

## GARVAN DEMANDS HARDING CLEAR HIM

Writes to President That He Has Been Grossly Misled by Daugherty.

New York.—Flatly refusing to return to the United States government a single chemical patent right owned by the Chemical Foundation, Inc., of which he is president, Francis P. Garvan, in a spirited and energetic letter to President Harding, asserted that the President, "grossly misled by the attorney-general," is, for the first time in American history, attempting to abrogate a solemn Executive order of a predecessor, and is acting, moreover, on information "furnished by German agents and interpreted by lawyers whose sole knowledge of the war and its lessons is derived from association with German clients."

Absolute legality in the sale of 4,700 and odd former German patents to the Foundation, and complete publicity in the organization and operation of this quasi-public institution, together with the highest of ethical motives, are earnestly maintained by Mr. Garvan in his communication, and he asserts with emphasis that no person connected with the Foundation has ever made a dollar out of it, or ever could do so under its charter and by-laws, himself least of all; he fortifies that statement with figures which show that the capital of the institution consisted of \$428,900, all of which has been spent in the purchase of the patents and in educating the people through schools and colleges and in the encouragement of chemical societies, and says that the Foundation income from licenses barely meets the modest running expenses.

All of these financial details have long been available. Mr. Garvan reminds President Harding, and demands that the President ascertain the truth and tell the people whether the Foundation and its head have deserved the abuse they have received.

"Gave All and Got Abuse"  
"It has given its all," Mr. Garvan writes. "You can take away nothing but the opportunity of service. It was all we got from the government. It is all we have."

"Mr. President, you have had the temerity to impugn the honor of the gentlemen who bear a part in the great work of building up or preserving the possibility of progress in organic chemistry for America. You have again been misinformed as to the nature of the trust we bore. That was not for the German Kaiser, owner of practically all the important patents, who had received them under the unthinking graciousness of laws they had induced. That trust was for the American people, their industrial independence and for the safety and health of their children and their children's children."

At the outset of his letter Mr. Garvan states that he has forwarded to the Allen Property Custodian the Chemical Foundation's formal answer to his demand, an answer "as an American corporation ready at all times to defend its rights in the courts," but that the public in whose interests the Foundation was organized, is entitled to be fully informed as to the circumstances under which the demand was made and the reason why it is unqualifiedly refused. The demand itself, Mr. Garvan asserts, together with the letter written by the President and the statement made by Attorney-General Daugherty, "demonstrate that you, Mr. President, have been grossly misled by the attorney-general, both as to the law and the facts of the case."

### Eliminating "Enemy Interest"

Thereupon Mr. Garvan contends (1) that the attorney-general has listened exclusively to German agents, which is no investigation; (2) that the United States government has no interest in the suit brought by the Foundation to determine the ownership of funds held by the treasury; (3) that when President Wilson authorized the sale of the German patents, neither the President, secretary of state nor alien property custodian was, under the law, in the remotest sense a trustee for the German enemies; (4) that specific power to sell the patents was granted by Congress after full committee hearings on November 4, 1918, and on December 3, 1918. President Wilson, vested with power to supervise all sales, authorized Acting Secretary of State Frank L. Polk to approve the sale of the German chemical and other patents; (5) that on February 26, 1919, Polk ordered the sale in the public interest, noting that a public sale was not in the best interests of the public because it would offer opportunity for the patents to get into the hands of speculators and monopolists, and that the Chemical Foundation, obligated to grant non-exclusive licenses, was the best means for "eliminating alien interests hostile to American industries and of the advancement of chemical and allied industries in the United States;" (6) that President Wilson, returning from abroad, confirmed Polk's order on February 13, 1920, with this comment: "My reasons for the foregoing determination and order are stated in the said orders of Frank L. Polk . . . and in addition thereto, the public interest will be best served by the elimination of any enemy interest adverse to American citizens arising by reason of said choses in action, or rights, interests and benefits under said agreements . . ."

"This sale," Mr. Garvan continues, "was made in the full light of all branches of the government and in the full light of publicity. The idea of its formation was the result of the intimate knowledge of the past use of these patents in a manner hostile to the United States' interests, and in full consultation with all of the executives of the government, the experts of our army and navy, and leaders of our chemical business organizations and the heads of all our scientific and research organizations. I do not ask you

to accept my present statement of the matter, but insert here an extract from the report of A. Mitchell Palmer, filed with the President February 22, 1919, and by him forwarded to the Congress, and by that Congress made a public document and most widely commented on by the press of the country."

Palmer's Version of It  
Mr. Palmer stated in the course of the report referred to by Mr. Garvan: "These patents, as had already been indicated, formed a colossal obstacle to the development of the American dyestuff industry. Evidently they had not been taken out with any intention of manufacturing in this country or from any fear of American manufacture . . . upon consideration it seemed that these patents offered a possible solution for the problem, hitherto unsolvable, of protecting the new American dye industry against German competition after the war . . . The idea was accordingly conceived that if the German chemical patents could be placed in the hands of any American institution strong enough to protect them, a real obstacle might be opposed to German importation after the war, and at the same time the American industry might be freed from the prohibition enforced by the patents against the manufacture of the most valuable dyestuffs. Accordingly these considerations were laid before various associations of chemical manufacturers, notably the Dye Institute and the American Manufacturing Chemists' Association. The suggestion was met with an instantaneous and enthusiastic approval, and as a result a corporation has been organized to be known as the Chemical Foundation (Inc.), in which practically every important manufacturer will be a stockholder, the purpose of which is to acquire by purchase these German patents and to hold them as a trustee for American industry. . . . The first president of the Chemical Foundation will be Francis P. Garvan of the New York bar, to whose clear vision and indefatigable industry I am chiefly indebted for the working out of this plan."

The combination was not objectionable to public policy, since it was organized that any genuine American, whether a stockholder of the company or not, could secure the benefits of the patents on fair and equal terms."

### A Quasi-Public Idea

Mr. Garvan goes on to state that at that time he was a dollar a year man, with no expectation whatever of becoming alien property custodian; that it was only when Attorney-General Gregory resigned and Palmer was appointed attorney-general that Palmer asked him to take the custodian's place. Three months later, he writes, he testified before the Ways and Means Committee of the house: "The foundation of the Chemical Foundation was an effort to form an organization to represent as nearly as possible at that time the public interests. Judge Ingraham of New York and Judge Gray of Delaware had charge of drawing our charter and our trust agreement and our certificate of incorporation. We have endeavored to make it as nearly a public institution as our laws allow, and at the same time to have an official organization. We wanted to sell these patents to the government, and if there had been any method by which we could make them a working force and still have them owned and controlled by the government, it would have relieved us of a great deal of responsibility, and if there is at this time any suggestion for modification or amendment of our plan which will insure in the minds of the committee a more definite and certain fulfillment of the intention and purposes of our organization I am certain that the Chemical Foundation and all its stockholders and all who are interested in it would be glad to conform to the wishes of the committee because, in so far as we have public recognition and public support and government recognition and government support, we become more efficient and become more able to carry out the in-

terventions which were in our hearts and minds."

Mr. Garvan states that the total or gross income of the Foundation has averaged \$143,216.65 per year. The running expenses, bare overhead, have averaged \$121,971.35, a net excess of \$21,245.30 or 0.49 per cent on the \$428,900 invested, allowing nothing for depreciation. The average life of the patents is eight years, so that 12 1/2 per cent of the \$271,850 cash paid for the patents, or \$33,981 per year, should be subtracted from the apparent net receipts per year, which leaves an actual annual operation deficit of \$12,735.70. In educational work, Mr. Garvan informs the President, the Foundation has spent \$264,017.85, the entire balance of its capital.

### Quotes English Prediction

Firmly maintaining that the Foundation is the keystone of the wall raised to protect the American people from German chemical domination, Mr. Garvan maintains such protection is indispensable to the future happiness, health and safety of the American people, and quotes from a recent open letter to parliament written by James Morton, largest carpet manufacturer of England, "Organic chemistry is the key to the world of new values, and that America in five years' time will have dye works and general chemical works equal to Germany."

As regards the development of organic chemistry for national defense, Mr. Garvan calls to his aid testimony by Marshal Foch and the late Field Marshal Sir Henry Wilson to the general conclusion that a nation thoroughly equipped chemically may almost guarantee the peace of the future. And as regards its importance in the development of medicine he quotes Prof. Julius Stiglitz of the University of Chicago, world famous chemist:

"The pitiful calls of our hospitals for local anesthetics to alleviate suffering on the operating table, the frantic appeals for the hypnotic that soothes the epileptic and staves off his seizure, the almost furious demands for remedy after remedy that came in the early years of the war, are still ringing in the hearts of many of us. No wonder that our small army of chemists is grimly determined not to give up the independence in chemistry which the war achieved for us! Only a widely enlightened public, however, can insure the permanence of what far seeing men have started to accomplish in developing the power of chemistry through research in every domain which chemistry touches."

"These," Mr. Garvan concludes "were the thoughts which were in the minds of the men who knew the war and its lessons when they formed the Chemical Foundation."

### Good Eyes Are Rare

The Eyesight Conservation Council of America has issued an announcement showing an alarming state of affairs as far as our sight is concerned. The object of the council is to arouse general interest so that people will be impelled to give the care of their eyes some proper attention. Nine out of ten persons over twenty-one years of age have imperfect sight. Above forty it is almost impossible to find a man or woman with perfect sight. A survey of 10,000 employees of factories and commercial houses in a large city showed that 53 per cent had uncorrected faulty vision and 13 had the defects corrected, making a total of 63 per cent defective eyes.

As long as hats have to be thrown into the ring politics will strike the women as needlessly extravagant.

The reason why some women seek divorce is that they prefer regular alimony to an irregular allowance.

## THE PRAYER CORNER

"God's House and God's Day"  
"Ye shall keep My Sabbath and reverence My Sanctuary."  
"Peculiar importance," says J. Theart Holden, "attaches to God's dwelling place and His day. To His people in the wilderness. Each stood as a sign of His over-ruling presence and each was closely identified also with their common lives. The tent of meeting, around which their own dwelling places were pitched, spoke of the nearness of His protection. The weekly recurrence of the Day of Rest in the midst of their toil and journeyings, reminded them of the inextricable closeness in which their ordinary concerns were bound up with their relationship to God. Reverence for the Sanctuary and the Sabbath was made a vital condition of God's blessing. How they failed to observe it and all the disastrous consequences which followed on their failure is written large in the subsequent history of the nation."  
"Reverence for the House of God and for His day is one of the greatest needs of our own age. In nothing is the general defection from God so marked as in this respect: We have become so used to each as to lose sight of their true significance, and so they have ceased to occupy that place in personal and national life which secures to any people the steadfastness of God's favour. A revival of love for God's house and of care in the Holy observance of His day will more than any political measure, however well conceived, re-establish the failing greatness of the people."

### A Prayer

O Lord, our God, Thou hast bidden us to keep Thy Sabbaths and reverence Thy Sanctuary for they stand as signs for Thy over-ruling presence and are closely identified with our common lives. Thy House speaks of the nearness of Thy protection and the day reminds of the closeness in which our ordinary concerns are bound up with our relationship with Thee. Reverence for Thy house and Thy day are a vital condition of Thy blessing.

Forgive our neglect and pardon our waywardness. Revive our love for Thy house and our care in the holy observance of Thy day. Help us thereafter to be in the spirit on the Lord's day and to guard it and the worship of Thy house as most precious and undeserved favours. In Christ's name and for His sake, we ask it, He who is Lord of the Sabbath and of our lives, Amen.  
C. D. C.

When a man has a house full of grown daughters, he generally has to bid farewell to onions, except when he dines out in company.

### That Strong Cigar.

A woman went into a cigar store to buy some cigars for her husband, who was laid up.  
"Do you want them mild or strong, madam?" the clerk asked.  
"Give me the strongest you have," she said. "The last ones he had broke in his pocket."—Everybody's Magazine.

### Fully Supplied.

"Say, Jones, you got a radio outfit in your house yet?"  
"Nab! We don't need any. My wife's bridge party and the sewing circle on Wednesdays keeps us in touch with all there is."—Richmond Times-Dispatch.

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*Saluda	24.60	*Saluda	34.45
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### NIAGARA FALLS—DATES OF SALE

Via Pennsylvania Railroad:  
July 5 and 19. August 2, 16 and 30.  
Via Baltimore & Ohio Railroad:  
July 13 and 27. August 10 and 24.

Stopovers permitted on return trip, not to exceed 10 days, within final limit of ticket:  
Via Pennsylvania Railroad, Buffalo, N. Y.; Philadelphia, Pa.; Harrisburg, Pa.; Washington, D. C.

Via Baltimore & Ohio Railroad:  
Buffalo, N. Y.; Rochester, N. Y.; Ithaca, N. Y.; Geneva, N. Y.; Mauch Chunk, Pa.; Philadelphia, Pa.; Washington, D. C.

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