

**CONFIRMATION OF DANIEL D. MOORE
TO BE COLLECTOR OF INTERNAL REVENUE**

HEARING

BEFORE A

**SUBCOMMITTEE OF THE
COMMITTEE ON FINANCE
↑ UNITED STATES ^{Congress.} SENATE**

SEVENTY-THIRD CONGRESS

SECOND SESSION

ON

**CONFIRMATION OF DANIEL D. MOORE, OF NEW ORLEANS, LA.,
TO BE COLLECTOR OF INTERNAL REVENUE**

—————
FEBRUARY 19, 1934
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Printed for the use of the Committee on Finance



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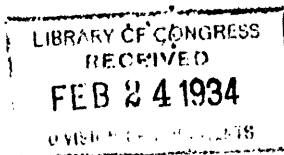
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Feb. 19, 1934

CONFIRMATION OF DANIEL D. MOORE, TO BE COLLECTOR OF INTERNAL REVENUE

MONDAY, FEBRUARY 19, 1934

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON FINANCE,
Washington, D.C.

The subcommittee this day met at 10:30 a.m., with the following members present: Senator Alben W. Barkley, chairman; Senator Harry Flood Byrd; Senator David A. Reed.

Also present, Senator Harrison, chairman, Committee on Finance. Senator BARKLEY. The subcommittee has convened for the purpose of considering the nomination of Daniel D. Moore of New Orleans, La., to be collector of internal revenue for the district of Louisiana, in place of Lawrence A. Merrigan.

While we are waiting, here is a letter which Senator Long has written to the subcommittee, which I will read and have put in the record:

FEBRUARY 19, 1934.

In re: Appointment of D. D. Moore for internal revenue collector, State of Louisiana.

To the SUBCOMMITTEE AND THE SENATE FINANCE COMMITTEE.

GENTLEMEN: I am required to attend a meeting of the Senate Judiciary Committee at the same hour as your meeting, and I write to urge that the above appointment is personally objectionable to me.

Yours respectfully,

HUEY P. LONG, *United States Senator.*

I think it only fair to state, as chairman of this subcommittee, that when Senator Long indicated to the full committee that he objected to the confirmation of Mr. Moore, a subcommittee was appointed to hear his objections, and that a tentative date was set for hearing his objections, and that he requested that the hearing be postponed until the latter part of January, because he had to go to New Orleans in connection with some matter of personal interest to him—I presume, the campaign for mayor—and at his request the hearing was postponed until after he could return, and after he returned the chairman attempted to fix dates for the hearing of this protest, and notified Senator Long and Mr. Moore, 10 days or 2 weeks ago, that the hearing would be had today.

In response to all this, Senator Long sends this letter, which indicates that the meeting before the Judiciary Committee, in his estimation, is more important than this meeting, and rather indicates that he does not intend to appear personally, as far as I can judge from the letter. I think that the record ought to show all this, and if there is any other thing in that connection that I have not stated, I would be glad for anyone on the subcommittee to state.

Mr. GERALD SMITH. Senator Barkley, may I venture to remark—

Senator BARKLEY. Do you want to be heard?

Mr. SMITH. I think I could enlighten you on this, Senator Barkley.

Senator BARKLEY. What is your name?

Mr. SMITH. I am Gerald Smith. I represent, as an officer, the State Federation of Louisiana, and these courtesies that your committee has shown, have been shown to the State Federation.

Senator BARKLEY. Are you here representing Senator Long?

Mr. SMITH. No. I am here representing the State Federation of Labor, absolutely nonpartisan.

Senator BARKLEY. Well, what I was saying was with reference to him.

Mr. SMITH. No; but we appealed to our Senators to have this meeting adjusted so that our State labor organization could be represented at this hearing.

Senator BARKLEY. Well, we are going to hear you.

Mr. SMITH. Yes.

Senator BARKLEY. But I merely wanted the record to contain Senator Long's letter and the additional statement that I have made.

Mr. SMITH. I wanted to say that he made the request for a postponement at our request.

Senator BARKLEY. There is no criticism of the postponements. They have been made upon my own responsibility. Senator Long and everybody else has been given every opportunity to appear here, in person.

Mr. SMITH. I want to take the full responsibility—

Senator BARKLEY. When I notified him that we would hear him today, I knew nothing about any Judiciary Committee hearing, until this letter came this morning. I want the record to show that.

I have here also a telegram which Vice President Garner has sent over, addressed to him by Mr. J. H. Muhs, secretary of the New Orleans Central Trades and Labor Council, which reads as follows:

New Orleans Central Trades and Labor Council requests that confirmation of appointment of D. D. Moore as collector of internal revenue be denied as he has been antagonistic toward organized labor.

J. H. MUHS, *Secretary.*

I think you might as well go ahead, Mr. Smith. Is there anyone here who personally represents Senator Long?

Is there anyone here who desires to appear in opposition to this confirmation?

Mr. SMITH. Yes, sir.

Senator BARKLEY. All right. Come forward. Give the stenographer your full name and residence.

STATEMENT OF GERALD SMITH, OF SHREVEPORT, LA.

Mr. SMITH. My name is Gerald Smith, of Shreveport, La., officer of the State Federation of Labor.

Senator BARKLEY. What is your position in the State Federation of Labor?

Mr. SMITH. Vice president.

Senator BARKLEY. Will you be sworn?

(The witness was duly sworn by Senator Barkley.)

Mr. SMITH. Mr. Chairman, in order that I may very briefly give my credentials, I desire to read just one statement. I desire to state, at the outset, that I represent only one group of people in the State of Louisiana, and that is the workers, representing nearly 200,000 people whose breadwinners are organized workers.

Here is a letter I have from Mr. William Green, which I do not desire to present to this committee. I shall be glad to show it to you.

The officers of the Louisiana State Federation of Labor have informed me of the substantial service which you have rendered and are still rendering to the cause of the wage-earners of Louisiana. It seems that in view of the splendid work you are doing, as indicated by correspondence, I should write and express to you formally my appreciation of your services, and my good wishes for the continuation of your work.

Very truly yours,

WILLIAM GREEN,
President American Federation of Labor.

Senator BARKLEY. What is the date of that letter?

Mr. SMITH. The date of that letter was July 20, 1933.

I have a letter from our president of our State federation of labor, Mr. E. H. Williams, authorizing me to speak for the State federation of labor.

Senator BARKLEY. What is the date of that letter?

Mr. SMITH. January 26, 1934.

Senator BARKLEY. Do you want to file those letters with the committee?

Mr. SMITH. Yes.

Senator BARKLEY. Just give them to the stenographer.

(The letters referred to are as follows:)

AMERICAN FEDERATION OF LABOR,
EXECUTIVE COUNCIL,
Washington, D.C., July 20, 1933.

Rev. GERALD L. K. SMITH,
Shreveport, La.

DEAR DR. SMITH: The officers of the Louisiana State Federation of Labor have informed me of the splendid service which you have rendered and are still rendering to the cause of the wage earners in Louisiana. It seems to me that in view of the splendid work you are doing, as indicated by my correspondents, that I should write and express to you formally my appreciation of your services and my good wishes for the continuation of your work.

Very truly yours,

WILLIAM H. GREEN,
President American Federation of Labor.

SHREVEPORT, LA., *January 26, 1934.*

Mr. WILLIAM GREEN,
President American Federation of Labor, Washington, D.C.

DEAR Mr. GREEN: This will introduce Mr. Gerald L. K. Smith, who is an honorary official of the State Federation of Labor, and one of the best friends we have in Louisiana. He understands our movement, and has perhaps done more to increase our membership in this State than any other one man. He enjoys the confidence and respect of the leading citizens of our State, as well as of labor officials. He has been especially valuable recently, in helping to organize the oil-refinery workers, the automobile mechanics, the bus drivers, the cooks and waiters, and has helped to strengthen many of our discouraged locals. He has perhaps addressed more workers in open mass meetings in behalf of organized labor, than any man in the history of our movement.

You may rest assured that anything he says to you will accurately represent the spirit of the Louisiana State Federation of Labor. At no time has he received any remuneration for the services he has rendered.

He is now in Washington, relative to the C.W.A. situation, and upon learning that he was to be in Washington, we asked him to pay you a visit and discuss some highly important problems about which we are seriously concerned.

Sincerely yours,

E. H. WILLIAMS,
President Louisiana State Federation of Labor.

Mr. SMITH. I also have a copy of a letter which Mr. Williams sent to Mr. William Green. I will file that.

(The letter referred to is as follows:)

BUILDING TRADES DEPARTMENT OF THE
AMERICAN FEDERATION OF LABOR,
*American Federation of Labor of New Orleans and Vicinity,
New Orleans, La., January 27, 1934.*

Mr. WILLIAM GREEN,
President American Federation of Labor, Washington, D.C.

DEAR BROTHER GREEN: The New Orleans Building Trades Council in regular session protests the appointment of one D. D. Moore as internal revenue collector of this district.

This D. D. Moore has done more against the labor union in our State than any man we have had dealings with.

He is a leader in lock-out movements, a champion of yellow-dog agreements, and has consistently fought organized labor.

The council does not care to recommend a man, but ask that you use your good office to see that a man is appointed who is in harmony with organized labor.

Fraternally yours,

WILLIAM RUTH,
President New Orleans Building Trades Council.

Mr. SMITH. When I went down to Senator Overton's office and Senator Long's office and told them that we proposed to protest this appointment on the basis of Mr. Moore's labor record and the influence he had had upon labor conditions in the State of Louisiana, Senator Long gave his complete file on the question to me.

I will file that letter from Mr. Williams. I think I have it a little further down, and with your consent I will file it just a little later.

I have here, and will have here this afternoon—and of course I talked to Mr. Howard the other day, on the way down from New York to Indianapolis. He is the president of the International Typographical Union. He said, Mr. Chairman, that this problem of the appointment of Mr. Moore was not a State problem, but that it was an international and a national problem, because, out of the bad typographical situation that developed in New Orleans, and the antilabor situation that developed in New Orleans, among the newspapers, bad situations had developed in other cities, and that the International Typographical Union was ready, if necessary. They felt that our case was so strong that they need not mobilize a man here from Indianapolis, just for this one appointment, but that they expected to forever remember the bad influence that this man had had, not only on the organized typographical workers, but upon all organized labor in the city of New Orleans, and especially in the whole southern area.

Here is a wire that was sent to Mr. Howard, president of the International Typographical Union, a copy:

NEW ORLEANS, January 25, 1934.

CHARLES P. HOWARD,
*International President International Typographical Union,
 Indianapolis, Ind.*

Local Typographical Union, No. 17, and other labor bodies of this city are strongly protesting against the confirmation of D. D. Moore as collector of internal revenue at New Orleans for the reason that he assumed a severe antilabor attitude in a lockout of union newspaper workers in the year 1914, since which time that newspaper's agitation against union labor has encouraged other anti-union activities in this city. It would be a blow to union labor in New Orleans if that man was confirmed.

EDWARD L. JAUCHLER,
President New Orleans Local, No. 17.

Senator BARKLEY. File that.

Mr. SMITH. Glad to file that, sir.

Now, I have a lengthy letter here from the New Orleans Allied Printing Trades Council:

Our council has on several occasions written to you with reference to the appointment of Mr. D. D. Moore to the position of internal-revenue collector for the Port of New Orleans.

Senator BARKLEY. To whom is that addressed?

Mr. SMITH. This was addressed to the United States Senate.

Senator BARKLEY. Who received it? Who received it?

Mr. SMITH. I suppose this is a copy of a letter, or a letter that I am supposed to deliver to you.

Senator BARKLEY. Oh, yes; all right.

Mr. SMITH. I presume that I am to deliver that to you.

Senator BARKLEY. All right.

(The letter referred to is as follows:)

NEW ORLEANS ALLIED PRINTING TRADES COUNCIL,
New Orleans, La., January 25, 1934.

UNITED STATES SENATE,
Washington, D.C.

GENTLEMEN: Our council has on several occasions written to you with reference to the appointment of Mr. D. D. Moore to the position of internal revenue collector for the port of New Orleans.

Mr. Moore, as you know, came to our city as a tramp printer, and after being housed and fed by the New Orleans Typographical Union No. 17, finally procured a position as "sub" on the old Times-Democrat of New Orleans. Through luck "breaks" he finally got a steady position as a linotype operator, and through more lucky breaks (through the death of others) he got to be the President of the Times-Democrat, which later merged with the Daily-Picayune of our city.

In 1914, when a number of our boys were starving through lack of work, New Orleans Typographical Union No. 17, tried to put through the first 5-day week in America, in order that all might live, and that they might give employment to the other tramp printers, who might come into town. But, Mr. Moore, being president, forgot that he was once a tramp printer and like the dog in the manger, bit the hand that was feeding him.

During the latter part of 1914, Mr. Moore sent the New Orleans Typographical Union a "yellow-dog contract", which in effect took away every vestige of power from the union man. Upon the receipt of this vile contract, the unions took all their men out of his plant. He then deliberately sent out of town for strike breakers, to fill the positions of honest, law-abiding, laboring citizens and taxpayers of our city.

We tried every available honorable measure to have Mr. Moore withdraw this yellow-dog contract but to no avail. In January 1915, New Orleans Typographical Union at a meeting assembled "ratted" Mr. D. D. Moore along with others of his ilk for submitting such a document. We are informed, from reliable sources, that after leaving New Orleans, he tried to lock out union men in Fort Worth, Tex. His anti-union proclivities have been universal.

Therefore, because of his record of sponsoring the yellow-dog contract and other movements contrary to the spirit of the Roosevelt Administration, we vigorously and strenuously oppose the appoint of Mr. D. D. Moore.

We feel thoroughly justified in taking this stand and appeal to your august body to consider this appointment with the same appreciation for the ideals of the labor movement that has characterized your appointments theretofore.

In view of the unusual fairness that your body has shown organized labor, we are perfectly willing to trust the appointment of the new collector of internal revenues, to you. Your conduct thus far pertaining to organized labor, has won our confidence, and we know that you will not do anything that will break this confidence which is unanimous in the State of Louisiana.

Needless to say, like all other States, we have our political factions, but we can say here and now, that when it comes to our appreciation of the square deal you have given organized labor, we are one in our appreciation.

We are not writing this letter with the view of suggesting any name or names for the appointment, but in view of what we know about the spirit of the administration, we feel that all that is necessary for us to do is to lay before you the facts concerning the disgraceful record of the present incumbent, and you will see that justice is done.

Cordially yours,

N. O. ALLIED PRINTING TRADES COUNCIL,
ARTHUR GARCIA,
Vice President and President pro tem.

Mr. SMITH. You will notice, Mr. Chairman, that the 5-day week referred to in this letter is in harmony with the very things for which our honorable President stands. The very fight that these boys lost, through the influence of Mr. Moore, was in harmony with the administration of our honorable President. I do not need to inform you intelligent gentlemen concerning the sort of a "yellow-dog" contract that is referred to. It violates every noble impulse that humanity has ever had.

There is another point I desire to make, here, Mr. Chairman, and that is that this appeal is absolutely nonpartisan; that although we represent 200,000—nearly a quarter of a million human beings—and their will in this matter concerning the appointment, or the confirmation of the appointment of Mr. Moore, as collector of internal revenue the telegram that you just read—who signed that telegram from the Central Trades Council, Mr. Chairman, do you remember?

Senator BARKLEY. W. H. Muhs, I think.

Mr. SMITH. Secretary. The president of this Central Trades Labor Council was elected on the Wamsley ticket and introduced me in a mass meeting, before speakers. The point we do want to make is this, that this is not in any sense a partisan appeal, and we have no substitute names to offer whatsoever.

I have a letter here from the New Orleans Typographical Union No. 17. This is an original letter, here, addressed to Senator Long.

NEW ORLEANS TYPOGRAPHICAL UNION No. 17,
New Orleans, La., October 27, 1933.

Hon. HUEY P. LONG,
Member United States Senate, Washington, D.C.

SIR: At the next session of the United States Senate we understand that all Federal appointments made during the Senate recess will come before your august body for permanency.

Mr. D. D. Moore, of New Orleans, La., has been appointed to the position of internal-revenue collector for this district.

When Mr. D. D. Moore arrived in this city years ago, he sought the help of the New Orleans Typographical Union and was granted it. As a member of our union, he was able to climb the ladder that leads to fame in the journalistic world, but on reaching the top, our good brother, like the dog in the manger, bit the hand that was feeding him. He not only assisted in running out our local boys and hiring out-of-State strike breakers, but continued this attitude, and years later went to Fort Worth and tried the same thing there.

Therefore, we consider Mr. D. D. Moore obnoxious to the cause of organized labor and to the citizenry of the State of Louisiana, by conspiring, aiding and abetting bringing strike breakers into our midst to take the livelihood away from decent law-abiding citizens of our fair city and State.

For this reason New Orleans Typographical Union No. 17 urgently and earnestly requests your vigorous protest against the appointment of Mr. D. D. Moore to any Federal position of trust.

Thanking you for your continued support of organized labor and our cause, we are,

Respectfully yours,

NEW ORLEANS TYPOGRAPHICAL UNION No. 17,
ARTHUR GARCIA, *Recording Secretary*.
HENRY FLACH, *Secretary-Treasurer*.
EDWARD L. JAUCHLER, *President*.

I will show you later on, a letter, which will show that I have protests from Forth Worth, Tex., protesting the appointment of this man, that has perhaps done more, in being the leader in making the New Orleans press anti-labor in their conduct, than any other man, and he has not only hurt the typographical boys but I will show you that I have protests from every kind of labor union or labor worker. This is the hottest spot, in the mind, and may I suggest this, that this is the first and only occasion, in this session, that we have felt it is necessary to come up and make a protest, because it was in such flagrant violation of the spirit of this administration and of the will of the people.

Senator REED. Tell me, was this petition delivered to the President when this name was under consideration for appointment? Did you protest it to the President?

Mr. SMITH. No. It took it some time to be brought to our attention, and just like everything else, we have been working hard on organization. We have doubled our membership, almost, in Louisiana this year, and we just cannot keep track of everything that goes on in Washington.

Senator BARKLEY. Let me ask you this: Mr. Moore was appointed during the recess, and has been, since that, acting?

Mr. SMITH. Yes, we understand that.

Senator BARKLEY. Did you protest to the President, between the time of his appointment and the meeting of Congress, against his sending his name in, as a permanent appointee?

Mr. SMITH. Well, our representatives continued to send in correspondence such as I have been reading, to our Senators.

Senator BARKLEY. No, no, but I mean, did you make a direct protest?

Mr. SMITH. To the President of the United States? We did not. I will say this, that I have addressed nearly a quarter of a million people this summer, Mr. Chairman, in the State of Louisiana, on the new hope of labor, under the Administration of Franklin D. Roosevelt.

This is the letter from Mr. Williams, that I will file, which I referred to awhile ago. He is president of the State Federation of Labor, and his letter authorizes me to speak in full for the State Federation of Labor:

SHREVEPORT, LA., January 26, 1934.

THE UNITED STATES SENATE,
Washington, D.C.

HONORABLE SENATORS: As president of the Louisiana State Federation of Labor, I desire to bring to your attention a very unhappy situation in our State.

We have as our collector of internal revenue a man in the person of D. D. Moore, whose appointment we wish to protest.

This man, Moore, has perhaps done more to injure the labor movement in our State than any man with whom we have had to deal.

He has led in lock-out movement, the development of yellow-dog agreements, and fought organized labor consistently.

We do not care to recommend a man, but we merely ask that you use your influence to see to it that a man is appointed who is in harmony with the Federal administration and its attitude toward organized labor.

Respectfully yours,

E. H. WILLIAMS,
President Louisiana State Federation of Labor.

Now, I have here some pieces of correspondence, of which I haven't the duplicates with me, and I would rather file the duplicates, and, with your consent, I will file the duplicates after the committee meeting. Is that all right, Mr. Chairman?

Senator BARKLEY. Yes. Will you do that today?

Mr. SMITH. Yes. I will file them within an hour after the meeting.

Now, I have here an affidavit from an oldtimer, who remembers the history of this man, and you understand, Mr. Chairman, that my only purpose in coming to Washington was not to appear before this committee. I have been appointed and am serving as a member of the advisory committee under Miss Perkins, Secretary of Labor. I am also a member of our C.W.A. committee and our E.R.A. committee, of Caddo Parish, the second largest parish or county in the State of Louisiana, and so I came to Washington for more than just this one reason.

Senator BARKLEY. How long since you were appointed to the position here?

Mr. SMITH. Well, I was appointed first by Miss Perkins, I would say, about twenty days ago—something to that effect.

Senator BARKLEY. You just now come here to serve on that committee?

Mr. SMITH. I came for the conference the other day.

Senator BARKLEY. Yes?

Mr. SMITH. You remember that conference.

Senator BARKLEY. Does that service require all of your time to be here in Washington, or any considerable portion of it?

Mr. SMITH. No. I am interested in the organization, for instance, of the oil workers, the refinery workers in the State of Louisiana, and I came here also, at a conference with Mr. Freming, president of the International Oil Refinery Workers. We have had some trouble with one of the refineries there.

Senator BARKLEY. Well, that is all right.

Mr. SMITH. I just wanted you to know that, Mr. Chairman.

Senator BARKLEY. Would you have made the trip to Washington to protest against Mr. Moore, if you had not had these other commissions?

Mr. SMITH. Yes; I believe I would. I would have made it twice, if necessary, if I could have gotten the money.

Senator BARKLEY. Well, once is all that is necessary.

Mr. SMITH. If I could have gotten the money to do it.

Senator BARKLEY. Go ahead.

Mr. SMITH. Now, do you want to hear this letter of protest from this oldtimer? He gives the life of this fellow.

Senator BARKLEY. Well, if it throws any light on Mr. Moore's qualifications for this position, we should be glad to hear it.

Mr. SMITH. It surely throws the light. This is the first I have ever appeared before a committee of which you were the chairman, Senator Barkley, and I do not want to pain you with tedious reading.

Senator BARKLEY. No, no. We are here to hear what you have to say.

Mr. SMITH. I know that you are accustomed to hearing lots of things.

STATEMENT BY F. P. RIPPO, QUALITY LINOTYPE SERVICE, LOCAL TYPOGRAPHICAL UNION No. 17

At the end of the year 1913, or early in 1914, No. 17 inaugurated a 5-day week, to care for its unemployed members, which would not involve one penny of additional expense to the publishers. They, the publishers, appealed to the international board of arbitration, claiming a change of working conditions, the international board order in No. 17 to restore the 6-day week and to proceed to arbitrate the 5-day matter. Early in 1914, the Times-Picayune consolidated with the Times-Democrat, throwing nearly 100 more printers out of work. Notwithstanding several meetings were held by the local board of arbitration on other disputes, the publishers would not take up the 5-day week law.

At that time D. D. Moore was the managing editor of the Times-Picayune, he being one of the three newspaper representatives who forced a lockout on all union printers. This was on December 27, 1914.

A few days prior to the lockout, No. 17 received a communication from the publishers, requesting that we call a special meeting for 2 p.m. December 27, 1914, at which they would present a communication which would show the way for a settlement of a 5-day controversy.

The meeting was called as requested for 2 p.m., but at 1 p.m. or about that time members of No. 17 attempted to enter the composing room, and were met at the front door by what they said were detectives, and permission refused to them to go upstairs, as was their wont. These members reported hearing the linotype machines in operation at the time. At the meeting, the communication presented by the publishers was such that had it been accepted by No. 17, the International Union would have revoked its charter. A committee was appointed to call on Mr. D. D. Moore. Upon arriving at the Times-Picayune, the committee was informed that Mr. Moore was in the composing room and could not see the committee. Strikebreakers were imported, and members of No. 17 are still locked out of the newspapers of New Orleans.

Although this happened in 1914, the conduct of Mr. D. D. Moore has been such since that time that he is known by union men as being unfriendly to organized labor.

Conservative labor leaders in the city of New Orleans hold the conviction that the lock-out on the newspapers, which still employ nonunion labor, was and is responsible for the failure of local unions of all crafts to win strikes in times of great emergency.

Since Mr. D. D. Moore was successful in establishing the employment of non-union men in the Times-Picayune, employees of this paper, as well as the other papers, have left New Orleans, to act as strikebreakers in communities where the typographical union was in trouble.

The blow that Mr. Moore dealt to organized labor is such that the labor leaders here cannot forget this tragic betrayal of the workers.

Mr. D. D. Moore, since he dealt this death blow to the organized typographical workers and union labor in general, has done nothing, to my knowledge, to correct the untold damage which he was responsible for. Needless to say, although New Orleans is the largest city in the South, our labor problem here is serious; our wage scales are pitiful.

About 1901 Mr. D. D. Moore was president of the Local No. 17, Typographical Union.

[SEAL]

F. P. RIPPO.

Sworn to and subscribed before me this 26th day of January, 1934.

IRMA LEVE LOGAN, *Notary Public.*

The local inaugurated a 5-day week to care for its unemployed, and let me reaffirm this point that I want to make right straight along,

that inasmuch as this man helped to win this lockout, it has encouraged every employer of labor to crush his workers, ever since the day in the city of New Orleans, and I refer you to Mr. Green, and I refer you to Mr. Roberts; and Mr. Roberts said, when I showed him our case before the American Federal of Labor, "If you case was not so strong, I would be willing to go with you, personally."

Senator BYRD. Is Mr. Green making a protest against this confirmation?

Mr. SMITH. In such matters as this, Mr. Green feels that the areas can take care of themselves, although it is easy for you to see the attitude, no doubt, of Mr. Green.

Senator BYRD. I mean, is there any letter from him?

Mr. SMITH. An official protest?

Senator BYRD. Anything from his own pen?

Mr. SMITH. I read a letter, at the outset, from Mr. Green, Senator Byrd.

Senator REED. That did not refer to Mr. Green. That only referred to yourself.

Mr. SMITH. That referred to his confidence in me and his appreciation of the work I had done for labor.

Senator BYRD. But has Mr. Green given any expression about this particular matter?

Mr. SMITH. An official protest, no, and we have not asked him to do it. We feel that in view of his labors, it would be unfair to ask him to do so, there are so many things that he has to ask, that concern every State in the Union, that we feel that he should not be bothered with matters of this sort, Senator, although we have no doubt—I was in conference with Mr. Green—

Senator BYRD. I only asked that, because my inference from your remarks was that Mr. Green was protesting it. Now, as I understand, he is taking no part whatever in it, and has made no protest.

Mr. SMITH. Not to my knowledge, has he made an official protest. Not to my knowledge has he been asked to do so. We feel that Mr. Howard, who is president of the International Typographical Union, with headquarters at Indianapolis, whose official protests will come to this committee by telegraph today, sometime—we feel that that represents the International scope, inasmuch as it can, with the typographical situation.

You understand that this Local No. 17 operated absolutely under the authority of the International Typographical Union, with headquarters in Indianapolis, and they functioned, and they failed to agree to the publishers' request, upon the instruction of the International Typographical Union.

Senator REED. Is the Picayune still open shop?

Mr. SMITH. They are all open shop. Not only that, they furnished strikebreakers. These newspapers are furnishing strikebreakers. I haven't an affidavit to that effect. I will venture to assert, not under my oath, because I would rather furnish an affidavit, but I will venture to assert and prove handily, within a few days, 2 or 3 days, that these papers, since D. D. Moore led in the lock-out, and defeated these typographical boys, have furnished the strikebreakers for cities all over the South and West.

Senator BYRD. What papers?

Mr. SMITH. I would rather make that a matter of record, upon a statement, and I will say this, that I would rather not mention the papers, without an affidavit signed, and I will not do that. The lock-out of the newspapers was and is responsible for the failure of local unions of all crafts to win strikes. That is the truth. When they lost, it opened the way for one of the worst sweatshop conditions in the city of New Orleans, of the whole United States of America, and those girls are employed, and scarcely earn enough to pay for their bread and butter, and, under the encouragement of this open-shop press, we haven't ever been able to get into action the code of our Honorable President, as pertains to these damnable sweatshops. This man led the defeat of the workers, in the city of New Orleans.

I want to show you something else. This is a humanitarian question, gentlemen. It is a "core." Down in the oil sections, we take a "core" of things. When we take a "core" of a well, you know what we mean. You do not have to eat a whole peach to find out whether or not it is rotten. Here is a letter signed by Miss Martha Patin.

Senator REED. To whom?

Mr. SMITH. Sent to Hon. Huey P. Long.

Senator REED. What date?

Mr. SMITH. January 11, 1934. Now, this is written in this girl's vernacular, and I will read it just as she has written it:

NEW ORLEANS, LA., *January 11, 1934.*

Hon. Senator HUEY P. LONG.

DEAR SIR: In regard to your opposing the appointment of D. D. Moore, as collector of internal revenue, I wish to give you some information which I think might be of some value to you.

As you know, he is president of the Public Health Institute, a clinic at 938 Poydras Street, which he operates for the sole benefit of himself and his man Friday, Dr. Charles E. Verdier.

I want you to understand that this Public Health Institute has paid no wages to its employees since it has been in existence, except a small percentage of their wages, only enough to reimburse them for their carfare and lunch money. For example, I myself worked there for some 8 months, for which they agreed to pay me a salary of \$125 per month, and during that period of 8 months, I received about \$75 for my services. I have taken the matter up with my attorney, for the collection of the remainder of my wages, which is about \$1,000, and he has advised me that it is hopeless to try further.

The above is my personal case, and there exists about 15 other similar cases to mine, in this same institution.

I have no hope of ever receiving anything more from the institute, which is rightfully due me, and I am willing to charge it to experience, but I sincerely hope you are successful in opposing his appointment, as I don't think a man of this type would be worthy of the position he is seeking.

If you think this information may be of any value to you, I will gladly furnish, upon request, any other information, in detail, that you may desire, in regard to what I have stated.

In conclusion, let me extend to you my heartiest congratulations for all that you have done for the people of Louisiana and America, and may you have a long and prosperous career in Washington,

Respectively,

Miss MARTHA PATIN,
329½ Baronne Street.

Now, here is a letter from the typographical union, which I have already read. Here is a letter to our president from the typographical union.

Now, here is a letter from Mr. William Ruth. I want to reaffirm the point that I made at the outset—the hypothesis that I made,

that this is not a party-politic proposition or a partisan proposition. The telegram you read was from the Central Trades and Labor Council, of which Mr. Dempsey, elected on the Walmsley ticket, was president. Now, here is a letter from Mr. Ruth, president of the building and trades department of the American Federation of Labor, who was one of the most eloquent speakers in the Walmsley campaign:

BUILDING TRADES DEPARTMENT, AMERICAN FEDERATION OF LABOR,
New Orleans, January 27, 1934.

HON. WILLIAM GREEN,
President American Federation of Labor,
Washington, D.C.

DEAR BROTHER GREEN: The New Orleans Building Trades Council, in regular session, protests the appointment of one D. D. Moore as internal-revenue collector of this district.

This D. D. Moore has done more against the labor movement in our State than any man we have had dealings with.

He is a leader in lockout movements, a champion of yellow-dog agreements, and has consistently fought organized labor.

The council does not care to recommend a man, but asks that you use your office to see that a man is appointed who is in harmony with organized labor.

Fraternally yours,

WILLIAM RUTH,
President New Orleans Building Trades Council,
528 Vienville Street, New Orleans, La.

We have vigorous protests from labor leaders in the community that are for Wamsley, labor leaders that are for Williams, labor leaders that are for Long, I want you to know that.

The letter from Mr. Ruth which I just presented, addressed to Mr. William Green, president of the American Federation of Labor, was a copy that Mr. Green gave me. You asked me awhile ago if there was a protest from the American Federation of Labor. I presume this would be as near to it, because it is from the American Federation of Labor of New Orleans and vicinity, the building and trades department, as anything else.

I have here, also, a letter from Mr. Nichols:

LOCAL UNION No. 1846, UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS OF AMERICA,
New Orleans, La., January 28, 1934.

Mr. GERALD L. K. SMITH:

When I saw you yesterday, I was very happy to hear you say that while you were in Washington, you, in connection with C.W.A. work, were planning to see Mr. William Green concerning the appointment of D. D. Moore as collector of internal revenue. As I told you in person, labor is very much opposed to this appointment. To my knowledge, we will forward to you within the next 2 days the following:

1. Copies of resolutions and telegrams approved unanimously by the Building Trades Council, protesting this appointment.
2. Copies of resolutions and telegrams approved unanimously by the Central Trades Council protesting this appointment.
3. Needless to say, my local endorses the stand of the above-mentioned organizations 100 percent.
4. I am informed that Mr. Moore promised to try to satisfy the local labor organizations, but did not keep his promise in the matter.
5. It is needless for me to say that labor trusts you implicitly, and anything you are able to do for us will be highly appreciated.

(Signed) Z. D. NICHOLS.

Each one of those three organizations mentioned by Mr. Nichols represents the three political factions in the State of Louisiana.

Now, here is another letter that I have been authorized to hand you, Mr. Chairman:

NEW ORLEANS PRINTING PRESSMEN'S UNION LOCAL NO. 26,
New Orleans, La., January 25, 1934.

UNITED STATES SENATE,
Washington, D.C.

GENTLEMEN: We, the undersigned representatives of New Orleans Printing Pressmen's Union No. 26, of the city of New Orleans, do hereby protest against the confirmation of D. D. Moore as collector of internal revenue at New Orleans, due to the fact that he instigated and instituted the "yellow-dog" agreement system, by which he forced to be locked out of employment, any and all persons connected with the labor unions in the city of New Orleans, particularly in the plant owned by the Times-Picayune; that through constant discussion and editorials, he brought about antiunion agitation in New Orleans, which has persisted even to this day, and which makes the organized labor situation in New Orleans one of the most deplorable in the United States.

We are convinced beyond question of a doubt, that D. D. Moore is the leader of the "yellow-dog" contract system in Louisiana.

Respectfully yours,

NEW ORLEANS PRINTING PRESSMEN'S UNION NO. 26,
LOUIS SAHUQUE, *President*.
ARTHUR M. RINGE, *Secretary*.

Now, here is another letter from Mr. Ruth, upon hearing that this had been postponed:

The New Orleans Building Trades Council, in regular session, protests against the appointment of one D. D. Moore as internal revenue collector of this district. This D. D. Moore has done more against the organized labor movement in our State than most any man with whom we have had to deal. He has led in lock-out movements, the development of "yellow-dog" agreements, and fought organized labor consistently. The organization does not care to recommend a man.

I repeat, we have nobody to recommend. We feel that when this is brought to the attention of the President, through this committee, that he will name a man who is in harmony with the Federal administration and his attitude toward organized labor, and we hold no one responsible for this matter, in Washington.

Senator BARKLEY. Let me ask, are these letters, copies of which you are taking one by one, of the same general tenor?

Mr. SMITH. They are different.

Senator BARKLEY. We are a little rushed for time.

Mr. SMITH. I know you are.

Senator BARKLEY. And if they are all of the same general nature, you could file them and have them printed as part of the hearing, without reading them.

Mr. SMITH. Yes. Now, here is an agreement, a photostatic copy of a proposal that they made, that Hugh Johnson would sign with his eyes shut, as being fair to organized labor, I believe. And here is the answer that D. D. Moore gave to it.

Senator BARKLEY. What is that document?

Mr. SMITH. It is a document, setting forth the complaints of the publishers, signed by Moore, and setting forth the refusal of the local typographical union to be able to coordinate itself with that.

Senator BARKLEY. Do you want that made part of the record?

Mr. SMITH. I would like to make another copy of this and file it, Mr. Chairman, please. And now I have here, Mr. Chairman, something that is not quite of the same tenor.

The General Grievance Committee of the Brotherhood of Locomotive Firemen and Enginemen of Texas and Pacific Railroad, assembled at Fort Worth this date, directs me to apprise you of open protest against confirmation by the United States Senate of—

No; that is not the one.

Now, I have a letter here from one Mr. John M. Breen, attorney and counsel at law, Columbian Building, Washington, D.C. I do not think that is important to our case, Mr. Chairman.

Senator REED. Let me glance at it.

Mr. SMITH. I am glad to let you see it. I did not want to take the Senators' time with it.

There is my file, it is empty, but my heart is not empty, and there is plenty more I could say.

I desire to repeat and insist that the committee and the keeper of records fail not to record in their minds and upon paper that you have before you protests from a labor leader who is the president of the Central Trades and Labor Council who was elected on the Wamsley ticket.

Senator BARKLEY. To what office?

Mr. SMITH. I don't know what office. He was elected to some office on the Wamsley ticket. John Sullivan can tell you.

Mr. SULLIVAN. Councillor.

Mr. SMITH. All right, he is on the council.

I have a letter from Mr. Ruth, who was a campaigner for Mr. Williams in the mayoralty campaign.

I have here a letter from Mr. Nichols, who was a candidate for council on the other ticket.

I have produced a letter from the president of the State Federation of Labor authorizing me to speak in full for them.

I have a letter here from the president of the Building Trades Council, American Federation of Labor, for the southwestern area, authorizing me to speak in full for him before this committee with respect to this matter.

Now, the next point that I want to record indelibly upon your minds is this, that this thing is hot in the minds of our people. Our people do not have the money and they do not have the time to fight many of these things and I easily understand how these points can come up, and in counsel with certain individuals it is impossible for all the appointments not to be perfect, but when one who has thrown the red flag of defiance in the face of the workers in New Orleans and this southern area, as has this man, D. D. Moore, is appointed, it is more than labor can bear.

Mr. Howard, president of International Typographical Union, one of the best organized and one of the most responsible unions in the United States or in the world said to me over the telephone—

We are not only ready to support you; we are ready to make of this not only a Louisiana issue; this is not confining itself to the borders of Louisiana, it confines itself to the principles and to the spirit of this administration as inaugurated by our President and our Senate and our Congress and as is being carried out by our Labor Board.

Senator HARRISON. May I ask you a question, this letter says—

Also get all the individual unions you can to write or write Senate individuals objecting to Moore. Try to get the Texas unions to do so.

Was there an effort made to get all these resolutions or communications or did they come voluntarily?

Mr. SMITH. They came spontaneously. I did not see that letter—they had to come spontaneously.

Senator HARRISON. There was no effort made just to get these?

Mr. SMITH. No, sir.

Senator REED. Who is Mr. Frank Miller, to whom that letter is addressed?

Mr. SMITH. The reason I did not read that letter—

Senator REED. Who is Mr. Miller?

Mr. SMITH. Frank Collins? I don't know. The reason I did not read that letter is because I cannot make an accurate statement regarding that letter. There is nothing I would not be glad to have you read.

Senator BARKLEY. Is that all?

Mr. SMITH. Well, it is just that everything that is wrong is wrong about this appointment, but there is much more to be said.

Senator BYRD. Could you not leave those documents and letters with the report and let him make copies of them and return them to you?

Mr. SMITH. I will be glad to.

Senator BYRD. In view of the fact that you have read them you should leave them with him and let him make copies.

Mr. SMITH. I would be glad to do so.

Senator BARKLEY. Go over them with the stenographer and let him have them, what you have read, he will make copies for his own record and return them.

Mr. SMITH. I will be glad to.

Senator BARKLEY. We are very much obliged to you for your statement.

Is there anyone else here who desires to oppose the appointment?

Mr. SMITH. Mr. Mills came to me and said he wanted to say something.

STATEMENT OF CLYDE M. MILLS, REPRESENTING THE INTERNATIONAL TYPOGRAPHICAL UNION

(The witness was duly sworn by Senator Barkley.)

Mr. MILLS. My name is Clyde M. Mills, and I am a representative of the International Typographical Union.

Senator BARKLEY. Where is your home?

Mr. MILLS. My home is in Washington.

Senator BARKLEY. Are you a citizen of Washington? You are not a citizen of Louisiana?

Mr. MILLS. No.

Senator BARKLEY. Well, we will hear a very brief statement from Mr. Mills. We have not much time.

Mr. MILLS. My statement will, of course, be very brief, Mr. Chairman, because, in the first place, I have not entered into this particular objection to any great extent except that I have been in contact with our international president, Charles Howard. We expected him to be in here this morning to present the side of the International Typographical Union.

As you can see by the letters and affidavits that have been presented, the case is built from a local viewpoint. It has been the practice of the Typographical Union to allow local appointments to take that course. Up to the present time we have not, except in support of the local union, attempted to build any particular case against Mr. Moore.

We do oppose his confirmation.

I remember the question asked the previous speaker as to why a protest was not made to President Roosevelt. I might say in that connection that we heard shortly after the election in November that Mr. Moore was a candidate for the position to which he has been appointed. Frankly, we did not take it seriously.

The New Orleans situation, so far as the Typographical Union is concerned, and other unions in that section, is a sore spot to the United States labor movement.

You had a letter here just a minute ago from Mr. John M. Breen. I know nothing about that but I do know Mr. Breen personally. Mr. Breen was secretary of that local union at the time the trouble occurred which has caused the Typographical Union considerable concern through the South, Southwest, and Southeast, and probably will continue to do so unless we can take more advantage of the National Recovery Act than we have in the past few months.

The only thing I have to say is that we do support just as strongly as we possibly can the protests made by the local union in New Orleans against the confirmation of Mr. Moore to the position that he has been appointed to.

More than that that it is not necessary for me to go into further detail. I believe you have had several letters presented to you here. We are not interested particularly in the political viewpoint of the people of New Orleans or the State of Louisiana. Our members belong to all political faiths and all religions. The thing we are interested in, if it is possible, is to see that men who are appointed to positions by the President of the United States be men who hold the same viewpoint that we believe he holds, and we do not believe that Mr. Moore does hold that viewpoint or would subscribe to it except in a position that he might hold under an appointment where he could be removed if he did not do it. He has never shown consideration to organized labor movements except as you have heard the letters read, in possibly his younger days.

We do support the protest made by these local unions, particularly our local union in New Orleans, and we hope that a subcommittee will see fit to recommend against the confirmation.

That is all I have to say.

Senator BARKLEY. Have you any knowledge as to the general qualifications of Mr. Moore for this place?

Mr. MILLS. Personally, I have not.

Senator BARKLEY. Or his general character as a citizen?

Mr. MILLS. Mr. Moore is a total stranger to me.

Senator BARKLEY. Your opposition is based upon the attitude which he took in 1914 and the difficulty which arose there between the newspapers and the Typographical Union?

Mr. MILLS. That is our principal protest; yes, sir.

Senator HARRISON. Do you know, generally speaking, what the duties of a collector of internal revenue are?

Mr. MILLS. I do not.

Senator HARRISON. Do you know in the administration of the duties under the law, whether or not there could be any decision that might be rendered by Mr. Moore that would affect union labor?

Mr. MILLS. I could not answer that question because I do not know what his decisions could be, of course, or how they might affect us.

Senator BARKLEY. Is that all?

Mr. MILLS. Yes, sir.

Senator BARKLEY. Thank you, sir.

Is there anyone else who desires to have anything to say in opposition to this confirmation.

(No response.)

Senator BARKLEY. If not, Mr. Moore, do you desire to make a statement?

STATEMENT OF D. D. MOORE

(The witness was duly sworn by Senator Barkley.)

Senator BARKLEY. Give your full name.

Mr. MOORE. My name is Daniel Decatur Moore.

I shall not deal in personalities. This matter was investigated before I was appointed, I have reason to know, because a representative of the Government made a very thorough canvass of New Orleans, and in answer to all charges that have been made against me made his report to the proper authorities.

It is true that in 1914 there was a strike of printers but it did not grow out of the 5-day law. It grew out of other matters. It was one of the things on which the three newspapers of New Orleans could get together, the Times-Picayune, the Item, and the States.

As hired man of the Times-Picayune, working under the direction of the board of directors I very reluctantly took part in that strike. There seemed nothing else for us to do. After the strike on more than one occasion I endeavored to bring peace with the unions, things that I can prove, but that seemed to be impossible.

The matter of negotiating with the Typographical Union was taken out of my hands entirely and the three publishing companies through their attorneys, drew up a contract under which they appointed a referee to represent the three companies and the individual publishers were denied the privilege personally of negotiating with the Typographical Union unless the three were present on call of the referee.

In spite of that fact, Colonel Ewing and I once thought we had the strike settled. We had made a very frank effort to do so and the vice president of the International Typographical Union worked with us in an effort to bring about peace.

The matter went along; nobody dreamed the strike at New Orleans would last any length of time, but it did. It is true that open-shop conditions exist there today on the three newspapers, but since 1922 I have had no more to do with the publication of the newspapers of New Orleans than either of you gentlemen.

I left the service of the Times-Picayune in 1922 and went to Texas. There I had control for 2½ years of one newspaper and part of the time of a second newspaper. Those newspapers hired only union printers, pressmen, and stereotypers. My relations with those men

were very pleasant; we renewed the contracts during that time, and there was no talk of a yellow-dog contract.

The last issue of the Fort Worth Record under my management was in 1925, and since that time I have had nothing whatever to do with newspapers.

I know that certain gentlemen have been very busy in the last 2 months endeavoring to build a case against me. I know that some very cruel and very untrue statements have been made.

I did not go to New Orleans as a tramp printer. I was a printer, but I was not a tramp. I never received a dime of benefit from the New Orleans Typographical Union in my life. I hold office in it; and in 1899 I went on the editorial end of the Times-Picayune.

My conduct there was such that in little more than 10 years I became the general manager of the newspaper. I had not worked any man out of a job and my promotions had been in proper form because I had taken jobs that were vacated by other men either through resignation or through death.

When I went to Fort Worth the last issue of the paper there, as I say, was on October 30, 1925. It was a morning newspaper and I was to turn the plant over to the new purchasers after that issue. I was at the office that night and at 8 o'clock a printer came and asked me to please attend a chapel meeting that was to be held at 8:30.

I thought it would be an opportunity to say good-bye to the men I had been associated with; our relations had been very cordial and very pleasant, and many men working there were men who had gone on strike on one of the New Orleans newspapers—at least one—and they had known me before I went to Fort Worth and they had worked with me in New Orleans.

I went to the chapel meeting and they had prepared a letter to me which they read and which the chapel unanimously adopted, and, if I may, I would like to read that letter.

Senator BARKLEY. All right.

Mr. MOORE (reading):

COMPOSING ROOM CHAPEL OF FORT WORTH RECORD,
Fort Worth, Tex., October 30, 1925.

Mr. D. D. MOORE,
Publisher of the Fort Worth Record.

DEAR MR. MOORE: When the last form goes out tonight the composing-room chapel of the Fort Worth Record will automatically dissolve.

Some of its members will remain in Fort Worth. Many will go their separate ways to seek new fields of endeavor.

It is hardly probable that all of us will again on time's side of eternity assemble in one body.

But there is none that will not cherish always memories of the happy associations of the last 2 years and more in the service of the Record under its present management, now so abruptly terminating.

The membership deems it only meet and proper that it should tender you some recognition of your many kindly offices exerted in our behalf of the cordial relations that have existed between the publisher and the chapel; of the promptness with which grievances have been redressed and of the harmony that has marked your administration.

The Fort Worth Record chapel, in special and final meeting, adopted by unanimous vote the following:

Resolved, That change in ownership of The Record terminating a period of 2½ years' employment on the paper under the management of Mr. D. D. Moore, the members of the composing-room chapel desire to assure Mr. Moore that his efforts in behalf of our welfare, his courtesy and unflinching consideration under all circumstances have inspired a feeling of appreciation that cannot be expressed in words at our command.

For him and his we earnestly hope that the years to come may bring only health, happiness, and prosperity.

We hope, too, that wherever our lot may be cast in future we shall be so fortunate as to be with a publisher so much in sympathy with us as has been D. D. Moore.

THE FORT WORTH RECORD COMPOSING-ROOM CHAPEL.

That is signed by the chairman and every employee of that office, including the apprentices.

Senator BARKLEY. Will you file that with the stenographer for the record?

Mr. MOORE. May I file the photostat copy?

Senator BARKLEY. It is the same?

Mr. MOORE. It is a photostat here of the letter. I would like to keep the original.

Senator BARKLEY. All right.

Mr. MOORE. I have a statement from the organizer of the International Typographical Union at Fort Worth, as follows (reading):

FORT WORTH, TEX.,
January 12, 1933.

Mr. DAN MOORE,
New Orleans, La.

DEAR MR. MOORE. Having received a request that I write you with regard to your relations with the Fort Worth Typographical Union during the time you were manager for the Hearst publication in Fort Worth, permit me to state during that period you had contractual relations with the union, and employed in the composing room none but members of that organization.

Very respectfully,

C. A. BURTON.

Senator BARKLEY. Will you file that with the stenographer?

Mr. MOORE. Yes.

Mr. SMITH. Mr. Chairman, may I ask the dates of the two letters?

Senator BARKLEY. Just a minute; when he finishes you may ask that.

Mr. MOORE. In spite of that, strenuous efforts have been made to secure from the Texas unions denunciatory resolutions against me.

A very strenuous effort has been made in New Orleans. I have present gentlemen who will testify that the president of the typographical union in New Orleans said that it was his belief that had the truth been known to the typographical union in New Orleans, this resolution of the typographical union would not have been passed.

I have a letter from J. Walker Ross, who was the managing editor of the States and very close to Colonel Ewing, who everybody in New Orleans knows was the owner of the States, and Mr. Ross was his right bower, and Mr. Ross knew everything that was going on in the States office. The letter is as follows [reading]:

THE TIMES-PICAYUNE PUBLISHING CO.,
New Orleans, February 15, 1934.

Mr. D. D. MOORE,
Internal Revenue Collector, New Orleans, La.

MY DEAR MR. MOORE: As managing editor of the New Orleans States, and next in control to the late Colonel Ewing, its publisher, I was present at practically all the negotiations and conferences in connection with the trouble between the three newspapers, The Times-Picayune, The Item, and The States, and Typographical Union, No. 17, in December 1914.

Colonel Ewing, who had been a union man, one of the national managers of the great union telegraphers' strike and very sympathetic with organized labor and the Typographical Union, was reluctant to break relations with no. 17, but

felt that if the small group then controlling its affairs continued their policy of persecuting and fining the foreman whenever he sought to protect the interests of the owners, and otherwise insisted on oppressing them, it was essential to join issue or see the properties gravely injured. The owners of the other papers shared his opinion.

In the States office with not over two exceptions all our men were personally opposed to a strike. A like condition prevailed in the other composing rooms. But the ruling powers forced them to join issue with the owners.

When it was joined, since the attack was against all three newspapers, there was an understanding under which a referee was appointed and the cause of one made the cause of all, i.e., that in any negotiations for a settlement all three papers should be represented.

You were then the general manager of the Times-Picayune and all your acts were subject to the approval or disapproval of the owners of the Times-Picayune.

It was, therefore, utterly impossible for you personally to end the strike, if you had the wish to do so. The owners of all three papers had to consent.

I may also say that when the strike occurred the union telegraphed immediately for its international president to come here from Indianapolis. He did so in the week in which the trouble came to a focus.

On his arrival the publishers offered to take the whole force back in each of the three offices, provided that the foremen were not required to be union men, that being the bone of contention.

This the international president refused. If he had agreed to the proposal all the union men would have been reinstated and undoubtedly a new and satisfactory contract worked out between the union and the owners of the papers.

Yours very truly,

J. WALKER ROSS,
Editor, New Orleans States.

Now, Mr. Nicholson, of the Times-Picayune, sent me a copy of the letter to you. May I have your permission to read that?

Senator BARKLEY. Yes; I was going to suggest that I have that but I would put it in the record, and if you have a copy—

Mr. MOORE. Mr. Nicholson sent this rather long letter in which he says I had no authority to make the strike or to end the strike, that it was in the hands of the board of directors.

Senator BARKLEY. Do you want to read that letter or file it in the record?

Mr. MOORE. I will file it, if you have a copy.

Senator BARKLEY. Yes; I have the original.

(The letter referred to is as follows:)

FEBRUARY 12, 1934.

Hon. A. W. BARKLEY,

U.S. Senate Office Building, Washington, D.C.

DEAR SIR: I have learned with regret that the charge has recently been made that D. D. Moore is an enemy of union labor. This charge is evidently made by men who do not know Mr. Moore or the work he has done for the working men and women of New Orleans.

It is true that Mr. Moore represented The Times-Picayune in its negotiations with typographical union in 1914, but he was working under instructions from the board of directors. We, who were associated at that time with him, know how hard he worked to prevent a strike and how reluctant he was to oppose typographical union.

Because Mr. Moore was the manager of The Times-Picayune, it was natural that he should bear the brunt of blame for the strike and its results. The following excerpts from the charter, the bylaws and the minutes of a meeting of the board of directors will show that Mr. Moore was carrying out instructions from the board of directors of The Times-Picayune Publishing Co.

EXCERPT FROM CHARTER OF THE TIMES-PICAYUNE AS OF 1914

"The board of directors shall have supervision of the affairs of said company, and shall make and establish such bylaws, rules, and regulations as they may deem necessary, and the same to alter and amend at pleasure."

The bylaws of the Times-Picayune Publishing Co. in 1914, article III, read: "Duties of the manager: The manager shall enter upon the discharge of the duties of his office with the other officers of the corporation. He shall be charged with the control and management of the business of said corporation, under the supervision of the president and board of directors."

The following resolution was unanimously adopted by the board of directors of the Times-Picayune Publishing Co. at a meeting held December 23, 1914:

"Whereas the contract entered into with Typographical Union No. 17 has been violated, and a situation has been created by the union under which it is not possible for the publishers of this newspaper to operate the typographical department under present conditions: it is therefore

"Resolved, That the manager of the Times-Picayune be instructed to enter into such arrangements and agreements with the other New Orleans newspapers similarly affected as will insure the best solution of this situation; that the manager be authorized to create liabilities not in excess of \$10,000, looking to this end, and that any and all acts of the manager in this connection be binding upon this corporation."

When the resolution quoted above was adopted, the manager of the Times-Picayune was working in close cooperation with the publishers of the other daily newspapers of New Orleans. To deal with the situation that had developed, the three publishing companies entered into an agreement to leave the direction of the strike in the hands of a referee, and Mr. Albert Baldwin was selected as referee. Mr. Moore's duty, under instructions from the board of directors, was to see that the newspaper was printed every day. He had no authority to negotiate with the representatives of the union or to enter into any agreement with them. On at least one occasion Mr. Moore did attempt to bring about a settlement of the differences between the union and the publishers, but this effort failed, largely because of the attitude of the union.

We think it very unfair to charge Mr. Moore with being an enemy of labor. Few men in New Orleans have worked more consistently for the upbuilding of the city, for improving working conditions, and living conditions for working people, for bringing in new industries or the expansion of the industries here to afford greater opportunity for steady employment. He was never unfriendly to union labor. More than one important labor dispute was settled through the efforts of the Times-Picayune and Mr. Moore, its manager.

While employed by the Times-Picayune, and since, Mr. Moore has taken an active part in humanitarian work. For years he was a director of the Charity Organization Society, a director and president of the Child Welfare Society; a consistent contributor and worker for the Community Chest; chairman of the Times-Picayune Doll and Toy Committee, that annually for more than 30 years, has provided toys for the poor children of New Orleans at Christmas. In 1914, through the suggestion and efforts of Mr. Moore, the negro Christmas Gift Fund was started and since has provided Christmas gifts to an average of more than 6,000 negro children every Christmas.

It was largely through the efforts of Mr. Moore and the Times-Picayune that the zoo and other attractions for children were added to Audubon Park. He was for years president of the New Orleans Zoological Society and chairman of the Audubon Park Auxiliary. He has given much time to work for and with the New Orleans Playgrounds Society.

Mr. Moore has been out of newspaper work for nearly 10 years, but his work for this city and for humanity has never stopped.

As one long associated with him, and who has taken an active interest in the affairs of this city, I can truthfully say that the charges that D. D. Moore is unfriendly to union labor or to working men and women are being played up by Senator Huey P. Long solely for the purpose of defeating his confirmation by the Senate as collector of internal revenue.

From March 1914 until he left the service of the Times-Picayune, I was very closely associated with Mr. Moore, and since that time we have been his friend. When it was announced that he had been appointed collector of internal revenue for the district of Louisiana, I felt that it was a very fine selection, that the Government would get an excellent official, and that a good man would get a position for which he was well fitted. I sincerely hope that the Senate will confirm his appointment as collector of internal revenue.

Very truly yours,

L. K. NICHOLSON,
President The Times-Picayune Publishing Co.

Mr. MOORE. The agitation has been carried very far in New Orleans in the last 2 months by persons who are interested in defeating my confirmation. Some very untrue statements have been made. For instance, the printers of New Orleans were told that I had gone into Texas and carried a "yellow-dog" contract into Texas. Nothing was further from the facts.

The statement that I fought other unions is untrue as I can demonstrate. I have not with me the material to do so, but it can be demonstrated that more than one strike was settled through my efforts and the efforts of the Times-Picayune in favor of the union men.

The street-car men were on the verge of a strike in 1920 and the Times-Picayune worked very strenuously for them on the ground that the men had carried out a bad contract. We worked so that we got an increase in car fare for the company so the men might have more pay. That settled the strike for them at that time and it went on until 1928 when I did not have anything to do with the newspapers and their union finally lost out with their employers.

Senator BYRD. Mr. Moore, do you approve of the "yellow-dog" contract?

Mr. MOORE. I do not. I do not.

When I came back to New Orleans from Texas—this is a matter of history—when I came back to New Orleans from Texas, as a return for the very cordial relations that had existed between me and the printers in Texas, I endeavored to do what I could to bring the unions back into the offices of the newspapers there. I went to see the three publishers to feel them out, and I got the same answer from each of the three, that they had peace in their composing rooms and they did not want to disturb conditions.

Not long after that, some months after that, in discussing the matter with a man who was then president of the typographical union, and an old friend of mine, our relations had been very cordial, I told him of what I had done and told him I was ready to assist at that time in anything I could do to bring peace into the offices and put the union back in the offices. I told him of my interviews with Colonel Thompson, Colonel Ewing, and Mr. Nicholson.

Recently I spoke to Mr. Nicholson and he said that my visit and the visit of Mr. Strauss were the only two visits that they had from anyone who wanted to bring the unions back into the offices. Now, I understand that there have been communications from representatives of the typographical union sent first to one publisher and then to another but not seriously followed up by personal efforts.

I have not been a nonunion man. I understand how this thing came about, especially during the very strenuous political campaign recently. I know of the efforts made by the gentlemen who have presented the case today to secure action by the unions of one kind and another against me. I know some of the statements that I would be ashamed to quote. But, be that as it may, I believe this, that the showing I have made demonstrates that I am not antagonistic to labor.

Now, mention was made of the Public Health Institute of New Orleans, and I have here the prospectus that was presented of that institution, which is purely a charitable institution so far as my connection with it is concerned. I have never drawn one penny from it; I have given money to it; and the men who went into it are all upstanding, outstanding men.

It was proposed that they start in New Orleans a public health institute patterned after one that had been very successful in Chicago in an effort to eradicate venereal diseases. I was president of the Child Welfare Society, certainly an organization that is not run for profit, I was long a director of the Child Welfare Society, and for a year its president. Our report showed that New Orleans was one of the very hotbeds of venereal disease. Our reports indicated that there were about 20,000 new cases of gonorrhoea and syphilis a year, and that there were 1,500 to 2,000 babies born annually in New Orleans, blind, crippled, or marked in some way from parental infection.

So, when some gentlemen came and asked if I would join with others in sponsoring an institute of this kind that would be somewhere between the charity hospital free clinic and the specialists, and not unfair to either, I agreed.

The signers of this thing ahead of me were Sigmund Odenheimer, who has given to the children of New Orleans an aquarium and other things for the parks, amounting to something more than \$200,000; there was C. A. Stair, the general manager for that district of the Public Telephone Co.; Mr. William A. Porteus, who was the district manager for the Western Union Telegraph Co.; W. C. Erman, who was a man prominent in affairs of New Orleans; there was Charles H. Behre, who is known as a very broad gauged citizen and manufacturer and storage warehouseman; there was also A. M. Lockett, very widely known as an engineer, and there was Wilson Williams, general agent for the New England Mutual Life Insurance Co.

We joined in to try to help this institution which was planned on rather broad lines, rather high lines.

Senator BARKLEY. Mr. Moore, I don't think it is necessary to go into detail on that. If you have anything to file I will be glad to have that done.

Mr. MOORE. Yes. I will file a letter from the officers, the business director and the medical director, of that institution, which says that my connection with it has meant that I have given it time and I have given it funds but that I have not received any funds from it.

(The letter referred to is as follows:)

THE PUBLIC HEALTH INSTITUTE OF NEW ORLEANS,
January 15, 1934.

The Public Health Institute of New Orleans was organized for public service and not for profit. It has no stockholders, no bondholders.

It pays small salaries to its medical staff, bookkeeper, and business director. Its trustees have no financial interest in the Institute.

Mr. D. D. Moore has given of his time to the institute, as president of the board of trustees, and has, with other trustees, helped the institute financially. He has never received a salary, or other remuneration of any kind from the Public Health Institute.

Respectfully,

CHAS. T. VERDIER, M.D.,
Medical Director.
H. B. HOWLAND,
Business Director.

Senator BARKLEY. There was a letter read here from some lady in connection with a \$75 item of some kind. What about that?

Mr. MOORE. Of course I haven't anything to do with the management of the institution, you understand. The board of directors meets periodically and gets its report from the institution. It is

run by the doctors, Dr. Verdier and Dr. Maxwell, and this lady was employed there and they did not pay—they have not paid all their help, they are paying this lady now, with others, as their income increases. They are cleaning up their obligations, and in time it is the feeling of the board of trustees that the thing will work itself out and be an institution worth while to the working people of New Orleans where they can go and be treated without being charity patients, a man who cannot afford to pay a specialist for that type of treatment.

The whole purpose we had in going into that thing was one for the benefit of the working people and not to make money. The charter says it has no stock, no bonds, and any funds that it makes above its actual running expenses are to be given to charity.

Senator HARRISON. Mr. Moore, when you returned from Texas, when you say you made this attempt with the three publishers of the New Orleans papers to get the unions back into the offices, was that before your name had been considered?

Mr. MOORE. Oh, yes; that was in 1926.

Senator HARRISON. Yes, I understood that but I wanted it in the record.

Mr. MOORE. When I severed my connection with the paper I came back to New Orleans to live.

Senator BARKLEY. What has been your occupation since you returned?

Mr. MOORE. When I first came back I had some real-estate interests and then for 3 years I was in charge of the public library.

Senator BARKLEY. What was your occupation immediately prior to your appointment?

Mr. MOORE. I was doing nothing. I had been idle for a year and a half. It is rather difficult for a man in his sixties to get employment.

I was director of the association of commerce and I was active in other civic movements of New Orleans. I have always tried to work for the benefit of the people of the South since I came back from Texas. I was chairman of the industrial committee of the chamber of commerce which worked to bring new industries there and develop the industries that are there in New Orleans. I was a member of the association of commerce, with a membership of some 400, and I have been active in the community chest work, active in other efforts for humanity, and for the betterment of conditions in New Orleans.

Now, recently, the president and vice president of the New Orleans Typographical Union stated to me that they had been told in Texas I had tried to put over a "yellow-dog" contract with the typographical union, and when they saw the letter I presented to them, I said, "Gentlemen, that cannot be, because I would not have had letters of this kind if I had." I told them of the efforts that I had made in their behalf since I came back from Texas, that there was no dream when we had the strike in 1914 that it would continue over a period of years, but the responsibility for its continuation has not been mine, and then those two gentlemen said, "We believe, if the typographical union had known the truth, it would not have taken this action."

Colonel Sullivan, who was with me, can testify to that, because the statements were made in his office.

Senator BARKLEY. Mr. Moore, if you have finished with that I would like to ask you to make a statement which may be necessary.

Senator Long has filed here a letter objecting to your confirmation on personal grounds. He does not go into detail as to the reasons. It might be advisable, inasmuch as you cannot speak on the floor of the Senate, if this matter comes up again, for you to make a statement for the record with regard to your relationship with Senator Long. If you desire to do so we will be glad to give you this opportunity.

Mr. MOORE. I have never had any controversy with Senator Long at all. When Senator Long was candidate for Governor he came to my office and solicited my support. I contributed a small amount to his campaign fund and voted for him for Governor.

When I have met him since it has always been pleasantly. I never had the slightest disagreement or controversy with him. I meet him very rarely because I have not sought office, I have not sought favors, and he has been a busy man.

Of course, in recent years I have not been alined with him politically but there has been no controversy with Senator Long, no act of mine antagonistic to him that I know of. I did vote for Senator Overton, but I have not been alined with Senator Long. If there is any question you would like to ask—

Senator BARKLEY. Have you made personally any offensive personal attack upon him in any way?

Mr. BARKLEY. I have no medium of expression except the word of mouth and I do not know of any expressions that I could have used that could have offended the gentleman.

Senator BYRD. Did you vote for him for Senator?

Mr. MOORE. No; I voted for Senator Ransdell for Senator. I voted for Senator Overton, being sometimes rather independent in my vote in that respect.

Senator REED. If Mr. Moore has finished, I would like to ask Mr. Smith what he has to say about the action of that typographical union there in Fort Worth.

Mr. SMITH. Mr. Chairman, I am willing to accept Mr. Moore's testimony to this effect, that they undoubtedly were unable to reach an agreement satisfactory to the international union; failed to reach it.

Senator REED. I mean about the resolution praising him which was passed concerning him by this composing-room group in Fort Worth.

Mr. SMITH. What was the date of that letter? [The letter was handed to Mr. Smith.] I would say this, that it is not uncommon for employees to sign letters like that, and I have no further comment.

Senator REED. You have no reason to suspect that it was not a genuine expression of their regard, I suppose?

Mr. SMITH. No; inasmuch as the correspondence has not been brought before me for deliberate consideration I believe it would be an insult to the committee for me to take time to try to comment on it. I would like to ask a question.

Senator BARKLEY. Just a minute. Mr. Moore, had you finished your testimony?

Mr. MOORE. Yes; unless you have any questions you wish to ask. I am here to answer questions.

Senator BARKLEY. Does any member of the committee have any questions to ask of Mr. Moore?

(No response.)

Senator BARKLEY. Then, Mr. Smith, do you want to ask a question?

Mr. SMITH. I will say this, if the typographical local in New Orleans has had a change of heart, it has had it mighty recently. I don't know Mr. Sullivan, who is here. Mr. Moore says Mr. Sullivan will testify that they visited with some of these typographical boys and that these boys said if they had known that this was going on that they would not have voted the way they did.

Now, we have letters of protest dating away back, and we have a letter of protest dated January 25. Now, if these boys have changed their hearts they have done it since January 25, and there was no correspondence to substantiate that, and I think Mr. Mills here, as the representative of the typographical union, knows that when the typographical union changes its mind it writes down what it does and puts a seal on it. Is that not true?

Mr. MILLS. Yes.

Mr. SMITH. They don't change their minds just from hearsay. I venture to say that the telegram from the president of that union will support everything I have said.

I would like also to ask Mr. Moore a question. He says he did all he could to bring the unions back into the shops. I have affidavit testimony to the effect that he did nothing. Can he furnish any evidence of the fact that he did anything?

Senator BARKLEY. That is not a question. If you want to ask Mr. Moore a question to that effect, all right, but a statement to that effect is not a question.

Mr. SMITH. I would like to call your attention to the fact that, whereas, I produced affidavits of proof that Mr. Moore did nothing whatsoever to unionize the newspaper shops of New Orleans, he brings forth no evidence in writing, no affidavits of proof that he did.

Senator BARKLEY. Is there any other witness here?

Mr. MILLS. May I ask one question in order to clarify one point in my mind? Mr. Moore quoted a letter from C. A. Burton, a representative holding the same office I do in the typographical union, complimenting him on the work he did in Texas. Do you remember the date?

Mr. MOORE. The date is January 1933.

Senator BARKLEY. Have you any other witnesses, Mr. Moore?

Mr. MOORE. No, I would like to make just one statement there. I was called to Washington in the latter part of January, or the middle of January, for a meeting that was held here, a conference of all the collectors of internal revenue throughout the United States. I was here for several days and returned to New Orleans with a well developed case of influenza.

I was there just in time for the city election and then went to bed with this case of influenza and was in bed for several days, away from my work for a week.

I learned just as I had left for Washington of some action by the Trade and Labor Council. I asked Mr. Dempsey, who was then a candidate for constable, for a hearing before that body. Of course it was in the heat of the primary. I made that request just as I was leaving for Washington. I got back and the primary election was right on us. Then I was sick for a week.

After I got well enough to be back in my office I made some inquiries around and I found that a very active campaign had been carried on in New Orleans to gather material to be used against me.

We have had a protest and a letter dealing with my early life, which, from what was quoted to me, was a tissue of falsehood and untruth. The writer had had no information on which to go. I did not see the letter but I heard it quoted.

I know a conference was held with Senator Long to which a number of printers were invited, that other people were invited, trying to build up this case. There was no opportunity to reply. I have not been before the Typographical Union. I have discussed it with four or five members of the Typographical Union and they are all very friendly toward me, and I believe that with time the Typographical Union would not be antagonistic.

Senator BARKLEY. The Chair thinks that it ought to be stated for the record that he conferred personally with Senator Overton as to what his attitude was with reference to this hearing, whether he desired to be heard or make any statement to the subcommittee concerning the appointment, and he said that he was not taking any hand one way or the other in this controversy. I think that ought to be said in fairness to Senator Overton and to the subcommittee also.

Mr. MILLS. Mr. Chairman, if you are not quite ready to adjourn, I have now a man here, John N. Breen, who is probably known to Mr. Moore, who was in New Orleans in 1914, and he would like to have about 5 minutes to make a statement to this committee.

Senator BARKLEY. The Senate is in session and a roll call is now on, so I will ask you to be as brief as possible. Important legislation is going to be taken up which requires our attention.

STATEMENT OF JOHN N. BREEN

Mr. BREEN. My name is John N. Breen. I am a member of the District of Columbia Bar and Supreme Court of the United States.

In 1914, I was a member of the New Orleans Typographical Union. I was then the secretary and treasurer of that union. I knew Mr. Daniel D. Moore, and have known him since 1896 or 1897. I have known him as a printer with a case, a linotype operator, a telegraph editor, night editor, and managing editor of the Times-Democrat.

On December 26, at 3:30 in the afternoon, a message was received from Mr. Daniel D. Moore and the other publishers of the New Orleans papers, to the effect that unless the union agreed to certain conditions, which practically meant the nonunionizing of the plants, or at least open shops, that institution, the Times-Democrat, of which Mr. Moore was the managing editor, would no longer employ members of the Typographical Union. We had two hours and a half to agree to those terms, and the terms laid down by the manager of the Times-Democrat were such that they involved the repudiation of the International Typographical Union law, over which the local union had no control.

We asked for further time, in order to communicate with the international officers, and we were denied that time. At 6 o'clock, the edict of the manager of that paper went into effect. They were provided with a great many, several hundred men, nonunion printers, from points out of town, as far distant to the west as Los Angeles. The paper was nonunionized, and has been nonunionized ever since. Now, Mr. Moore had received his positions, the various gradations of promotions on that paper, by virtue of the fact that primarily he

was a printer, a union printer. At the time of this lockout, he was a member of the Typographical Union.

I considered Mr. Moore's conduct at that time, against organized labor, as most reprehensible. I consider him as absolutely unfitted for any position, where trustworthiness or fidelity are an element in his employment.

Mr. MOORE. Mr. Chairman, the last time I met Mr. Breen was on Fourteenth Street and Pennsylvania Avenue, about 1917. Mr. Breen called to me, "Dan, you are the very man I want to see. I am seeking promotion in the Government Printing Office, and I wish that you would see Senator Ransdell for me." I can prove that, by Senator Ransdell. He wanted me to see him in his behalf. That was his position at that time.

However, when he states that we got a flood of men in there, Mr. Breen's memory must be bad. At 6 o'clock that evening, we had no printers employed. We called the job printers in New Orleans, and with them and men employed in other positions in the office, got out the paper. Some days later, some men arrived from Chicago. Throughout the following weeks, men arrived, as he said, from various places. It was only after the strike had been declared that efforts were made to get men there from elsewhere, who fought it, as other strikes are fought. As I stated, and as I think the statements before the committee should bear me out, the matter was entirely out of my hands. I was not an active member of the union. I had not been for 10 or 12 years, maybe longer, an active member of the union. I had been, variously, telegraph editor, city editor, managing editor, and at that time was the general manager of the newspaper, which was the Times-Picayune. An interesting light may be thrown on that situation by this:

The difficulties in the union, between the publishers and the union, were not over the 5-day week, but over a joint standing committee contract, which provided that grievances should be settled by a joint standing committee. The joint standing committee had been practically put out of commission by action of the typographical union, which had taken action giving us of the newspapers, 24 hours in order to comply with its demands.

Then, the trouble started, and a miracle was performed, because it was the only thing that the three newspapers in New Orleans ever got together on. The board of directors of the Times-Picayune had a law-framed contract, proposed by Colonel Ewing, and it was under that contract that they entered into this agreement. I did not draw the contract. The letter the gentleman refers to as having been signed by me was signed also by Col. Robert Ewing and by Col. James M. Thompson, of the other two newspapers. Now, at that time, the foremen of the composing rooms had been fined, and then, when the newspapers took the responsibility and paid the fine, the union fined the foremen again, for taking from the publisher, and so on. But the situation there today is not one for which I am responsible because I have had nothing to do with any one of the newspapers in an official capacity for more than 12 years. The last newspaper I dealt with or had any official connection with was the one in Fort Worth, from whom I have produced the letter.

Senator BARKLEY. At the time of this difficulty in New Orleans, were you part owner of the paper in any way?

Mr. MOORE. I owned 16 shares out of 7,000, so that my interest was very small.

Senator LONG. Mr. Chairman, I am very sorry I had to attend the session of the Judiciary Committee this morning. I addressed a letter to this committee. May I ask how far you have gone?

Senator BARKLEY. Well, we have finished, unless you want to make a statement. Your letter was filed and made a part of the record.

Senator LONG. Yes; I wish to have it placed in the record, with a question I want to propound to Mr. Moore.

Mr. Moore, you were in charge of the Times-Picayune at that time, were you not?

Mr. MOORE. Under a board of directors.

Senator LONG. Yes. You were in charge of it as managing director?

Mr. MOORE. I was not the managing director. I was the manager, under the board of directors.

Senator BARKLEY. That has all been testified to here by both sides.

Senator LONG. Yes. It has been stated in the record in this case what Mr. Moore's several occupations have been, since he has left the newspaper business? Has that been done?

Senator BARKLEY. Yes, sir; it has.

Senator LONG. Mr. Moore, you are still running the clinic?

Mr. MOORE. Yes.

Senator LONG. Still running the clinic?

Mr. MOORE. I do not run the clinic. I haven't anything to do with running it. I haven't anything to do with it, and your statement in your publication that I had drawn money from it is not borne out by the facts.

Senator LONG. It is what kind of a clinic, Mr. Moore?

Mr. MOORE. The charter is here. The gentlemen responsible for the clinic, and under whose names I have signed, are well-known men in New Orleans. The clinic has no capital, no bonds, and is run as a public benefaction, and I signed up as one of the trustees, after it had been signed by Mr. Sigmund Odenheimer, Mr. C. A. Stair, of the telephone company, Mr. Porteus, of the Western Union, Mr. Erman, who was a very well-known man in New Orleans, Mr. Charles H. Behre, very widely known for his charities and his very fine character, Mr. A. M. Lockett, a very well-known and upstanding man, and Mr. Wilson Williams. None of us are to make any money out of it. All of us have contributed something to it. It has no stock, no bonds, and a letter that I gave to your secretary, from the men who run it, the doctor and the business manager or business director states this, in this brief statement:

The Public Health Institute of New Orleans was organized for public service and not for profit. It has no stockholders, no bondholders. It pays small salaries to its medical staff, bookkeeper, and business manager. Its trustees have no financial interest in the institute.

Mr. D. D. Moore has given of his time to the institute, as president of the board of trustees, and has with other trustees helped the institute financially. He has never received a salary or other remuneration of any kind from the Public Health Institute."

Senator LONG. Mr. Moore, your business before, was what? You were in the city library, there, were you not?

Mr. MOORE. Yes.

Senator LONG. Who got you that job?

Mr. MOORE. It is a rather interesting story, Senators.

Senator LONG. I have just one question—who got you that job?

Mr. MOORE. The board of directors elected me to that position.

Senator LONG. I see. You were appointed there through Colonel Sullivan, weren't you?

Mr. MOORE. No, sir.

Senator LONG. You were not?

Mr. MOORE. No, sir; had nothing to do with it.

Senator LONG. Were you ever affiliated with Colonel Sullivan in any of his race tracks down there?

Mr. MOORE. No, sir.

Senator LONG. You never were?

Mr. MOORE. No, sir.

Senator LONG. You were not on any of his boards?

Mr. MOORE. No, sir.

Senator LONG. You were not connected with any of the clubs he ran there in connection with his race tracks?

Mr. MOORE. No, sir.

Senator LONG. When your appointment was made, it was given out in statements that you were appointed as an anti-Long man there, wasn't it?

Mr. MOORE. Here?

Senator LONG. No, in New Orleans.

Mr. MOORE. You mean to this office?

Senator LONG. I mean, it was heralded out to the public press, with your knowledge, consent, and sanction, that you were appointed as an anti-Long man?

Mr. MOORE. I am not responsible for what the press says, Senators, because I had no connection whatever with the press.

Senator LONG. You knew that, though? It was given out in the statements that you were appointed there, on the ground that you were persona non grata to Huey P. Long?

Mr. MOORE. That was not the reason. It was because I was persona grata to the administration.

Senator LONG. You say it was not given out, and you did not help give that out?

Mr. MOORE. I did not give that out.

Senator LONG. Of course, you know that you are a personal enemy of mine, and have been for many years?

Mr. MOORE. No, sir; I do not know that.

Senator LONG. You know that we do not even speak—that is true, isn't it?

Mr. MOORE. No, sir; no, sir. The last time I met you I spoke to you. I was in Baton Rouge, when the legislature was in session. I stopped you and introduced my son to you, and you spoke to me very pleasantly.

Senator LONG. How long ago has that been?

Mr. MOORE. That is about a year and a half ago.

Senator LONG. Why go back a year and a half ago? Why not refer to the time you were in the Roosevelt dining room, when Mr. Charles Hamilton was there, when Mr. Hamilton spoke, and you did not speak to me and I did not speak to you?

Mr. MOORE. No, I spoke to you, Senator.

Senator LONG. You did?

Mr. MOORE. On all occasions. The last time the Senator addressed me he slapped me on the back and called me "Dan," and said, "Hello."

Senator LONG. That is false.

Mr. MOORE. I did not stand up and shake hands with him, as the gentleman next to me did, but I spoke to him.

Senator LONG. I deny that. That is absolutely false.

Mr. MOORE. I can prove that.

Senator LONG. That is positively untrue.

Senator BARKLEY. I do not think it is important whether he slapped you on the back, or whether you slapped him on the back.

Mr. MOORE. It can be proven, gentlemen, by reputable witnesses.

Senator LONG. I do not suppose there is any need of it, but I wish to support the objections made to this man by the labor organizations of this country and by my State. I think I am pretty well familiar with the letters and with the situation. A number of these letters were addressed to me, and I asked that they turn them over to the representatives of labor to deliver here this morning. I do not think this man is fit to hold any public office. I object to him personally, and I object to him for the reason that he is unfit to hold this office. The result of the barrage instituted in the lockout by that leading newspaper of the South was the spreading of antilabor agitation throughout a community that had been practically peaceful for some time. The Times-Picayune was a dominating factor. In fact, it was the leading paper, with Mr. Moore absolutely in control of it, perniciously, unnecessarily bringing on all the conflicts and stirring up all the strife and trouble that could possibly be done, for no particular motives; supporting thereafter—so the information which came to me and which I have every right to believe to be true, because it was published in all the papers—the strike-breaking organizations that emanated from that city and into that city.

I object to this man on all the grounds. I object to him on the ground of his being personally objectionable, for the reasons which I have the right, as a Senator, to urge against him. He is personally offensive, and in that, I assume a full measure of responsibility, as I think I have a right to.

Mr. BREEN. Mr. Chairman, may I make a very brief statement?

I happened to be chairman of the joint standing committee which was composed of 2 printers and 2 publishers. Mr. James Thompson was the secretary of that committee, and according to the Item's contract between the typographical union and the publishers they were to dispose of no matter that occurred, but it was to be left for submission to the joint standing committee.

There was a crevasse above New Orleans which flooded 100,000 acres of land; there was the threat of bubonic plague in New Orleans, causing the city to spend \$15,000,000 to rat-proof the town; there was the beginning of the European War; there was the fate of the cotton crop in the South, and altogether it was the most unprecedented period of depression that that community had ever seen. It was during that time that the union passed what was known as the 5-day law, that is, under the 5-day law any member of the Union had the right to employ in his stead one or more other members of his

union for 1 day a week. That was passed to take up the unemployed men and provide some means of livelihood for the members.

It was upon that that the breach occurred. They did not refer it to the joint standing committee but referred it the International Typographical Union, the executive council sustained the union and said it was the only means of taking care of the unemployed, rather than doling out charity.

It was upon that question that we split and the publishers determined to lock the printers out and refused to submit that question to the joint standing committee, of which I was chairman.

The contract was signed in 1912 and on December 26, 1914, the contract had more than 2 years to run.

There was absolutely nothing there but the determination of the publishers in New Orleans to stab the union for the purposes of reducing the cost of production. Comparing it with New York's papers, Washington papers, and others at the time, I know that costs per paper were less in New Orleans than in any other comparable city, and, notwithstanding that, notwithstanding the fact that the wages were really already at the starvation point, they made this attack against the Typographical Union.

I was president of the State Federation of Labor just before that and I was president of the Central Labor Union.

Organized labor stands pat in opposition to this man. We don't believe anything he could engage in—we don't believe that the appointment of this man should be considered in any position where fidelity and truthfulness and worthiness is demanded.

Mr. Moore. The gentleman's memory is bad, gentlemen. Mr. James Thompson was not the secretary of the committee. It was Mr. Paul Thompson.

The controversy between the union and the publishers was not over wages or hours.

The wages paid to the union were paid to the employees afterward. The hours were the same as soon as, of course, there were sufficient to give them those hours.

There never has been any question of the wage scale involved. Under the contract we had with the typographical union there was to be a slight raise in the scale of piecework later, in 1915, and that raise was given the nonunion printers just as if they had been union printers.

I endeavored to bring back union printers in the office and in 1917 or 1918 we had quite a number of them. The organization, the typographical union, withdrew them from the office instead of the office being closed to union printers.

The publishers of the newspapers, Colonel Ewing, Mr. Thompson, and myself, were friendly disposed toward union labor and not unfriendly.

I said it was one of the miracles in New Orleans because the three newspapers became a unit and they would not have done so had there not been a reason.

As the gentleman says, we had had a very trying year. It was a year of flood and plague, and the war—cotton exchanges and stock exchanges closed and the price of cotton was at a ruinous basis, and with business at a standstill the newspapers were having a desperate time to keep their heads above water, and at that time they felt that

the local union was giving to them more than they could stand. Those are facts, gentlemen, that can be borne out by investigations.

Senator BARKLEY. The committee is very much obliged to all of you gentlemen for testifying.

Mr. SMITH. Mr. Chairman, may I just say one word?

I want to thank you for the courtesies your committee has extended in behalf of organized labor of Louisiana and again thank you for the courtesies you have shown us in the hearing.

Senator BARKLEY. The subcommittee will adjourn and meet upon the call of the chairman.

(Whereupon, at 12:30 p.m., the subcommittee adjourned subject to the call of the chairman.)