said that all the writings of Miss Richardson were bright and cheerful. "She brought a great deal of sunshine into my home, and with her writing must have helped brighten the lives of a great many people," she declared. "There was one poem in particular, on 'Mother,' that was really beautiful."

Mrs. Browning believes Miss Richardson, who had been suffering from a bad cold, got up on the night of January 9 and, seeking a medicine to relieve her cold, got the wrong medicine. She says she can not believe Miss Richardson took poison intentionally.

## KNOWS OF NO RELATIVES

While Miss Richardson was in Emergency Hospital police were unable to solve the riddle of the dose of drug. When she was first taken to the hospital physicians reported that her condition was not serious. Her condition, however, became steadily worse, and her system was not equal to the task of throwing off the poison.

Mrs. Browning says she knows of no relatives of Miss Richardson in or near Washington. She believes that Mr. Lawrence, Miss Richardson's guardian, was also a distant relative. She said Mr. Lawrence frequently has visited Miss Richardson on short trips to the Capital.

Efforts to locate Mr. Lawrence since Miss Richardson's illness and death have been unsuccessful.

## CHILD SUCCUMBS TO CAR INJURIES—ELEVEN ARE HURT, ONE SERIOUSLY, IN ACCIDENTS CAUSED BY HEAVY FOG

John Lewis York, 7 years old, 1244 C Street NE., died at Providence Hospital shortly before 8 o'clock this morning as a result of injuries received Saturday when he ran against the automobile of Private Andrew George Cronk, of No. 1 engine company at Tenth and C Streets NE.

The child was playing in the street, police reported, and ran against the right front fender of the fireman's automobile, falling to the roadway and injuring his knees. He was also severely shocked.

## DRIVER TO APPEAR AT INQUEST

Mrs. Helen York, mother of the child, took him home after he had received first aid at Casualty Hospital and later the injured boy was taken to Providence Hospital.

Cronk appeared at the ninth precinct police station shortly after hearing of the boy's death, and to-morrow he will appear at an inquest Coroner J. Ramsay Nevitt will conduct at the morgue.

Eleven persons were injured, one seriously, as motorists and pedestrians groped their way through the heavy fog blanketing Washington streets last night.

## TWO CARS ARE DAMAGED

Marvin J. Payne, 26, of 715 Fifteenth Street NE., was hurt seriously when the taxicab he was driving figured in a quadruple collision in the 300 block of Pennsylvania Avenue. Walter T. McClaham, 24 years old, of Balleys Crossroads, Va., a passenger in the taxi, received bruises and after treatment was arrested by sixth precinct police on a charge of intoxication. At Emergency Hospital, where Payne was taken in a passing automobile, Dr. J. E. Lewis, of the staff, said his skull was probably fractured.

## TWO PARKED CARS ARE DAMAGED

Police report that Payne collided with a car driven by Wade H. Bennett, 5860 Twenty-ninth Street, causing Bennett's machine to strike a car packed at the curb, owned by Alfred Dudley, 1764 Columbia Road, which in turn rammed another parked car, belonging to Harold Jackson, 1201 Orren Street NE. The first two machines were damaged.

Robert C. Rice, 9 years old, of 1413 Park Avenue, was struck by an automobile as he was coasting at Colorado Avenue and Montague Street in a small wagon. James H. Jones, 644 Acker Street NE., driver of the car, took the child to Walter Reed Hospital, where he was treated for minor lacerations.

A similar accident at Sixteenth and V Streets resulted in minor scratches and bruises to two colored boys coasting down the Sixteenth Street hill. They were Joseph Payne, 16 years old, of 1136 Twentieth Street and Paul Koger, 14 years old, of 2306 M Street. The automobile was operated by Robert L. Brown, colored, of 1841 Twelfth Street.

## WOMAN WALKS INTO CAR

Miss Mary Norris, 21 years old, of 1908 First Street, is said to have walked into the side of a taxicab, driven by Charles H. Lynch, 43, of 721 Fourth Street NE., at Connecticut Avenue and K Street. She was treated at Emergency Hospital.

While crossing New York Avenue at Thirteenth Street, Miss Genevieve Jenkins, 35 years old, of 1483 Newton Street, was struck by the automobile of C. J. Ashley, 2020 K Street, and slightly bruised.

## POLICEMAN FACES DEPARTMENT TRIAL—GEORGE L. AIKENS ACCUSED AFTER CONVICTION FOR LIQUOR POSSESSION

Formal papers charging Motor Cycle Policeman George L. Aikens with conduct prejudicial to the reputation of the police department were drawn up to-day at police headquarters. Aikens was given a sentence of eight months at Rockville yesterday on a charge of liquor possession.

He was arrested December 28 at his home in Montgomery County. A quantity of alleged liquor was seized. His arrest by Maryland police brought his automatic suspension from duty with the Washington force.

## TRIAL NOT YET SET

The date for his trial before the police trial board has not yet been set. At the same time Aikens was transferred from motor cycle to foot patrol duty.

An order was also issued changing the assignment of eight privates in the department, as follows: W. G. Fuller, from duty as station clerk, detective bureau, to foot-patrol duty, fourteenth precinct; R. J. Fraser, from foot patrol, sixth precinct, to duty as station clerk, detective bureau; Hendrik Boese, from fourteenth to sixth precinct.

## PRECINCT CHANGES

L. L. Leitch, from fifth to eleventh precinct; C. P. Paul, eleventh to fifth precinct; Jeremiah Mills, from motor-cycle patrol to foot-patrol duty in the fourteenth precinct; M. N. Carpenter, from foot-patrol to motor-cycle patrol duty in the fourteenth precinct; and W. H. Bell, from foot-patrol duty, tenth precinct, to motor-cycle patrol, seventh precinct.

## FIGHT FOR LIFE OF DESERTED WAIF ENDED AT CHILDREN'S HOSPITAL—“MARY MARGARET O'BRIEN,” FOUND AT UNION STATION, SUCCUMBS TO EFFECTS OF EXPOSURE

The 4-day span of life of "Mary Margaret O'Brien," unwanted waif who was found on the cold stone floor of the women's rest room of the Union Station the night before last, ended last night at the Children's Hospital.

"Miss Margaret," who won her name with her blue eyes and dark, curly hair, had no chance, according to the doctors and nurses at Children's Hospital, who did their best to preserve the tiny spark of life in the baby's breast.

Police are searching for the person who abandoned the baby, but have few clues. All the identifying marks had been removed from the infant's clothing, and her history beyond the moment she was found on the station floor by Miss Mae Schwartzman, an employee of the Western Union in the station, is likely to remain a blank.

The little body was chilled through and was suffering from exposure on the floor of the station and starvation when taken to Children's Hospital.

The hospital authorities have turned the remains of "Mary Margaret" over to Coroner J. Ramsay Nevitt for burial.

## WARRANT SWORN OUT FOR ARREST OF A. L. WILSON IN STOCK DEAL

A warrant for the arrest of A. L. Wilson, of the Wilson Realty Co., with offices in the National Press Building, charging him with larceny after trust, involving \$2,500 in stocks, was issued this afternoon at police court. The complainant is Mrs. Anna Williams Eckels, 701 Shepherd Street.

According to Mrs. Eckels, Wilson sold stock belonging to her and did not give her all the money.

## BUCK SUED FOR \$2,059

William H. James, of Petersburg, Va., has filed suit in the District Supreme Court to recover \$2,059 from Benjamin R. Buck, broker, against whom are pending a number of indictments charging the conduct of a bucket shop. James tells the court through Attorneys Whiteford, Marshall & Hart that he directed Buck to sell 50 shares of stock of the Fleishmann Yeast Co. July 18, 1929, and although the sale was effected September 3, no settlement has been made, he asserts.

## LESTER D. TILLMAN FOUND DEAD IN ROOM—NOTES INDICATE HE TOOK OWN LIFE BY REMOVING CAP FROM SEALED GAS JET

The body of Lester D. Tillman, 36 years old, was found in a gas-filled room at 1201 Eleventh Street about 6 o'clock this morning. Several notes, indicating suicide, were found by police in the room.

The body was found when Elbert Isley, a friend of Tillman, who also roomed at the Eleventh Street address, went to his room to awaken him. Unable to get any response to his knocks on the door, he climbed through a window onto a balcony and opened the rear window of Tillman's room. The gas was issuing from a pipe formerly used for a gas jet, which had been sealed. The pliers with which Tillman had wrenched off the cap to the pipe were lying on the floor.

According to police the notes gave despondency because of his wife's illness and financial difficulties as the cause of his act. One note directed the disposition of his body and requested that his wife, Mrs. Myra Tillman, in a hospital at Danville, Ill., be notified.

## ARMED BANDITS GET \$88 IN HOLD-UP OF GROCERY—JEWELRY AND CASH VALUED AT \$150 REPORTED TAKEN FROM HOME

Two young men held up the Sanitary Grocery Store at 111 Thirteenth Street SE. late yesterday, obtaining \$88 from a cash register. William H. Berry, manager, said the men were armed.

Ernest Marlow, 1606 Fifth Street, reported to police last night that jewelry and cash amounting to \$150 were stolen from his home during the day while members of his family were away.

Earl T. Lewis, 5315 Thirteenth Street, reported the loss of two overcoats, pair of gloves, and a scarf, valued at \$65. The articles of wearing apparel were taken from his automobile parked near Convention Hall last night.

[From the Washington Post, Wednesday, January 15, 1930]

**POLICEMAN REDUCED FOR LIQUOR CHARGES—TRIAL BOARD WILL HEAR CASE OF ALLEGED POSSESSION OF INTOXICANTS—ALSO FACES CIVIL COURT**

Motor Cycle Policeman George L. Aikins yesterday was reduced to foot patrol duty, suspended, and ordered before the police trial board on charges of having disgraced and discredited the police department.

The orders were issued by Maj. Henry G. Pratt, superintendent of police, following Aikins's conviction in Montgomery County of having in his possession in his home intoxicating liquor with "intent to sell" it. Aikins was sentenced to eight months in the Maryland House of Correction. He was released under \$500 bond pending the outcome of an appeal.

The charge on which Aikins will be tried before the police trial board is that his conviction of a "criminal or quasi-criminal offense" was to the "disgrace and discredit" of the police department. The date of the trial was fixed for next Wednesday. Aiken was arrested at his home in Montgomery County on January 13. If he is convicted before the police trial board he may be dismissed from the department.

Nine transfers of privates were made by Major Pratt yesterday. None was important or unusual except that affecting Aikens. The transfers were as follows: W. G. Fuller, station clerk, detective bureau, to foot, fourteenth precinct; R. J. Fraser, foot, sixth, to station clerk, detective bureau; Henrik Boese, foot, fourteenth, to foot, sixth; Jeremiah Mills, motor cycle, fourteenth, to foot, fourteenth; M. N. Carpenter, foot, fourteenth, to motor cycle, fourteenth; W. H. Bell, foot, tenth, to motor cycle, seventh.

**POSSESSION CHARGE LAID AGAINST TWO—PAIR ARE SEIZED IN RAID IN WHICH HALF PINT OF LIQUOR IS FOUND**

Charges of illegal possession of liquor and maintaining a nuisance were placed against Harry Summers, of Emerson Street near Seventh Street NW., and Elmer Baynard, colored, of S Street near Fourteenth Street NW., yesterday following a raid on the Hollywood Inn, on New York Avenue near Thirteenth Street NW.

The raid was made by the Sergt. Oscar J. Letterman squad following the work of an undercover agent. Detectives G. C. McCarron, Richard J. Cox, and J. A. Mostyn composed the raiding squad.

Only one-half pint of liquor was found in the place, police say, and Summers ostensibly carried on a business of a delicatessen. Five men found in the place when the raiders entered were not arrested. Both arrested men were taken to the first precinct station house.

A second raid by the Letterman squad resulted in the arrest of nine men in an establishment on Florida Avenue near Seventh Street NW. The owner of the place, Charles Arthur Swann, colored, of Shannon Place NW., was charged with setting up a gaming table, while eight men found in the place were booked at the eighth precinct station house on charges of disorderly conduct.

**TWO PATIENTS ESCAPE GALLINGER HOSPITAL**

Two patients escaped from Gallinger Hospital last night and are being sought by police in order that they may be returned for further treatment.

Julian Green, 34 years old, one of the patients, had been sent to the hospital from the Lorton Reformatory for observation. Robert Casey, 26 years old, a former patient at Walter Reed Hospital, was also under observation. Both men escaped in hospital clothing shortly after they had been checked up at the 6 o'clock roll call.

**CHINESE IS RETURNED TO FACE MURDER CHARGE**

Lee Sing, indicted for the murder here last June of Lee King, was placed in the District jail yesterday following his return from New Orleans, where he was arrested Thursday. His arrest followed an 8-month search by Federal Narcotic Agent Commodore D. Fortner.

Lee Din, arrested shortly after the slaying of King, is also in the jail. Two other men are sought.

**FORMER POLICEMAN CONVICTED OF PLOT—RUBIN FOUND GUILTY OF PLAN TO ROB GIRL WITH PAY ROLL—FRIEND IS HIS ACCUSER**

Max Rubin, a former member of the Washington police department, was found guilty by a jury in District Supreme Court yesterday when tried on an indictment charging conspiracy to rob Miss Ruth Beuchert. A similar charge against Benjamin Ruban, brother of the former policeman, was not pressed by the Government some time ago.

The Government, through its testimony, charged that Max Rubin had entered into a conspiracy with another man to rob Miss Beuchert, the daughter of the proprietor of a machine shop on K Street, between

Fourth and Fifth Streets NW. The scheme, it was testified, was to rob the young woman as she passed an alley in the rear of her father's establishment with the week's pay roll.

The other man is alleged to have gone to police headquarters and apprised detectives of the scheme. Told to go on with his part of the program, the other man is said to have agreed with Rubin to carry it through. On the day the alleged robbery was scheduled to take place, however, police arrested the former policeman and his brother. The indictment followed.

Assistant United States Attorneys James F. Hughes and Irvin Goldstein represented the Government in the trial of the case.

**MAN, GAS VICTIM, IS CALLED SUICIDE—BODY IS FOUND BY FRIEND; CAP OF JET TORN OFF WITH PLIERS**

A certificate of suicide was issued by District Coroner J. Ramsay Nevitt in the case of Lester D. Tillman, 36 years old, who was found dead early yesterday morning in a gas-filled room of his apartment at 1201 Eleventh Street NW.

**APARTMENT IS ROBBED OF \$3,000 IN VALUABLES**

Rubin Slan, of 115 New York Avenue NW., informed police yesterday that a thief forced open the front door of his apartment and escaped with clothing and jewelry valued at approximately \$3,000.

The loot included a woman's mink fur coat, valued at \$700, a diamond ring valued at \$1,200, a man's watch, and several other articles of jewelry and wearing apparel.

**WOMAN SWALLOWS POISON**

Bessie Feldman, 33 years old, of 322 Florida Avenue NW., attempted suicide, police allege, last night when she drank a disinfectant. She refused medical aid.

**YOUTHFUL SOLDIER IS ALLEGED ROBBER—ALBERT LAWSON CHARGED WITH HOLDING UP TAXI MAN WITH REVOLVER—SUM OF MONEY STOLEN**

Albert P. Lawson, 20-year-old soldier stationed at Fort Myer, will be taken into court to-day to face a charge of robbery. He is alleged to have held up a taxicab driver, Harry Carlyle, of 1600 Sixteenth Street NW., at the point of a gun, last Thursday night.

Precinct Detective T. C. Bragg, of the thirteenth precinct, arrested Lawson on a description given by Mr. Carlyle, who told the detectives that Lawson had stepped into his cab at Fifteenth and K Streets NW. and asked to be driven to Walter Reed Hospital.

Once in the grounds, the driver was asked if he had change for a \$20 bill. When he replied in the negative, the passenger asked how much change he did have and he was told that "a couple of bucks" was all that he carried.

Mr. Carlyle told the detective that Lawson then pulled out a gun and after threatening him, relieved him of the "couple of bucks." The hold-up man disappeared in the hospital grounds and his victim went to a police station to report the affair.

Mr. Carlyle is said to have picked Lawson out of a group of 20 men. Lawson is a patient at Walter Reed Hospital, police say.

**ONE HUNDRED AND FIFTY GALLON STILL TAKEN IN DESERTED-HOUSE RAID**

Raiding a house on Sixth Street NE., near M Street, members of Sergt. George M. Little's flying squadron were unable to find anyone at home but discovered a 150-gallon copper still, 50 barrels, each containing 52 gallons of peach brandy mash, and 6 gallons of brandy.

Sergeant Little had a warrant for the arrest of a man living at the Sixth Street address. After posting members of his squad at the sides and rear of the place, Little knocked on the front door. Receiving no response, he tried the knob, found the door open, and made the discovery. The still was dismantled and the liquor seized and turned over to the prohibition warehouse.

**WOMAN ENTERS FLAT AFTER RAID; IS JAILED**

Mrs. Mary O'Hearn, 32 years old, of Nineteenth Street near S NW., was booked at the third precinct station yesterday afternoon on a charge of illegal possession of liquor following a raid on an apartment near her home by Detectives William Burke and S. F. Gravy, of Sergt. Oscar J. Letterman's vice squad.

The detectives found three cases of liquor in the apartment, it was said, but were unable to find the residents. When Mrs. O'Hearn came to the apartment they arrested her. She was released on \$500 bond last night.

Mr. BLEASE. Mr. President, I hope the members of the Washington Chamber of Commerce, the district attorney, the District Commissioners, members of certain citizens' associations, the police chief and his subs, the Washington Post editor, and others who were so quick to come out and say that I did not know what I was talking about, will read these little clippings and see whether BLEASE was lying or whether they were lying.

The Evening Star of January 15, 1930, said, editorially:

Homicide proceeds with no trace of consideration for the hard-working police who are already overwhelmed with unfinished business.

Mark the words, "unfinished business."

I hope those who have charge of the enforcement of the eighteenth amendment will get what they ask for in the way of appropriations. So far as my vote goes, I expect to vote for whatever amount of money they want, without limit. I expect to vote for whatever laws are offered to assist in the enforcement of this law, which I believe to be constitutional. Under no conditions or circumstances would I or shall I ever cast a ballot to deprive any man of the right of trial by jury. I shall not discuss that now, but at the proper time I shall give my reasons for that position. I want to see all the laws enforced.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. BLEASE. With pleasure.

Mr. WALSH of Massachusetts. I assume, from what the Senator says, that he is also willing to have appropriated whatever money may be necessary to increase the number of judges, and that he favors increasing the number of judges. I also take it he favors increasing the appropriations for enlarging Federal prisons and jails.

Mr. BLEASE. Mr. President, I always contribute, when asked to do so, to help build churches and schoolhouses; and I have never thought there would be any great necessity for so many jails if parents would do their duty, and there would not be now.

As to judges, of course I shall vote for an increase in the number. I do not think there could be any better proof of what I have said here as to the nonenforcement of the law than when Mr. Hoover himself comes and asks for two more judges in this district. Why this demand if crime is not increasing here?

Mr. WALSH of Massachusetts. Has the Senator any opinion as to the number of judges necessary to enforce prohibition in the country?

Mr. BLEASE. My State is divided up into counties, and the counties into townships. I suppose other States are subdivided. I think if we had a first-class deputy sheriff, about three constables, and a good judge in every subdivision in the United States we might enforce the prohibition law.

Mr. WALSH of Massachusetts. Of course the Senator means Federal judges.

Mr. BLEASE. Oh, yes; I want all the Federal judges we can get, because they are appointed for life, and every time a man is appointed for life, he can drink a little and put the other fellow in jail for taking a little home with him.

Mr. WALSH of Massachusetts. Then I judge the Senator means it would take about 100,000 or more Federal judges?

Mr. BLEASE. About that. I hope we may get enough money and enough judges to enforce the law, because I really want to see it enforced, for I know, and everybody else knows, that if we enforce it against the rich and influential man it will be modified.

Mr. BLEASE subsequently said: Mr. President, I ask to have printed two newspaper articles, and I ask, if it is in order, that the articles be published in the permanent RECORD along with my other remarks, as they apply particularly to them, and especially in view of the fact that the man who did the work which brought about the raid at 318 Pennsylvania Avenue was left out of the newspaper reports and picture, and he was left out at his own request. He said that fellows who had their pictures taken, it seemed to him, wanted a little notoriety, but that his idea of a first-class detective was one who kept himself in the background, and that he did not want his picture put in the paper where everybody who saw him would point to him and say, "That is Detective So-and-so," that he was not working for notoriety but for service. I do not think that some of these officers knew what they were going to 318 for when they were called out, and were somewhat surprised when they were ordered to raid, and especially at the results. In justice to Fortner, the Evening Star gave a proper report of the narcotic raid to which I referred, and gave him proper credit. For that reason I ask that this article be printed.

The VICE PRESIDENT. Without objection, the matter referred to will be printed in the RECORD, as requested.

[From the Evening Star, Washington, D. C., Thursday, January 16, 1930]

RAID ON CHINESE OPIUM DEN LINKED TO KING KILLING—NARCOTIC ROOM ON PENNSYLVANIA AVENUE, NEAR CAPITOL, IS FORCED OPEN WITH AXES

A double-barricaded, smoke-filled opium den on the third floor at 318 Pennsylvania Avenue, not far from the Capitol, where two Chi-

nese were arrested last night, with seizure of more than \$5,000 worth of opium and paraphernalia, was linked to-day by Federal officials with the murder of Lee King, Chinese narcotic informer, who was shot down in cold blood on Eleventh Street last June by Chinese gunmen.

The murdered Chinese informer, it was disclosed to-day by Col. L. G. Nutt, Federal narcotic chief, had been investigating the place raided last night and had already made several purchases of opium there when his evidence was stilled by death.

Killing of their Chinese informer, however, did not stop the Federal officers in their campaign on the suspected den. Other investigators took up the trail, and before they obtained the warrant on which the raid was made last night they had made a number of "buys" of opium. They now have in their possession 17 "toys," or tiny tin boxes of smoking opium, which they reported were purchased at the same place where King is believed to have bought the evidence they think led to his death.

#### TWO CHINESE ARRESTED

Two Chinese are already lodged in the District jail, charged with the murder of King, and Federal officials intimated they were close on the trail of others indicted by the grand jury for the killing but still at large. One of these alleged gunmen, Lee Quen Sing, was captured last week at the port of New Orleans, after a tortuous trail through many cities had been followed by a Federal narcotic agent from this city, C. D. Fortner, who brought Sing back to jail here and participated in the raid last night. The other Chinese in jail here charged with King's murder is Lee Den, who was arrested in this city not long after the killing.

The Chinese arrested last night are Lee Gong, sometimes known as Guong Lee, 35 years old, of 318 Pennsylvania Avenue, and Lem Wey Hing, 29 years old, who gave his address as 19 Mott Street, New York City. He said he was born in China, lived in New York, and was only visiting in this city.

#### GO BEFORE COMMISSIONER

The two men were arraigned before United States Commissioner Needham C. Turnage this afternoon on a charge of violation of the narcotic drug import and export act. They pleaded not guilty and were held in \$10,000 bond each by the commissioner for a hearing before him January 30 at 2 p. m.

The high bond was due to the large amount of contraband involved and the seriousness of the offense, it was said. Assistant District Attorney R. F. Camaller appeared for the Government.

At the same time the case was being cited by Senator BLEASE, Democrat, of South Carolina, in the Senate as bearing out the charge he made several months ago that drugs could be found within the shadow of the Capitol.

The South Carolina Senator also reminded the Senate of the charges he made some time ago relating to whether there was delay in the District attorney's office or the grand jury in returning indictments in connection with the death of Lee King, telling the Senate of the arrest in New Orleans. Senator BLEASE said he got action from the grand jury in the investigation of the Lee King death after he had taken up the question on the floor of the Senate.

In telling of the seizure of the narcotics, Senator BLEASE said that New York officers had to be called upon, and added that if he was in charge of a city he would "feel a little ashamed" if that had to be done.

#### ENTERED IN RECORD

"I don't know how these commissioners feel about it," Senator BLEASE continued, "and I don't know how Mr. Hoover will feel about it when he comes to consider their reappointment."

After placing in the CONGRESSIONAL RECORD newspaper clippings relating to questions he was discussing, Senator BLEASE said he hoped the district attorney, the commissioners, local organizations, and others "who were so quick to come out and say I didn't know what I was talking about will read these clippings."

The raid last night was made by Federal narcotic officers, customs officers, and the narcotic squad of the police department, who were forced to chop down and break their way through two heavily barricaded doors before they reached the back room. It required 10 or 15 minutes for the raiding party to get through the heavy doors, barricaded with crossbars and heavy padlocks, according to J. B. Greeson, narcotic agent in charge of this district, who led the raid. When the party reached the room in the rear, it was filled with smoke, recognized as opium smoke, but the two Chinese were sitting calmly upon their bunk, hands in their laps.

No opium pipes, opium, or paraphernalia were to be seen anywhere. The walls were luridly embellished by pictures of Chinese women.

#### BOARD IS PRIED LOOSE

Probing about the room, narcotic agents pried up a board directly under the door leading from the smoking room to the kitchen. Another small board was pried up and proved a trap door, giving entrance to an underfloor passageway. Strings had been attached to the cans and packages, as they had been pushed back under the floor, so they could be pulled out. The agents extracted from under the floor smoking opium, pipes, scales for weighing the narcotic, containers for retailing

the opium, and a bunch of small instruments used in handling the opium, known as "yen hocks." The opium was valued at about \$5,000, according to official estimates. It has been turned over to customs officials as the arraignment is to be made under customs laws, in which the maximum penalty is higher than under the Harrison Act.

One large copper can held about 4 pounds of smoking opium and there was found also a so-called 5-tael can of genuine imported smoking opium, which at retail prices in "toy" tins would probably bring a total of \$750. There were three fine pipes and a number of cheap ones. There was also a fine automatic pistol hidden in the packages.

#### OPIATE BEVERAGE SEIZED

A feature of the seizure in addition to the opium itself was a powerful oriental drink, made by mixing "yen shee," which is the burned smoking opium, containing about 12 per cent of morphine, with wine. This drink is said to be highly potent and can be taken in drinks of only a few drops, except by narcotic addicts. These addicts themselves never take more than a tablespoonful at a time. There was a quart bottle and another pint bottle of this powerful drink.

So important was the raid considered that Col. L. G. Nutt, deputy commissioner of prohibition in charge of narcotics, personally inspected the place shortly after the raid. He has shown a keen interest in the place for months and has personally directed the campaign, especially since the murder of the Government's Chinese informer.

The raiding party, headed by Greson, included C. D. Fortner and J. W. McDonald, narcotic agents; D. B. Clark and E. G. May, customs officers; and Robert A. Sanders and Charles E. Mansfield, of the police narcotic squad.

#### CUSTOMS LAW INVOKED

The search warrant was made out under the customs laws, as it was intended to arraign the men under this provision, and was obtained from United States Commissioner Turnage.

Two other places were also raided last night by an augmented squad, but disclosed no seizures. The Federal men in these raids, at 340 and 325 Pennsylvania Avenue, were S. B. Phillips, J. W. Gauthier, S. L. Rakusin, R. C. Hughes, narcotic agents; and Jay Malambre and A. M. Hamby, jr., customs officers.

[From the Washington Herald, January 17, 1930]

#### CITY WETTER, FIGURES SHOW, FOR TWO YEARS, DESPITE GLOWING REPORTS TO ANTI-SALOON LEAGUE—REPORTS REVEAL RUM INCREASE

Official figures yesterday punctured the reasoning of F. Scott McBride's report to the Anti-Saloon League of America that Washington is "75 per cent drier than it was two years ago," and revealed that the Nation's Capital is now wetter than ever.

McBride, general superintendent of the Anti-Saloon League, made his report, detailing the activities of the league, in Detroit Monday at a meeting preceding the opening yesterday of the biennial national convention of the organization.

#### WILSON ALSO ERRS

Dr. Clarence True Wilson, famous dry crusader, who recently wrote an article in the current Collier's Magazine in which he declared Washington was only "damp," also is in error, the figures reveal.

Using official figures of the police department as a barometer to ascertain whether Washington really is as dry as McBride and Doctor Wilson claim it to be, the Washington Herald yesterday discovered the following to be the facts:

During the fiscal year 1929, 19,282 arrests were made by police in Washington for violations of the Volstead and Sheppard laws. In addition, 352 persons were arrested on charges of driving while under the influence of intoxicants or narcotics.

In the same period 28,481 gallons of liquor were seized. In addition, police raiders confiscated 66,916 gallons of mash, 23,766 bottles of beer, 863 gallons of wine, 107 gallons of cider, and 58 stills.

#### DRY ARRESTS FALL

For the fiscal year ending June 30, 1928, 20,095 persons were arrested for violating the Volstead and Sheppard laws. In addition, 389 persons were charged with driving automobiles under the influence of intoxicants or narcotics.

During the fiscal year 1928 police seized 25,649 gallons of liquor, 74,148 gallons of mash, 19,048 bottles of beer, 1,619 gallons of wine, 223 gallons of cider, and 116 stills.

Figures for the fiscal year ending June 30, 1927, show 18,642 persons were charged with violating either the Volstead or the Sheppard laws, and 352 arrests were made of persons driving while under the influence of intoxicants or narcotics.

During the same 12-month period 25,566 gallons of liquor were seized. Also 47,352 gallons of mash, 13,420 bottles of beer, 261 gallons of wine, 100 gallons of cider, and 95 stills were seized.

#### CONDITIONS WORSE

Conditions in Washington are admittedly getting so bad, instead of improving, as McBride and Doctor Wilson believe, that Congress soon will be called upon to increase the number of police vested with author-

ity as special prohibition agents from 38 to 1,380, which represents the total personnel of the Washington police force.

A bill for this purpose now is being drafted by Senator HOWELL (Rep.), of Nebraska.

Doctor Wilson in his special article declared one could prove his assertion that the National Capital was only "damp" by "such simple measures as looking at the District court records."

These records are just as convincing as the records of arrests and seizures.

According to court dockets there have been 76 convictions since March, when the famous "5-and-10" Jones law went into effect. Only 17 of these convictions resulted from trials. The rest pleaded guilty and either were granted leniency or placed on probation.

In the same period the grand jury has presented 195 Jones law indictments to the court.

#### MORE CASES OFFERED

Records of the police court, where all of the cases referred to the District Supreme Court originate, show that 226 liquor cases were certified to the grand jury for consideration. During the same period 287 liquor cases were nolle prossed by police court officials because of unreliable information or other technicalities.

Furthermore, the dockets of both courts are so jammed with old liquor cases that it is probable many scores more will be thrown out of court in the near future.

The two police liquor-raiding squads now operating in Washington are unusually active. They stage numberless raids monthly, some of them of spectacular variety. The leaders of the two squads admit, however, that they only can touch the surface as far as prohibition conditions are concerned here, and only smile when one ventures the belief that they are "drying up Washington."

[From the Washington Times, January 16, 1930]

#### COP FINDS WHY TRUCK DRIVERS FLEE AT HIS "GOOD MORNING"

Imagine Policeman F. J. Scoville's chagrin when in response to his cheery "Good morning" two truck drivers jammed on the brakes, jumped off their truck, and hurriedly disappeared around the corner.

"That's funny," thought Scoville. But when he looked in the back of the truck, which was on Seventh at K Street NW., he found 500 quarts of corn whisky.

He took the load, one of the largest seized recently, and turned it over to the proper authorities.

#### TENTH ANNIVERSARY OF PROHIBITION

Mr. SHEPPARD addressed the Senate. After having spoken for two or three minutes—

Mr. WALSH of Massachusetts. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

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

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 204) making an appropriation for participation by the United States in the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland, in which it requested the concurrence of the Senate.

#### MILLENNIAL ANNIVERSARY OF NATIONAL PARLIAMENT OF ICELAND

The PRESIDING OFFICER. The Chair lays before the Senate a joint resolution from the House of Representatives.

Mr. JONES. I ask that the joint resolution may be read at length.

The joint resolution (H. J. Res. 204) making appropriation for participation by the United States in the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland, was read the first time by its title and the second time at length, as follows:

*Resolved, etc.*, That the sum of \$55,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to continue available until June 30, 1931, for expenses of participation by the United States in the celebration of the one thousandth anniversary of the Althing, the National Parliament of Iceland, as authorized by Public Resolution No. 18, Seventy-first Congress, approved June 21, 1929, including the procurement of a suitable statue or other memorial of Leif Ericsson as a gift of the American people to the people of Iceland, transportation, subsistence or per diem in lieu thereof (notwithstanding the provisions of any other act), contract services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), sculptors' fees, and such other expenses as the President shall deem appropriate.

Mr. JONES. I ask that the joint resolution be referred to the Committee on Appropriations.

The PRESIDING OFFICER. It will be so referred.

Mr. JONES. I am authorized by the Committee on Appropriations to report favorably House Joint Resolution 204. This is simply to carry out a resolution passed by the Senate and approved June 21, 1929, providing for our participation in the Iceland celebration. It has passed the House, and I ask that it may be put on its passage in the Senate.

Mr. McKELLAR. Was there any objection to it at all?

Mr. JONES. Apparently none in the House.

Mr. McKELLAR. Was there any objection in the Senate committee?

Mr. JONES. None whatever.

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

#### TERMS OF COURT IN VIRGINIA

Mr. NORRIS. I ask unanimous consent to report from the Committee on the Judiciary favorably without amendment the bill (H. R. 6344) to amend title 28, section 192, United States Code, in respect to the terms of court in the western judicial district of Virginia, and I submit a report (No. 93) thereon.

I call the attention of the Senator from Virginia [Mr. GLASS] to the report. I will state that this is a House bill, and the only thing it does, as the report shows, is to change the places and time of holding the Federal court in one of the judicial districts in the State of Virginia.

Mr. GLASS. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

*Be it enacted, etc.*, That section 111 of the Judicial Code (sec. 192, title 28, U. S. Code) be so amended as to read as follows:

"The State of Virginia is divided into two districts, to be known as the eastern and western districts of Virginia.

"The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Accomac, Alexandria, Amelia, Brunswick, Caroline, Charles City, Chesterfield, Culpeper, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Gloucester, Goochland, Green-ville, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Powhatan, Prince Edward, Prince George, Prince William, Princess Anne, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warwick, Westmoreland, and York.

"Terms of the district court shall be held at Richmond on the first Mondays in April and October; at Norfolk on the first Mondays in May and November; and at Alexandria on the first Mondays in June and December.

"The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Alleghany, Albemarle, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Clarke, Craig, Cumberland, Dickenson, Floyd, Fluvanna, Franklin, Frederick, Giles, Grayson, Greene, Halifax, Henry, Highland, Lee, Madison, Montgomery, Nelson, Page, Patrick, Pulaski, Pittsylvania, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, and Wythe.

"Terms of the district court shall be held at Abingdon on the second Mondays in April and November; at Big Stone Gap on the first Mondays in May and October; at Charlottesville on the first Monday in February and on the Wednesday next after the first Monday in August;

at Danville on the fourth Monday in February and on the Wednesday next after the first Monday in September; at Harrisonburg on the third Monday in March and on the fourth Monday in October; at Lynchburg on the first Mondays in June and December; and at Roanoke on the first Mondays in January and July.

"The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Lynchburg, Roanoke, Danville, Charlottesville, Harrisonburg, Big Stone Gap, and Abingdon, which shall be kept open at all times for the transaction of the business of the court.

"SEC. 2. This act shall in any event become effective 90 days after it becomes a law and may, by order of said court, be put into effect after 30 days after this act becomes a law."

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

#### THE LEAGUE OF NATIONS AND WOODROW WILSON

Mr. BARKLEY. Mr. President, I ask unanimous consent to insert in the RECORD a letter written by Dr. E. L. Powell, of Louisville, Ky., a famous divine, printed in the Courier-Journal of last Saturday, on The League and Woodrow Wilson.

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

[From the Louisville Courier-Journal of Saturday, January 11, 1930]

To the EDITOR OF THE COURIER-JOURNAL:

It is with sincere regret that I find myself unable, because of physical inability, to be present and share with a large company in the celebration of the tenth anniversary of the League of Nations dinner.

Whether or not the prophecy Senator BORAH made some time ago that the entrance of America into the World Court would mean its entrance into the League of Nations—for the World Court is as a matter of fact the creation of the league—whether that be so or not, it is unquestionably true that sooner or later America as a commercial and moral necessity will become a member of the League of Nations.

It has been my great privilege in many places in Kentucky and before many audiences to plead for the entrance of America into the League, and more and more, I have come to believe that all the peace movements have been inspired, if not actually generated, by the League of Nations. It is not a matter of special concern to me as to the recognition of the part Woodrow Wilson has played in all these great movements which have thrilled humanity. The spirit of that great Democrat is back of the Locarno Treaty, the Briand-Kellogg Peace Pact for the Abolition of War, and, of course, very prominently his spirit will influence the Disarmament Conference in London during the month of January. I do not mean to reflect in any way on anybody who has helped in this great work of universal peace, but I have not been able to understand why so many opportunities have been allowed to pass without the recognition of Woodrow Wilson in all this great and commendable work. My own conviction has been that this great man's place will be among the memorable, and whether sooner or later, history will give to Woodrow Wilson his rightful place in the mighty processes which are slowly but surely working to international world peace.

"When the war drum throbs no longer  
And the battle flag is furled  
In the Parliament of Man,  
The Federation of the World."

E. L. POWELL.

#### ENFORCEMENT OF PROHIBITION

Mr. WAGNER. Mr. President, I ask unanimous consent that there be printed in the RECORD an editorial on the subject of prohibition appearing in the Washington Herald of to-day.

The PRESIDING OFFICER (Mr. McNARY in the chair). Without objection, the editorial will be printed in the RECORD. The editorial is as follows:

[From the Washington Herald of Thursday, January 16, 1930]

ON THIS TENTH ANNIVERSARY OF PROHIBITION THE RESULT OF THE POLICY SHOULD BE CAREFULLY CONSIDERED

To-day is the tenth anniversary of our national prohibition policy and this is an opportune time for the American people to consider carefully—even prayerfully—what the effect of that policy has been upon the life of the Nation.

There is no use discussing the prohibition question either with fanatical wets or fanatical dries. Extremists on either side are inaccessible to argument or to the logic of the situation.

But the vast majority of our people are not extremists of any kind. They are moderate, sensible, conservative people, not fanatically committed to any particular plan, but anxious to accomplish beneficial results in whatever appears to be the best and most effective manner.

Therefore, while extreme wets and extreme dries are in the heat of violent argument and still more violent action, it behooves the moderate majority of our people to consider the prohibition situation calmly and decide whether prohibition is operating for the benefit of our people



and our country, and whether it is actually accomplishing the results which were desired and hoped for when it was put into operation.

The Hearst papers have been active crusaders for temperance for 40 years.

The sincerity and effectiveness of their sustained temperance campaign were amply established by the use made of their editorials and articles and cartoons by the various churches and temperance organizations throughout the country for many years.

To be sure, the policy of the Hearst papers was never prohibition, but rather education.

We believed that the American people could be persuaded into abandoning the excessive use of alcohol better than they could be forced into abandoning it.

Our policy was to eliminate the saloons and to substitute for hard liquors the certainly less injurious beverages, light wines and beers.

We thought we had scriptural authority for our attitude, in that Christ, on a festal occasion, had turned water into wine; but never, to the extent of our Biblical knowledge, had He ever turned water into whisky or brandy or rum or gin.

Therefore, according to our belief and our interpretation of the Bible, Christ had thought wine a harmless beverage, but had never indicated any approval of strong liquors.

But there were other than Biblical reasons for the Hearst papers advocating light wines and beers and opposing any stronger drink.

The Hearst papers believed that the abolition of the saloon and of hard liquor and the tolerance of light wines and beers was the best program for the promotion of temperance; because under this program comparatively harmless light wines and beers would be substituted for the hard liquor, which had been the curse of the country.

Furthermore, the Hearst papers feared, and repeatedly expressed the fear, that prohibition would have just the opposite effect and would substitute highly injurious hard liquors for comparatively harmless light wines and beers.

The reason for this opinion on the part of the Hearst papers was, first, that this had been the effect in States where prohibition already prevailed; and, second, because it was a perfectly obvious and national result, due to the physical fact that hard liquors are easy to make illicitly, and easy to transport and deal in illicitly, on account of their concentrated character, while light wines and beers, on account of their highly dilute character and consequent bulk, were difficult to transport or illicitly dispose of.

When the policy of prohibition was adopted, however, the Hearst papers deemed it their duty to see that the experiment had a fair trial.

But after 10 years' trial the Hearst papers deem it equally their duty to analyze the situation impartially, and to find out definitely whether prohibition has been a success from the temperance point of view of its sponsors, or whether it has actually operated as the Hearst papers feared it might operate—as an obstacle, rather than an aid, to true temperance.

In studying the situation we must necessarily consider not only the experience of this country, but the experience of other countries which have tried prohibition.

And the first thing we find is that every country which has ever tried prohibition has finally abandoned it, because it did not accomplish its object.

The question then narrows down to whether or not this is the one country which has had a different experience from all other countries.

Statistics—that is to say, recorded facts—would seem to indicate that the experience of this country is not different from that of other countries.

Recorded facts seem clearly to indicate that there is more drunkenness and worse drunkenness after the 10-year experiment with prohibition than there was before prohibition.

And if the speak-easy may be considered a saloon, there exist to-day, in at least all the larger centers of population, more saloons and worse saloons than existed before prohibition went into effect.

The reason there are more speak-easies than there were saloons is because speak-easies acknowledge no legal limitations of numbers or locations, and the reason the speak-easies are worse than the saloons is because speak-easies are subject to no legal or moral supervision of any kind.

Young people could not go into saloons, no matter how sordid the saloons were; but young people can go into speak-easies; and some speak-easies subsist on the patronage of young people and are placed as pitfalls near the schools and at special places where young people are likely to patronize them.

Furthermore, if one of the legitimate objects of prohibition was the health of the community, certainly that object has not been attained, because mild wines and light beers, which were comparatively harmless and might even have been in moderation healthful, have been eliminated from consumption, and bad and often poisonous bootleg liquor substituted in their places.

The death list from bad liquor is only a slight indication of the harm inflicted upon the health of the community by the very general consumption not only of strong liquor but poisonous liquor.

So that prohibition has not only failed as a temperance measure but has utterly failed as a sanitary measure and disastrously failed as a moral measure.

There is another aspect of prohibition to be considered, and a very vital aspect to a republic, and that is the civic aspect, the political aspect, the patriotic aspect.

Prohibition has led to widespread invasion of the rights and liberties of a free people.

It has substituted tyranny for liberty and despotism for democracy.

It has violated the sanctity of the home and made every man and every man's house and every man's family subject to a system of espionage that is only equaled by that of Russia.

Prohibition has made our President a dictator, executing an unpopular law by force of arms.

It has made our Congressmen cowards and hypocrites, passing more and more oppressive excise laws, while themselves carrying whisky flasks in their hip pockets.

It has made our Federal enforcement officers oftentimes murderers and oftentimes drunken murderers, oftentimes themselves saturated with liquor, while taking human life in the enforcement of laws against liquor.

Prohibition has increased crime enormously, startlingly, dangerously; and has, moreover, supplied the money with which crime operates, not only in the liquor traffic but in other departments of criminal activity.

Prohibition has filled our jails with young boys and has associated them with hardened criminals, so that youths, who were committed merely for misdemeanors, may be graduated as expert criminals.

Prohibition has corrupted our police system, until in many cases the police are the active allies of the law-breaking elements of the community.

Prohibition has deprived our courts to a great degree of the respect of the community as instruments of even-handed justice and agencies for sympathetic correction and reform.

Prohibition has divided our people into factions almost as bitterly hostile to each other as the factions that existed before the Civil War.

And in the face of this shocking situation, so dangerous to our peace and safety, to our health and morals, to our rights and liberties, to our very existence as a democratic State, our President stands all oblivious and calls for more enforcement, more jails and more injustice, more courts and more arrests, more incarceration of harmless youths to be transmuted into hardened criminals, more shotguns and more machine guns, more gunmen and more murders, more outrage of civic rights, more violation of constitutional liberties.

To what end and for what purpose?

Merely to aggravate and intensify the disastrous conditions which already exist?

Is it not about time that the calm, conservative, moderate majority of our people quietly and judiciously took stock of prohibition and determined whether this policy is worth all the trouble and all the evil that it has caused?

If prohibition had actually accomplished a great moral reform, a great sanitary benefit, a great temperance improvement, then it might possibly be worth the death, disaffection, the civic disruption that it has caused.

It might possibly be worth the sacrifice of the political liberties which our fathers won in blood and suffering and bequeathed as a precious inheritance to their children.

It might possibly be worth the epidemic of cowardice and corruption in our public life.

It might possibly be worth the substitution of the rule of force for the rule of reason.

It might possibly be worth any civic or patriotic sacrifice that we have made or could make.

But if prohibition has not accomplished moral reforms or sanitary benefits and has not improved temperance conditions, in what does the sanctity of such a policy lie that we should sacrifice for its empty name our treasured American principles and institutions?

Must this nation, which went into the war "to make the world safe for democracy," sacrifice its own democracy in a fratricidal conflict at home?

We have heard enough from fools and fanatics!

Let us hear in the coming elections from the sound and sane majority of the American people.

WILLIAM RANDOLPH HEARST.

#### BELIEF OF PORTO RICO

Mr. BINGHAM. Will the Senator from Texas yield to allow me to call up an urgent Porto Rican resolution?

Mr. SHEPPARD. I yield for that purpose.

Mr. BINGHAM. Mr. President, yesterday the Committee on Territories and Insular Affairs made a unanimous report in favor of the joint resolution (S. J. Res. 118) to authorize additional appropriations for the relief of Porto Rico, as recommended by the President in a message sent to the Senate day before yesterday, in which he urged immediate action in order that the relief might be granted in the first deficiency appro-

priation bill. In the message which he sent to the Senate day before yesterday the President pointed out the great need of Porto Rico. Thousands of families are virtually starving. Thousands of children are affected. The President transmitting a report from the Porto Rican Relief Commission recommended the passage of this joint resolution.

The joint resolution, having been considered by the Committee on Territories and Insular Affairs at a rather full meeting, was unanimously and without objection recommended for immediate passage. On account of the great exigency, I hope there will be no objection to meeting the wishes of the President, and that the resolution, which is reported in accordance with his message and the message from the Porto Rican Relief Commission, may be passed at this time.

Mr. SMOOT. Mr. President, does the joint resolution provide for a direct appropriation or merely for an authorization?

Mr. BINGHAM. It provides merely for an authorization.

Mr. SMOOT. Is it an authorization over and above the \$10,000,000 the Porto Ricans have already had?

Mr. BINGHAM. They have not had \$10,000,000. An appropriation of \$8,000,000 was authorized, but \$2,000,000 were for roads and schoolhouses, and \$6,000,000 were loaned over a period of years. The commission reported to the President that on account of great suffering there was need for an additional \$2,000,000 to be spent on roads and schoolhouses, and for an additional amount of \$1,000,000 for loans. The matter has had careful consideration of the commission, and was recommended to the President, particularly by the Secretary of the Treasury as chairman of the commission, who visited Porto Rico during the Christmas holidays and personally took the matter up with the President. The President has recommended the immediate consideration of the proposed legislation, and hopes it may be favorably acted upon.

Mr. SMOOT. Is this the amount to be appropriated in the shape of a loan or is it a direct gift?

Mr. BINGHAM. The joint resolution as it came here to us from the President and was considered by the committee proposed to increase the amount of loans possibly to be made by \$1,000,000, and authorized a direct appropriation of \$2,000,000 to be expended on the construction and repair of roads and the building of schoolhouses.

Mr. WHEELER. Are we to understand, then, that this is a direct gift to the people down there or is it a loan? I could not hear the statement of the Senator from Connecticut.

Mr. BINGHAM. Of the amount recommended by the joint resolution \$1,000,000 is in addition to the loan already provided, which the commission reported to the President was not a sufficient amount to cover the legitimate and legal loans under the rules laid down by Congress, and \$2,000,000 is in the nature of a grant to Porto Rico for the construction of roads and schoolhouses, which it is felt will be the best way of getting the money into circulation in the hill country in Porto Rico, where there are thousands of families who are now starving and without means of earning their livelihood.

We had not contributed to the building of Porto Rican roads until the hurricane relief act was passed last year; the Porto Rican government has itself spent millions of dollars in the past on roads; but in view of the tremendous suffering and the very great reduction in the amount of taxes collected in Porto Rico it is impossible for the Porto Rican government to continue the expenditure for roads which would enable its poor people in the mountains to secure employment. This is the best way that we could find to meet the situation without actually making them recipients of charity.

Mr. WHEELER. I am not going to object at this time, but I do think that it is bad policy to give these donations to people of other countries, particularly when there are also a great many people in our own country who are in dire need of help.

Mr. BORAH. Mr. President, this is another form of bonus, is it not?

Mr. BINGHAM. It is in the nature of giving several hundred thousand people who are under our flag, for whom we are responsible, and who have suffered the greatest disaster in the history of the island in several centuries, the means of earning some money wherewith to support their families. If this shall not be done, they will be thrown on charity or they will have to go hungry.

Mr. BORAH. I am not questioning our responsibility; they are a part of the United States; but the measure is in the nature of a bonus to the people of Porto Rico?

Mr. BINGHAM. In a way it is no more in the nature of a bonus than when we grant the States Federal aid for roads, because the Porto Rican government has already spent millions of dollars on the roads of the islands without any assistance from us.

Mr. BORAH. This is a gift, however, and in no sense a loan? Mr. BINGHAM. Part of it is a loan, Mr. President.

Mr. BORAH. I understand that; but \$2,000,000 of the amount is not.

Mr. BINGHAM. Two million dollars are a gift and \$1,000,000 are a loan.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

*Resolved, etc.* That there is hereby authorized to be appropriated the sum of \$1,000,000 for the purpose of making loans to individual coffee planters, coconut planters, fruit growers, or other agriculturists in the island of Porto Rico; the sum of \$2,000,000 for the rebuilding and repairing of schoolhouses damaged or destroyed by the hurricane in the small towns and rural districts of Porto Rico and for the employment of labor and the purchase of supplies, materials, and equipment for repairing and constructing insular and rural municipal roads; in all, \$3,000,000, to be made available immediately and to remain available until expended.

SEC. 2. The sums hereby authorized to be appropriated shall be expended in such manner and in such amounts as may be approved by the Porto Rican Hurricane Relief Commission established by Public Resolution No. 74, Seventieth Congress, approved December 21, 1928.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BINGHAM. Mr. President, I ask unanimous consent that the report of the committee accompanying the joint resolution may be printed in the RECORD at this point.

There being no objection, the report (No. 91) submitted yesterday by Mr. BINGHAM was ordered to be printed in the RECORD, as follows:

The Committee on Territories and Insular Affairs, having considered the Senate joint resolution (S. J. Res. 118) to authorize additional appropriations for the relief of Porto Rico, reports favorably thereon and recommends that the joint resolution do pass.

This resolution was introduced in conformity with the recommendation contained in the following letter addressed under date of January 14 to Congress by the President:

*To the Congress of the United States:*

I am submitting herewith for your consideration a copy of the report of the Porto Rican Hurricane Relief Commission recommending that additional funds be made available to the commission for the purposes specified therein. I am also submitting a draft of the legislation proposed by the commission to accomplish these purposes.

Porto Rico is still suffering from the effects of the disastrous hurricane of September 13, 1928. There exists a real and immediate need for appropriating these funds in order to alleviate the distress due to unemployment on the island and to enable the commission to continue its farm-rehabilitation program.

The proposed legislation has my approval, and I recommend its immediate enactment.

HERBERT HOOVER.

The report of the Porto Rican Hurricane Relief Commission to which the President refers in the foregoing communications is as follows:

PORTO RICAN HURRICANE RELIEF COMMISSION,  
Washington, D. C., January 11, 1930.

The PRESIDENT,

*The White House.*

DEAR MR. PRESIDENT: After giving careful consideration to the recommendations received from the board of alternates, the operating agency of this commission in Porto Rico, and to related recommendations communicated to me by the Governor of Porto Rico, and after discussing these recommendations informally with Senator BINGHAM, chairman of the Senate Committee on Territories and Insular Affairs, and with Mr. KIESS, chairman of the House Committee on Insular Affairs, the commission recommends that additional funds be made available for the following purposes:

1. Two million dollars for the repair and construction of insular and rural municipal roads and for the rebuilding and repair of schoolhouses.

It appears that the most immediate and effective relief to the serious unemployment situation in Porto Rico can be given through road work. Funds appropriated for this purpose will be used to furnish immediate relief in those sections of the island where the unemployment situation is most acute and where there will be no competition with other employers of labor. In addition to furnishing employment to comparatively large numbers of destitute laborers, the repair of roads is of general benefit to the entire island, in that it facilitates communication throughout the island and furnishes the farmer ready access to his markets. The repair of roads, in addition to furnishing immediate employment, will greatly reduce the annual maintenance of these

roads. Only in the event that the allotment for completing any particular project under the present schoolhouse program should prove insufficient will any of these funds be used for the rebuilding or repairing of schoolhouses.

2. One million dollars for loans to individual coffee and coconut planters, fruit growers, and other agriculturists.

This additional fund is necessary in order to enable the commission to continue making loans after the present authorization of \$6,000,000 is exhausted, it being estimated that at the present rate the aggregate amount of loan contracts will reach that figure by about May 1, 1930. To December 31, 1929, the total applications for loans amounted to slightly over \$10,000,000. According to past experience, only 85 per cent of this amount will pertain to "eligible" applications, and in order to keep within the limits of appropriated funds only approximately 72 per cent of the amount asked for in the "eligible" applications can be granted by the commission. On this basis, therefore, it appears that "eligible" applications received up to December 31, 1929, will exhaust the funds already appropriated for loans.

With respect to the coffee plantations, for the rehabilitation of which the bulk of the applications for loans has been received and which affect the labor situation to the greatest extent, it appears that the funds now available for loans will rehabilitate approximately 135,000 acres of coffee land. This is slightly less than the area of coffee lands on which "eligible" applications for loans have been received up to December 31, 1929. Estimating the total coffee lands of the island at 190,000 acres, it appears that the amount required to make loans on future applications for coffee loans will approximate an additional \$1,250,000.

Taking into consideration all factors, the commission believes that an additional \$1,000,000 will be the minimum required for loans to farmers who are eligible to receive this assistance.

In order to alleviate existing distress in Porto Rico and to enable the commission to continue its farm-rehabilitation program there is submitted herewith a draft of the proposed legislation, so that if it meets with your approval it may be transmitted to the Congress with your recommendation for its early enactment with a view to having the funds made available in the first deficiency appropriation act.

Faithfully yours,

PATRICK J. HURLEY,  
*Secretary of War, Chairman.*

In view of the urgent nature of the relief demanded, as set forth in the foregoing report, and in consideration of the acute situation affecting unemployment conditions in Porto Rico, your committee feels that there should be no unnecessary delay in the passage of this resolution.

#### TENTH ANNIVERSARY OF PROHIBITION

Mr. SHEPPARD. Mr. President, inasmuch as I began my address before the Senator from Massachusetts [Mr. WALSH] made the point of no quorum, I ask that the quorum call may appear in the RECORD at a point prior to the beginning of my address in order that the continuity of my remarks may not be disturbed.

Mr. WALSH of Massachusetts. I am happy to agree to that suggestion.

The PRESIDING OFFICER. Without objection, the request of the Senator from Texas will be complied with.

Mr. SHEPPARD. I also ask that the proceedings that have taken place since the quorum call be placed at a point prior to the beginning of my remarks.

The PRESIDING OFFICER. Without objection, that order will be followed.

Mr. SHEPPARD resumed and concluded his address, which follows entire:

Mr. President, prohibition in the United States continues its triumphant tread.

Perhaps this is the most significant comment which may be offered in connection with the tenth anniversary of national prohibition in this country.

It is in the Federal Constitution, and it is there to remain. It is in the enforcement statutes of the Nation, and it is there to stay. It is in the hearts and consciences and bank balances, the homes, the comforts, the living facilities, the moral, educational, and economic advantages of the American people, and in all of these it is forever planted.

Prohibition in the United States means the machine age at its best.

The development of power machinery began in England about a century and a half ago. Thence it spread to the European Continent, the United States, and to other portions of the globe. Its influence on production, social welfare, and progress may be realized by contrasting conditions in countries which employ it with conditions in countries which do not. The former represent the advanced civilization of the present era, with a far-reaching degree of material well-being, while in the latter, despite the richness of natural resource, are hundreds of millions ill fed, ill sheltered, and ill clad.

Among the machine-using nations prohibition United States has taken the undisputed leadership. And in the United States the last 10 years, the years comprising the first decade of nation-wide prohibition, have witnessed a larger increase in the productive capacity of individuals through mechanical power than in all our preceding annals.

It is not a matter of wonder that this increased development of machine production per person in the United States should occur in an era of prohibition. In a mechanized world clear minds must direct and steady hands must function. From the standpoint of the best results machinery and beverage alcohol can not coexist. The efficient operation of machines on which modern civilization is founded demands habits that conform to its necessities. Prohibition merely writes into the law the courses of conduct which a machine epoch has ordained. Travel in an express train or an automobile at 60 miles an hour or in an airplane at 100 miles; one worker operating a hundred high-speed looms; one man driving a giant locomotive into the night and storm with hundreds of human lives dependent on his sobriety; these things have already legislated the personal liberty to drink intoxicants into the discards of the time.

Henry S. Dennison, of the Dennison Manufacturing Co., of Massachusetts, said recently that every factory manager with whom he had talked except one had spoken in unqualified certainty of the superior powers of quantity and quality production among his men since prohibition, that the factor in recent industrial history which would prevent any setback for prohibition was the extraordinary increase in industrial productivity per person; that when the amount of machinery and power now in use is considered it will be admitted that a man under a very moderate influence of liquor would be as much a menace as the driver of an automobile similarly situated; that a glass of beer with lunch, which was almost universal in the old days, would be too much for the intricate high-speed machine of to-day.

Ronald Miller, in a recent article in *World's Work*, asserts that where formerly manual strength and skill were paramount mental skill and judgment have become necessary in workers who supervise the endless chain of interacting machines, that prohibition has a very sensible application to industry, that Henry Ford had prohibition in mind when he said that without accurate workmen he could not get the necessary precision in work, even with machinery, because more people were making the machinery to make the car than made the car itself.

It is stated by Mark Sullivan in his *Thirty Years of Progress* that the automobile, in connection with greater density of population, has introduced a quantity of regulation and of verbotens (forbiddens) which the 1890's did not know and would have resented. He says that this situation had something to do with the advent of prohibition; that Henry Ford expressed the same idea when he said that when the automobile came booze had to go. He adds that in his judgment prohibition would have come anyhow, as the result of effort along moral, religious, and humanitarian lines.

Prohibition is related to modern industry in other ways. It calls for the cessation of the beverage use of alcohol and for its employment in a nondrinkable commercial form in the production of hundreds of articles essential to our present civilization. Thus it provides us with another reason for the rejection of alcohol as a beverage. Dr. J. M. Doran, National Commissioner of Prohibition, states in his last annual report that during the last fiscal year the demand for industrial alcohol for legitimate purposes was sufficient to absorb all that was produced. President Hoover's committee on recent economic changes, taking the years 1922 to 1929 as a basis for comparison, all prohibition years, remarked in its official report that in former years the savings funds of the American people were not alone adequate for our capital requirements, that in periods of business expansion the demand for funds had pressed heavily on the supply, that the reverse was true in the period from 1922 to 1929, for the larger part of which the earnings and savings of the people had not only supplied the additional capital for financing the rapid development of industry in the United States, but had also furnished several billions of dollars for loans to foreign countries.

Turning to the matter of home construction and home ownership, it will be instructive to refer to a recent statement of Mr. F. M. Jackson, president of the Jefferson County Building and Loan Association of Birmingham, Ala., a well-known authority on this subject. He asserted as the result of an analysis he had made of the relation of prohibition to home building that there were few better evidences of the widespread effect of prohibition than those found in home building and home owning throughout the United States; that new standards of living had been adopted with the eighteenth amendment; that instead of the old-time slums clustering around the saloon center, or the insanitary and disgraceful tenement houses of former years,

everywhere residential buildings, cottages, 2-family houses, co-operatively owned apartment houses revealed a new attitude toward life on the part of the American people. He said further that it was especially significant that many families who in the license period dreaded the approach of rent day, and with whom the old saying, "It is cheaper to move than to pay rent," was common, were to-day either paying for their own homes or investing through some building and loan association with an idea of becoming property holders in the near future. Mr. Jackson said still further that more than 11,000,000 people are dependent for a living on the building industry, this number including 22 per cent of all skilled and unskilled labor in the country; that 25,000 freight cars are required to handle building materials in one year; that the building bill of the United States is over \$200 per year for each family; that nothing in the history of the country can compare with this building record; that prohibition alone is not responsible for that record, but that building and loan officials are practically unanimous in their belief that prohibition is an important factor in this marvelous material development.

Here let us recall the opinion of Mr. Ford, the greatest automobile maker in the world, to the effect that automobile production is dependent on prohibition, his statement that the repeal of prohibition would necessitate the closing of his factories, and his contention that under any system legalizing the sale of liquor accidents would be so frequent as to make the highways red with blood, or else the States would place so many restrictions on autos in the interest of safety as to render their sale no longer profitable.

It may be well at this juncture to mention the fact that the decrease in the national death rate since the coming of Federal prohibition has meant the saving of 2,000,000 lives in 10 years.

Now let us return to Mark Sullivan's observation that regardless of certain other considerations prohibition for this Nation would have been established on moral, religious, and humanitarian grounds. Undoubtedly moral, religious, and humanitarian reasons united with economic considerations in bringing about prohibition. For decades a moral, religious, and humanitarian crusade had been conducted in this country against the evils of beverage alcohol, a crusade reinforced by the spectacle of the expansion of these evils as the era of machinery developed. The machine age brought about an unprecedented increase in population, production, and profits. Under these conditions the liquor traffic, as well as other enterprises, took on gigantic proportions, and liquor consumption became a problem such as it had never been before in history. The alcoholic drink bill of the Nation was ranging yearly from two and a half to three billion dollars when national prohibition came.

The commercial liquor interest had become a formidable political power, corrupting government, defying regulation, promoting crime, creating everywhere a spirit of contempt and disregard for law. The evil effect of alcoholic poison on the moral, intellectual, physical, and economic capacities of individuals was multiplied to an infinite degree in an age of enormous aggregates of machinery and population. The time had arrived when personal liberty to drink intoxicants had to be surrendered, for the general good, along with other liberties which had been exercised in prior epochs. In moral and economic self-defense the American people enacted prohibition.

To those who insist on the exercise of what they term their personal taste, or liberty, in the matter of intoxicating drink in the face of the Constitution and the law I commend the last four verses of the tenth chapter of First Corinthians. They read as follows:

But take heed lest by any means this liberty of yours become a stumbling block to them that are weak.

For if any man see thee which hast knowledge sit at meat in the idol's temple shall not the conscience of him which is weak be emboldened to eat those things which are offered to idols; and through thy knowledge shall the weak brother perish for whom Christ died?

But when ye sin so against the brethren and wound their weak conscience, ye sin against Christ.

Wherefore, if meat make my brother to offend, I will eat no flesh, while the world standeth, lest I make my brother to offend.

This tender, this divine, this wholesome and unanswerable doctrine has been humbly and reverently embodied in the eighteenth amendment and the Volstead Act. It applies with added emphasis to the machine age in which hundreds of millions are dependent for safety and life on the operation of mechanical forces by unclouded minds and steady hands. Among the weak are to be found not only the man who yields to drink and loses hold on right and manhood, but the women and the children who suffer from his conduct.

The buyer of intoxicating liquor is to-day one of the most dangerous influences in our national life. Placing appetite above law and above the welfare of his fellow man, he supports as desperate and determined a class of lawbreakers as the police annals of any country have ever known. The very fact that the buyer is a person of position, wealth, or prominence intensifies the harm that may follow his example, the danger of his conduct to society. Without him the traffic in illicit liquor would disappear. About him it is builded with its gangsters, gunmen, moonshiners, bootleggers, murderers, and corruptionists. Their crimes in carrying on the illicit liquor traffic are his crimes. It is for him that they exist and ply their nefarious trade. We can never escape the proposition that if it is criminal to sell it is criminal to buy. There can be no seller without a buyer. A policeman in Charles Frances Coe's novel, *Hooch*, says to a liquor purchaser named Carter:

The crux of the situation is right in that bottle you hold in your hand, Carter. There'd be no bribery, there'd be no corruption, there'd be no murders if fellows like you bought no whisky.

I don't want to moralize. But the only thing these men fight over and steal about is the money you pay for whisky. It's your dollar that bribes and murders. You stop paying it and they'll stop fighting. You stop buying liquor and they'll stop bribing and taking bribes.

Any way you look at it, Carter, that's the one source of all these rum killings. To save my soul, I can't see where these bribed officials are any more criminals than you are. And when I say you, Carter, I mean every man in America that buys a bottle of booze.

That prohibition is being enforced as effectively as any other law against crime can not be denied. A pronounced majority of the American people obey the prohibition statutes, and most of the cases brought against violators result in convictions. I know of no better criterion for successful enforcement than that. Prohibition would be still better enforced and a gap closed in its legal structure by the punishment of the buyer as well as the seller.

Some of the attacks on the proposal to punish the purchaser are based on the erroneous theory that it will overtask the housing capacity of the jails and penitentiaries. I say the theory is erroneous because this proposal, if carried out, will not crowd the prisons of the land. On the contrary, it will tend to empty them. The moment it is made clear that purchasers are punishable, the number of buyers will rapidly dwindle. They will hesitate a long time before they will become lawbreakers. As purchase ceases, sales will necessarily diminish. The bootleg market will begin to decline and will continue to decline until the jail and penitentiary population due to violation of prohibition laws will have vastly decreased.

Mr. President, the advantages that have come to the United States from prohibition are of such permanent and beneficent character as to justify its existence beyond all question.

In many important phases of human progress prohibition has had substantial part in placing the United States in a position of world leadership. Our country is now the light of the earth by virtue of its moral and economic supremacy for which prohibition is in a large degree responsible. Our growth in many fundamental lines of achievement, especially in home building, in savings, and in life insurance, has been larger since the arrival of national prohibition in 1920 than in all the 131 years of our prior history.

Benjamin Disraeli, Earl of Beaconsfield, at the age of 68, delivered at Manchester in 1872—nearly 60 years ago—an address on practical democracy that has never been surpassed in any other age or forum. "Increased means and increased leisure," he said in the course of that deliverance, "are the two civilizers of man."

Among the movements which are substantially increasing means and therefore leisure for the masses in the United States is prohibition, which is diverting through the years billions on billions of earnings from expenditure for a drug that wastes and kills and damns into channels of permanent benefit, and which converts that drug itself from an instrument of ruin into an article which in undrinkable industrial form enters into numberless processes essential to modern progress.

And so, Mr. President, I feel the utmost justification in saying at the close of this address as I said at the beginning that nation-wide prohibition on its tenth anniversary continues its triumphant tread.

#### REVISION OF THE TARIFF

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

The VICE PRESIDENT. Has the Senator from Utah determined what amendment shall be next taken up?

Mr. SMOOT. Of course, the pending amendment is the amendment offered by the Senator from Nebraska [Mr. HOWELL].

The VICE PRESIDENT. The Chair desires to state that that amendment went over by unanimous consent.

Mr. SMOOT. Unanimous consent was asked that it go over, but I did not know whether it was granted or not.

The VICE PRESIDENT. The Chair is advised that the then occupant of the chair put the request to the Senate, and it was granted.

Mr. SMOOT. The next amendment, then, would be in paragraph 502.

Mr. President, there are so few Senators in the Chamber at present that I feel constrained to suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FESS in the chair). The Secretary will call the roll.

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

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

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. There is a quorum present.

Mr. SMOOT. Mr. President, on page 122 there appears an amendment recommended by the Finance Committee as to maple sugar, increasing the rate from 7½ cents to 9 cents a pound, and increasing the rate on maple sirup from 5 cents to 6 cents a pound.

I ask now for the consideration of the committee amendment on line 6, paragraph 503, page 122.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. On page 122, paragraph 503, line 6, the committee proposes to strike out "7½ cents" and insert in lieu thereof "9 cents."

Mr. SMOOT. Mr. President, I want to make a brief statement as to why this increase was recommended.

The rate on maple sugar under the present law is 4 cents per pound. The bill as it passed the House carried a rate of 7½ cents a pound, and the Senate committee raised the rate to 9 cents a pound.

The revenue from the duty on maple sirup and maple sugar, on the basis of the 1928 imports, is as follows:

Maple sugar, under the present law, \$278,181.  
 Under the rate fixed in the House bill, estimate, \$521,590.  
 Finance Committee amendment, estimate, \$625,908.  
 On maple sirup, under the present law, \$15,946.  
 Under the bill as it passed the House, estimate, \$19,932.  
 Under the Senate committee amendment, estimate, \$26,909.  
 The equivalent ad valorem rate under the present law is 27.74 per cent. Under the bill as it passed the House the equivalent rate would be 43.70 per cent and under the Senate Finance Committee amendment the equivalent ad valorem rate would be 52.44 per cent.

The production of maple sugar in the United States, compared with that of Canada, is approximately as follows: The production of maple sugar in the United States is 2,388,000 pounds, and in Canada it is 13,798,109 pounds. There are imported into the United States 6,954,530 pounds, and the consumption in the United States is 9,342,530 pounds. The percentage of imports to domestic consumption is 74.44 per cent.

The production of maple sugar in the United States has decreased steadily since 1919, when the domestic production was 10,000,000 pounds. The production of maple sugar in Canada is more than 10 per cent greater than in 1919, and more than 20 per cent greater than a 10-year average in the United States.

Mr. President, that is not all. Canada pays a bounty of 4.4 cents a pound, and that bounty has been used by Canada in order to ship into the United States an amount equal to 74 per cent of the consumption of maple sugar in the United States.

Mr. HARRISON. Mr. President, will the Senator state the amount of the bounty again?

Mr. SMOOT. I think it is 4.4 cents. It is something over 4 cents. I believe it is just a trifle over 4 cents. It is for that reason that the committee increased the House rate from 7½ cents to 9 cents a pound.

Mr. WALSH of Massachusetts. Mr. President, what does that specific rate represent in equivalent ad valorem?

Mr. SMOOT. Fifty-two and forty-four one hundredths per cent.

Mr. WALSH of Massachusetts. What is the equivalent ad valorem under the present law based upon the imports of 1928?

Mr. SMOOT. It is 27.74 per cent. The ad valorem under the House rate would be 43.70 per cent.

Mr. WALSH of Massachusetts. The equivalent ad valorem under the present law is about 27 per cent?

Mr. SMOOT. A little over 27 per cent.

Mr. WALSH of Massachusetts. And the equivalent ad valorem under the House proposal is what?

Mr. SMOOT. Forty-three and seventy one-hundredths per cent, and the equivalent ad valorem under the Senate committee recommendation is 52 per cent.

Mr. WALSH of Massachusetts. I was out of the Chamber a moment. Did the Senator give the increase of imports?

Mr. SMOOT. Yes.

Mr. WALSH of Massachusetts. Are the imports mostly from Canada?

Mr. SMOOT. Mostly from Canada. Canada produces 13,798,109 pounds, and the consumption in the United States is 9,342,530 pounds. Of that 9,000,000 the Senator will see there are 6,954,530 pounds imported in the United States. In other words, the percentage of imports to consumption in the United States is 74.44 per cent. So the maple sugar that is imported into the United States and taking the place of the maple sugar of Vermont particularly is 77.44 per cent.

Mr. WALSH of Massachusetts. Will the Senator inform me where the maple sugar produced in Canada is shipped other than to the United States and other than that which is used in Canadian consumption? I was wondering if there are any countries except the United States and Canada that use much maple sirup.

Mr. SMOOT. I think so. I think it goes all over the world. Most of it comes to the United States. Out of the 13,798,000 pounds produced in Canada the United States takes 6,954,530 pounds. In round numbers, there is 6,000,000 pounds consumed in Canada or exported elsewhere than to the United States.

Mr. WALSH of Massachusetts. Therefore, I assume there must be a large exportation of maple sirup from Canada other than its export to the United States. The Senator stated the consumption in the United States. How much is it?

Mr. SMOOT. It is 9,342,000 pounds, and of that amount 74 per cent comes from Canada.

Mr. WALSH of Massachusetts. How much of our domestic production is produced in Vermont?

Mr. SMOOT. I suppose the greater part of the domestic production.

Mr. WALSH of Massachusetts. And some in northern New York and in northern New Hampshire?

Mr. SMOOT. Yes; but the greater part of it in Vermont. Ohio produces some. I think Indiana produces a little, and Pennsylvania a little. Vermont is the State which produces the greater part of it.

Mr. WALSH of Massachusetts. Has the retail price of maple sirup tended to increase in recent years?

Mr. SMOOT. I do not think so.

Mr. WALSH of Massachusetts. I can appreciate that the Vermont producers must be meeting with some competition in view of the fact that the maple forests from which maple sugar can be obtained are simply across the border in southern Canada.

Mr. SMOOT. Yes. I think they made a pretty fair case before the committee. That is why the increase was given.

Mr. KING. Mr. President, I would like to ask my colleague or the Senator from Massachusetts how there could be much competition in view of the fact that the demand in the United States is so much greater than the domestic supply. As I understand it, the prices have not diminished but have advanced during the past 10 years.

Mr. WALSH of Massachusetts. No; but knowing the geography of the country as I do, I could well appreciate that only an imaginary boundary line divides the maple trees of northern Vermont from the maple trees of southern Canada. Therefore, I assume there might be some competition. I also can appreciate, as the Senator does, that the cost of production of maple sugar can not be very much more in southern Canada than in northern Vermont. The only ques-

tion that troubles me is whether or not the present duty is sufficient. I am seeking the information that led to the proposing of this amendment to increase the duty.

Mr. SMOOT. In other words, I will say to my colleague that the producers of maple sugar in the United States feel that while the amount they produce may appear to be small in comparison with the amount consumed in the United States, it can not be increased here unless it is protected more than as provided by the House. The reason why there has been such a small production here is due to the very fact that it cost them so much of late to produce it that they have not even kept up the production in years past.

Mr. HARRISON. Mr. President—

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

Mr. SMOOT. I yield.

Mr. HARRISON. Has the Senator with him, or can he obtain, the prices of maple sirup as well as maple sugar during a series of years, say, the last 10 years in the United States?

Mr. SMOOT. I have a statement here made by the Tariff Commission, but the question asked by the Senator is not answered in that statement.

Mr. HARRISON. I think it is most important to know. I think we can procure and we ought to have the information as to prices for the last 10 years in the United States for maple sugar and maple sirup.

Mr. WALSH of Massachusetts. I should like to ask the Senator from Mississippi if the American industry has reached the peak of its production? In other words, I would like to know if all the maple sirup that it is possible to produce in the United States is being produced, and whether or not we are obliged because of our domestic demands to go elsewhere and import maple sugar.

Mr. HARRISON. I would say to the Senator that I do not know whether it is possible in this country to produce a sufficient amount of maple sirup or maple sugar from maple sap to supply the needs of the country, but it is a very old industry. The industry has received very fine prices for its products. It has been found necessary to import from Canada a very large percentage of our consumptive needs.

Mr. SMOOT. That is of the maple sugar but not of the maple sirup.

Mr. HARRISON. I understand, and that is quite true. The Senator will agree to this statement, I think, that there is one concern, the Cary Co., which dominates the market and controls a very large percentage not only in this country but in Canada.

Mr. WALSH of Massachusetts. That is a Vermont concern?

Mr. HARRISON. I think so. They have a very large plant in Canada and they have a plant, of course, in the United States.

Mr. SMOOT. In answer to the question as to prices, I have just asked the expert from the Tariff Commission and he informs me that it would be impossible to give the prices because of the fact that there are so many grades of maple sugar coming into the United States. I do not think we could give the information the Senator asks for on that ground.

Mr. WALSH of Massachusetts. What is the percentage of maple sugar that is imported?

Mr. SMOOT. In Canada they produce only 2,023,000 pounds of maple sirup. We produce 3,013,000 pounds. All of the importations into the United States from everywhere are only 36,230 pounds—no; I mean gallons.

Mr. HARRISON. What were the figures the Senator stated?

Mr. SMOOT. The maple sirup produced in Canada is 2,023,900 gallons.

Mr. HARRISON. The Senator's figures are not like mine.

Mr. SMOOT. The Senator may have it in pounds, but my figures are in gallons. My figures as to the consumption in the United States are in gallons instead of pounds. The percentage of production and consumption is given in gallons instead of pounds, but the percentage is 1.18 per cent.

Mr. WALSH of Massachusetts. The figures the Senator gave with reference to domestic production and exports and imports were all in gallons?

Mr. SMOOT. The maple sugar was in pounds, but the maple sirup was all in gallons.

Mr. HARRISON. The Senator asked about the production in the United States.

Mr. WALSH of Massachusetts. Have they reached the maximum? Can we expand the industry?

Mr. HARRISON. The industry is not expanding in the United States. For instance, in 1921 there was 4,730,000 pounds of maple sugar produced in the United States. The next year, 1922, there was a trifle over 5,000,000 pounds; in

1923, 4,000,000 pounds; in 1924, 4,000,000 pounds plus; in 1925 it fell to 3,250,000 pounds; in 1926 it went to 3,500,000 pounds; and in 1927, to 3,250,000 pounds. In 1928 it fell to 2,250,000 pounds. There was a falling off in 1928 both in Canada and the United States, but for the years between 1921 and 1928, so far as maple sugar is concerned, there has been a falling off constantly, the maximum being in 1922, 5,147,000 pounds, and last year only 2,388,000 pounds.

Mr. WALSH of Massachusetts. The inference the Senator draws from that is that the number of maple trees is diminishing?

Mr. HARRISON. There is no other inference to be drawn from it. I have read the figures with reference to maple sugar. Now I want to read them with reference to maple sirup. May I say that there has been in the United States a production which has been pretty constant during the same years. In 1921 there were 26,250,000 pounds of maple sirup produced in the United States; in 1922, 40,000,000 pounds; in 1923, 39,000,000 pounds; in 1924, 42,000,000 pounds; in 1925, 33,000,000; in 1926, 41,000,000 pounds; in 1927, 40,000,000 pounds; in 1928, 33,000,000 pounds. The production has been pretty stationary with probably a slight tendency toward decreasing the production in this country of maple sirup. As to maple sugar there has been a constant reduction.

Mr. SMOOT. I want to call attention to the fact, because it is a fact, that in the present law, the act of 1922, maple sirup had the same identical rate that maple sugar carried; and that being the case, of course, the maple-sugar business was transferred to Canada because of the fact that the sirup could command the same rate and sugar could come in at the same rate as the sirup. The sirup carried one-third of water, or approximately that amount, so of course the maple-sugar business was transferred to Canada. The House has made a different rate and, instead of 4 cents on maple sugar, fixed a rate of 7½ cents. On sirup they have given an increase of 1 cent.

Mr. HARRISON. I think it proper to have a differential between the two.

Mr. WALSH of Massachusetts. I should certainly say so, too.

Mr. HARRISON. Let us see what has been the production. I have read the production of maple sirup in the United States and of maple sugar during those years. Let us see what it is in Canada. The production of maple sugar in Canada has been as follows:

In 1921, 12,250,000 pounds; during the next three years it fell to 9,800,000 pounds; in 1925, 10,500,000 pounds; in 1926, 7,000,000 pounds; in 1927, 9,750,000 pounds; and in 1928 it had increased to 13,000,000 pounds. It has been fairly stationary. From 1921 to 1928 there was a difference of only about 1,000,000 pounds in the production of maple sugar. There has not been a great amount of increase or reduction.

Now, let us see about the production of sirup in Canada. There has been some increase. In 1922 there was produced 20,790,000 pounds; in 1923, 16,500,000 pounds; in 1924, 26,000,000 pounds; in 1925, 26,000,000 pounds; in 1926, 23,000,000 pounds; in 1927, 28,500,000 pounds; and in 1928, 22,200,000 pounds. There has not been a great increase, if any, in the production of maple sirup in Canada. The production has held pretty stationary as to both maple sugar and maple sirup. If there was a bounty provided there it has not encouraged the people to have any greatly increased amount of production in Canada.

Mr. SMOOT. There has been no great increase in maple sugar and that is because of the reasons I have stated.

Mr. HARRISON. There has been an increase in importations of sugar into the United States from Canada, and that was because the transportation of the sugar was in the form of sirup and then the sugar was extracted from the sirup, which was a rather expensive proposition.

Mr. SMOOT. But the fact is that the bounty has been in operation for only about 14 months, and in 1928 is when the great increase came. That is when the bounty took effect. In the years before that there was no bounty paid by Canada. The bounty is between 4 and 5 cents a pound.

Of course that immediately increased the quantity of maple sugar that came into the United States, and with that bounty they could simply collect the 4.4 cents, as I remember—it was between 4 and 5 cents a pound—

Mr. WALSH of Massachusetts. On the sirup or the sugar?

Mr. SMOOT. On the sugar. What they wanted to do was to take care of their maple sugar, and as the importations were carrying the rate I have indicated, they gave a bounty in Canada upon sugar of between 4 and 5 cents a pound. The result was they could cut the price 2 cents, knock down the price in the United States, and still have 2 cents advantage over the American producer.

Mr. WALSH of Massachusetts. The Senator, as I understood, stated that the bounty has been in operation for 18 months.

Mr. SMOOT. It has been in operation for 14 months, anyway. Mr. WALSH of Massachusetts. Has the Senator any information as to the extent which that bounty has increased production in Canada?

Mr. SMOOT. I have not.

Mr. WALSH of Massachusetts. The Senator has not the latest figures?

Mr. SMOOT. No, although I can say I have figures here which show that the production of maple sugar in Canada has increased to 13,798,000 pounds. The figures have just been read as to what the production was in 1926.

Mr. WALSH of Massachusetts. What was the motive for Canada giving the bounty on maple sugar?

Mr. SMOOT. It was for the purpose of controlling the market in the United States.

Mr. WALSH of Massachusetts. Does Canada give a bounty on any other kind of sugar?

Mr. SMOOT. I do not think it does. I think as to other sugar the bounty provision has been repealed, although I am not sure. I know they did give a bounty on sugar at the time when Jesse Knight built the Knight sugar plant at Raymond, Canada.

Mr. WALSH of Massachusetts. It looks as though it were a scheme deliberately to take this business away from us.

Mr. SMOOT. I have here the figures as to importations and their value for 1929, and I am going to read them by months, so that the Senate may see how they are increasing.

In January the importations were 451,451 pounds; in February, 822,394 pounds; in March, 170,256 pounds; in April, 135,864 pounds; in May, 4,323,936 pounds; in June, 726,350 pounds; in July, 1,249,356 pounds; in August, 1,669,798 pounds; in September, 579,024 pounds; in October, 283,919 pounds; in November, 15,885 pounds, and in December up to the time the report was prepared, 180 pounds—or a total of over 10,000,000 pounds, and the value of the importations was \$1,916,062.

Mr. WALSH of Massachusetts. What were the comparative importations for the previous year?

Mr. SMOOT. The total importations for the previous year were 6,954,530 pounds.

Mr. WALSH of Massachusetts. The importations have jumped from 6,954,000 pounds to over 10,000,000 pounds.

Mr. SMOOT. Yes.

Mr. WALSH of Massachusetts. Does the Senator attribute that in part to the giving of the bounty by the Canadian Government?

Mr. SMOOT. There is no doubt about that at all; and they are going to take the market here. During the 11 months of this year the quantity of such sugar imported into the United States is nearly 4,000,000 pounds greater than the importations for the whole year of 1928. That is the situation.

Mr. FLETCHER. How does that affect the price?

Mr. SMOOT. I will figure that out in a moment.

Mr. WALSH of Massachusetts. I should like to ask the Senator from Mississippi his view as to the effect of the bounty given by the Canadian Government?

Mr. HARRISON. I have been trying to get a copy of the law showing the bounty paid, and so on, but I have not been able to get it.

Mr. SMOOT. Does the Senator from Mississippi think that there is not a bounty paid in Canada?

Mr. HARRISON. I do not know. Of course, I accept the statement of the Senator. He gets the information on which he bases his statement from the Tariff Commission.

Mr. SMOOT. I do.

Mr. HARRISON. But I am unable to get a copy of the law, and I do not know what its provisions are. I know that the Tariff Commission made an investigation of the difference in the cost of production here and in Canada, and in a unanimous report submitted by the commission they found that the difference in the case of sugar was 5.3 cents, and the difference in the case of sirup was 3½ cents. I think the Senator will agree with me as to that. The report, as I have said, was unanimous.

Mr. SMOOT. For what year was that?

Mr. HARRISON. I think it was in 1927.

Mr. SMOOT. The decision was in 1927, but the investigation was in 1926 or in 1925—I forget which—but when we go back to 1925 we can see what the importations were, and at that time there was no bounty paid by the Canadian Government. If it had not been for a bounty, the committee would not have recommended the rate in the bill.

Mr. HARRISON. We want to do all that is in reason as to the tariff rate on this commodity.

Mr. SMOOT. I know the Senator does.

Mr. HARRISON. But it does seem to some of us that when the rate is raised 250 per cent above the rate in the present law it is going pretty strong.

Mr. SMOOT. The rate has not been increased 250 per cent. Mr. HARRISON. In the 1922 act the rate was 4 cents a pound, and the committee now proposes to make it 9 cents a pound.

Mr. SMOOT. I am speaking of maple sugar and maple sirup, too.

Mr. HARRISON. I am speaking of maple sugar, on which it is proposed to increase the rate from 4 cents a pound to 9 cents a pound.

Mr. SMOOT. Why can we not agree to the rate as proposed; and, if the Senator ascertains there is no bounty paid on the commodity, then we will reconsider it?

As I have indicated, the importations for the 11 months and a few days in December show that 4,000,000 pounds more were imported into the United States during last year than during the previous year; and I think a very good case has been made.

Mr. HARRISON. What are the Senator's figures with reference to the domination of the maple-sirup industry by the Cary Co.?

Mr. SMOOT. I have not any figures here in relation to the quantity they are producing or handling or controlling.

Mr. HARRISON. There is not any doubt that they dominate the market, both here and in Canada, is there?

Mr. SMOOT. If they are operating in Canada, of course they go there for the bounty of 4 cents a pound, or whatever the bounty may be; and if they do control the market in Canada, I certainly would not like to have them also dominate the American market and get the profit both ways.

Mr. HARRISON. But they do control 80 per cent of the production of Canada.

Mr. SMOOT. The Senator from Vermont [Mr. GREENE] tells me that they have nothing to do with Canada.

Mr. HARRISON. That the Cary people are not interested in Canada?

Mr. GREENE. No.

Mr. HARRISON. My information is that they have a plant at Sherbrook, Canada,—

Mr. GREENE. Yes.

Mr. HARRISON. At which the sirup is converted into sugar and shipped into the United States, and then they have a plant, of course, in the United States at St. Johnsbury, Vt.

Mr. GREENE. Yes.

Mr. HARRISON. So they get it coming and going. If they get the bounty in Canada they can extract sugar from the sirup at their plant in Canada, ship the maple sugar into this country, dominate the market here, and lift the price to whatever point they please.

Mr. SMOOT. Then, let us stop their Canadian business, as it affects the United States, so that they can only make their profit in this country from sugar produced here. Do not let us permit them to make it in both places. If we impose the 9-cent rate, they will not import the sugar here from Canada, but they will produce all they can in the United States, and if they do get any from Canada then they will have to pay the rate fixed by the bill. I think that is the sensible thing to do; and more so if they control the market than if they do not control it.

Mr. HARRISON. The Cary people, according to the statement of their treasurer, made quite a healthy profit in 1928. It was \$190,000 plus, which was very good. They are doing very well, and they are the people who dominate the market. By increasing this rate from 4 cents to 9 cents a pound, we are going to give them a further stranglehold upon the situation. I think, while the Senator has not the figures there, when he shall obtain them they will show that the price of maple sugar has increased very much during the past 10 years in the United States.

Mr. SMOOT. If all the Senator has said is correct, and it is granted that they do control from Canada the market in the United States, let us stop that control; let us make them pay for it if they seem to control the American market. If we can produce maple sugar here at all, let us make them produce it in the United States.

Mr. HARRISON. The only effect can be that the price will be increased by just that much more to the consumer of maple sirup in the United States.

Mr. SMOOT. But if the tariff rate shall be increased, then they will have to produce the sugar in the United States, because the 9-cent rate will not allow them to bring it in. If we are going to have maple sugar, let us have it produced in the United States instead of Canada, particularly if the same man who produces it in Canada also produces it in the United States.

Mr. HARRISON. Mr. President, may I ask the Senator if he will not accept the House rate on maple sugar of 7½ cents?

I think it ought to be 6 cents, but I suggest that we make it 7½ cents on maple sugar and 5 cents on maple sirup. Those were the rates the House put in. The Senate committee has recommended a large increase over the rates provided in the House bill.

Mr. SMOOT. If I am not mistaken—I may be—the Cary people are not producers of maple sirup, are they?

Mr. HARRISON. My information is that they are.

Mr. SMOOT. I am informed that they only have 20,000 trees out of several million trees in the United States.

Mr. HARRISON. As I understand, they purchase also from other producers; they not only produce the sirup themselves, to some extent, of course, but they purchase it from other producers.

Mr. SMOOT. That is correct. I really thought a very good case was made for the rates recommended by the committee, and I suggest to the Senator that he allow them to go to conference.

Mr. HARRISON. Mr. President, I move to amend the committee amendment by striking out "9 cents per pound" and inserting "6 cents per pound," in line 6, on page 122; and in line 7, page 122, I move to strike out "6 cents" and insert "4 cents."

Mr. SMOOT. In other words, the Senator would reenact the rate in the present law as to maple sirup and increase it only 2 cents a pound on maple sugar?

Mr. HARRISON. The rate I have proposed would allow a differential on the sugar. Every tariff act that has been passed since 1909 has provided the same rate for both products. In the tariff act of 1909 the rate was 4 cents a pound on maple sugar and 4 cents a pound on maple sirup; in the act of 1913 the rate was 3 cents a pound on maple sugar and 3 cents a pound on maple sirup; and in the act of 1922, of which the Senator himself had charge, and no doubt had more to do with the writing the rates than anyone else, it was 4 cents a pound on maple sugar and 4 cents a pound on maple sirup.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. WALSH of Massachusetts. It is quite apparent from the statistics that the production of maple sirup in this country has decreased in recent years?

Mr. HARRISON. Yes.

Mr. WALSH of Massachusetts. It is also quite apparent that the production of maple sirup has increased in Canada in recent years. Our domestic production has decreased either because it is being injured by importations from Canada or by the maple trees decaying or by a diminution in the number of maple trees. Can the Senator give us the reason for the decline in the American industry, because if the reason is that we are cutting down our maple trees or they are going into decay, no amount of tariff is going to resuscitate the business. I should like to have information on that subject from the Senator.

Mr. SMOOT. Mr. President, I have here a letter—

Mr. WALSH of Massachusetts. Can the Senator give me that information?

Mr. HARRISON. I am trying to get the information from the Senator from Utah.

Mr. WALSH of Massachusetts. The Senator will appreciate the importance of knowing whether this decline is due to imports, or due to the decay and abandonment of the industry because of the low price.

Mr. SMOOT. It is not that.

Mr. HARRISON. What is the information the Senator from Utah has on that subject?

Mr. SMOOT. I desire to call attention to another matter at this time.

I read from a letter addressed to Dr. C. E. Townsend, United States Tariff Commission, Washington, D. C., from Mr. G. C. Cary, as follows:

Confirming the conversation I had with you to-day, I make the following statements:

The American Tobacco Co. is the largest user at the present time of maple sugar. Their purchases of the crop made since April 1, 1929, up to the present time have been about 4,000,000 pounds from Canada, against approximately 200,000 pounds from the United States; or, in other words, more than 90 per cent of the purchases has been of Canadian sugar.

The cooperatives in Canada have made the statement on numerous occasions that they sold to them—

That is, to the American Tobacco Co.—

for 18 cents f. o. b. Canadian points, and with the 4 cents of the present duty will make it 22 cents, which is way below the cost of production on the American side. We made a price to them of 27½ cents this year for American sugar; and the buyer of the American Tobacco Co. made this statement to me—

That is, to Mr. Cary—

that he can pay 9 cents a pound duty on the Canadian sugar at the price he bought it for and still get it cheaper than the price we—

The Americans—

quoted.

Even with the 9 cents duty they can undersell the Americans at 27½ cents. I think the industry is worthy of being maintained, and I think they ought to have a chance to do it. Therefore, I hope the amendment of the Senator from Mississippi will be rejected.

The PRESIDING OFFICER (Mr. BLAINE in the chair). The question is upon the amendment offered by the Senator from Mississippi [Mr. HARRISON] to the amendment of the committee.

Mr. HARRISON. I think we ought to have a quorum here if we are going to vote on this matter. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER (Mr. McNARY in the chair). Eighty-nine Senators having answered to their names, a quorum is present. The question is upon the amendment offered by the Senator from Mississippi [Mr. HARRISON] to the amendment of the committee.

Mr. SMOOT. Mr. President, I am going to ask the Senator from Mississippi if he will not consent to a rate of 8 cents a pound, say, on maple sugar, and 5½ cents on maple sirup?

Mr. WALSH of Massachusetts. Mr. President, in view of the evidence in relation to a Canadian bounty, I hope the Senator from Mississippi will think seriously about that.

Mr. HARRISON. May I say to the Senator that I have not made up my mind definitely about the bounty of 4½ cents a pound, or something to that effect, that the Senator is talking about. Will the Senator give me the assurance that in the event we find that this bounty is not about 4 or 4½ cents, he will permit us to reopen the matter?

I do not say this disbelieving that the Senator has the facts, but we have not been able to get them. The rate would be absolutely unjustified from any standpoint unless some bounty is being placed on this product by Canada.

Mr. WALSH of Massachusetts. I agree with the Senator from Mississippi that unless evidence of a bounty is produced I do not think there is a case here for raising this rate to the extent that is proposed; but I do think the evidence as to a bounty helps make out the case for an increase in the duty.

The PRESIDING OFFICER. Does the Senator from Mississippi modify his amendment?

Mr. SMOOT. I assure the Senator that if there is no bounty I shall ask for a reconsideration.

Mr. HARRISON. I withdraw my amendment, then. The Senator from Utah can offer his amendment.

Mr. SMOOT. I move, on line 6, page 122, to strike out "9" and insert "8," so as to read:

Maple sugar, 8 cents per pound.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. SMOOT. In line 7, page 122, I move to strike out "6" and insert "5½," so as to read:

Maple sirup, 5½ cents per pound.



The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. SMOOT. The next amendment is found on page 122, paragraph 504, sugarcane in its natural state.

The House imposed a rate of \$3 per ton of 2,000 pounds. The Senate committee has proposed to amend that by striking out "\$3 per ton" and inserting "\$2 per ton." Personally, I think the House provision is right, but a majority of the Finance Committee decided to strike out "\$3" and insert "\$2." I want to tell the Senate why I think the House provision is right.

It is not a duty on sugarcane grown in the United States. Under the present rate on sugarcane, this is what happened. One large sugar factory in Porto Rico, and I think only the one, with a rate of a dollar a ton on sugarcane, went into San Domingo, purchased lands, or rented them, raised sugarcane in San Domingo, shipped that sugarcane into Porto Rico, paid a dollar a ton on it, and in one year made \$435,000 under that operation. In other words, cane that was raised in a foreign country was shipped into Porto Rico, made into sugar, and the sugar made out of that foreign-country cane was shipped into this country and paid no duty whatever. The witness himself admitted that in one year he had made \$435,000 on the transaction.

I have had the Tariff Commission figure out in detail just what would make it clear, and no doubt they did the same thing with the House, and the House put the rate at \$3. With a rate of \$3 on cane, they can raise it in San Domingo and make a little on shipping it into Porto Rico. But some of the members of the committee thought it should be \$2.

This is what we are doing; we are giving over \$200,000 to this one sugar concern in Porto Rico. At the \$2 rate they will continue, and not only that but with the \$2 rate, Porto Rico, which we are now offering a gift, and gave \$10,000,000 to before because of the awful conditions, this amendment will raise \$200,000 more for Porto Rico, and even then the sugar company, owned by people in New York, will ship the sugar into this country and still make \$200,000 instead of \$435,000.

There is only one reason why there should be a little less rate than \$3. If it were the full amount, and they made no profit at all, perhaps they would not ship that sugarcane from San Domingo. That is what they say. But they have the mill built for it; they run it every year, and they make \$435,000 on cane grown in a foreign country. What right has sugar produced from cane grown in a foreign country to come into the United States free of duty? Therefore this amendment. If I had my way, it would be \$3. I do not want to take any chance whatever, because I want Porto Rico to have every dollar by way of revenue that is possible, and therefore I have asked and consented that a rate of \$2 be agreed to.

Mr. SHORTRIDGE. Mr. President, I hope it will not be agreed to. The reasons assigned by the Senator from Utah I believe to be sound and unanswerable. I think this rate should be \$3, as fixed by the House after elaborate hearings, and I am hopeful that the Senate will disagree to the suggested amendment.

Of course, I respect the sincerity of the Senator from Utah, and perhaps he feels it his duty, as the chairman of the committee, in a sense qualifiedly to consent to this proposed reduction.

Mr. SMOOT. I think we ought to carry out the wishes of the committee.

Mr. SHORTRIDGE. The action of the committee has been disagreed to very often; we have many precedents. I hope that gentlemen who believe in a protective tariff, who believe in encouraging American industry, for the reasons stated by the Senator himself, will not vote for the Senate committee amendment.

Mr. BINGHAM. Mr. President, the \$3 rate will, of course, mean more income for the government of Porto Rico, but in view of the vote taken in the Senate a short time ago this afternoon, whereby the Senate very generously agreed to come to the relief of Porto Rico by increasing the funds for the sufferers from the hurricane, thereby aiding the government, I am disposed to think that the action of the committee was correct in lowering the duty on sugarcane from \$3 to \$2, and, therefore, although I should like to join my friend from California normally, under the circumstances and in view of the very generous action of the Senate this afternoon, I ask and I hope that the request of the Senator from Utah, in accordance with the vote of the committee, may be agreed to.

Mr. SMITH. Mr. President, I would like to ask the Senator from Connecticut a question. I was absent on account of some

departmental business. Did the Porto Rican relief resolution pass the Senate this afternoon?

Mr. BINGHAM. It was passed.

Mr. HARRISON. Mr. President, while the majority members of the committee seem to be very much divided on this particular proposition, I hope that this \$2 recommendation of the committee will prevail.

Mr. SMOOT. I think that is right.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was on page 122, paragraph 506, line 21, where the committee proposed to strike out the word "and" and to insert the words "40 per cent ad valorem," so as to read:

Sugar candy and all confectionery not specially provided for, 40 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, is that the present duty?

Mr. SMOOT. I will make a short statement regarding the matter, which will perhaps answer all the questions the Senator might want to ask.

Mr. WALSH of Massachusetts. Very well.

Mr. SMOOT. The rate of 40 per cent ad valorem is the same as the rate in the present law, in the bill as it passed the House and in the Senate committee bill. There is no change in the rate.

Mr. WALSH of Massachusetts. That is what I thought.

Mr. SMOOT. The language in the Senate committee bill is changed with reference to sugar after being refined, when tinted or colored, by adding the words "but not less than the rate of duty provided in paragraph 501 for sugar of the same polariscopic test." That is simply carrying out the duty provided in paragraph 501 on the basis of the present law, or 40 per cent. In other words, there is no change, with the exception of a case where they did put coloring matter in, the polariscopic test applies, and that is all there is to it. I do not think it is necessary, but the Tariff Commission thought that it ought to be clarified. That is all there is to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 122, line 23, to strike out the word "valorem" and insert the words "valorem, but not less than the rate of duty provided in paragraph 501 for sugar of the same polariscopic test."

Mr. SMOOT. The same statement applies to that.

Mr. WALSH of Massachusetts. May I ask the Senator whether there were any petitioners for an increase in the duty on candy?

Mr. SMOOT. I think there were quite a number. None of the large ones asked for an increase, because they are making so much money, as the Senator will see if he will look at the returns, that I do not think they would have the face to come and ask for an increase.

Mr. WALSH of Massachusetts. The industry as a whole did not ask for an increase?

Mr. SMOOT. Oh, no; not at all.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. What is the next amendment the Senator desires to have called up?

Mr. SMOOT. Mr. President, in the sugar schedule there are two paragraphs that have not been completed—paragraph 502, covering molasses and sirups, and the amendment offered by the Senator from Nebraska [Mr. HOWELL], providing for a bounty, in paragraph 501. I ask the Senator from Nebraska if he would like to take that up now and go on for the next hour.

Mr. HOWELL. Mr. President, I do not care to speak upon the amendment at the present time.

Mr. SMOOT. Then I ask the Senator from Massachusetts if we may not turn to Schedule 14, papers and books, and take up the items on which there is no dispute.

Mr. WALSH of Massachusetts. I would be very glad to accommodate the Senator. I think it is not well to skip from schedule to schedule without completing the schedules. I know it is not the fault of the Senator from Utah, and I know he does not want to waste time, and I desire to help him. I shall be glad to take up the uncontested amendments in the paper schedule. I will have to ask for a quorum, because I must get some papers from my office. I make the point that there is not a quorum present.

The VICE PRESIDENT. The clerk will call the roll.

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

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

The PRESIDING OFFICER (Mr. Fess in the chair). Eighty-nine Senators having answered to their names, a quorum is present. The clerk will report the first amendment in schedule 14, papers and books.

Mr. SMOOT. The first amendment in the paper schedule is found on page 188, paragraph 1402, and I ask that it be reported.

The PRESIDING OFFICER. The amendment will be reported.

The LEGISLATIVE CLERK. The amendment is under the heading "Schedule 14.—Papers and books," on page 188, line 20, after the word "not," to strike out "glazed, laminated or pasted, coated, lined," and insert "plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined," so as to read:

PAR. 1402. Paper board, wallboard, and pulpboard, including cardboard, and leather board or compress leather, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for, 10 per cent ad valorem.

Mr. SMOOT. That is simply a better statement of the processes by which the paper is made. The rates are not involved at all, but the processes should be better specified than in the present law or the House provision. That is the reason why the amendment was proposed.

Mr. WALSH of Massachusetts. Mr. President, I desire to make just a brief statement of a general character about the paper schedule. There are not many important amendments that the proceedings adopted permit us to consider at this stage in the discussion of the pending tariff bill. Most of the increased duties levied in this schedule were made in the House. Most of the increased duties levied by the House have been approved by the Senate Finance Committee. Therefore in many of the paragraphs of the schedule there is no change in the provisions of the House text, and the increases that might here and there meet with objection are not now at this stage in the discussion of the bill before us for consideration. Such changes as may be made in the increased rates levied in the House text will have to be treated at another stage of the discussion. Our rules require us to confine discussion and action now to the committee amendments.

I have had prepared and I ask to have inserted in the RECORD at this point a complete statement, paragraph by paragraph, and item by item, citing the changes that have been made in the present law in the House text and by the Senate Finance Committee amendments in each and every paragraph of the schedule. I ask permission that it may be inserted in the RECORD in order that Senators may know what the present law is, what changes were made by the House, and what changes have been proposed by the Senate Finance Committee in this schedule.

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

The statement referred to is as follows:

#### RATE CHANGES IN PAPER SCHEDULE

List of major increases made by the House and concurred in by the Finance Committee:

#### Paragraph 1402

Specific provision for "pulpboard in rolls for use in the manufacture of wallboard" at 5 per cent ad valorem omitted; such pulpboard there-

fore becomes dutiable at 10 per cent ad valorem if nonprocessed or at 30 per cent ad valorem (par. 1413) if processed.

#### Paragraph 1404

Rate on tissue papers weighing less than 6 pounds per ream increased from 6 cents per pound and 15 per cent ad valorem to 6 cents per pound and 20 per cent ad valorem.

#### Paragraph 1405

Rate on decorated uncoated papers increased from 4½ cents per pound to 4½ cents per pound and 10 per cent ad valorem. Same paper if embossed, partly covered with metal, rate increased from 4½ cents per pound and 17 per cent ad valorem to 4½ cents per pound and 20 per cent ad valorem. Same paper when metal covered and weighing less than 15 pounds per ream, rate of 5 cents per pound and 17 per cent ad valorem increased to 5 cents per pound and 18 per cent ad valorem.

Rate increased on simplex decalcomania paper, not printed, from 5 cents per pound to 5 cents per pound and 10 per cent ad valorem.

#### Paragraph 1406

Transparencies specially provided for and rate increased from 25 cents per pound to 40 per cent ad valorem when in not more than five printings and to 50 per cent ad valorem when in more than five printings.

#### Paragraph 1407

Papeteries specially provided for and rates giving an equivalent ad valorem of approximately 32 per cent increased to 40 per cent ad valorem.

List of major increases made by the House and decreased by the Finance Committee:

#### Paragraph 1406

Decreased House rate on stripped ceramic decalcomanias from \$1.40 per pound and 15 per cent ad valorem to \$1.25 per pound and 15 per cent ad valorem.

Also decreased compensatory rate of House on unstripped ceramic decalcomanias from 35 cents per pound and 15 per cent ad valorem to 30 cents per pound and 15 per cent ad valorem.

List of major increases made by the House and increased by the Finance Committee:

None.

List of major decreases made by the House and increased by the Finance Committee.

#### Paragraph 1405

Unsensitized blue and brown print paper rate of 20 per cent ad valorem increased to 1922 rate of 3 cents per pound and 15 per cent ad valorem.

Sensitized blue and brown print paper rate of 25 per cent ad valorem increased to 1922 rate of 3 cents per pound and 20 per cent ad valorem.

Unsensitized photographic paper rate of 5 per cent ad valorem increased to 1922 rate of 3 cents per pound and 15 per cent ad valorem.

Sensitized photographic paper rate of 30 per cent ad valorem increased to 1922 rate of 3 cents per pound and 20 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, paragraphs 1402 and 1413 are two of the most important paragraphs in the bill. A very important provision in the present law was omitted in the House text in both of these paragraphs and the omission was concurred in by the Senate Finance Committee. The omission was of the words "pulpboard in rolls for use in the manufacture of wall board." The removal of that clause from paragraphs 1402 and 1413 has made a very substantial increase in the duty upon pulpboard used in the manufacture of wall board. This omission has resulted in increasing the duty on pulpboard used in wall boards from 5 per cent to 10 per cent ad valorem.

I wish to ask the Senator from Utah, who is always desirous to accommodate other Senators and to have the real issue presented, that the two paragraphs referred to, 1402 and 1413, be passed over to be considered later. I shall ask at a later stage of the discussion that the two paragraphs may be considered and all or any amendments be offered without regard to the immediate amendment pending relating in some cases to changes in phraseology or in definitions.

Mr. SMOOT. I wish to invite the Senator's attention to the fact that the subject of pulpboard which he has just been discussing has no reference whatever to the amendment now pending. If that matter is to be considered I think it should come after the word "ad valorem" in line 1, page 189.

Mr. WALSH of Massachusetts. I agree with the Senator.

Mr. SMOOT. The pending amendment is only a change in definition and we might as well agree to it now because I do not think there is any objection to it.

Mr. WALSH of Massachusetts. I quite agree with the Senator. So far as this paragraph is concerned, the amend-

ment may be approved without the question I suggested being raised, but when we come to paragraph 1413 we will have to raise the question and, therefore, I would prefer to have the Senator wait and have the two paragraphs treated together. I shall ask unanimous consent to submit such amendments as will bring the real underlying issue directly before the Senate. I am sure we can agree without a vote upon the phraseology which the Senator has asked to have changed and which is contained in the pending amendment. It is the change in rates in this paragraph that I want to contest and which I can not do at this time without unanimous consent.

Mr. SMOOT. I suppose in paragraph 1413 the Senator wants to include pulp and pulpboard. I just want to get the Senator's idea so I can be prepared at least to suggest the proper place for it, although I have no doubt the Senator would know that anyway. I want to study his proposal in the meantime.

Mr. WALSH of Massachusetts. The result of the changes in paragraph 1413 is to put a duty of 30 per cent upon pulpboard when dyed, lined, or vat-lined. I want to show when the time comes that the process is so simple and so inexpensive that there is hidden protection in giving pulpboard which is vat-lined a 30 per cent protection and pulpboard that is not vat-lined only 10 per cent.

Mr. SMOOT. That is what I thought the Senator had in mind and that is the reason why I referred to it as pulpboard.

Mr. WALSH of Massachusetts. The Senator can understand that the definition raises that question in paragraph 1413.

Mr. SMOOT. Oh, it does.

Mr. WALSH of Massachusetts. I suggest that we permit paragraphs 1402 and 1413 to be considered together and raise the question of what the duty is to be upon "pulpboard in rolls for use in the manufacture of wallboard." If that clause is inserted, the Senator will agree that certain other changes are to be made in both paragraphs, and if it is not inserted, of course, I will consent to the paragraph as written and the committee amendments.

Mr. SMOOT. The Senator is correct, so I ask that paragraphs 1402 and 1413 be passed over.

The PRESIDING OFFICER. Without objection the paragraphs referred to will be passed over. The clerk will state the next amendment.

The LEGISLATIVE CLERK. The next amendment is, on page 189, line 21, before the word "and" to strike out "manufactures of pulp," and in line 22, after the word "ad," to strike out "valorem" and insert "valorem; manufactures of pulp, not specially provided for, 30 per cent ad valorem," so as to make the paragraph read:

PAR. 1403. Filter masse or filter stock, composed wholly or in part or wood pulp, wood flour, cotton or other vegetable fiber, 20 per cent ad valorem; indurated fiber ware, masks composed of paper, pulp, or papier-mâché, and manufactures of papier-mâché, not specially provided for, 25 per cent ad valorem; manufactures of pulp, not specially provided for, 30 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, that amendment also should be passed over. It represents an increase of 5 per cent on manufactures of pulp. I think there will be a contest about that increase. I know the reason why the Finance Committee reported as it did, and it may be acceptable to Senators when we come to take it up. For the present I suggest that it go over.

Mr. SMOOT. I am willing that it should go over. The only question is that we shall put the item at 30 per cent covering all the product. However, in compliance with the suggestion of the Senator from Massachusetts, I ask that the amendment be passed over.

The PRESIDING OFFICER. Without objection, the amendment will be passed over. The clerk will state the next amendment.

The LEGISLATIVE CLERK. The next amendment is, on page 190, line 7, after the word "uncolored" to insert "white or printed," so as to read:

PAR. 1404. Papers commonly or commercially known as tissue paper, stereotype paper, and copying paper, india and Bible paper, condenser paper, carbon paper, coated or uncoated, bibulous paper, pottery paper, tissue paper for waxing, and all paper similar to any of the foregoing, not specially provided for, colored or uncolored, white or printed, weighing not over six pounds to the ream, and whether in sheets or any other form, 6 cents per pound and 20 per cent ad valorem;

Mr. WALSH of Massachusetts. I am willing to accept that amendment. I understand the act of 1922 contains those words and that they were omitted by the Ways and Means Committee unintentionally—

Mr. SMOOT. Inadvertently.

Mr. WALSH of Massachusetts. They were omitted by the Ways and Means Committee without realizing all the consequences of the omission. I agree with the Finance Committee that those words should be inserted. The inclusion of these words does not change the present rate.

The PRESIDING OFFICER. Without objection the amendment is agreed to. The next amendment will be stated.

The LEGISLATIVE CLERK. On page 190, line 12, after the word "than" to strike out "eighteen" and insert "twenty and one-half," so as to read:

India and Bible paper weighing 10 pounds or more and less than 20½ pounds to the ream, 4 cents per pound and 15 per cent ad valorem.

Mr. SMOOT. Mr. President, the reason for that amendment, I will say briefly to the Senate, is that without the amendment a class of paper weighing 18¾ pounds would fall under paragraph 1407. In order to make it perfectly sure that this kind of paper, commonly and commercially known as tissue paper, and so forth, should fall in paragraph 1404 and not paragraph 1407 on account of the weight, we have increased the limitation of weight from 18 pounds to 20½ pounds.

Mr. WALSH of Massachusetts. Mr. President, this is an increase in the rate on india and Bible paper weighing between 18 and 20½ pounds to the ream. The reason for the increase is said to be that the act of 1922, which limited the weight to 18 pounds, was evaded; that india and Bible paper weighing just a fraction over 18 pounds were imported at the lower rate of duty. The amendment is suggested on the recommendation of the Treasury Department that the law could be more equitably administered by changing the weight. I see no objection to the amendment.

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

The amendment was agreed to.

The next amendment was, on page 190, line 16, after the word "manner," to insert "and paper wadding, and pulp wadding, and manufactures of such wadding," so as to read:

Crêpe paper, commonly or commercially so known, including paper crêped or partly crêped in any manner, and paper wadding, and pulp wadding, and manufactures of such wadding, 6 cents per pound and 15 per cent ad valorem.

Mr. WALSH of Massachusetts. Mr. President, I understand that paper wadding covered by this provision is the paper placed by candy manufacturers on top of the candies contained and marketed in a box.

Mr. SMOOT. It is used on the top of candy boxes. As we have probably all observed, it is a peculiar character of paper.

Mr. WALSH of Massachusetts. This paper has heretofore been classified as crêpe paper and carries the same rate as crêpe paper; but the Customs Court held that all this class of paper or paper wadding, under the act of 1922, fell under the basket clause providing for paper not specially provided for at 30 per cent ad valorem. As the amendment simply designates this particular class of paper by name, and takes it out of the basket clause, but retains the same rate of duty, I have no objection to it.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment was, on page 192, line 14, after the words "ad valorem" to strike out:

Plain basic paper ordinarily used in the manufacture of paper commonly or commercially known either as blue print or brown print, and plain basic paper ordinarily used for similar purposes, 20 per cent ad valorem; sensitized paper commonly or commercially known either as blue print or brown print, and similar sensitized paper, 25 per cent ad valorem; unsensitized basic paper, and baryta coated paper, to be sensitized for use in photography, 5 per cent ad valorem; sensitized paper, to be used in photography, 30 per cent ad valorem.

And insert:

Plain basic paper for albumenizing, sensitizing, baryta coating, or for photographic processes by using solar or artificial light, 3 cents per pound and 15 per cent ad valorem; albumenized or sensitized paper or paper otherwise surface coated for photographic purposes, 3 cents per pound and 20 per cent ad valorem.

Mr. WALSH of Massachusetts. I understand that is a controversial matter and there are several Senators interested in it. It deals with photographic papers, and I think the amendment ought to go over.

Mr. SMOOT. This is the one paragraph that perhaps will cause more discussion than any other paragraph in the schedule.

Mr. WALSH of Massachusetts. I think, however, the pulp-paper item is also very important.

Mr. SMOOT. Yes; but this is also a very important item, and I ask that it go over.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The next amendment was, on page 194, line 19, before the words "per pound," to strike out "\$1.40" and insert "\$1.25," so as to read:

*Provided*, That all invoices shall state the number of separate printings actually employed in the production of the transparency; fashion magazines or periodicals, printed in whole or in part by lithographic process, or decorated by hand, 8 cents per pound; decalcomanias in ceramic colors, weighing not over 100 pounds per 1,000 sheets on the basis of 20 by 30 inches in dimensions, \$1.25 per pound and 15 per cent ad valorem.

Mr. WALSH of Massachusetts. That is a reduction from the House rate, but an increase over the present rate of duty. The present duty is 70 cents a pound and 15 per cent ad valorem. The Senate committee amendment being a reduction from the House rate, it should be accepted now, and if any Senator should deem it wise later to question the wisdom of the Senate increase over the rate of the present law it can be met by an amendment.

Mr. SMOOT. This provision covers decalcomanias, and I hope the amendment will be agreed to.

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

The amendment was agreed to.

The next amendment was, on page 194, line 22, before the words "per pound," to strike out "35 cents" and insert "30 cents," so as to read:

Weighing over 100 pounds per 1,000 sheets, on the basis of 20 by 30 inches in dimensions, 30 cents per pounds and 15 per cent ad valorem.

Mr. WALSH of Massachusetts. This is merely a compensatory rate, as I understand?

Mr. SMOOT. That is right.

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

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment was, on page 195, line 2, after the word "exceeding," to strike out "eight" and insert "twelve," so as to read:

All articles other than those hereinbefore specifically provided for in this paragraph, not exceeding twelve one-thousands of 1 inch in thickness, 30 cents per pound.

Mr. WALSH of Massachusetts. This and following amendments has to do with an increase in the thickness of lithographic paper. The increase in thickness is to meet changes in the case of basic paper. I understand they now use a softer, thicker paper in the lithographic business. While the change would have a tendency to slightly increase the duty, it is not material; it is not important, and I do not object to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment was, in line 4, after the word "exceeding," to strike out "eight" and insert "twelve"; in line 9, after the word "exceeding," to strike out "eight" and insert "twelve"; in line 11, after the word "embossed," to insert "one-half of."

Mr. SMOOT. That is a decrease from the House rate.

Mr. WALSH of Massachusetts. It is a decrease from the House rate on paper of a particular thickness.

Mr. SMOOT. The Senate committee has recommended a return to the 1922 rate.

Mr. WALSH of Massachusetts. Yes.

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

The amendment was agreed to.

The next amendment was, on page 195, in line 12, after the word "embossed," to strike out "2 cents" and insert "1 cent."

Mr. SMOOT. This amendment covers both die-cut and embossed paper, and is a reduction from 2 cents to 1 cent.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment was, on page 195, line 14, before the words "per pound," to strike out "10 cents" and insert "7½ cents."

Mr. WALSH of Massachusetts. I understand that the House rate was an increase over the present law, and that the Senate committee have restored the rate of the present law. I have no objection to the amendment.

Mr. SMOOT. The Senate committee have restored the present rate, and it is in conformity with all the other reductions made in the paragraph.

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

The amendment was agreed to.

The next amendment was, on page 197, line 6, after the word "paper," to strike out "envelopes not" and insert "envelopes, filled or unfilled, whether the contents are dutiable or free, not."

Mr. WALSH of Massachusetts. Mr. President, the change makes dutiable envelopes, whether filled or not filled, and whether the contents are dutiable or free. Under the present law these are free. There is no change in the case of the envelopes; the change is only when they are filled. Heretofore they were assumed to be containers and were allowed to come in free of duty. Now it is proposed, and I think correctly, that the envelopes should bear a duty as well as the contents of the envelopes when the contents are dutiable.

Mr. SMOOT. In other words, we find that foreign countries are advertising in the United States by putting very fine lithographic advertisements in envelopes and sending them here by mail. They come into the United States by the millions. I have not a sample with me, but I know Senators have seen samples. As I have said, they constitute some of the finest kind of advertising matter. A list of names of citizens of the United States is obtained and the advertisements are sent over here from foreign countries by mail. Under the present law they come in free. This amendment will simply block up that hole; that is all.

Mr. WALSH of Massachusetts. The amendment is in accordance with recommendations made by the customs officials of the Treasury Department?

Mr. SMOOT. Yes.

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

The amendment was agreed to.

The next amendment was, in line 12, after the word "ad," to strike out "valorem" and insert:

*valorem: Provided*, That paper envelopes which contain merchandise subject to an ad valorem rate of duty or a duty based in whole or in part upon the value thereof shall be dutiable at the rate applicable to their contents but not less than the rates provided for herein.

Mr. SMOOT. That simply provides for the items that are within such envelopes.

Mr. WALSH of Massachusetts. The change made by the previous amendment necessitates a change being made at this place in the text.

Mr. SMOOT. That is correct.

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

The amendment was agreed to.

The next amendment was, on page 197, line 20, after the words "ad valorem," to strike out "paper commonly or commercially known as wall paper, composed in chief value of paper, printed, lithographed, dyed, or colored, but not wholly or partially covered with linseed-oil cement or flock, 30 per cent ad valorem," and insert "hanging paper, not printed, lithographed, dyed, or colored, 10 per cent ad valorem; printed, lithographed, dyed, or colored, 1½ cents per pound and 20 per cent ad valorem."

Mr. SMOOT. That is the present law. We thought it was very much better than the House provision, and we went back to the present law.

Mr. WALSH of Massachusetts. I favor that amendment; it restores the present law. I think there is not very much difference between the House and the Senate rates. It was simply a question of which was the better term to use to describe this kind of paper—whether it should be called "wall paper" or "hanging paper."

Mr. SMOOT. That is the difference, and the Senate committee thought that the description provided by the amendment was the better one.

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

The amendment was agreed to.

The next amendment was, on page 198, line 4, after the word "paper," to strike out "30 per cent ad valorem" and insert "5 cents per pound and 15 per cent ad valorem," so as to read:

Filtering paper, 5 cents per pound and 15 per cent ad valorem.

Mr. SMOOT. That is the rate of the present law, and we thought we ought to go back to it rather than to retain the rate provided by the House bill.

Mr. WALSH of Massachusetts. This item has to do with filtering papers, as I understand.

Mr. SMOOT. Yes.

Mr. WALSH of Massachusetts. The Senate committee amendment restores the present law?

Mr. SMOOT. It restores the present law.

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

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

The amendment was agreed to.

The next amendment was, on page 198, line 7, before the words "ad valorem," to strike out "30 per cent" and insert "20 per cent," so as to read:

Paper commonly or commercially known as cover paper, plain, uncoated, and undecorated, 20 per cent ad valorem.

Mr. WALSH of Massachusetts. This is cover paper, so called, and the rate represents a reduction. I have no objection to the amendment.

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

The amendment was agreed to.

The next amendment was, on page 198, line 16, after the word "photographs," to strike out "etchings, maps, and charts" and insert "and etchings"; and in line 18, after the words "ad valorem," to insert "maps and charts, 40 per cent ad valorem."

Mr. WALSH of Massachusetts. This is an amendment about which the Senator from Wisconsin spoke to me. It has to do with the rate on maps and charts and should go over for further consideration, as it is controversial. There is an increase on the rate on maps and charts from 25 to 40 per cent. The House rate was 25 per cent and the Senate rate is 40 per cent. I think it should go over.

Mr. SMOOT. Very well, Mr. President, let that amendment go over.

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

Mr. SMOOT. The next amendment is, on page 199, in line 16, insert the words "with or without text or greeting." It refers to gift cards.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 199, line 16, after the word "cards," it is proposed to insert "with or without text or greeting," so as to read:

Greeting cards, valentines, and all other social and gift cards, with or without text or greeting, 35 per cent ad valorem.

Mr. WALSH of Massachusetts. That is merely a clarifying amendment.

Mr. SMOOT. That is correct.

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

The amendment was agreed to.

The next amendment was, on page 199, line 17, after the word "booklets," to insert "with or without text or greeting," so as to read:

In the form of folders and booklets, with or without text or greeting, 45 per cent ad valorem.

Mr. WALSH of Massachusetts. That is also a clarifying amendment?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. WALSH of Massachusetts. I understand that paragraph 1413 is to be passed over.

Mr. SMOOT. That is to be passed over.

The PRESIDING OFFICER. Then, the schedule has been completed with the exception of the amendments passed over.

Mr. WALSH of Massachusetts. That leaves about three paragraphs for discussion upon which there will be some debate.

Mr. President, I will again call the attention of the Senate to the fact that the statement which I have asked to have inserted in the RECORD in connection with this schedule will be very helpful in showing what the rates of the present law are, the changes made by the House bill, and the changes recommended by the Finance Committee as to every item of this schedule.

Mr. McKELLAR. Has the Senator included in that statement the paragraph 1405?

Mr. WALSH of Massachusetts. Yes.

Mr. SMOOT. Mr. President, that brings us to the sundries schedule. I told a number of Senators that we would not take up that schedule to-night.

Mr. NORRIS. Mr. President, if the Senator will yield, I have an amendment to a committee amendment in that schedule which has to do with bells.

Mr. WALSH of Massachusetts. In which schedule?

Mr. NORRIS. In the sundries schedule. The amendment will probably lead to some debate, although I do not think it will lead to protracted discussion.

Mr. SMOOT. I think not. I have received some letters from the Treasury Department in regard to the item to which the Senator desires to offer an amendment, and I will bring the letters here and let the Senator read them.

Mr. NORRIS. I will not object if the Senator wants to take up the amendment now.

Mr. SMOOT. I do not want to take it up now.

Mr. NORRIS. I do not care to take it up now either. It may be that we can reach an understanding so that there will not be much discussion about it.

Mr. SMOOT. I have a letter from Mr. Bok, who unfortunately has died since the letter was written. I have also letters from others who are interested in this matter who have suggested as a compromise to allow the rate on bells to remain as it is, and to fix the rate on carillon bells at 20 per cent instead of 40 per cent.

Mr. NORRIS. As I understand the situation, the smaller bells are manufactured here, and I do not desire to take away whatever protection they ought to have. There will be a disagreement, however, as to where we should stop. Then my amendment provides that bells, over 25 in number, that are put in by universities or other educational institutions, or religious institutions, shall be admitted free of duty.

Mr. SMOOT. What is called the master collection—and we all agree to that—is composed of 32 bells. I will bring the correspondence over and show it to the Senator.

Mr. NORRIS. There may be a disagreement as to the number of bells; but the thing I am particularly anxious for, and it seems to me it is plain—I may be wrong about that, of course—is that these bells that are so large that as a matter of fact they have not been manufactured in this country up to the present time, to any extent at least, and I do not think at all—

Mr. SMOOT. Yes; they have been.

Mr. NORRIS. There will be a dispute about that—that where they are brought in by a religious or an educational institution, no duty at all shall be charged. I am going to try to have that amendment adopted; and perhaps on that point we may not agree. There will have to be some debate about that.

Mr. SMOOT. We will take up that subject when we reach it.

Mr. NORRIS. All right. I shall be glad to take it up with the Senator.

Mr. SMOOT. In the meantime I want to show the Senator just what is said by those who have been deeply interested in the matter. I referred to Mr. Bok simply because he was interested in this whole question; and I have letters from him and from other parties.

Mr. NORRIS. I also have quite a large amount of correspondence with various people, not to me directly, but to other people who are interested in this subject. I think probably there is an honest disagreement which it seems to me it ought to be easy to iron out.

#### ADDRESS BY SENATOR NYE BEFORE CONFERENCE ON CAUSE AND CURE OF WAR

Mr. NORRIS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by the junior Senator from North Dakota [Mr. NYE] before the Conference on Cause and Cure of War at Washington, D. C., on the 15th day of January, 1930.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection? The Chair hears none, and it is so ordered.

The address is as follows:

We may differ over the avenues to be pursued in accomplishing the end of war. The Hague, the Kellogg treaty, limitation conferences, the League of Nations, the World Court, these all have their champions and advocates. But we do not differ, we can not differ, if we are conscientious and honest in our purpose, over the desirability of putting war away as the thing to be resorted to in the settlement of disputes arising between nations.

For my own part, I am still very much adverse to any program which offers the remotest chance of America being drawn into ties and alliances which would make us parties to the intense intrigue involved in Europe. Repeated and insistent warnings have been given us by statesmen in every stage of our development and life as a Nation, warnings of the pitfalls awaiting those who would follow in the steps of or go hand in hand with others who for ages have been plotting and scheming for advantage. Europe's ages of secret understandings and treaties between heads imperialistically set forbid our going blindly into agreements which might in the end make us, unwittingly, parties to the messes which have been stored away for other

days. In darkness these understandings have been reached; in darkness they have been kept; and in darkness they will be found until that day when there shall be a will to abandon all secret treaties and understandings. I do not want my country stumbling into these dangers, if there is any way to avoid it, and I believe there are ways to avoid it and still accomplish that desire to lay war on the uppermost shelf as an instrument in settling disputes.

We speak of the consequences of outlawry of war as if that outlawry had been accomplished. Perhaps such an attitude pictures minds which are determined it shall be outlawed and that its being outlawed is in quite direct and immediate prospect. I hope this is the case.

But, how real is the possibility of the outlawry of war when we observe on every hand great nations building, and threatening to build, gigantic preparations for the next war? Are the people of the nations ready for and in a frame of mind calling for a peace that can not readily and easily be interrupted by the drums of war? What of the minds of those in whose hands each nation leaves the task of preparing for war? In a general way, what is the real prospect and possibility for that even which would mean so very much to future generations and the future of the world?

To-day we declare that there is little likelihood of war and that the last terrible conflict has taught the world a lesson it can never forget, and that such remembrance will positively forbid more war. How real is that likelihood?

How many of us in the years leading up to the World War saw that conflict breaking? Did we not instead all quite agree that the atmosphere was quite free from a will to war and causes for war? Of course we did. And yet while we were so believing—and let us not lose sight of the fact that our conclusions in that respect were quite the conclusions of all people, excepting those perhaps who were guiding in the preparations for war—while we were so believing the machines of war were being bulldozed and all was ready for the first batting of a threatening eyelash.

We said before the last war that the frame of the world mind was not one entertaining thought of wars. But in spite of this apparent frame of mind war came. There came war in spite of a world filled with people who, except for a comparative few—though not a negligible few we have since learned—were not wanting war, were not feeling warlike, and who were deploring war.

Surely there is not need to refer here to the consequences of that war. Some day some one may tell us who won it. Historians will forever declare the Allies the victors. Some of these same historians may go further, however, and declare the truth, namely, that every sector, every nation of people engaged in it lost—lost more heavily than any people have ever lost in a like given period of time before.

We all took part in that war. We rallied just as we should have rallied to the needs of our country. What at the inception of the conflict were but a mere handful became millions upon millions of individuals surrendering to a passion knowing no bounds. There came the end, and with it the cheering and the rejoicing over the fact that the frightful thing was over. With it came the resolve that this thing must never happen again. It at once became a lesson to every people and every nation, one which never was going to be forgotten. And the lesson was one which was going to be impressed upon all people for years and years and years—the years in which we were going to be paying the debts occasioned by the conflict.

Ah, how we talked, how all peoples resolved, how we did all take hope, through this talk and these resolves, that never again would a civilized world permit its passions to carry it to such extremes.

But the lesson did not last so long. The people, those who lost dear ones, those who suffered the most, those commonly referred to as the masses in all countries, they still have the lesson clearly before them. They want no more war and will contribute all within reason to the cause of peace. But my good friends, we are only back then to where we were before the last war, when there was no popular frame of mind calling for war. What I mean is just this, we still have a hair-trigger situation occasioned by the fact that there are forces at work in every nation to make certain that that nation is not going to be at a disadvantage and that if possible that nation be accorded an advantage in any test of armed force in the future.

We need to but scan our papers from day to day to know that the leading nations of the world are conducting programs in preparation for war which are entirely out of step with the fine talk and high resolves we heard following the last war. We see the plans of nations moving toward positive sea power second to none. We observe France at one stroke authorizing expenditures of \$160,000,000 to build lines of defense on her German borders. On every hand we hear the challenge and see the preparation for more war. Some of this talk may be only that for effect. But there is still enough to see after discounting the propaganda stories.

At once we Americans are given to accusing European powers of bad faith. We do this only when we ignore our own American preparation plans and work. But ignoring that conclusion, permit me to say that if we don't like the warlike preparations in Europe we have our own country largely to blame for it, first by the stupid example we

set, and second by a legislative program that ought to have been avoided.

Some one has said that the best cure for war is war. The thought here was that when a war-devoted people had to pay up expenses after a war they would be less apt to want more of it. And there is logic in the argument. It must not be discounted. But in the face of this logic we have been prevailed upon to virtually cancel a great block of the debt owing us by nations which engaged in the late war.

Perhaps our purpose in this debt cancellation was laudable. It made manifest on our part a spirit of liberality, of fair play, and cooperation. Perhaps America was in better position to shoulder the burden of these war debts than were our European allies. In any event the deed was done.

And how was it received? Was there appreciation? Oh, yes; there were expressions of appreciation, but it always struck me as being the kind of appreciation modern youth shows to the parent for the weekly allowance. Rather, it seemed, there was a feeling that we had only done what we ought to do and a feeling that eventually we could go further and do more. Was the debt cancellation act on our part received in the same full spirit which in part afforded it? Did our cancelling program do much more than make available to those nations means with which to carry on added programs looking to the building of stronger machinery of war?

As fast as obligations growing out of the last war have been satisfied, that fast has work been resumed in preparing for the next war. We canceled debts because, it was held, Europe could not hope to pay all she owed. And as we canceled we saw Europe enlarging upon expenditures for armaments. And I give it as a fair guess that if the private international bankers were to afford a measure of settlement to Europe in the case of private loans these bankers have made to these same countries, that reduction in obligations would in no small way be reflected in still greater expenditures for armaments.

Our debt-cancellation program, in other words, has hardly proven to be a peace program such as it was in a measure represented to be. Where we had hoped for a return of good will and confidence we won an increase in armaments ready for response in a moment of hate.

I opposed these debt settlements, yet I hoped that I might be wrong in my reasoning. I hoped that our liberality might win a response in keeping with the best interests and relations of the future. I hoped that our settlement would serve in a sense as part of a greater peace program, but instead of good will and improved international relations we have won a grand show of new and increased armaments placed ready for use in a moment of hate and prejudice.

Am I pessimistic over the promise of the outlawry of war? I hope I do not appear to be throwing cold water upon the hopes and efforts of those who are carrying on to that grand end, for that is not my purpose at all. Instead, I am merely striving to indicate those obstacles to overcome and those changes which must come before we can have outlawry of war in a genuine sense. I say that there never can be accomplished the outlawry of war until the world ceases making ready for more war. And the world will not cease its preparations for war until the people of the world take the power away from the fewer number who carry on in such a direction as has been followed.

I have made reference to the apparent European will to let preparations for more war go on. Over the back fence each European power watches the preparations of the neighbors, and immediately that power grows competitive and seeks not alone to win parity but advantage over those neighbors. They complain of their inability to pay the huge debt they won as one result of the last war and then when they are shown a cancellation of a large part of their obligation they find no difficulty raising through taxation or through the floating of loans to cautious American international bankers, who entertain no thought of affording any cancellation or settlement program on such private debts, the necessary funds to undertake new and ambitious armament programs. They go on and on and on building for more war.

And at the sight of this picture America impatiently throws her hands to heaven, utters a prayer, and then declares: "If Europe were only constituted as are we, we could have at once the fruits of the outlawry of war."

Oh, how we Americans do love to fool and bluff ourselves! How well we do tasks like that of declaring Europe alone guilty of delaying a lasting peace that can know no interruption by wars such as we have known! How seriously we can say, "Not guilty," in the very face of facts crowding before us day after day!

The facts are, if we will but face them and admit them, that we've been declaring our own good faith in the cause of outlawry of war while our believers in the use of force and a resort to war have been, with the aid of liberal appropriations by a Congress, going forward in a war-preparation program at a pace our country never before knew in peace times.

We say, "Not guilty." The world hears us and then looks to what we are doing and declares, "America lies," and we wonder why the nations of the world don't manifest that confidence in us that we should and do wish for.

Not guilty? My friends, we are as guilty in the matter of hindering positive war outlawry as any other people in the world. Yea, we are more guilty; more guilty because we are in a position to lead the world to that splendid goal by right example, but instead of so leading we choose to set an example only in talk that does not square with our actions and our deeds.

What is America doing to express what is said to be her desire for the positive outlawry of war? Let us take an inventory.

First, we authorize and proceed to the building of great sea craft. Oh, we didn't afford as much as our military advocates asked for and urged. No; but enough to indicate to the world that, though we talked of peace and the outlawry of war, we thought of war and the possible outlawry of peace at some future emergency or break in passions. We were sure we needed more cruisers if called upon to compete with England. And then, as if to emphasize our passion for peace, we give quite general assurance in Government circles that when these ships are completed there will be more started and finished.

There are those who will say, "Oh, but we had to have more ships to keep on a parity with Great Britain. Britain had us bested and we just had to show her we could compete."

How far away from parity with Great Britain were we when we authorized the building of more cruisers about a year ago? Well, Britain had a few more cruisers than we. We had Britain backed off the water in numbers of destroyers and submarines. Our total of cruisers, submarines, and destroyers was 430 as compared with 313 for Britain. Parity was lacking, our war makers declared, adding that Britain's total tonnage excelled ours by about 2,000. We were as near to having parity between the two countries in the matter of tonnage as could ever be hoped for. In number of ships we had the greater number by more than a hundred. But, they cried, all the while forgetting that the same was true of Britain's possessions of ships, many of that number are obsolete. (Obsolete? Why, they are all obsolete, my friends, if we want to use the term in its strictest sense. The next war will find cruisers and destroyers and all above-surface vessels of as great utility as the ordinary sea target set up for marksmanship purposes.)

But we built more ships. In the face of the facts, is it any wonder that the other powers of the world view our actions and then discount our sincerity in efforts toward the outlawry of war? What else could we expect? At once it is shown that it is not so much parity we want as it is a desire for advantage and superiority.

So much for one American expression of our sincerity to accomplish the outlawry of war. Let us move to a second proof of our good faith.

We went into the last war at short notice. It is said we were quite unprepared. For sake of the argument, let us admit that. We at once prepared by affording men to man the war-governing machinery here in Washington with such numbers as required great acres of new office construction.

Down here beyond the Washington and Lincoln Memorials we erected what is credited with being, or having been at one time, the greatest office buildings in the world in point of size, to accommodate the Army and Navy Washington quarters, this of course in addition to that War and Navy Building which had been ample in peace time. Our military forces used all this space, and let it be said it was none too good for those who carried on the work so nobly in that great emergency. But the great buildings thus thrown up were only of a temporary kind. With the war over, they would come down. To this day they are called only temporary constructions.

But the war has been over 11 years and still those temporary office quarters stand. Not only that, but they are kept in good repair. Not only that, but every foot of space is still occupied by a personnel devoted to the defense of country and preparation for war.

The buildings may have been temporary and only for the period of the war, but the personnel became something more than temporary. I am reciting this only to convey more clearly the point that we are far, far, far from being back to anything near normalcy as normalcy may relate to distance from war preparations. Our military organization necessary in war won an advantage which they have not abandoned since. What preparations we were making for war back in pre-war days required space and personnel in our Capital City that does not begin to accommodate the military forces officed here to-day, 12 years after the war.

When such facts are observed by our neighbors across the seas, what must become of our expressions of determination and desire to outlaw war? Do we prove our desire for war's outlawing by our action? Let us move to but one more so-called proof of our sincerity.

Surrounded as the United States is by neighbors who are not threatening and troublesome, and by two great expanses of sea, we are afforded what is frequently referred to as complete isolation from grave military dangers. Europe envies us that isolation. Her statesmen prayerfully express the wish that their countries might be as removed from military dangers as are we. They ponder the great savings of money they divert into useful channels quite removed from war if they but enjoyed the isolation which is ours.

What must be the reaction of these same European statesmen when they read Secretary of the Treasury Mellon's reports disclosing that of

every dollar spent by the American Government approximately 80 cents is spent to pay the bill for past and future war? Can the reaction possibly be other than this: "Why, Uncle Sam is making unusual preparations for trouble in the future; he must be anticipating trouble and we had better be preparing too. Sam doesn't act like he talks; he talks peace and the shelving of war, but he goes on preparing for war; his willing expenditures of money speak as loud as his words, probably louder."

With facts like these staring us in the face, can we go on fooling ourselves into believing that we are contributing a full and sincere share to the accomplishment of an end to war? We can not, and we can not expect the confidence of the world if we undertake peace leadership while we are armed and arming as we never have been or done in peace times of other days.

As a nation in peace leadership we give some reason to be charged with poor or bad faith. And yet it is not true that the people of America show poor faith in their own words and deeds. Our difficulty seems to arise and does arise out of the fact that the American people on the subject of outlawry of war talk one language which comes from deep conviction and sincerity of heart, while they permit a small minority of our people to win a program not in keeping with popular thought at all. And as long as we permit that situation to prevail, just that long will America fail to command that respect and confidence which will enable her to point the way and lead the way for a world to find freedom from the fear and consequences of war and from the terrific burdens which preparation for war occasions.

When we sincerely look to the cause of ending war let us resolve first of all to set our own house in respectable order. Let us afford our neighbors a chance to observe a house of peace and comfort without armaments concealed in and behind the furniture and drapes. If we would use the great and general power of example as is our golden opportunity, America would win that lasting place in the record of time which would make her truly the greatest of all nations.

Perhaps I am too confident in what it would do; perhaps I expect more from the power of example than really can be expected. I think not, however. I am sure that in matters such as war and peace the power of example is the greatest of all influences. I am sure that if, instead of ordering the building of more naval craft a year ago, we had declined response to the bidding of those we pay to keep America ready for war, a seeing world of people, with hearts like those within our own great army of citizens, would have demanded an end to the burdens which their leaders were fastening upon them by virtue of competition and the seeking after parity and advantage in a military way. How apt would American people be to tolerate gigantic war-preparation programs on the part of our Government and leaders if we were to be able to see that some great world power had declined to accept a program calling for greater preparations for war? Do we not know ourselves well enough to know that such would not be tolerated?

But, it is said, no such power foreign to our own has set such an example. Of course, that is true. And if we wait for one of the European powers to set such a pace, we never will do other than what we are doing now—racing to war or bankruptcy or both in every civilized nation on the globe. No other power is so advantageously situated as are we to set that right kind of example. The call is to America.

The real key to the outlawry of war is America. She needs but to abandon such programs as in the slightest way appear to be seeking after a military advantage over other powers. She needs but to cease effort which appears to be seeking too close and too strict a definition of parity in military strength. The call is to America to set the pace. And the American people want that call answered through a pace setting that is downward rather than upward in the matter of military construction and preparation. If the issue could be permitted to stand separately there is no doubt in my mind as to what the decision of the American people would be on this issue. But it can not now well be decided on its own merits. Too many other issues find their way to the front in political campaigns which name the men who are to represent the people in their Government. So the issue must be met and the call answered in some other way. It must be through the awakening of the people to their power to impress their desires upon their Government, which is truly expected to respond to those better interests of the people. It must be a program of education.

But there are problems in such a program. Problems there are, indeed, but not impossible of solution. It is the same problem which has been with us at least a hundred years. Ought not a hundred years find us better able to cope with a given problem? The problem is one calling for a part by everyone. On July 4, 1846, Charles Sumner, in one of the finest orations of our American time, raised the question of whether the age was demanding work in support of peace, and then answered his own question:

"Disarmament must begin. With this ending and this beginning the great gates of the future will be opened and the guardian virtues will assert a new empire. Alas! until this is done national honor and national glory will yet longer flaunt in blood, and there can be no true grandeur of nations \* \* \*. Is it said that this age does not demand this work?"

"The robber conqueror of the past, from fiery sepulcher, demands it; the precious blood of millions unjustly shed in war, crying from the ground, demands it; the heart of the good man demands it; the conscience, even of the soldier, whispers, 'Peace!' There are considerations springing from our situation and condition which fervently invite us to take the lead. Here should join the patriotic ardor of the land, the ambition of the statesman, the effort of the scholar, the pervasive influence of the press, the mild persuasion of the sanctuary, the early teaching of the school. Here, in ampler ether and diviner air, are untried fields for exalted triumphs, more truly worthy the American name than any snatched from rivers of blood. War is known as the last reason of kings. Let it be no reason of our Republic. Let us renounce and throw off forever the yoke of a tyranny most oppressive of all in the world's annals. As those standing on the mountain top first discern the coming beams of morning, so may we, from the vantage ground of liberal institutions, first recognize the ascending sun of a new era! Lift high the gates and let the King or Glory in—the King of True Glory—of Peace!"

In the winning of this cause, putting an end to war, we can not, of course, fool ourselves into believing that there are not many people, men and women, who must be converted to it. There are many, and conversion must be won over some of the deepest-seated prejudices people experience. What are these prejudices? They are the prejudices which have accompanied mankind through all history. But let me again permit Sumner to tell of it:

"I am well aware that efforts to reduce the militia are encountered by some of the dearest prejudices of the common mind—not only by the war spirit but by that other, which first animates childhood and at a later day, 'Children of a larger growth,' inviting to finery of dress and parade—the same which fantastically bedecks the dusky feather-cinctured chief of the soft regions warmed by the tropical sun, which inserts a ring in the nose of the North American Indian, which slits the ears of the Australian savage, and tattoos the New Zealand cannibal."

Ah, what a picture of our present-day problem! It is not a problem of disgracing or humiliating those who constitute our military forces to-day. Rather it is a problem of bringing about such responsive government as will give the American people at least as great a voice in the destiny of our Government and our country as seems to have been given to these military forces. The difficulty of solution ought to be less to-day than it was in Sumner's day, for the feathers of the chief win less worship than once they did, there are fewer rings in noses, fewer slit ears, and less tattoos commanding followings and winning worshippers.

I have gone far beyond my initial plans for this address to-day. But I have done it because I thought I saw a grave error in any possible conclusion that outlawry of war had been accomplished or was even on the threshold of accomplishment, unless our own great country was ready to do its full part in winning it.

I sincerely hope I have not spoken as one who has no hope for reasonably early accomplishment of the end of war. That would not be truthful of my mind in the matter. I do see rays of hope, some of them very bright, others holding potentialities which are very encouraging. I see in the late Kellogg pact a splendid step forward. I see in the approaching London conference possibilities which will once again bring all powers back onto the track of common sense and reason.

Pray that the real voice of all the millions upon millions of people throughout the world may be the voice used at that conference rather than the customary voice of those interests which are made prosperous by war and preparation for war. But after all is said and done, it is America which must set the pace at the conference, and in the effort which should follow if we are to win the day most prayerfully sought—the day of abandonment of war.

If, on the other hand, the London conference is to be a Washington conference repetition, to be followed by ship junking and then a plunge back into shipbuilding and armament competition, the gain will be a distinct loss. America has it in her power to make impossible such a program. If America will join such educators as is the author of All Quiet on the Western Front, and if America will voice her true self through her Government, there can be no uncertainty as to the outcome.

Now what of the consequences of such an outcome? Those consequences could not possibly be fully appreciated now by any of us. They would be domestic and they would be international. They would mount highly in numbers when enumerated. But the finest part of it is that all of the consequences of the outlawry of the war would be good and would be lasting.

A consequence would be the abandonment of fear and jealousy, the makers of intrigue, hate, and impatience among nations just as it is among people.

Another consequence would be the necessity of a settlement of disputes in that sane manner around a table where would grow the kind of confidence and understanding which never came out of a resort or a threat of resort to force.

But greatest of all the consequences growing out of war's outlawing would be that substantial economic and social gain which none can be so blind as not to see.

I am very proud of such efforts as our country has made to substitute investigation, deliberation, arbitration, and the exercise of common sense in the place of war. Though it has been restrained from doing that full service its people would wish for, America has none the less been the leader in this great cause. We have, I am quite sure, demonstrated an American conviction that war is but a surrender to passions by men, an unworthy thing in this day and age. Surely there can be no greater test for civilization than its willingness to submit controversies to the will of reason rather than force. For our country to lead in such a movement will establish our leadership as a great power in the finest, truest sense of the term. Our influence in the past has at no time been attributable to the prestige of our military forces but because of our accomplishments, our example as a Republic, and our refraining from a policy of getting something from another power rather than of trying to do something for others. We admire and record the courage and build monuments to those who die in conflict growing out of defense of rights and trespass upon rights, but some day there will be witnessed the building of monuments to the men who will lay down their lives rather than to trespass upon the rights of others.

And while I am proud of the contributions of my country to the cause of peace, I am as proud of and as happy in the work being done by people like you who are the sponsors of these conferences on the cause and cure of war.

Time will give you the credit owing. To-day you may be smiled upon by some who consider your kind of effort childish and of no use; but when the real cause for war is understood there will come the cure, and to those who dare devote themselves to its study intelligently must finally go the credit for the consequences which will be attendant upon its cure. Those consequences would without a shadow of doubt constitute the most important achievement of all history. As an instrument of policy international fear would thereby be abolished. Mankind has ever lived under the bondage of fear, the terrors of fear of alien powers, the dread of conquest, and the horrors of enforced labor following conquest. With these abolished, the possibilities of a liberated mass mind of humanity would carry the civilization to levels now unseen.

But there would be vastly more than this psychological effect as a consequence of the abandonment of war. Beyond possible enumeration would be the material consequences. One can only guess the initial results of so great a step in human experience. With the world mind in perfect repose, wholly void of any apprehension of necessity of defensive care, quite two-thirds or three-fourths of the entire expenditure of human energy, now devoted to the purpose of war, would be converted to peaceful and constructive uses.

In this enlightened age who can there be among us who does not feel a shade of shame creeping over him when it is acknowledged that about 80 per cent of the expenditures of the governments of people are devoted to war purposes? And deeper must grow that shade when we admit that even America's expenditures are so miserably divided. The thing stares us in the face. It staggers. Here is the United States spending 80 cents of each dollar it expends for war purposes, and the remaining 20 cents covers our expenditures in behalf of aid to agriculture, labor, commerce and industry, for the levying and collecting of great revenues, for the payment of salaries to thousands of officials and governmental employees, for the maintenance of courts of justice, for care and aid of public health and education, for supervision over the public domain, for the maintenance of parks and highways for the enjoyment and opportunity of the people, for the helping hand in a general way to the providing of happy and comfortable homes, and for the many more functions of government. What a situation after hundreds of years of progress in civilization.

It means just this: That in paying for past wars and preparing for future wars, the United States, on the basis of a budget of four billion dollars a year, is spending approximately three billion. If this could be distributed, instead, to public service and constructive purposes, in five years' time we could reproduce every mile of railway in the United States; would build eight Panama canals; would build and equip more than 60 universities greater than any now in the country. The sums devoted to war would in 10 years be sufficient to canalize every river in a system that would reach virtually every congressional district in the Union; enough to illuminate every city in the land; enough to furnish transportation for persons and property.

If it is impossible to catalogue the merely material results of the abandonment of war, and all of them would be objectives of any enlightened civilization, how dare one venture to outline the psychological, the cultural, the educational, the scientific, the intellectual, the moral, and the spiritual consequences of such?

These are consequences which I believe are dependent for accomplishment upon America, you and I. They are consequences which are bound to follow our putting into operation such work as will be in keeping with these following conclusions:



That government must respond to the wishes and interests of the masses of its people;

That there is need for world leadership and example;

That back of any successful war-outlawry program there must be the motive looking to the well being of the people of every country instead of the motive to perpetuate the status quo of international debts, of industrial relations, of commercial strife, of concessions of the rights and resources of all the people, in general to perpetuate necessarily the status quo of an existing order;

That in nearly every war it is the people who bear the burdens; it is the people who do the fighting, the suffering, and the dying and who pay all the costs; and that it is not the people who cause wars bringing them no advantage, but that they are caused by fear and jealousy coupled with the purpose of men and interests who expect to profit by them;

And finally, that more than we need any set-up of world machinery to judge and determine controversies, we need an abandonment of those causes which seek world control of money, of credit, and of trade, not in the name of a great people but in the name of selfish individuals and interests.

#### ORDER FOR RECESS

Mr. SMOOT. I ask unanimous consent that at the conclusion of to-day's business the Senate take a recess until to-morrow morning at 11 o'clock.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

#### EXECUTIVE SESSION

Mr. WATSON. I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business in open session.

The PRESIDING OFFICER laid before the Senate sundry messages from the President of the United States, transmitting executive nominations, which were referred to the appropriate committees, and appear at the end of to-day's Senate proceedings.

The PRESIDING OFFICER. Reports of committees are in order.

#### UNITED STATES MARSHAL, DISTRICT OF NEW HAMPSHIRE

Mr. KEYES. I ask unanimous consent for action at this time on the appointment of United States marshal in New Hampshire.

The PRESIDING OFFICER. The clerk will read the nomination.

The Chief Clerk read the nomination of Albert J. Chretien, of New Hampshire, to be United States marshal, district of New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent for the present consideration of the nomination. Is there objection?

Mr. McKELLAR. Mr. President, was there any objection upon the part of any one to this appointment?

Mr. KEYES. None whatever. It is a reappointment.

The PRESIDING OFFICER. Without objection, the nomination will be confirmed and the President notified.

#### UNITED STATES ATTORNEY, NORTHERN DISTRICT OF IOWA

Mr. BROOKHART. Mr. President, the Judiciary Committee has reported the nomination of Don A. Preussner to be United States attorney for the northern district of Iowa. I ask unanimous consent that it be considered at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa?

Mr. McKELLAR. Mr. President, was the committee unanimous?

Mr. BROOKHART. Yes.

Mr. McKELLAR. Is it a reappointment?

Mr. BROOKHART. No. Mr. Preussner is one of the best rifle marksmen in the world. I know that he is a good man for this office.

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

The Chief Clerk read the nomination of Don A. Preussner, of Iowa, to be United States marshal, northern district of Iowa, to succeed Charles Kloster.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

Are there further reports of committees? If not, the calendar is in order.

#### INTERSTATE COMMERCE COMMISSION

The Chief Clerk announced the nomination of William E. Lee, of Idaho, to be a member of the Interstate Commerce Commission, vice Johnston B. Campbell, resigned.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

#### THE JUDICIARY

The Chief Clerk announced the nomination of Hugh L. Patton to be United States marshal, district of Wyoming.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

#### DEPARTMENT OF THE INTERIOR

The Chief Clerk proceeded to announce sundry nominations in the Department of the Interior.

The PRESIDING OFFICER. Is there objection to the confirmation of these nominations en bloc? The Chair hears none. The nominations are confirmed, and the President will be notified.

#### POSTMASTERS

The Chief Clerk proceeded to announce the nominations of sundry postmasters.

Mr. McKELLAR. Mr. President, I do not see the chairman of the Committee on Post Offices and Post Roads present. I therefore ask unanimous consent that the nominations of postmasters may be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The nominations are confirmed, and the President will be notified.

#### NAVY AND MARINE CORPS

The Chief Clerk proceeded to announce sundry nominations in the Navy and Marine Corps.

Mr. HALE. I ask that the nominations be confirmed en bloc and the President notified.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The nominations are confirmed, and the President will be notified.

That concludes the calendar.

#### CUSTOMS SERVICE

Mr. SMOOT. Mr. President, certain nominations were sent in to-day that I ask to have acted upon at this time.

The legislative clerk announced the nomination of Thomas W. Whittle, of New York, N. Y., to be surveyor of customs in customs collection district No. 10, with headquarters at New York, N. Y.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

Mr. McKELLAR. Mr. President, are these nominations just being reported?

Mr. SMOOT. They were reported this morning.

Mr. McKELLAR. Can they not go to the calendar?

Mr. SMOOT. I have presented them to both Senators from the States concerned, and they have O. K'd every one of them. I have made a practice of doing that all my life.

Mr. McKELLAR. There is no objection on the part of any one?

Mr. SMOOT. None whatever.

Mr. McKELLAR. Under those circumstances, I shall not object; but I think it would be better to let these nominations go to the Calendar, so that Senators may have one day in which to examine them. I shall not object, however.

Mr. SMOOT. I have made it a practice never to report a nomination if there is objection on the part of either one of the Senators from the State concerned.

Mr. McKELLAR. I know; but I think as a rule it is better to let them go to the calendar, so that we can have a printed calendar containing the names; but I am not going to object to these nominations to-day.

The Chief Clerk announced the nomination of Charles H. Holtzman, of Cumberland, Md., to be collector of customs for customs collection district No. 13, with headquarters at Baltimore, Md.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

The Chief Clerk announced the nomination of Charles L. Sheridan, of Great Falls, Mont., as collector of customs for customs collection district No. 33, with headquarters at Great Falls, Mont.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

The Chief Clerk announced the nomination of William B. Hamilton, of San Francisco, Calif., to be collector of customs for

customs collection district No. 28, with headquarters at San Francisco, Calif.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

#### PUBLIC HEALTH SERVICE

The Chief Clerk announced the nomination of Asst. Surg. Felix R. Brunot to be passed assistant surgeon in the Public Health Service, to rank as such from January 27, 1930.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

The Chief Clerk announced the nomination of Acting Asst. Surg. Ralph Gregg to be assistant surgeon in the Public Health Service, to take effect from date of oath.

The PRESIDING OFFICER. Is there objection to confirmation? The Chair hears none. The nomination is confirmed, and the President will be notified.

#### RECESS

Mr. WATSON. In accordance with the unanimous-consent order hitherto entered, I move that the Senate take a recess, the recess being until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Friday, January 17, 1930, at 11 o'clock a. m.

#### NOMINATIONS

*Executive nominations received by the Senate January 16 (legislative day of January 6), 1930*

##### ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Henry Wharton Shoemaker, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States of America to Bulgaria.

##### UNITED STATES ATTORNEY

Andrew B. Dunsmore, of Pennsylvania, to be United States attorney, middle district of Pennsylvania. (He is now serving in this office under an appointment expiring December 14, 1929.)

##### UNITED STATES MARSHAL

Jacob D. Walter, of Connecticut, to be United States marshal, district of Connecticut. (He is now serving in this office under an appointment expiring January 5, 1930.)

##### COMPTROLLER OF CUSTOMS

Dwight Hall, of Dover, N. H., to be comptroller of customs in customs collection district No. 4, with headquarters at Boston, Mass. (Reappointment.)

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate January 16 (legislative day of January 6), 1930*

##### INTERSTATE COMMERCE COMMISSIONER

William E. Lee.

##### COLLECTORS OF CUSTOMS

Charles L. Sheridan, for customs collection district No. 33.  
Charles H. Holtzman, for customs collection district No. 13.  
William B. Hamilton, for customs collection district No. 28.

##### SURVEYOR OF CUSTOMS

Thomas W. Whittle, in customs collection district No. 10.

##### UNITED STATES MARSHALS

Alfred J. Chretien, district of New Hampshire.  
Don A. Preussner, northern district of Iowa.  
Hugh L. Patton, district of Wyoming.

##### REGISTERS OF THE LAND OFFICE

John Wilburn Moore, Little Rock, Ark.  
John C. Ing, Sacramento, Calif.  
Brainerd B. Smith, Los Angeles, Calif.  
Peter G. Johnston, Blackfoot, Idaho.  
James H. H. Hewett, Alliance, Nebr.  
Miss Clara M. Crisler, Carson City, Nev.  
Hamill A. Canaday, Roseburg, Oreg.  
Dr. James W. Donnelly, The Dalles, Oreg.  
Eli F. Taylor, Salt Lake City, Utah.  
Joseph T. Booth, Evanston, Wyo.  
Mart T. Christensen, Cheyenne, Wyo.  
John Ira Kirby, Buffalo, Wyo.

##### PUBLIC HEALTH SERVICE

Acting Asst. Surg. Ralph Gregg to be assistant surgeon.  
Asst. Surg. Felix R. Brunot to be passed assistant surgeon.

#### PROMOTIONS IN THE NAVY

Orin G. Murfin to be rear admiral.  
Earle C. Metz to be commander.  
William I. Lehrfeld to be lieutenant commander.  
Frank Akers to be lieutenant.  
Harold M. Shanahan to be lieutenant (junior grade).  
Charles E. Riggs to be medical director.  
George H. Mills to be assistant dental surgeon.  
Thomas E. Crowley to be assistant dental surgeon.  
Jesse B. Bancroft to be assistant dental surgeon.  
Edwin A. Thomas to be assistant dental surgeon.  
Hugh C. Adams to be chief gunner.  
Ernest L. Rairdon to be chief gunner.  
Harold L. Whiteacre to be chief gunner.

#### PROMOTIONS IN THE MARINE CORPS

Frank Halford to be colonel.  
Earl H. Jenkins to be major.  
Charles A. Wynn to be major.  
Miller V. Parsons to be captain.  
Charles W. Henkle to be captain.  
Solon C. Kemon to be captain.  
Theodore G. Laitsch to be chief marine gunner.

#### POSTMASTERS

##### ILLINOIS

Hazel Hayes, Armington.  
Allen W. Cantrall, Athens.  
Tice D. Mason, Browns.  
John A. Bateman, Clay City.  
Chalon T. Land, Enfield.  
Cora A. Draper, Evergreen Park.  
Charles S. Russel, Neponset.  
Orth B. Sanders, Roberts.  
Aquila E. Miller, Salem.  
Bertha M. Smith, Savanna.  
Edwin Temple, Tampico.  
Gilbert R. Huffstodt, Wyanet.

##### IOWA

William W. Moore, Ainsworth.  
James F. Temple, Bode.  
Andrew N. Jensen, Elk Horn.  
Mary B. Gibson, Emerson.  
Earl M. Skinner, Farnhamville.  
Emil C. Weisbrod, Fenton.  
William S. Ferree, Hillsboro.  
Martin A. Aasgaard, Lake Mills.  
Luther C. Temple, Lewis.  
Charles J. Denick, Miles.  
Carl Nielsen, Moorhead.  
Iva McCreedy, Riverside.  
Nettie Lund, St. Ansgar.  
Eric L. Ericson, Story City.

##### MAINE

Henry W. Owen, jr., Bath.  
Mary S. Bartlett, Belgrade Lakes.  
Geneva A. Berry, Brownville Junction.  
Harry P. Jameson, Cornish.  
Flavie Fournier, Eagle Lake.  
Archie D. Clark, East Corinth.  
Joseph B. Lewis, Hampden Highlands.  
Byron E. Lindsay, Kingman.  
Edna G. Chase, Limestone.  
Hattie M. Higgins, Mapleton.  
Montrose E. Hill, Old Orchard Beach.  
Isaac T. Maddocks, Sherman Mills.  
Neillie O. Gardner, Smyrna Mills.  
William F. Putnam, York Harbor.

##### MARYLAND

Benjamin F. Woelper, jr., Baltimore.

##### MINNESOTA

Svend Petersen, Askov.  
Emil M. Blasky, Mahnomen.  
David L. Williams, Rochester.

##### MISSISSIPPI

Fletcher H. Womack, Crenshaw.  
John Gewin, De Kalb.  
Thomas R. Swartwout, Pascagoula.  
Mary A. Patterson, Pinola.  
Lila Jones, Raymond.  
Minnie O. Sharbrough, Rolling Fork.

## MONTANA

William J. Fransham, Bozeman.  
Henry C. Redman, Moore.

## NEW JERSEY

Arthur Taylor, Boonton.  
John R. Fetter, Hopewell.  
S. Matilda Mount, Jamesburg.  
Walter E. Harbourt, Netcong.  
Samuel Locker, Parlin.  
Eleanor H. White, Plainsboro.  
Albert M. Wiggins, Succasunna.

## PENNSYLVANIA

Ruby F. Austin, Edinboro.  
Caroline E. Boyer, Kersey.  
James H. Beamer, Manor.  
Otto A. Speakman, Meadville.  
John E. Muder, Saxonburg.

## SOUTH CAROLINA

Tolbert O. Lybrand, Swansea.

## TENNESSEE

George B. Creson, Mulberry.

## TEXAS

Mamie E. Bonar, Aubrey.  
Leslie L. Cates, Ben Wheeler.  
Frances M. Taylor, Best.  
Newell-S. Hanna, Crandall.  
Herbert L. Barker, Cumbly.  
Willie P. Hallmark, Dublin.  
Walter S. Yates, Forney.  
John A. Guyer, Friona.  
Keziah Shields, Glen Rose.  
Matilda Akeson, Hale Center.  
Clemons E. Littlefield, Harwood.  
Charlie B. Starke, Holland.  
William M. Huddleston, Hubbard.  
W. D. Cornett, jr., La Pryor.  
Arthur Treadaway, Lindale.  
Edmund R. Gallagher, San Diego.  
William P. Harris, Sulphur Springs.  
Kit C. Stinebaugh, Walnut Springs.

## VERMONT

Florence H. Hayward, Randolph.  
Martha G. Kibby, Randolph Center.

## VIRGINIA

Otey L. Mason, Big Island.  
Creighton Angell, Boone Mill.  
Nancy E. Berry, Dahlgren.  
Bernard R. Powell, Franklin City.  
Lewis B. Connelly, Lawrenceville.  
Harry M. Giles, Roseland.  
Richard M. Epes, South Hill.  
Hersey Woodward, jr., Suffolk.  
Otey E. Hancock, Trevilians.  
George C. Brothers, Whaleyville.

## HOUSE OF REPRESENTATIVES

THURSDAY, *January 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:

We have sweet satisfaction, our Father in Heaven, in Thy daily mercies and in a consummation which doth bring to us thoughts of Thy care. We would pray for a disposition to improve Thy dealings with us for our spiritual and everlasting good. Strengthen those supreme moral sentiments of our souls, which are faith and hope, and make love high above either of these and above all other things, for love is God. Establish us in purity and in integrity, and may they expel our lower feelings and rectify and cleanse us from all evil. We pray in the name of our Savior. Amen.

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

## MESSAGE FROM THE SENATE

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

H. R. 6344. An act to amend title 28, section 192, United States Code, in respect to the terms of court in the western judicial district of Virginia.

## PERMISSION TO ADDRESS THE HOUSE

Mr. FRENCH. Mr. Speaker, I ask unanimous consent on Monday next to address the House for one hour, following the reading of the Journal and the disposition of business on the Speaker's table.

The SPEAKER. The gentleman from Idaho asks unanimous consent that on Monday after the reading of the Journal and the disposition of business on the Speaker's table he may address the House for one hour. Is there objection?

Mr. BLACK. Reserving the right to object, on what subject?

Mr. FRENCH. I want to speak on the general subject of what I think we may have the right to hope for from the London Naval Conference.

Mr. BLACK. I ask unanimous consent, Mr. Speaker, that following the gentleman from Idaho I may have 10 minutes.

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

There was no objection.

## WITHDRAWAL OF PAPERS

Mr. HANCOCK. Mr. Speaker, yesterday I asked unanimous consent to withdraw certain papers in connection with the case of Robert J. Ashe (H. R. 9316), Sixty-seventh Congress, second session, without leaving copies, no adverse report having been made thereon. I renew that request at the present time. I understand that is consistent with the present practice of the House.

The SPEAKER. The gentleman from New York asks unanimous consent to withdraw from the files of the House, without leaving copies, the papers in the case of Robert J. Ashe (H. R. 9316) Sixty-seventh Congress, second session, no adverse report having been made thereon. Is there objection?

There was no objection.

## MEMBERSHIP IN THE HOUSE

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from Nebraska [Mr. HOWARD] for 15 minutes.

Mr. HOWARD. Mr. Speaker, the sun is shining this morning for the first time in about 6 days, and this morning for the first time in 60 days I have read in a metropolitan newspaper an editorial article laudatory of this Congress.

Mr. Speaker, on frequent occasions I have listened to men standing here and endeavoring to tell what sacrifices they have made in order to perform the service of a Member of this greatest legislative body in the world, and always I have thought how differently these men view their high state from the manner of my viewing it.

Mr. Speaker, I believe that membership in this House is a post of the highest honor within the gift of men; that honor that has been conferred upon me by being privileged to be numbered among this membership. In my association here with the Members of the House I have discovered some of the most beautiful personalities that ever came to meet me on the pathway of life, and I shall cherish them forever. My whole life, I feel, has been burnished and brightened and blest by touch with them. This morning, in the few moments allotted to me by the generosity of the House, I desire to speak more particularly of one magnificent personality in American public life to-day.

Upon the pathway of duty every public man must some day meet a crucial test, and the manner of the meeting will forever thereafter stamp him as worthy or unworthy to be acclaimed among the noble and the true.

Right here in Washington a few days ago a public man, very large in the eye of the world, was called upon to meet a crucial test, and the manner of his meeting of that test will forever stamp him as first among his equals in the ranks of American patriots. During all his long, useful, and brilliant career this statesman had believed unfalteringly and had advocated eloquently that this greatest Republic the world has ever known rested upon a triune foundation, the three principal stones of which were the red granite of the legislative, the brown stone of the executive, and the ermine marble of the judiciary. He had believed, and now believes, that the perpetuity of the Republic depends upon the attitude of those three branches of the Government each toward the other, resisting boldly any and every attempt of the one to wrest from either of the others a function or a prerogative. Each must be forever supreme in the sphere allotted to it by the fathers who had laid the foundation of our Government so deep and so true.