

Edwin H. Cliff, Glen Olden.
Harry B. Henderson, Kittanning.
Judson C. Norris, New Castle.
H. Oscar Young, Plymouth Meeting.
Eli H. Shockey, Stoyestown.
Charles M. Wilkins, Wayne.

SOUTH CAROLINA

Lawrence D. Hagan, Due West.
Elijah Lee, Pacolet.
Paul G. Barnett, Westminster.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 17, 1924

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

To the God of our fathers we lift our hearts in prayer. We would yield to Thee the right of sovereignty and accept Thy law. Let it touch all our purposes and motives, and thus shall we know what things to value. Enlarge our charity and keep us free from all prejudice. Teach us that the best that we can do for Thee is to be kindly and helpful to the unfortunate, to live upright in the presence of great truths, and allow nothing to come between us and the wisdom of Jesus of Nazareth. In His name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed bills and resolutions of the following titles:

S. 3493. An act to amend an act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922, as amended February 28, 1923;

S. 3509. An act to change the time for the holding of terms of court in the eastern district of South Carolina;

S. J. Res. 154. Joint resolution providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

S. J. Res. 155. Joint resolution providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

The message also announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 310. Joint resolution authorizing payment of salaries of the officers and employees of Congress for December, 1924, on the 20th day of that month; and

H. Con. Res. 35. Joint resolution that there shall be compiled, printed with illustrations, and bound, as may be directed by the Joint Committee on Printing, 25,000 copies of the oration delivered by Dr. Edwin Anderson Alderman in the House of Representatives during the exercises held in memory of the late President Woodrow Wilson on December 15, 1924, including all the proceedings and the progress of exercises, of which 8,000 copies shall be for the use of the Senate and 17,000 copies for the use of the House of Representatives.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 310. Joint resolution authorizing payment of salaries of the officers and employees of Congress for December, 1924, on the 20th day of that month.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the roll of committees.

PROHIBITING THE SENDING OF PISTOLS, ETC., THROUGH THE MAIL

Mr. RAMSEYER (when the Clerk called the Committee on the Post Office and Post Roads). Mr. Speaker, by direction of the Committee on the Post Office and Post Roads, I call up the bill H. R. 9093, declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty.

The SPEAKER. The gentleman from Iowa calls up the bill H. R. 9093, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That pistols, revolvers, and other firearms capable of being concealed on the person, are hereby declared to be nonmailable and shall not be deposited in or carried by the mails or delivered by any postmaster, letter carrier, or other person in the Postal Service: *Provided, however,* That such articles may be conveyed in the mails, under such regulations as the Postmaster General shall prescribe for use in connection with their official duty, to officers of the Army, Navy, or Marine Corps; to officers of the National Guard or Militia of the several States, Territories, and Districts; to officers of the United States or of the several States, Territories, and Districts, or to peace officers thereof; to officers of the United States or of the several States, Territories, and Districts whose official duty is to serve process of warrants of arrest or mittimus of commitment to employees of the Postal Service; to watchmen engaged in guarding the property of the United States, the several States, Territories, and Districts; and also to manufacturers of firearms or dealers therein in customary trade shipments from one to the other. Whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any pistol, revolver, or firearm, declared by this act to be nonmailable, shall be fined not exceeding \$1,000 or imprisoned not more than two years, or both.

With the following committee amendments:

Page 1, line 9, after the word "prescribe" insert a comma.

Page 2, line 7, after the word "commitment" insert a semicolon.

Page 2, line 11, after the word "other" strike out the period and insert: "other, under such rules and regulations as the Postmaster General may prescribe."

Mr. RAMSEYER. Mr. Speaker and gentlemen of the House, I shall take only a few minutes in informing you of the attitude of the committee upon this bill and also of the Post Office Department. Then I intend to yield time to the author of the bill, the gentleman from Washington [Mr. MILLER], to go into the purposes of the bill more fully.

This bill simply makes firearms such as pistols and revolvers, capable of being concealed on the person, nonmailable. I presume every State in the Union has laws making the carrying of concealed weapons a criminal offense. We have other things declared by law nonmailable, for instance, poisons, intoxicating liquors, explosives, and then matters pertaining to lotteries; schemes intended to defraud are prohibited from the mails, and we are seeking now to exclude this class of firearms from the mail. The bill was reported out unanimously by the Committee on the Post Office and Post Roads, and the Post Office Department is unreservedly back of the bill. The Postmaster General on two different occasions indorsed the purpose of the bill and then in a letter on May 9, of this year, indorsed the specific proposition that is before you. In a letter to the chairman of the committee he said:

MAY 9, 1924.

Hon. W. W. GRIEST,

Chairman Committee on the Post Office and Post Roads,
House of Representatives.

MY DEAR MR. GRIEST: I beg to acknowledge the receipt of your letter of the 8th instant, referring for my consideration and recommendation bill H. R. 9093, declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty.

In line 9, page 1 of the bill, a comma should be inserted after the word "prescribe."

In line 7, page 2, a semicolon should appear after the word "commitment."

I have carefully considered this matter and from my observations it is my opinion that the public welfare demands this legislation. I therefore recommend the favorable consideration of this bill.

Very truly yours,

HARRY S. NEW,
Postmaster General.

This bill is specially designed to help corral or control the lawless elements in the large cities. Nearly all of the cities have ordinances and some of the States have laws preventing the sale of these firearms unless the person wishing to buy a pistol or a revolver has a permit from either the mayor of the city or the chief of police or the county sheriff or some other official. Because of the ease with which this kind of firearms can be acquired from the mail-order houses through the mails it is impossible to prevent them from getting into the hands of the lawless element and thugs and those who make a living by violating the law. Of course every lawyer here knows how much more unsafe is human life in this country than in any

other country in the world, and that is partly due to the ease with which persons can acquire these very instruments of death and destruction. The Post Office Committee and the Post Office Department think it is advisable in so far as a Government department can prevent delivery of these instruments of death, to do so by positive law.

There are a few exceptions made to this bill. That is, firearms can still be obtained through the mail under such regulations as the Postmaster General shall prescribe, by officers who by virtue of their duty as such officers are required to carry firearms of this kind. Then, of course, the bill provides for a penalty for violating its provisions.

Mr. STENGLE. Mr. Speaker, will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. STENGLE. I notice on the last line, first page of the bill, that the exceptions are begun by reference to officers of the Army, Navy, and Marine Corps. Would not the committee be willing to add there the officers of the reserve training corps, because at certain periods each year they are called upon to go from place to place or to transfer arms, and it seems to me that they come clearly within the provisions of the intention of the committee. They are really during that period of training in the summer time actually engaged in the service of the military arm of the Government.

Mr. RAMSEYER. Are not they officers of the Army? They are simply a branch of the Army. The bill names the officers of the Army, the Navy, and the Marine Corps.

Mr. STENGLE. Yes; but that refers to the permanent part of our Army and Navy and not to those who temporarily are engaged in this work.

Mr. RAMSEYER. If the gentleman is sure that this language does not cover what he is after, personally I would have no objection to the amendment.

Mr. STENGLE. Oh, I am not after anything personally, but I have reference to the strong arm of the Government that works in the summer time, and I do not want to cripple a very good work in behalf of our country.

Mr. RAMSEYER. If the gentleman is personally certain that this does not apply to the class of officers to whom he refers, then, so far as I am concerned personally, I would have no objection to such an amendment. I did express the view that I thought the language here covered the officers to whom the gentleman refers.

Mr. STENGLE. It may, but I only want to remove any doubt.

Mr. OLDFIELD. Would it not be better to cut out these officers of the Army and the Navy and the Marine Corps. I judge that they can get firearms without sending to Sears-Roebuck and other places.

Mr. RAMSEYER. It was thought that officers might sometimes be away from the base of supply and might have to acquire firearms in this way. I doubt whether very many firearms will be shipped to officers of the Army, Navy, or the Marine Corps under the provisions of this bill.

Mr. OLDFIELD. Personally, I think that ought to be cut out of the bill.

Mr. RAMSEYER. I now yield to the gentleman from Alabama.

Mr. BANKHEAD. I would state I am in general sympathy with the purposes of this bill, but it seems to me that it might militate or operate in favor of the express companies of the country.

Mr. RAMSEYER. Let me right here say that a similar bill is pending before the Committee on Interstate and Foreign Commerce to regulate the shipment of pistols, revolvers, and other firearms capable of being concealed on the person through the express companies. This Committee on the Post Office and Post Roads has jurisdiction only of mail matter, and we felt that we could not couple the provision the gentleman has in mind to this bill without invading the jurisdiction of the Committee on Interstate and Foreign Commerce, but such a bill is now pending before that committee, introduced by the gentleman from Washington [Mr. MILLER], who introduced this bill, and I am going to call upon Mr. MILLER in just a minute or two now to explain the general purposes and needs of this kind of legislation.

Mr. BANKHEAD. I am very glad to know such an effort is being made by the gentleman from Washington.

Mr. RAMSEYER. The purpose of the bill is to make it more difficult for the lawless to get firearms and committing crimes of violence against the law-abiding. Mr. Speaker, I reserve the remainder of my time, and I yield 15 minutes to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Speaker and gentlemen of the House, I presume that every Member on the floor is cogni-

zant of the enormous amount of law violations taking place just now. This bill, and the companion bill forbidding the shipment of firearms that are capable of being concealed on the person through interstate carriers, it is hoped will minimize the prevalence of firearms in the hands of the undesirable criminal element of the country. I think we are all acquainted, generally speaking, with our State laws on the question and also with many of our municipal regulations governing the sale of firearms in cities. Most all States, I think every one, makes the carrying of a concealed weapon a crime, in some States a felony and in some a misdemeanor. Most all cities have municipal regulations prohibiting the sale of firearms within the city limits of the cities except where application is made and a permit granted by public officials authorizing a citizen to purchase firearms and retain them in his home. Every criminal, of course, carries concealed weapons. Every robber, every highwayman, every highjacker, every bootlegger in the country is armed with a pistol, and when a policeman or officer of the law gets after and pursues them the first thing they do is to get rid of their firearms, and then they just simply get one through the mail-order house or through the express to take the place of the one which they have thrown away. This is to stop their replenishing themselves from the mail angle, through the mails, and in conjunction with the companion bill, which forbids their transportation over common carriers, those two put together, we hope, will stop the prevalent use of these weapons.

There is nothing more dangerous to the community than this criminal element having the liberty on any and all occasions to buy concealed weapons. If a man criminally inclined or with a bad police record can not get a permit in the town or city in which he lives, he simply orders a weapon from the mail-order house, and the weapon is delivered to his door, and thus he evades all the municipal regulations intended to stop the sale of firearms. I think every Member appreciates the need of a law such as this.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Washington. I yield.

Mr. BLANTON. Does the gentleman believe that this law, if passed, will prevent any of the criminals he has mentioned from carrying firearms, from obtaining them and carrying them unlawfully?

Mr. MILLER of Washington. Why, I certainly do, and that is the opinion of the Post Office Department; else the bill would be absolutely useless.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Washington. Yes; glad to yield to my North Carolina friend.

Mr. ABERNETHY. In our State a man has to have a license before he can buy a pistol. As I understand now, a man can not order one without the permission of the State authorities.

Mr. MILLER of Washington. He can under the State law.

Mr. ABERNETHY. He can not do that under your bill?

Mr. MILLER of Washington. The bill makes it absolutely unavailable.

Mr. ABERNETHY. Suppose he has permission. Can he get it?

Mr. MILLER of Washington. With permission, he can buy it locally. He can not get it through the mails.

Mr. ABERNETHY. This protects the State law?

Mr. MILLER of Washington. Yes.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Washington. Yes; glad to.

Mr. BANKHEAD. I assume that the pending bill will pass, and also the one now pending before the Interstate and Foreign Commerce Committee, prohibiting common carriers from transporting weapons. In the course of time, in States where firearms are not manufactured, the supply will be exhausted; and in that event what means would be available for the peaceable, law-abiding citizen to buy a weapon for protection in his home?

Mr. MILLER of Washington. The bill provides that manufacturers and dealers in firearms are privileged to continue their customary trade shipments from one to the other.

Mr. ABERNETHY. I understand the provisions of the bill; but I would like to see if it conforms to the ideas that our people have. Your bill as it stands now makes it unlawful to order a pistol through the mail, and it can only be obtained from a local dealer. It does not interfere with the local dealer having his shipments made to him?

Mr. MILLER of Washington. Absolutely not. Dealers and manufacturers in firearms can continue shipping firearms to each other.

Mr. ABERNETHY. This is to aid the local authorities?

Mr. MILLER of Washington. Yes; that is the effect of the bill.

Mr. Speaker, the pistol is the favorite weapon of the assassin; it is the pet of the highwayman, of the robber, the burglar, and the thief. It is an especially designed weapon with which to take human life. It is not like the shotgun, the rifle, or any firearm used in hunting or by the sportsman. Its very purpose is to kill people. It is the handy weapon for the suicide as well, and likewise it is the source of more fatal accidents than any firearm use in our country.

The bill is aimed primarily at the thug, the criminal class, to make it more difficult for this class of people to obtain them.

The Post Office Department strongly approves of this bill, as it recognizes the enormous traffic in firearms of this character sent into communities where the addressees are undoubtedly barred from making local purchases.

This measure is likewise indorsed by the Police Commissioner of New York City and by the police authorities of substantially every large city in America.

It will do much toward suppressing the general sale and distribution of firearms of this class and will be of infinite assistance to local authorities throughout the country in suppressing crime and violence.

My judgment is that it is one of the most commendable measures of its character ever before the Congress. [Applause.]

Mr. BLANTON. Mr. Speaker, I desire recognition in opposition to the bill unless some member of the committee claims the time.

The SPEAKER pro tempore. Does any member of the committee desire time in opposition to the bill?

Mr. BLANTON. Mr. Speaker and gentlemen, I am with the gentleman in his desire to prevent the unlawful carrying of arms. If I could I would help the gentleman to prevent every thug and violator of the law from carrying arms. But I do not believe this bill will do it. I do not believe that this bill would stop a single thug or a single bootlegger or a single murderer from carrying firearms unlawfully.

I want to read to you what the Constitution, the fundamental law of the land, says about firearms. It says:

The right of the people to keep and bear arms—

To keep arms and bear them; that means lawfully to keep and lawfully to bear arms, of course—

shall not be infringed.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield right there?

Mr. BLANTON. I yield.

Mr. RAMSEYER. The gentleman knows, too, that every State constitution—I will not say every one, but it is true of the constitution of my State and the constitution of the State of Texas—contains that identical provision, and yet every law that has been passed prohibiting the carrying of concealed weapons has been declared to be constitutional.

Mr. BLANTON. Those prohibitory laws have reference to carrying concealed weapons in public and on public highways. There has been no law passed by any State that prevents any citizen of the United States from having firearms in his home and keeping them there.

Mr. RAMSEYER. Laws have been passed prohibiting the sale absolutely, unless the person who makes the purchase has a permit from the authorized officials.

Mr. BLANTON. Yes. But I want to discuss this bill from the standpoint of the Constitution and what the Constitution means when it says that "the right of the people to keep and bear arms shall not be infringed." I am arguing from that one standpoint. To keep arms in their homes; that right "shall not be infringed."

Mr. STENGLE. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. STENGLE. While you are discussing the constitutionality, you should bear in mind the Sullivan law in New York State, which does exactly what you say can not be done.

Mr. BLANTON. I will ask the gentleman, does the Sullivan law say that the gentleman from New York can not keep firearms in his home?

Mr. STENGLE. Most assuredly, and they would put me in jail if they caught me with them.

Mr. BLANTON. Well, if the gentleman is arrested and should appeal to the United States court, they would hold that the Sullivan law is not worth the paper it is written on, because it is violative of the Federal Constitution if it prevents the gentleman from keeping firearms in his home.

Mr. STENGLE. We must get a license or permit from the court in order to have it in the home. Otherwise we can not have it.

Mr. BLANTON. Oh, the gentleman is an easy mark if he and other law-abiding New Yorkers submit to a law like that. That must be a strong-arm law, passed back in the days of John L. Sullivan. [Laughter.]

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WINGO. I want to suggest this to the gentleman: I have not looked into it particularly, but I think in all these laws you will find an exception in favor of officers or in favor of such arms as are used in the Army and Navy of the United States. Take it in my own State, for instance, and I think it is typical of other States. We have a law against pistol toting.

There is one exception as to carrying it openly, and the other is that it must be such a weapon as is used in the Army or Navy, and I think another allows arms to be carried when you are going upon a journey. But the gentleman is right in his proposition, that there is a limit to the regulatory power. This bill not only makes a constitutional distinction, but it makes an exception as to the officer and the type of gun, that is, an armed-defense gun.

But the gentleman overlooks that this is one only of a series of measures to meet the continuous demand that everything shall be regulated here from Washington. That carries with it the implication that the people of the States, or their State agencies, or their State courts or legislatures are either incompetent or else they are corrupt.

Mr. BLANTON. I am not contending, I want to say to my colleagues, for the right of any individual to carry a revolver on his person publicly. I am against it. It is not necessary. Men have no business sticking revolvers in their hip pockets. I am not contending for that at all, but I am contending for the constitutional right of a citizen to have a revolver or any other firearm in his home, if he wants it, and I am contending for that under the Constitution of the United States.

Mr. STEAGALL. Will the gentleman let me interrupt him?

Mr. BLANTON. Certainly.

Mr. STEAGALL. The gentleman would not favor a law which would deny the right of the citizen to have firearms of any kind he might select for the purpose of self-defense, would he?

Mr. BLANTON. No. That is what I am contending for.

Mr. STEAGALL. So far as I have ever observed, all the laws in the States which attempt to prohibit the carrying of weapons make an exception in favor of the man who bears arms for purposes of defense.

Mr. BLANTON. Why, certainly, and I am going to touch on that in a minute.

Mr. STEAGALL. This bill would deny a man that right in so far as the right to transport such arms through the mails is concerned.

Mr. BLANTON. That is true.

Mr. STEAGALL. Is not this true, too? The gentleman's first statement is absolutely correct to the effect that this bill will not prohibit any criminal from obtaining pistols or any firearms that may be concealed about his person, for the reason that this bill denies him the use of the mails and turns him over to the tender mercies of the express companies.

Mr. BLANTON. I will tell the gentleman from Washington [Mr. MILLER] what the criminal will do when he wants a revolver and can not get it through the mails—if he can not get it in any other way he will break into a dealer's store and steal it. The criminal is going to have a revolver. You can have Congress and the legislatures of the States pass all the laws they want to but you will never keep a criminal from having and carrying firearms. I am not going to sit here and let a law be passed that will take away the right or infringe upon the right of a citizen to keep arms lawfully in his home—which is his castle and where his family resides—or a revolver, if he wants one, or a double-barreled shotgun, if he wants it. That is his right and it is for the protection of his family, under certain circumstances. Let him keep a rifle, if he wants one. The Constitution gives him that right. He should be permitted to keep arms in his home, but he has no right to carry them abroad.

Now, what is this bill going to lead to?

Mr. BLACK of New York. Will the gentleman yield?

Mr. BLANTON. Not just now. I will gladly yield directly.

Mr. BEGG. Will the gentleman yield?

Mr. BLANTON. Not just now. I will be glad to yield later. I do not want to take up too much time, but I want to get

these ideas before my colleagues. In every State there is a law which provides for a posse comitatus. When an officer of the law needs the citizenship to help him arrest dangerous criminals he can call on you and every other person to help him make such arrests. What good would be the right of an officer to call on you if you did not have arms available to assist him? Why, the very idea of the posse comitatus is that the citizen has arms available to which he may turn when he goes to the assistance of an officer. If you are going to make it impossible for the citizen to get them, what is the aid from that source? Why, here is what this law would result in: You allow the dealers under this law to transport firearms and revolvers through the mails; you let officers transport revolvers through the mails, and you let everybody else except the law-abiding individual himself do it, and here is what you are going to have: In certain parts of the State of New York, in West Virginia, in Alabama, in Tennessee, in Texas, and in the State of Washington there will be certain cities where there will be only one dealer accessible, and when a citizen wants to buy a revolver, even though he conforms to the regulations of the State laws, he is at the mercy of that one dealer, and he will have to pay not \$20 for a good revolver, or \$25, but he will have to pay \$50 or \$75 or \$100 for it, and it will be beyond his reach financially, and we will be depriving a citizen of a right given him by the Constitution to keep a revolver in his home.

Mr. BLACK of New York. Will the gentleman yield now?

Mr. BLANTON. Yes.

Mr. BLACK of New York. I just want to remind the gentleman that there is something else that a great number of the citizens would like to have in their homes and on their hips that you will not let go through the mails. [Laughter.]

Mr. HUDDLESTON. Will the gentleman yield?

Mr. BLANTON. In just a moment. I want to answer first the gentleman from New York [Mr. BLACK]. Here is the Constitution, upon which I am standing to-day. I am upholding the Constitution, which affirmatively says that you shall never take away from the gentleman from New York the right to keep firearms in his home; it says that Congress shall not infringe upon that right; it says the Legislature of New York shall not infringe upon it, and that is the reason why I told the gentleman's colleague [Mr. STENGLE] that if the Sullivan law attempted to do that it was not worth the paper it was written on. But there is another section in the Constitution which goes on to say that the gentleman from New York has not the right to stick a private flask in his hip pocket.

Mr. BLACK of New York. What about his home?

Mr. BLANTON. It says he has not the right to keep a private flask in his home under certain circumstances.

Mr. BLACK of New York. That is different.

Mr. BLANTON. The Constitution says also that the gentleman from New York has not the right to give liquor out to others from his home. The Constitution says that, and when the gentleman complains about the apparent inconsistency of the position taken by the gentleman from Texas he is complaining about the Constitution, because I am upholding the Constitution.

I want to say this: I hope that every American boy, whether he is from Texas, New York, or Washington, will know how to use a six-shooter. I hope he will learn from his hip to hit a dime 20 paces off. It would be their only means of defense in combating that deadly art of jiu jitsu in close quarters should war ever face them with such danger. It is not brave men who know how to shoot straight that violate laws or carry concealed weapons.

I hope every woman in America will learn how to use a revolver. I hope she will not use it but I hope she will know how. It will be for her safety; it will safeguard her rights and it will prevent her rights from being jeopardized. That is what the framers of this Constitution had in mind when they said the Congress should never infringe upon the right to keep firearms in the home.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MORTON D. HULL. Does the gentleman object to a more careful regulation of the distribution of firearms?

Mr. BLANTON. No. I am in favor of it.

Mr. MORTON D. HULL. Will it not tend to a more careful regulation of the distribution of firearms if the distribution can be localized to dealers and if mail and express company distribution can be blocked?

Mr. BLANTON. It would immediately double and treble their selling price. Let me ask the gentleman this question:

Does the gentleman believe a law like this is going to prevent bootleggers from having firearms?

Mr. MORTON D. HULL. Probably not.

Mr. BLANTON. Does the gentleman believe it is going to prevent murderers from having firearms?

Mr. MORTON D. HULL. The gentleman believes it will tend to a more careful regulation of the distribution of firearms and that may help to answer some of the gentleman's questions.

Mr. BLANTON. Is the gentleman in favor of taking away from a citizen a constitutional right to keep a revolver in his home whenever he wants to?

Mr. MORTON D. HULL. There is not a single line or word in the proposed act that prevents a man having a firearm in his home under any constitutional guaranty that he has.

Mr. BLANTON. But it infringes upon the right. I do not believe in mail-order houses. I want to say that here. When I am at my home town in Texas I do not buy from Montgomery Ward & Co. and Sears-Roebuck. I buy from the merchants of my home town. They are entitled to my trade. [Applause.]

Mr. MORTON D. HULL. Are you not afraid you are going to pay more than you ought to?

Mr. BLANTON. But let me say that the mail-order houses safeguard the people from profiteering, which otherwise might be indulged in by some of the local merchants.

Mr. HUDSPETH. Will my colleague yield for a question?

Mr. BLANTON. Certainly.

Mr. HUDSPETH. The gentleman made the statement that he believed the women of the country should be familiar with the use of firearms. Does the gentleman make that statement in view of the fact that they have been using them on their husbands in our State very recently?

Mr. BLANTON. I want to make this statement, and I will give it to you as my solemn, good judgment, that whenever a woman has used one on her husband down in the State of Texas or anywhere else, he deserved it. [Laughter and applause.]

I am going to now conclude my remarks with this criticism of the committee report. You would imagine that before infringing upon a right guaranteed by the Constitution, this great Committee on the Post Office and Post Roads would give us some good reason for taking away this constitutional right and for making it harder for the people to exercise a right which the Constitution gives them. I have read the report carefully. Here is all it contains. The report says that the Post Office Department has sent the committee a list of mail-order houses which are advertising the sale of pistols. Then in addition to that they print a letter from some man down in Tennessee who says that his son, under 16 years of age, one morning received from a mail-order house a pistol, and that day he shot himself with it. Based on that alone, and nothing else, this great committee has asked us to infringe upon the constitutional rights of the people.

One boy shot himself with a pistol! Why, do you not know that probably if he had not gotten it from the mail-order house for \$6.70—which I think it cost him—that boy would have had a pistol bought from some other place at a higher price? He would have gone to the nearest store that sold pistols and probably would have paid twice \$6 or three times that amount and would have been a dead boy anyhow, and there would have been a greater loss to the old gentleman's exchequer of about twice that sum.

Gentlemen, I do not believe in this kind of a bill. I know there is a disposition on the part of the House to back up a great committee like the Committee on the Post Office and Post Roads, and usually I follow them, and usually I vote for their bills.

Mr. RAGON. Will the gentleman yield?

Mr. BLANTON. I was about to conclude, because I do not want to take up any more time of the House, but I yield to the gentleman.

Mr. RAGON. I want to call the gentleman's attention to this case in Tennessee. The writer of this letter says:

As I understand the law of Tennessee, it is a violation of the law to ship, buy, or sell a pistol in the State of Tennessee.

In the State of Arkansas it is a violation of the law for a man to sell a pistol within that State. Do you think, for instance, that Sears-Roebuck ought to be given a privilege to sell a pistol in Arkansas and use an instrumentality of the United States Government in delivering that pistol when that is a privilege—if it is a privilege; I say it is not or should

not be one at least—when the privilege is denied the merchant or the hardware man in the State of Texas? This law has been, by the Supreme Court of the State of Arkansas, held constitutional, and you can not lawfully sell a pistol in the State of Arkansas. This letter refers to the State of Tennessee.

Mr. BLANTON. Has that law ever been tested in the Supreme Court on the constitutional question involved?

Mr. RAGON. The Supreme Court of the United States?

Mr. BLANTON. Yes.

Mr. RAGON. I could not say as to that, but I know it has been before the supreme court of my State.

Mr. BLANTON. I mean before the United States Supreme Court on the question of constitutional right and privilege.

Mr. RAGON. I could not say about that.

Mr. MILLER of Washington. Many others have.

Mr. STEVENSON. If the gentleman will yield, I want to ask, apropos of that question, if it is a criminal offense to sell a pistol in Arkansas, the fact that the motion is started in Chicago and the pistol is delivered in Arkansas—does not that still make it a crime in Arkansas, and why do they not indict those who do that?

Mr. BLANTON. Of course, that makes it a crime in Arkansas; and it would have been a crime in Tennessee.

Mr. STEVENSON. They extradited a man from this city and took him down to my State and tried him and convicted him and put him in the penitentiary for selling certain powders to a young lady down there, holding it was an offense against the law of that State, although the United States mail transmitted the package and he simply mailed it in Washington.

Mr. RAGON. Let me answer that by saying that if you will take away from Sears-Roebuck the United States mail as an instrumentality of delivery which sends the pistol down there to this young fellow who is 15 years of age, then they can make delivery through the express company.

Mr. BLANTON. The supreme court of my State held several times that where liquor was purchased outside of the State of Texas and it was shipped into the State of Texas, where sales were prohibited, through the United States mail, it was a sale in the State of Texas at the place of delivery, and that would also apply to the Tennessee case.

Mr. WINGO. If my friend will yield, I would suggest to him that he ask my colleague from Arkansas if he believes that all the pistols in Arkansas come by mail, and that they have stopped the sale of pistols in the stores in Arkansas.

Mr. RAGON. Does the gentleman want me to answer that question?

Mr. WINGO. Yes; when did they stop the sale of pistols in our State?

Mr. RAGON. If the gentleman has kept up with the State papers, he knows there has been a crusade made against them. I do not know how it is in his district, but in my district they do not sell them.

Mr. BLANTON. But does the gentleman believe in taking away from the people of Arkansas the right under the Constitution to keep pistols in their homes?

Mr. RAGON. I would like to say to the gentleman in answer to that question, I can not think of any purpose in the world that a pistol serves except to kill somebody.

Mr. BLANTON. I mean as a matter of defense.

Mr. RAGON. I want to say that I am unequivocally opposed to pistols in any connection whatever. If you want something in the home for defense, there is the shotgun and the rifle, but a pistol is primarily for the purpose of killing somebody.

Mr. BLANTON. This is a clause in our Bill of Rights. This is a right that was reserved to the people in the Constitution. You may submit the repeal of that to the legislatures of the States some day and they may repeal it, but until they do repeal it we ought to uphold the Constitution.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LAGUARDIA. Does the gentleman construe the provision of the Constitution in the light of changed conditions, and was it not put in at the time when most of the population lived in the rural communities where they had no police department and firearms were necessary for every individual?

Mr. BLANTON. I want to ask the gentleman from New York if in New York he knows of any lawbreakers who do not carry firearms and pistols?

Mr. LAGUARDIA. The gentleman from New York is not on speaking acquaintance with lawbreakers.

Mr. BLANTON. Does the gentleman from New York believe that this regulatory measure sought to be passed is going to stop lawbreakers from getting possession of revolvers?

Mr. LAGUARDIA. It will tend to do it, and that is all we can do about it.

Mr. BLANTON. Tend to do it! I do not believe it will even tend to do it. And those of you who have been around the courthouses and seen criminal cases tried I do not think believe it. Thugs are going to get a pistol whenever they engage in nefarious business, so that they can shoot their way out when they have to do it. I will say, in conclusion, that I will go as far as you want to go to stop the lawbreaker from carrying firearms. I will even help you pass a law, if you are with me on the subject, making it a death penalty where the lawbreaker carries firearms. I will help you pass a law providing that where a man engages in breaking the law and puts a firearm in his hip pocket he shall suffer the death penalty, but I am not willing to visit the punishment upon the law-abiding citizens and prevent them from keeping arms in their homes and defending their own homes when necessary.

Mr. McKEOWN. Is there anything in this bill that will prevent the citizens of Oklahoma from buying sawed-off shotguns to defend themselves against these bank-robbing bandits?

Mr. BLANTON. That may come next. Sometimes a revolver is more necessary than a sawed-off shotgun.

Now, gentlemen, there is going to be another bill brought up here from the Post Office Committee. You are going to pass it, I suppose, because it comes from a great committee. There is a bill coming up here after this bill—and you will pass this in a few minutes, I suppose—that is going to give carte blanche authority to the Postmaster General to establish an air mail service all over the United States wherever he wants to that may cost \$100,000,000.

Mr. LAGUARDIA. Oh, the gentleman is in error.

Mr. BLANTON. Well, it is a bill with only two short paragraphs, and I submit to my colleagues that that is the effect of it. I hope you gentlemen will read it before it is called up; I hope you will pass your judgment on it; I hope you will see the unlimited and unrestricted power that it puts in the hands of the Postmaster General. It could cost the Government \$100,000,000 a year if the Postmaster General sees fit to make it cost that amount.

Mr. LAGUARDIA. Where is he going to get the money?

Mr. BLANTON. It is a legislative bill. It is a bill that gives him authority to act, and when he once engages in the enterprise of increasing obligations on behalf of the Government Congress always gives him the money, for we pay our Government debts. I want to call your attention to what is coming up so that you will be prepared to meet it in a few moments. Now, I am not going to vote for that bill, and I am not going to vote for this bill.

REPORT ON THE WORLD WAR VETERANS' LEGISLATION

Mr. SNELL. Mr. Speaker, from the Committee on Rules I submit a privileged report, House Resolution 370, on a resolution extending the time for rendering the report of the Committee on the World War Veterans' Legislation under House Resolution 351, to February 15, 1925.

The House resolution was referred to the House Calendar.

PROHIBITING THE SENDING OF PISTOLS THROUGH THE MAILS

Mr. BLANTON. Mr. Speaker, I yield 10 minutes to the gentleman from Arkansas [Mr. Wingo].

Mr. WINGO. Mr. Speaker, we all of us want to stop the evil of pistol toting, to use a common expression. The question is, Are you going to do it this way; will it be effective; and if so, is it the proper way? I think I live in as law-abiding a State as any State in the Union, and with all due respect to my colleague [Mr. Ragon], I venture the assertion that in his district I can buy a revolver at half a dozen places. The criminal characters can and do get hold of all the guns they want in Arkansas and the other States under the present state of public opinion.

Gentlemen, you are not going to wipe out the evil in this country by saying to the local community under the local courts that the way we will check all evil will be by turning the matter over to the Federal Government.

Oh, but you say, this simply protects my State and other States by saying that they can not bring the pistols in by mail! Ah, gentlemen, you may say what you please, but if you want to stop pistol toting and the evil results flowing from it you must have an awakened public conscience which will enforce the local laws of the States, not alone against the unlawful sale of firearms, but against the carrying of them. We have a law down in my State that you have to register your six-shooter, and while every law-abiding citizen registers his six-shooter, no criminal ever does. That is my observation.

I never bought a six-shooter in my life. One of my clients gave me one once, but I never did discover how to make the thing shoot.

I have no desire to buy one. I want to stop pistol toting, but I want to go to the root of the matter. The way to stamp out crime in this Nation, the way to enforce your local laws against the sale of firearms and against the carrying of firearms, is for the law-abiding citizens of the different communities first to have respect for the laws themselves and then to enforce their own laws. You are not going to do it by piling statute on statute. This country has a multiplicity of laws, and it has a paucity of sane, sensible, consistent, persistent law enforcement.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Yes.

Mr. RAMSEYER. The gentleman understands that this bill does not undertake to regulate the States. The only thing it undertakes to do is to tell the person who wants a pistol that he can not use an agency of the Federal Government to transport the pistol.

Mr. WINGO. Oh, I understand that. This does not interfere with a single law. It just creates another law for the same evil, when you are not enforcing the laws that you already have.

Mr. RAMSEYER. Oh, well; it is on the same principle that we years ago made intoxicating liquors nonmailable, that we made explosives nonmailable, and poisons nonmailable. We are just adding to the list of nonmailable matter.

Mr. WINGO. Oh, I can not agree with the gentleman that they are on all fours. They are entirely different.

Mr. RAMSEYER. I do not say they are exactly alike.

Mr. WINGO. Then because we have piled one law on the Federal Government that is no reason why we should pile on others. You will have to have more inspectors. You have already got it so that you can not send a pair of Christmas socks by mail without having some inspector probably open the package and look at it to see whether or not it is something that ought not to go through the mails or properly classed. It is a matter of common knowledge and daily occurrence that the privacy of the people is invaded by these Federal agents under the guise of enforcing the law. They even open your private mail, and if some whipper-snapper representing the Federal Government or some department of it conceives the idea that somebody has committed a crime he says, "Yes; I can do that, even though it be a violation of law, and nobody will punish me." Why, if they have an idea that you are making a little more money than you ought to, as shown by your bank account, and they have a desire to see whether or not you are getting it unlawfully, they will go down and make one of the national banks show them your bank account. I have seen that done within six months, without authority of law, in violation of law.

Mr. MORTON D. HULL. Was the gentleman in favor of the publicity provisions of the income tax law?

Mr. WINGO. I was in favor of the bill as it passed the House.

Mr. MORTON D. HULL. The gentleman is opposed to the publicity provisions as incorporated in the bill?

Mr. WINGO. Oh, well, I think a "tempest in a teapot" has been raised about it. I can not see that it is going to disturb the whole business world if somebody knows how much the gentleman or I pay as income tax. I think there is a clear distinction between knowing how much we pay and knowing where we get the money and seeing our returns.

Mr. MORTON D. HULL. I was trying to see how consistent the gentleman is in his statement.

Mr. WINGO. If the gentleman will stay here a little bit longer, he will find that the only mark of genius here is for a man to try to be consistent. Then nobody pays any attention to him, and he is referred to finally as an eccentric genius, who tries to be consistent. The gentleman entirely misses the force of my argument. I am against pistol toting, and as a member of the State senate and as a citizen I tried to stop the evil. If I thought this bill would do it, I would hail it with delight, but you will still have the criminal with the six-shooter in his pocket after you pass this law, just as you have now, and at the same time you will have more post-office inspectors on the pay roll; you will have new officers running up and down the land; and I tell you that right now in the State of Arkansas there are more Federal agents camped on its soil nosing into the private affairs of individuals than we have State, county, township, and municipal officers. You can not turn around without rubbing your elbow against some inspector of some department of the Government. What are they doing? The principal thing they are doing is drawing

their salary and riding the backs of the already overburdened taxpayers. All right! We are going to stop all evils by passing a Federal statute. We are going to make people good by a Federal statute. We are going to regulate their mail. As it is now, when you want to send your wife a Christmas present of a pair of stockings, some clerk will want to look at the package to see whether or not you are sending something through the mail that ought not to be sent through the mail. Oh, pass the bill. Of course, you are going to pass it, and why? Because it has a moral sentiment back of it. The man whose heart has been wrung, the woman whose life has been wrecked by some scoundrel with a six-shooter in his pocket, or some boy using it and getting himself into trouble, thinks that this will wipe out the evil and that the moment we stop the mail from carrying pistols, then every pistol pocket will be empty; that criminals will be left without their guns, and that the millennium will be rushed in. But, gentlemen, that will not do it. This will pile on a little bit more law. I tell my constituents they need more enforcement of the laws which they now have, and not to ask the Federal Government to usurp, not alone the right but the duties of the local organizations.

What is the result? You know what the result is. You enforce the law in my State and everywhere else against the sale of firearms, enforce the law against the carrying of those firearms, and you will stop these tragedies. Sears, Roebuck Co. and Montgomery Ward are not the source of all the pistol toting in this country.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. WINGO. I will.

Mr. MILLER of Washington. What does the gentleman think of this state of affairs where in the State of Ohio, which requires a permit to be obtained to carry a pistol, within the last 18 months 3,000 pistols were shipped into that town through the United States mail? That is what this bill is trying to prohibit.

Mr. WINGO. How does the gentleman know that?

Mr. MILLER of Washington. The Post Office authorities made the statement.

Mr. WINGO. What authority did they have to dig into the mail to ascertain?

Mr. MILLER of Washington. I do not know. The gentleman can ascertain the facts as well as myself.

Mr. WINGO. They say they are digging into it. You stop it by mail and you stop it by express, then you stop it by freight, and then they are going to carry it in their pockets on the train. That is what they are going to do. Gentlemen, of course you ought to see that there is a sensible regulation of the sale of firearms to necessary police officers and the different peace officers, but I submit the States can do it better. It is not going to make the grand jury any more efficient in my State, it is not going—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLANTON. I yield the gentleman five additional minutes.

Mr. WINGO. It is not going to make the man who keeps his six-shooter hidden in the drawers of his store from doing so by prohibiting the sale of firearms. It is not going to prohibit the sale of firearms to the criminal. If they want to come and get them they will come and get them. It is not going to stop the bootlegging of pistols in the States where they are sold unlawfully. There is just one thing that is going to stop it, and that is an awakened and aroused public sentiment in those States and communities to enforce and maintain the laws which they have, and if a man carries a gun or brings it in by mail and goes and carries it he is violating the law. This will not make it any easier for you to detect the man who is carrying. But if you shut off one convenience for getting it he will get it through another avenue.

Mr. BEGG. Will the gentleman yield for a question?

Mr. WINGO. Yes.

Mr. BEGG. I am very much in sympathy with what the gentleman is saying. If this bill were enacted into law and another cutting off the express companies and another cutting off the transportation by freight, if we continue to permit the manufacture what is to prevent a man driving 100 miles and bringing back 5 gross of firearms?

Mr. WINGO. If you start on this road, start the Federal Government undertaking to suppress pistol toting, you have got to go the whole length. You prohibit its coming through the mails, by express, by interstate commerce, and then whenever you have made it a matter of interstate commerce that

includes transportation by automobile, airship, or by train, or in the pocket, you will just add to the Federal enforcement officers of the Nation, require more officers, more employees on the pay rolls, and you will not stop the evil, gentlemen. But, as I repeat, you will pass your bill. Those of us who vote against it will be criticized by some good people. I wish your hopes could be realized by this bill. I have seen tragedies in reference to pistol toting. I repeat, I never bought one. I would like to see the law in my State more rigidly enforced, but I do not believe a Federal statute is going to make them any more vigilant. I regret to say my observation has been when the Federal Government invades this field, I have seen the tendency on the part of the local authorities to be more lax and say, "Let George do it; let Uncle Sam do it." Gentlemen, this Federal machine is big enough now—

Mr. BLANTON. Will the gentleman yield?

Mr. WINGO. I will.

Mr. BLANTON. Is not after all the revolver under the teller's counter a protection against the bandit every day that they do business?

Mr. WINGO. Oh, yes.

Mr. BLANTON. They are afraid of that revolver under the teller's counter. It is that which keeps most of them out.

Mr. WINGO. I will say to the gentleman, they will get it; they will get the six-shooter. They will buy it in some way; and the criminal, most of all, will get it, because the man who started out to run the risk of carrying a six-shooter in his pocket will not hesitate to violate the procurement statute. The pistol in his pocket is more apt to be carried according to the subterranean methods by which he gets the pistol. Take the pistols out of the pockets; enforce the local laws against the sale of them. That is the way to stop this evil. You can not do it by employing a horde of Federal officials to open the packages in the mail.

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Yes.

Mr. WAINWRIGHT. What is the use of enforcing the local laws and regulations with regard to carrying pistols if it is perfectly easy to get them through the mails?

Mr. WINGO. The gentleman is well versed in the law. They tell me I am wrong about my view of it. But if you want to protect local law I will vote with you to settle the dispute, if there is any dispute about it, and say that the transportation of firearms through the mail shall be governed by the law of the State where they are delivered. I will go with you on that if there is any dispute about it, and then say to the local communities, "Do not cry out to Washington to save us from our own indifference." That is not the way to save the great institutions which our fathers founded. [Applause.]

Mr. RAMSEYER. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. UPSHAW].

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 10 minutes.

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent to address the House out of order.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to address the House out of order. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Speaker, with Woodrow Wilson gone and Henry W. Grady dead, I had not supposed that there lived on the American Continent a man who could make such a speech—such a masterful compass of thought and language, eloquence, and statesmanship—as we heard in that wonderful memorial address of President Edwin Anderson Alderman, of the University of Virginia. [Applause.] Gray-haired men on both sides of Congress declare with unmixed and unrestrained enthusiasm that the speech was the very greatest message, viewed from every angle of estimate, that has been heard in this historic Chamber in this generation. If the greatest in this generation, then why not the greatest in all generations since this Republic began its mighty processes of growing patriots and building statesmen of heroic stature and gigantic mold?

Known for a quarter of a century in the educational life of America, and especially the South, as an educator-statesman of towering proportions, Edwin A. Alderman has reflected a signal honor upon his native North Carolina—a State that has a way of giving a marvelous plentitude of outstanding men to the world; but whether at the helm of the University of North Carolina or Tulane in Louisiana, or in the crowning work of his brilliant and fruitful life on that inspiring spot where the Sage of Monticello thought and wrought—where

the Father of the Declaration of Independence laid the foundation of that shining pyramid of freedom that will pierce the ages as they pile themselves upon its deathless glory, it remained for this great national and international hour to unchain the latent forces of his greatness and challenge the "pinioned powers" of Virginia's scholar-statesman to their most marvelous achievement.

And it was an honor of first magnitude, gentlemen, a premier victory of superb isolation, for a private citizen to be summoned to the mighty task—the priceless privilege of speaking the "in memoriam" of America's great war President before the President and his Cabinet, the diplomats of all nations, and the assembled Congress of the United States. But, rich as were the materials with which the speaker had to deal, deep as were the crystal springs of his sacred inspiration, he had a task that was as delicate as it was difficult. Truly, as he said, he would have been lacking in the courage of the leader whom he memorialized if he had failed to treat with personal candor those controversial points of sharp contention that were the positive pivots of Woodrow Wilson's regnant ideals and the glowing arena of his most stirring activities.

And yet, at the very altar of Wilson's supremest dedication, and in the very presence of the opposing but honest leaders whose variant views and efforts had thwarted his passionate dreams, Edwin A. Alderman moved with a cautious and yet a dauntless frankness that disarmed criticism and commanded a fascinated and fascinating reverence that awed and subdued and exalted all who hung upon his magic words.

His courage was superb; and yet it was matched only by a courtesy as winsome and as gentle "as down from some high angel's wing."

His language! I stand almost dumb at the threshold of its contemplation.

It is said that "no man can be argumentative who is not historical." The orator of that memorial hour seemed at once the maker of history, the wizard of literature, and the master of logic all in one. There was radiance with reason, vision with virility, vigor and victory in the resourceful treatment of every theme. When and where did we ever hear before such balanced sentences of beauty and power? When and where did we ever drink in before such minstrelsy and music and majesty of words? And yet there was never a lost motion, a lost sentence, or a lost word in all that mighty torrent of human thought, human history, human ideals, and human and divine achievement. It took a statesman as well as a scholar and an orator to meet that wonderful hour; but the man and the hour met. And because of that high and holy trysting place that seemed the antechamber of the eternities, we are a better company of lawmakers, the Nation is a better Nation, and this world is a better world. I thanked God while the speaker moved, as John Temple Graves said of Grady, "from easy effort to success," that the supreme consideration was not subordinated to histrionic power and literary charm. God was honored as the Supreme Builder of character, and the "stately stepplings" of the Almighty were heard in the deep recesses of every listening soul. It was the radiance of God's own vocal skies and the threnody of heavenly harmonies that fell into our hearts "like the benediction that follows after prayer."

As this marvelous masterpiece shall go into our permanent literature and be proclaimed in shining segments by ambitious young Americans in many a mimic contest, I rejoice that its glorious evangel of uplifting reverence will flow like a veritable gulf stream of spiritual enrichment, fructifying the character, the ideals, and the aspirations of every plastic youth that it shall touch, "through God's restless tide of years." Verily, it was a throne of sceptered truth, and that scepter was waved by such a master hand that I found myself involuntarily coveting such a master man for the White House of my country! I kept saying in my soul: Why not make that man President of the United States?

Are we so bound by the unwritten dictum of sectional bias that he would have to move to New Jersey or Massachusetts or Ohio in order to place him on the "eligible list"? Surely, if those super-Virginians, Washington and Jefferson, Madison and Monroe, Tyler and Wilson, "rule us from their urns," we should rejoice to place this premier scholar-statesman where his princely powers and Alpine personality would stir the pride of all American patriots regardless of party lines.

Fellow Americans in Congress, I propose that master American, the present president of the University of Virginia, for President of the United States! [Applause.]

Mr. RAMSEYER. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. BLACK].

The SPEAKER pro tempore (Mr. LUCE). The gentleman from New York is recognized for five minutes.

Mr. BLACK of New York. Mr. Speaker, I think this bill is a fairly good measure, designed to do the very thing that a great number of men associated with the prosecution of the criminal law want to see done. But I do not think it goes half far enough; I do not think it goes half far enough under the provisions of the Constitution, even. I do not think there is anything that the ordinary householder has to be afraid of in this bill. I do not think there is anything that the man who likes the Constitution has to be afraid of in this bill. As a practical proposition, how often has a householder been called upon in the large cities to defend himself by the use of a firearm against a bandit? I venture to say that the bandits who use guns are more afraid of little Skye terriers in the homes than they are of all the guns in the world.

Only once can I recall a case where a gun was used in the city of New York to stop a bandit, and on that occasion a fight or scuffle ensued by the use of the gun by the householder, in which a woman in the house was accidentally shot. Very seldom do you have a bandit entering the home with a gun. They still respect the household. It is on the open streets that they use the guns in the big cities. How often have you heard of any man on the open streets using a gun to protect himself against a bandit?

What the householder wants, and what the man on the street wants, and what the citizen wants is police service against the bandit, and he can have the police service against the bandit when the policemen of all the cities are released from other things that have been brought down upon them by this House requiring them to devote their time to other regulations that the people do not want, keeping them away from real police duty.

As to the business man and the gun, every big business house has a watchman; and every big business house has a watchman because his burglary-insurance provisions practically require him to have a watchman. There is nothing in this bill preventing a watchman from getting a gun. There is nothing in this bill preventing a man who has a right to have a gun from having it. As a good citizen, a man is free to have a gun if he procures a license for it. This bill simply supplements those things that we try to do in the States against the bandit.

Make it hard for him to get a gun; make it as hard as possible for him to get a gun. And I say that if we want to really help the people against the violators of the law and our affairs we should strike out the language of the eighteenth amendment as that now stands and after the word "prohibit" insert "the manufacture, sale, and transportation of concealed weapons." And that has back of it the thought of a number of our best jurists. I have heard judges in New York City say that the way to stop the use of guns, and the only way to stop their use effectively, is by prohibiting the manufacture and sale of guns.

Mr. BLANTON. Will the gentleman yield?

Mr. BLACK of New York. Surely.

Mr. BLANTON. Does not the gentleman know that in every one of the many banks in New York to-day there are at least a half dozen revolvers right at hand under the tellers' desks?

Mr. BLACK of New York. I want to say to the gentleman from Texas that if this bill passes those guns will be there as they are to-day. They can get guns and they can buy guns under this bill from legitimate dealers, and they are the only ones who can get them. I will say to the gentleman that there would be no use for those guns were it not for the fact that bandits can now get guns through the mail, although the State laws prohibit the sale and use of guns. The householder does not need a gun unless the bandit has one. Take guns away from the bandits and you will take away the necessity of householders needing guns, and if he can not use a gun he can do no harm and will harm nobody about him. I will say to the gentleman that you should not prohibit temperance but prohibit murder, and that is in very large measure accomplished by this bill.

Mr. BLANTON. Will the gentleman yield further?

Mr. BLACK of New York. Yes.

Mr. BLANTON. Does the gentleman—who is quite an able lawyer from the great metropolis—believe that this bill will stop thugs from having guns?

Mr. BLACK of New York. No; but it will tend to stop them from having guns. This measure is a step in the right direction, but I say you ought to go all the way and enact a constitutional amendment prohibiting the manufacture and sale of concealed weapons. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. BLANTON. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. STEAGALL].

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 10 minutes. [Applause.]

Mr. STEAGALL. Mr. Speaker and Members of the House, the provision in our Constitution which attempts to guarantee to the citizen the right to keep and bear arms lies deep at the root of our liberties. The men who framed our Constitution were fresh from the struggle for American freedom and independence, and they had read with understanding the lessons of human history. They recognized that the right to bear arms was not only essential to the protection of the individual citizen and the defense of the home of the individual citizen but that that right is essential to the preservation of self-government and the liberties for which they had fought and which they desired to hand down to those who were to come after them.

This bill would give to the military and to the constabulary the unqualified right guaranteed by the Constitution, but would infringe upon that right as to the individual citizen of the country.

Mr. BLACK of New York. Will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. BLACK of New York. The gentleman realizes that the second section only guarantees to the people the right to bear arms through a well-regulated militia, which, I take it, is a militia created under the laws of the several States.

Mr. STEAGALL. But my friend does not catch the first great fundamental thought underlying this provision in our Constitution, which was to safeguard the citizen in the right of self-government and enable the people to protect themselves against the encroachment, usurpation, and oppression of the military, which had overawed and held down the masses in all the ages of human history. [Applause.] That is the great fundamental thought underlying this principle in our Constitution, and it was founded upon the unmistakable lessons of human history in all ages throughout the world.

Mr. BLACK of New York. Will the gentleman yield further?

Mr. STEAGALL. Yes.

Mr. BLACK of New York. Does the gentleman understand it is left to the people, with guns in their homes, to decide when oppression was coming and when tyranny was coming, and that it is not left to the officers of the land to say that?

Mr. STEAGALL. Well, the gentleman makes a speech that is all interesting, but it does not bear directly on the thought that I am attempting to pursue in this argument. What is going to become of the citizenship of America if you disarm them and then turn over to your Military Establishment the unlimited right to bear arms? There is no possibility of such danger right now, but what would be the situation if we should ever unwisely see fit to elevate and enlarge the Military Establishment to the point that it would become an instrument of oppression to the masses of the American people? The thought of this danger is the principle which guided the framers of our Constitution, who attempted to write this safeguard into the organic law of the land.

Gentlemen, this bill attempts to infringe upon that right in a way which, I dare say, has never been attempted in any other legislative body anywhere in this Union. If it has been attempted, it has escaped my attention.

Mr. WAINWRIGHT. Will the gentleman give way?

Mr. STEAGALL. In just a little bit. I do not know of any State and I have never heard of any legislature that ever attempted to go as far as this bill seeks to go. The only thing any State has ever done, so far as I am informed, that in the least infringes upon the rights vouchsafed by the Constitution is to require the citizen who bears arms to carry them openly, so that those with whom he comes in contact may be put on notice that he is armed. That is as far as the law has ever gone.

The right to possess arms of any sort has never been denied to responsible citizens anywhere in this country, so far as I am informed. I have never heard of an attempt before to infringe upon the guaranty of the citizen in the right to keep arms. That is just as essential as the right to bear arms.

This bill not only attempts to infringe upon the right to bear arms but, as has been pointed out, would, in so far as its effect will prevail, deny every citizen of the country the right to have firearms in his home or about his person for the protection of his family or for purposes of self-defense.

The framers of this bill were not content with attempting to restrict the keeping of arms or the bearing of arms but

would deny the citizen the right to purchase firearms of this character or to deal in them at all, because if they may not be transported they can not be had. So far as I am informed, no other legislative body, in dealing with the question, has ever gone further than to say that the citizen in bearing arms should carry them openly so as to put those with whom he came in contact upon notice that he was armed. That is not unreasonable nor unjust nor does it take away any substantial right.

Mr. HOCH. Will the gentleman yield there?

Mr. STEAGALL. I yield.

Mr. HOCH. Under this bill, as it is written, a reputable citizen living, we will say, 15 or 20 miles from town calls up his dealer, whom he knows and who is known to the dealer, and asks him to send out by parcel post a certain revolver; that dealer could not do that under this proposed law without violating the law?

Mr. STEAGALL. No; he could not, and it is not true that this bill will not accomplish anything. It will deny the use of the mails for the purpose of transporting firearms; and the logical and consistent thing to do would be to follow it up with other laws which would prohibit the transportation of firearms by other methods, and another logical step would be to deny to the citizen the right to keep or to own or to possess firearms of this character at all; and the logic back of this would really deny the citizen the right to arm himself at all or to put firearms in the home for protection of himself or the family. It would disarm the citizen while conferring especial favor upon the constabulary. It is fundamentally vicious in principle.

Mr. WAINWRIGHT. Will the gentleman give way?

Mr. STEAGALL. I yield to the gentleman.

Mr. WAINWRIGHT. May I ask the gentleman what is his conception of the constitutional provision? The gentleman has referred to it as a provision guaranteeing to the individual citizen the right to bear arms. May I ask the gentleman if he himself would have any objection to reading the constitutional provision.

Mr. STEAGALL. I think I know what the Constitution contains. It was read here a few moments ago. I do not think I need to be refreshed, but I will be glad to yield to the gentleman for that purpose.

Mr. WAINWRIGHT. May I read the constitutional provision:

A well-regulated militia—

I am now reading article 2 of the first amendment to the Constitution—

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

I doubt if that has ever been construed to mean that the individual citizen has any constitutional right to bear arms.

Mr. STEAGALL. The gentleman is totally in error, because all the decisions of the courts are to the contrary and the purpose of the framers of our Constitution was to accomplish the very opposite of what the gentleman has in mind. It was not their thought to arm the Military Establishment with a power that could be used to destroy and override the citizen, but to give the people the right to bear arms, in order that they might defend themselves and their liberties and enforce the inalienable right of self-government. That was the principle involved. The right given the military was not to supplant the right of the citizen, but was intended to further and protect the right guaranteed the citizen.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. BLANTON. I yield the gentleman three minutes more.

Mr. KETCHAM. Right there, would the gentleman be kind enough to yield for a question?

Mr. STEAGALL. Yes; I yield.

Mr. KETCHAM. I want to direct the gentleman's attention to the statement of a very distinguished jurist upon the very point that has been read. I am reading from Thomas M. Cooley, one of the most outstanding judges Michigan has ever known, and it bears directly upon this point. He used these words:

The arms intended by the Constitution of the United States are such as are suitable for the general defense of the community, and the secret carrying of those suited merely to deadly individual encounters may be prohibited.

Mr. STEAGALL. Yes; there is no question about that. Everybody understands that and there is nothing new in it whatsoever. Carrying weapons concealed has often been pena-

lized and properly so. Such statutes rest upon entirely different grounds as I have already attempted to explain.

Mr. MOORE of Virginia. May I suggest to the gentleman that this particular provision of the Constitution is restrictive of congressional action.

Mr. STEAGALL. Certainly.

Mr. MOORE of Virginia. And it leaves to the States to do what the States think proper in this regard.

Mr. STEAGALL. Absolutely. I was coming to that point, and, as has been well said before in this argument, this is merely another step by which the Federal Government is to trespass upon the rights of the States, the thing first set down to be preserved inviolate by the framers of our Constitution, and I believe our gradual departure from this great fundamental principle is the most dangerous tendency in our national life.

The suggestion has been made here in this discussion that this bill is itself the child of bureaucratic government at Washington. If I am correctly informed, the bill is sent here by one of the bureaus dealing with the petty details of a department, yet it is an enactment which departs from one of the most fundamental, far-reaching, and sacred principles in our Constitution.

Let me say to you, Members of the House, that if there is any one thing upon which the people of the United States are surfeited and which all thoughtful people deplore, it is the regulation and control of affairs by Federal boards and agencies and the tendency to center all authority in the Government at Washington. [Applause.] What the citizen of this country wants, above all things, is to have the Federal Government take its hands off of him and out of his pocket.

Mr. MILLER of Washington. Will the gentleman yield for a short question?

Mr. STEAGALL. I yield to the gentleman.

Mr. MILLER of Washington. Can you imagine the law of any State in the American Union forbidding the delivery of firearms through the mails in their States? As a lawyer, can you imagine that?

Mr. STEAGALL. That is a proposition—

Mr. WINGO. May I make a suggestion to the gentleman? Since I spoke a while ago I have been refreshed by one of the ablest lawyers in this House and have had recalled to me a case which arose right in the District of Columbia, where a man was extradited and sent to the State of South Carolina that had never been in that State, because he sent through the mails the thing which caused the commission of a crime in the State of South Carolina, and the defense was that he had not committed any crime in South Carolina, but he was held guilty in that State. You can now prosecute them in the State for sending pistols through the mail.

Mr. STEAGALL. Yes. I discussed that very case with the same gentleman from South Carolina, and the decision reached in that case was unquestionably sound. [Applause.]

Mr. RAMSEYER. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore (Mr. LUCE). The gentleman has 15 minutes remaining.

Mr. RAMSEYER. I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Speaker, I am sure after this debate we will be convinced that the enactment of this law will not bring the millennium, but after all its only purpose is to make it more difficult for the thug and murderer to get his weapons with which to commit crimes. It will make it easier for the law-abiding citizen to live in the peaceful possession of his life and his property. I do not believe that the representatives of the law in this great Republic need to be concerned more than those who are financially interested in this proposition.

I was rather forcibly impressed less than 60 days ago to read in the public print a statement by Julius Rosenwald, head of Sears-Roebuck Co., the greatest mail-order house in the country, on this proposition. I have myself never been charged with being a supporter of mail-order houses. But this manager stated that the revenue of that house from firearms through the mail amounted to many millions of dollars, and he believed that patriotism required a determined action on their part, and they had fixed the policy that never again would they send through the mail a revolver or pistol because of their menace to law and order in the local communities.

Now, when a great organization, which is interested in getting all the revenue it can, without any compulsion of law sees fit to adopt a policy cutting down their own revenues through such a motive, it seems to me that we need not have too much compunction, as the representatives of law and order, to say that it shall not be done by any individual or interest in the United States. [Applause.]

Mr. BLANTON. Mr. Speaker, I yield the balance of my time to the gentleman from Alabama [Mr. HUDDLESTON].

The SPEAKER pro tempore. The gentleman from Alabama is recognized for two minutes.

Mr. HUDDLESTON. Mr. Speaker, that is not time in which I can speak. I will say, however, that the worst thing in this bill is its discriminatory features. The fact that it permits certain classes to receive weapons through the mails, weapons not required in the performance of their duties, while the same privilege is denied to all others, embodies a discrimination which is bad. Discriminatory legislation is vicious in principle and ought never to be tolerated except under extraordinary conditions. Here we have a bill that exempts certain classes from the operation of the law to do whatever they please with reference to sending or receiving firearms, whereas other classes are forbidden. These preferred classes are not restricted to obtaining arms necessary in the performance of their duty as officers. They may buy pistols from the mail-order houses and sell them to their neighbors or anybody else, and there is nothing in the bill to prevent it. You will put these officers practically in the business of dealing in these firearms, while other people of good repute are not permitted to do it. It is a discrimination that ought not for a moment to be tolerated. If we are to pass a bill forbidding the purchase of pistols through mail-order houses, we should make it apply to everybody alike. [Applause.]

Mr. RAMSEYER. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. RAGON].

Mr. RAGON. Mr. Speaker, I can not see that violence to the Constitution which my friend from Texas sees in this bill. I think if you will take the statistics of the murders or homicides that occur in the United States and compare them with the number of homicides in Great Britain or Canada, it will be enough to bring the blush of shame to the cheek of any American. Something is vitally wrong either with our system, jurisprudence, and administration of criminal laws in this country or else there is something fundamentally wrong in not ridding ourselves of the opportunity of committing homicide.

Much has been said here about the use of these pistols as a defense of the home, and so forth. I can not subscribe to any such mandarin sentiment when these firearms are primarily used in taking human life. In my State it is a violation of the State law to sell a pistol within the borders of the State. The same law prevails in the State of Tennessee. I undertake to say that within the borders of the United States there are a score of States which have laws to the same effect. In other words, the merchant in my community can not sell a pistol lawfully. Oh, there may be bootleggers. It is a violation to sell liquor in Arkansas, but we occasionally have sales. It is a poor argument to make against any proposed law that there are violations of other laws in the community. It will not hold water. I say to you that under the present conditions we have that prohibits the sale of weapons in my State you are permitting the United States Government, you might say, to commit a criminal offense when it delivers within the borders of the State an article of commerce prohibited by an act of the State. In other words, if you permit a mail-order house to sell to a citizen of that State and use the United States mail as an instrumentality for delivering the article and the consummation of that sale, then you are permitting your own Government to do an act that is held unlawful if done by a citizen of my own State.

Mr. BLANTON. Will the gentleman yield?

Mr. RAGON. I will, although I have only five minutes.

Mr. BLANTON. If I should mail a revolver into the gentleman's State to-day, would I be guilty of a criminal offense?

Mr. RAGON. Absolutely; there is no question about that, but that is dodging the question. The argument that they are using—that he would be violating the law in the State of Arkansas if you in the District of Columbia ship a pistol there—reminds me of the old antiprohibition cry when they said, "Don't go to state-wide prohibition, because you can't enforce it." Of course you can do that. Suppose we take Sears, Roebuck & Co. The gentleman says that they have quit the sale of firearms. However, they used to sell them. Suppose they should sell some 15-year-old boy in my State a pistol. He could do with it as the Tennessee boy did—blow his brains out. The sale of a pistol is only a misdemeanor, and you indict them. I think it carries a fine of \$20 or \$50. Are you going to the State of Illinois, where Sears, Roebuck & Co. are situated, and there go through the proceeding of extraditing some member of that firm and bringing him to Arkansas and prosecuting him for a misdemeanor? That shows you the utter folly of the position the gentleman takes. I say that you have an oppor-

tunity in the passage of this bill of taking the first step, as I see it, in the total extermination of the most deadly weapon that human beings know anything about. The farmer does not go out and kill his hogs with a pistol. The man who walks out on a hunting trip through the woods does not go hunting game with a pistol. He does not go out to do any of the other things which ordinarily we call sport with a pistol. The primary purpose that the pistol serves and has served in America is that of killing human beings, and I would say for the unktion of some gentlemen who have been discussing this that statistics will show that more than 50 per cent of the murders that happen in the United States happen as a result of the misuse of a pistol.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. RAMSEYER. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Speaker, if this bill becomes a law it will materially strengthen the several States and increase their power to enforce their police regulations, without being crippled by the action of citizens of other States in shipping revolvers into such States, thereby rendering the enforcement of those laws exceedingly difficult. Nearly all of the States have laws that forbid the sale of firearms to minors. These are salutary legislative enactments, but under the present system, which permits revolvers to be transported by mail, any boy of 10 or 12 years of age can order a revolver from a mail-order house in another State, and having in that manner acquired possession of a revolver he in many instances uses it to violate the law and sometimes take human life. This law will remedy those conditions and enable the States to efficiently function, exercise their wholesome police power, and enforce local police regulations. This bill, if enacted, will prevent young boys all over the United States from buying these revolvers and using them very frequently for unlawful purposes. It is a wholesome and salutary bill, and it ought to be adopted by this House without serious opposition.

Mr. RAMSEYER. Mr. Speaker, I suggest that the amendments be disposed of.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Page 1, line 9, after the word "prescribe," insert a comma.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 7, after the word "commitment," insert a semicolon.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 11, at the end of the line after the word "other," strike out the period, insert a comma, and add the following words: "under such regulations as the Postmaster General may prescribe."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STENGLE. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. STENGLE: Page 2, line 1, strike out the words "or Marine Corps" and insert in lieu thereof the words "Marine Corps or Reserve Officers' Training Corps."

The SPEAKER. The question is on agreeing to the amendment.

Mr. WINGO. Mr. Speaker, does the gentleman want to be heard in favor of this amendment?

Mr. STENGLE. I do, if the gentleman desires to oppose it. Otherwise, I am willing to go to a vote.

Mr. WINGO. I merely rise to ask the gentleman whether he proposes to throw this open to everybody who belongs to the Reserve Corps?

Mr. STENGLE. If the gentleman will read on page 1, line 10, he will find that none of these exceptions is provided for except in connection with official duty, and the Reserve Officers' Corps has no official duty except at specified periods in each year.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. STENGLE. Yes.

Mr. RAMSEYER. As I stated in opening the debate, I think this bill covers everything. I think it covers the officers that the gentleman seeks to designate in his amendment. I am not

sure that the gentleman has properly designated them. May I ask to have the amendment again reported?

The SPEAKER. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again read the Stengle amendment.

Mr. LAGUARDIA. Mr. Speaker, I think the term the gentleman should use is "Reserve Officers' Corps."

Mr. STENGLE. Very well; I shall accept that.

Mr. LAGUARDIA. The other is a students' organization.

Mr. NEWTON of Minnesota. Mr. Speaker, if the gentleman's point is correct, he should also include the members of the Naval Officers' Reserve Corps.

Mr. STENGLE. I have no objection to the gentleman offering such an amendment. I had no intention, Mr. Speaker, when I offered the amendment to take up the valuable time of this House to discuss the reasons why I believe this addition should be made to the bill. It seems to me self-evident that there might at some time be a question raised, technically, which would prevent in our training camps the permission to transport certain firearms for the use under official duty of the reserve officers in the camps. I am not surprised that there seems to be some question as to what the corps is and what it does. General Pershing requested many Members of this House two years ago to visit the camps in training near their homes. I was officially informed at the conclusion of that summer that I was one of only two Members who did what General Pershing had requested.

Mr. RAMSEYER. Will the gentleman yield?

Mr. STENGLE. I will.

Mr. RAMSEYER. After conferring with some members of the committee, if the term is a proper one I do not think there will be any objection.

Mr. STENGLE. I will accept any term the gentleman suggests, if it covers what is desired. All I desire is to clear up any question that might arise.

Mr. RAMSEYER. It should be "Officers' Reserve Corps."

Mr. STENGLE. I accept the suggestion; it should be the Officers' Reserve Corps.

The SPEAKER. Without objection, the Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. STENGLE: On page 2, line 1, strike out the words "or Marine Corps" and insert in lieu thereof the following: "Marine Corps or Officers' Reserve Corps."

Mr. WINGO. Mr. Speaker, I ask unanimous consent to proceed for five minutes additional.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Mr. Speaker, as I gathered from the remarks of my friend from New York, his amendment will take care of the constitutional rights of himself and one other man. [Laughter.] Because—

Mr. STENGLE. Will the gentleman yield?

Mr. WINGO. I can not, because the gentleman had five minutes of my time.

Mr. STENGLE. My time. I had the floor and the gentleman took up my time.

Mr. WINGO. Now, my friend stated that he and one other officer complied with something, I do not know what. Now, this will permit him and that other officer in the Marine Corps to buy their pistols from Sears, Roebuck & Co. by mail. [Laughter.] Gentlemen, at first I was opposed to the amendment, but now that I see the force of it I appeal to all the Members of the House to support it. Think of it! Here are two prominent officers of the Reserve Corps who will have the right to patronize Sears, Roebuck & Co.

Mr. HILL of Maryland. Will the gentleman yield?

Mr. WINGO. I do.

Mr. HILL of Maryland. Could the gentleman tell the House how many additional post-office inspectors will be necessary to enforce this act?

Mr. WINGO. What difference does it make? We are approaching that beautiful stage in the evolution of our Government where we will get as many people as we can on the pay roll and try to see how many of us can shift the burden of taxation to support it.

Mr. HILL of Maryland. It will make necessary several additional inspectors?

Mr. WINGO. Yes. If they have the right to search the mail for one purpose, they have it for all, because if they want to nose into your mail and find out what is in a package they will and say, "We do it because we have grounds to believe that there was a six-shooter in there." Of course, my col-

league from Arkansas [Mr. RAGON] says it will be the first step. The gentleman is right. My young friend made a wonderful appeal to the House to stop murder, and he summoned the Federal Government to aid to suppress murder. I am an old-fashioned Democrat, and I well recall, with a failing memory, the days when murder, larceny, and other crimes were the peculiar province of the State and the local force to suppress, but we are reaching that beautiful state where Washington will have a bureau to regulate all the citizens of the States and let a bureaucrat, under regulations prescribed by the chief bureaucrat—the Postmaster General in Washington in this case—determine when some one has committed a crime and when he has not; and the people of the States will have nothing under the sun to do except dodge the Federal officials, because the local force will have nothing to do because this Federal Government shall apply its own methods and suppress murder and other crimes. Murder is bad, grand larceny is bad, and petit larceny is bad and ought to be stopped; and here is a body that will step in and by Federal aid stop these crimes. There is the robbing of a chicken roost. That is bad—we will stop that. The robbing of a chicken roost is a crime, and we call upon the Federal grand jury to help prosecute the chicken thief. Gentlemen, this is the first—no; this is not the first step. For years continually upon the statute books we have placed Federal statutes taking over duties that should be discharged by local courts.

I believe the people of Arkansas can protect themselves against murder and every other crime by their own courts, judges, and machinery if the law-abiding people will stand together to do it; if the grand jury, if the petit jury, will do their duty. God keep this Nation when you have a department down here, with a bureaucrat in charge with authority, under such regulations as he shall prescribe, to say that he will protect the community and peace and order and property rights and personal rights of all the citizens of the Republic. And God pity the Democratic Party when it comes to the day when gentlemen, to meet a passing breeze of popularity, desert the time-honored principles of the Democratic Party and say, "On to Washington! To Washington! To the Federal Government!"

We yield all the power, we yield all the rights for which once our historic party contended. Go and tear down the statue of Jefferson or remove the picture of Washington. [Applause.] Abandon your party if you propose to turn for the suppression of murder and every other crime to Federal agents and have a bureaucrat in Washington undertake to prescribe the regulations to prevent it! [Applause.]

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. RUBBY. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBBY: Page 1, line 4, after the word "person," insert "and newspapers, circulars, pamphlets, or publications of any kind containing any advertisement for the sale of any pistol, revolver, or other firearm." Also, on page 2, line 18, after the word "firearm," insert "or any newspaper, circular, pamphlet, or any publication of any kind containing any advertisement for the sale of any pistol, revolver, or other firearm."

Mr. BLANTON. Mr. Speaker, I make a point of order against that.

Mr. RAMSEYER. Mr. Speaker, I make a point of order on that because it is not germane to the provisions of the bill. This bill simply makes firearms nonmailable. That is all it does. Now, then, the gentleman from Missouri undertakes to prevent advertisements of firearms from going through the mails. There is certainly no kinship or germaneness or relevancy one to the other at all.

The SPEAKER. The Chair will hear the gentleman from Missouri.

Mr. RUBBY. Mr. Speaker, this bill declares firearms capable of being concealed unmailable. My amendment refers to nothing except advertisements telling fellows where to get the firearms. I want to go to the root of the trouble and stop the source from which the firearms are obtained. The gentleman's bill is to prevent them from going through the mail.

The SPEAKER. The Chair sustains the point of order. The bill refers to mailing revolvers. I do not think the provision as to advertisements is germane.

Mr. HILL of Maryland. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL of Maryland: Page 2, line 21, insert: "Provided, That no firearm shall be mailed to any person unless such person is required to wear a prescribed and distinctive uniform when armed with such firearm."

Mr. HILL of Maryland. Mr. Speaker, I hope the committee will accept that amendment.

Mr. RAMSEYER. Mr. Speaker, I make a point of order against that. It is not germane.

Mr. HILL of Maryland. It is a limitation.

Mr. RAMSEYER. No; it is not a limitation. This is not an appropriation bill.

The SPEAKER. The Chair will hear the gentleman from Iowa on the point of order.

Mr. RAMSEYER. Mr. Speaker, this bill is a very important one. The purpose of it is to make firearms capable of being concealed nonmailable. It does not undertake to say what the fellow at the other end shall wear in order to get firearms. I do not recall the exact wording of the gentleman's amendment, which was evidently offered in a facetious manner.

Mr. HILL of Maryland. No; there is nothing in the amendment except to protect the public rights.

Mr. RAMSEYER. The gentleman's amendment is somewhat indefinite. But this bill has to do with nothing except that the forbidden articles shall not be carried in the mail, with certain exceptions to classes of officers who may receive them through the mails under regulations prescribed by the Postmaster General.

Mr. WINGO. Mr. Speaker, will the gentleman yield right there?

Mr. RAMSEYER. Yes.

Mr. WINGO. The gentleman has overlooked something else in the bill. He says, "in connection with their official duties." In other words, you undertake to make an exception of a certain class who may have a certain thing. If you do that, you may put on another provision with reference to that class.

Mr. RAMSEYER. Furthermore, Mr. Speaker, it is not only not germane to the bill, but it is not germane to the particular portion of the bill to which it is offered, attaching it onto the penalty provision in the bill.

The SPEAKER. The bill is all in one section. The part pertaining to the mailing of firearms is an exception. The Chair can not see why there can not be another exception. The Chair overrules the point of order.

Mr. HILL of Maryland. Mr. Speaker, may we have the amendment again reported?

The SPEAKER. Without objection, the Clerk will again report the amendment offered by the gentleman from Maryland.

The amendment was again read.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 1, line 9, strike out the words "Postmaster General" and insert in lieu thereof the word "Congress."

Mr. BLANTON. Mr. Speaker, if this bill is passed it will confer upon the Postmaster General the right to control the procurement of firearms, and therefore hamper the people in their right to keep them in their homes, when the right of keeping them in the home is assured and guaranteed to the people by the Constitution of the United States. I am not willing to confer that power upon the Postmaster General.

It has been less than 10 days since the Postmaster General in Washington has appealed to the Senate committee and also to the House committee to let his employees, hundreds of them, here in Washington keep their automobiles on the streets of Washington with their engines running and nobody in attendance upon them; to let them disregard and violate an important, serious regulatory provision of the District of Columbia law. He wants to let all of his employees drive their automobiles just as he wants them to drive them, without any control whatever by the District law.

He wants his employees to be given the right to violate every provision of the traffic laws of the District of Columbia, without any control whatever by the police of Washington.

The Postmaster General, I am reminded, has placed upon the hip of every employee who drives a mail wagon in the

United States a big 44-caliber automatic; he has placed on the hip of the postmasters all over the United States, the men in charge of post offices, 44-caliber automatics. He must have had some reason for doing it; he must have had some reason for arming all of the post-office employees. He knew it would protect Government property. And I approve of his action, which was begun by Postmaster General Hays. If he can arm his own men, hundreds of them and thousands of them, why should he want to take away the inherent constitutional right of the individual citizens to keep firearms in their own homes? Whenever you prevent law-abiding people from procuring them you are infringing upon their constitutional right to keep them.

I am reminded of the fact that every bank in the city of Washington, D. C., and every bank in every State in this Union to-day depends primarily for its protection and the protection of the money of its depositors not upon the police force of the town, and not upon the insurance companies altogether, but it depends upon those automatic pistols under the teller's counter, and there have been many hold-ups which have been prevented by the fact that there were revolvers right under those counters. That is what deters criminals from holding up banks every day in the United States more than anything else; it is a fear of being shot, not by the immediate cashier just in front of them, but by some other teller or clerk in that bank from some other window or from some other angle. They have learned that the bankers have armed themselves. But under the provisions of this bill not a bank and not a teller or cashier could procure a pistol except from some dealer in the immediate vicinity, and when you pass this bill it will double and treble the price of every pistol locally.

It may force law-abiding men to get in an automobile and drive 100 or 200 miles to get one.

Not so long ago I was coming down a long hill in the Cumberland Mountains in Pennsylvania, and about halfway down that hill, a steep incline—it took both brakes to hold my car—I was stopped by two fellows who were standing out in the road and wearing uniforms. At first I thought they were chauffeurs, because they looked like chauffeurs' uniforms, but they said "Stop," and I stopped as well as my brakes would hold me. My brakes began to slip a little and my car was moving a little bit when one of them said, "Stop immediately or I will blow your tires out with my pistol." I stopped, and they said they were Pennsylvania prohibition officers, and they wanted to see what I had in my car. [Laughter.] I said, "All right, gentlemen; I am with you on that subject; I am a prohibitionist and I believe in the enforcement of the law; help yourselves; here is my car; look into it." They said, "We are not prohibitionists, but we are enforcing the law nevertheless." [Laughter.] And they went through my car, examining the contents. What is going to happen if we pass this law?

You are going to have inspectors everywhere on the roads stopping you whenever they please to see whether or not you have a pistol in your car, when, maybe, you are a bank cashier and it is necessary for you to procure one. Those officers from Pennsylvania had no right to stop my car under the law; they had no right whatever to go through my car, as they had no warrant. But I did not protest, because I was a law-abiding citizen. They said they had stopped and examined several hundred cars there that day. I want to say this: They have no right to stop all automobilists along the road and go through their cars, and yet these Pennsylvania officers were stopping every automobile on that road when there was no law for it and no right to do it. The people are getting tired of it. I am as strong a prohibitionist as ever lived; I am as strongly in favor of the enforcement of the law as any man who ever lived; I do not believe in pistol toting; I believe, like the gentleman from Illinois [Mr. RATHBONE] believes, that we ought to stop it if we can, but we ought not to curtail the rights of law-abiding citizens; it is the rights of the thugs we ought to curtail.

I am not willing to place this great constitutional power in the hands of the Postmaster General, who has placed upon the hip of every employee in his department an automatic six-shooter, and yet, at the same time, he is trying to take away from the law-abiding people the constitutional right to keep firearms in their homes.

Mr. ROACH. Mr. Speaker, I would like to speak in opposition to the amendment.

The SPEAKER. The gentleman from Missouri is recognized.

Mr. ROACH. Mr. Speaker and gentlemen of the House, I did not have the benefit of hearing the general debate on this bill, but it seems to me, gentlemen, that if we expect the several States of our Union to enforce the laws which they

now have prohibiting the indiscriminate carrying of concealed weapons we should enact this law. It has often occurred to me that the States are impotent to enforce their pistol laws under present conditions. I can not conceive or imagine a more stringent law upon antgun toting, as we call it, than we have in Missouri, yet our laws are being nullified every day by reason of conditions which now exist, but which this bill, if enacted into law, will greatly remedy if not entirely cure.

Illustrating, if a person in our State wishes to purchase a pistol or a revolver he goes to a dealer, as the law requires, makes his application and states the purposes for which the revolver is to be purchased; that application is then submitted to the sheriff, is indorsed and approved by him or rejected, as the case may be; a record is kept of it, and if the applicant is deemed to be a citizen worthy of and entitled to the privilege the firearm is sold to him. If the person is unworthy the privilege, his application is denied. In that way the police officers of the several cities in our State can keep a check on those having these firearms in their possession, and renders it impossible for the "holdup man" to obtain these firearms unbeknown to our officers, and gives our officers a complete check on those having pistols in their possession, the value of which information is inestimable in enforcing the law. But that law is absolutely nullified by the fact that any person who wishes to purchase a pistol or revolver for purposes of offense or holding up some one, can write to a catalogue house in Chicago or some neighboring city and procure the firearm without the knowledge of the officers of our State and without having complied with the very good law which our State has upon the statute books. The enactment of this bill will correct that evil and will make it possible for the law-enforcing officers of our State to keep track of and to keep tab upon those who have these deadly firearms in their possession, both as to the citizen who buys for lawful purposes and the thug or stick-up man who buys for unlawful purposes. It will greatly check and reduce crime.

It is all nonsense to talk about denying to any person the right of personal privileges to own these firearms in the enactment of this bill, because it does not do anything of the sort. It does not in any way hamper the many splendid laws of the various States upon this very important subject. It is simply an aid to them so they can enforce those laws and make them mean what the citizenship of the particular States who have good laws want them to mean, and make such State laws enforceable.

I sincerely hope this bill will be enacted into law. [Applause.]

The SPEAKER. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

Mr. RAMSEYER. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage. The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 112, noes 19.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present, and I object to the vote on that ground.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll. The question is on the passage of the bill.

The question was taken; and there were—yeas 281, nays 40, not voting 111, as follows:

[Roll No. 10]

YEAS—281

Abernothy	Berger	Burness	Clardy
Ackerman	Black, N. Y.	Burton	Cole, Iowa
Aldrich	Bland	Busby	Collier
Allen	Bloom	Butler	Collins
Allgood	Boies	Byrnes, S. C.	Colton
Almon	Bowling	Byrns, Tenn.	Connery
Anderson	Box	Cable	Connolly, Pa.
Arnold	Boyce	Campbell	Cook
Aswell	Boylan	Candfield	Cooper, Wis.
Ayres	Brand, Ga.	Cannon	Crawton
Bacharach	Brand, Ohio	Carter	Crisp
Bacon	Briggs	Casey	Croll
Barbour	Browne, N. J.	Chindblom	Crosser
Barkley	Browne, Wis.	Christopherson	Crowther
Beck	Buchanan	Clague	Cullen
Beers	Bulwinkle	Clancy	Darrow
Bell	Burdick	Clarke, N. Y.	Davey

Davis, Tenn.	Hull, M. D.	Michener	Speaks
Denison	Hull, W. E.	Miller, Wash.	Sproul, Ill.
Dickinson, Iowa	Humphreys	Minahan	Sproul, Kans.
Dickinson, Mo.	Jacobstein	Moore, Ohio	Stalker
Dickstein	James	Morgan	Stedman
Doughton	Jeffers	Morrow	Stengle
Dowell	Johnson, Ky.	Nelson, Me.	Stephens
Drane	Johnson, Tex.	Nelson, Wis.	Strong, Kans.
Drewry	Johnson, Wash.	Newton, Minn.	Strong, Pa.
Evans, Iowa	Johnson, W. Va.	O'Connell, R. I.	Summers, Wash.
Fairfield	Jost	O'Connor, La.	Summers, Tex.
Favrot	Kearns	Oldfield	Swank
Fish	Keller	Oliver, Ala.	Sweet
Fleetwood	Kelly	Park, Ga.	Swing
Frear	Kendall	Parks, Ark.	Taber
Free	Ketcham	Patterson	Taylor, Tenn.
Frothingham	Kincheloe	Peery	Thatcher
Fulbright	Kopp	Perkins	Thompson
Fuller	Kurtz	Perlman	Timberlake
Fulmer	Kvale	Prall	Tincher
Funk	LaGuardia	Purnell	Treadway
Gallivan	Lampert	Quayle	Underwood
Garber	Lanham	Quin	Upshaw
Gardner, Ind.	Lankford	Ragon	Vaile
Garner, Tex.	Lea, Calif.	Raney	Vestal
Garrett, Tex.	Leach	Raker	Vincent, Mich.
Gasque	Leatherwood	Ramseyer	Vinson, Ky.
Gibson	Leavitt	Rankin	Voigt
Gifford	Lehibach	Ransley	Wainwright
Gilbert	Lilly	Rathbone	Wason
Glatfelter	Lindsay	Reece	Watkins
Goldsbrough	Linthicum	Reed, Ark.	Watres
Green	Lowrey	Reid, Ill.	Watson
Greenwood	Lozier	Richards	Weaver
Griest	Luce	Roach	Wefald
Griffin	Lyon	Robinson, Iowa	Welsh
Guyser	McClintic	Robison, Ky.	Wertz
Hadley	McFadden	Romjue	White, Kans.
Hammer	McKeown	Rouse	White, Me.
Hardy	McLaughlin, Mich.	Rubey	Williams, Ill.
Harrison	McLaughlin, Nebr.	Sabath	Williams, Mich.
Hastings	McLeod	Sanders, N. Y.	Williams, Tex.
Haugen	McReynolds	Sanders, Tex.	Williamson
Hawley	McSwain	Sandlin	Wilson, Ind.
Hayden	McSweeney	Schafer	Wilson, La.
Hersey	MacGregor	Schneider	Wilson, Miss.
Hickey	Magee, Pa.	Sears, Fla.	Wood
Hill, Wash.	Magee, N. Y.	Seger	Woodruff
Holladay	Major, Ill.	Shreve	Wurzbach
Hooker	Major, Mo.	Simmons	Wyant
Howard, Okla.	Manlove	Sinclair	Yates
Hudson	Mansfield	Sites	
Hull, Iowa	Mapes	Smith	
Hull, Tenn.	Martin	Snell	

NAYS—40

Andrew	Faust	MacLafferty	Sears, Nebr.
Bankhead	Hawes	Milligan	Steagall
Begg	Hill, Ala.	Moore, Ga.	Taylor, W. Va.
Blanton	Hill, Md.	Moore, Va.	Thomas, Ky.
Browning	Hoch	Moore, Ind.	Tilson
Brumm	Huddleston	Morehead	Tucker
Celler	Hudspeth	Newton, Mo.	Underhill
Connally, Tex.	Kent	Phillips	Wingo
Deal	King	Rayburn	Winslow
Elliott	McDuffie	Rogers, N. H.	Woodrum

NOT VOTING—111

Anthony	Fredericks	Mead	Schall
Beedy	Freeman	Merritt	Scott
Bixler	French	Michaelson	Shallenberger
Black, Tex.	Gambrill	Miller, Ill.	Sherwood
Britten	Garrett, Tenn.	Mills	Sinnott
Buckley	Geran	Montague	Smithwick
Carew	Graham	Mooney	Snyder
Clark, Fla.	Hall	Moore, Ill.	Spearing
Cole, Ohio	Howard, Nebr.	Morin	Stevenson
Cooper, Ohio	Johnson, S. Dak.	Morris	Sullivan
Corning	Jones	Murphy	Swoope
Cummings	Kahn	Nolan	Tague
Curry	Kerr	O'Brien	Taylor, Colo.
Dallinger	Kiess	O'Connell, N. Y.	Temple
Davis, Minn.	Kindred	O'Connor, N. Y.	Thomas, Okla.
Dempsey	Knutson	O'Sullivan	Tillman
Dominick	Kunz	Oliver, N. Y.	Tinkham
Doyle	Langley	Paige	Tydings
Driver	Larsen, Ga.	Parker	Vare
Dyer	Larson, Minn.	Peavey	Vinson, Ga.
Eagan	Lazaro	Porter	Ward, N. Y.
Edmonds	Lee, Ga.	Pou	Ward, N. C.
Evans, Mont.	Lineberger	Reed, N. Y.	Weller
Fairchild	Logan	Reed, W. Va.	Winter
Fisher	Longworth	Rogers, Mass.	Wolf
Fitzgerald	McKenzie	Rosenbloom	Wright
Foster	McNulty	Salmon	Zihlman
	Madden	Sanders, Ind.	

So the bill was passed.

The Clerk announced the following pairs:
Until further notice:

Mr. Beedy with Mr. Tydings.
Mr. Curry with Mr. Kunz.
Mr. Murphy with Mr. Corning.
Mr. Dyer with Mr. Eagan.
Mr. Fredericks with Mr. Clark of Florida.
Mr. Sinnott with Mr. O'Connell of New York.
Mr. Winter with Mr. Geran.
Mr. Larson of Minnesota with Mr. Taylor of Colorado.
Mr. Zihlman with Mr. Kerr.
Mr. Tinkham with Mr. Wolf.

Mr. Kahn with Mr. Thomas of Oklahoma.
 Mr. Freeman with Mr. O'Connor of New York.
 Mr. Hall with Mr. Lee of Georgia.
 Mr. French with Mr. Oliver of New York.
 Mr. Scott with Mr. Shallenberger.
 Mr. Fairchild with Mr. Ward of North Carolina.
 Mr. Britten with Mr. Sherwood.
 Mr. Fitzgerald with Mr. Logan.
 Mr. Ward of New York with Mr. Vinson of Georgia.
 Mr. Paige with Mr. Mooney.
 Mr. Snyder with Mr. Stevenson.
 Mr. McKenzie with Mr. Mead.
 Mr. Cole of Ohio with Mr. Smithwick.
 Mr. Longworth with Mr. Garrett of Tennessee.
 Mr. Johnson of South Dakota with Mr. Cummings.
 Mr. Fenn with Mr. O'Sullivan.
 Mr. Lineberger with Mr. McNulty.
 Mr. Vare with Mr. Evans of Montana.
 Mr. Davis of Minnesota with Mr. Salmon.
 Mr. Anthony with Mr. Wright.
 Mr. Mills with Mr. Fisher.
 Mr. Dallinger with Mr. Jones.
 Mr. Sanders of Indiana with Mr. Kindred.
 Mr. Swoope with Mr. Weller.
 Mr. Tilson with Mr. Buckley.
 Mr. Madden with Mr. Dominick.
 Mr. Porter with Mr. Sullivan.
 Mr. Foster with Mr. Larsen of Georgia.
 Mr. Graham with Mr. Tague.
 Mr. Kless with Mr. Lazaro.
 Mr. Temple with Mr. Montague.
 Mr. Rogers of Massachusetts with Mr. Pou.
 Mr. Morin with Mr. Howard of Nebraska.
 Mr. Reed of New York with Mr. Sparing.
 Mr. Bixler with Mr. Gambrell.
 Mr. Michaelson with Mr. Tillman.
 Mr. Parker with Mr. Morris.
 Mr. Merritt with Mr. O'Brien.
 Mr. Cooper of Ohio with Mr. Carew.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. RAMSEYER, a motion to reconsider the vote by which the bill was passed was laid on the table.

" THE AIR MAIL SERVICE

Mr. LAGUARDIA. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads, I call up for consideration the bill H. R. 6942, establishing transmission and carrying of mail by airplanes and flying machines.

The SPEAKER. This bill is on the Union Calendar.

Mr. BLANTON. Mr. Speaker, I rise to a question of consideration.

The SPEAKER. The gentleman from Texas raises the question of consideration.

The question was taken; and, on a division (demanded by Mr. BLANTON) there were 106 ayes and 23 noes.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The Chair overrules the point of no quorum. The House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. LEHLBACH in the chair.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman and gentlemen of the committee, this bill simply authorizes the transportation of mail by means of airplanes or flying machines. In other words, it establishes authority permanently to do that which the department is now doing temporarily by means of annual appropriation. Gentlemen will recall that when the last Post Office appropriation bill was being considered, when it came to the item of carrying the mail by air, a point of order was raised, I believe, by the gentleman from Michigan [Mr. CRAMTON], and each year previously a point of order has been raised against that particular item in the appropriation bill. Such a situation simply leaves a vast undertaking at the mercy of the whim of anyone of 435 Members.

In order to permit the Postmaster General to carry the mail by air, now that it has passed the experimental stage, this bill was introduced and has received the unanimous support of the committee and the Post Office Department. I want to make it clear to the gentleman from Texas [Mr. BLANTON], who has given advance notice of his opposition to this bill, that this does not carry any appropriation. It is simply a legislative bill. Neither does it in any way increase the authority of the Postmaster General. This bill does not disturb the limited authority of the Postmaster General or any Cabinet officer in spending money not appropriated. Every Member of the House

knows that the Postmaster General is required by law to obtain appropriations each year from Congress. He can not and would not dare to go outside the limits of duly appropriated funds in expanding the Air Service or any other service.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Section 2 of this bill, which the gentleman did not have read by the Clerk, reads as follows:

SEC. 2. The Postmaster General is authorized to operate and maintain Air Mail Service in any part of the United States and Territories that he may from time to time designate.

Under that authority suppose the Postmaster General tomorrow were to designate as Air Mail Service routes over every single contract that is now held by the railroads. He has the authority to do it. Does not the gentleman know that if he entered into a contract of that kind this Congress would have to pay the debt and appropriate the money to pay every dollar, although it might amount to five hundred millions?

Mr. LAGUARDIA. Oh, the gentleman in his customary solicitude for the railroads—

Mr. BLANTON. That is not fair, I have no solicitude for the railroads. I have no interest in a railroad in the United States. I never represented any of them, and I don't own a dollar of stock in any.

Mr. LAGUARDIA. Well, the gentleman has no solicitude for railroads, let us get that clear. Let me say to the gentleman that he should have no misapprehension of the Postmaster General taking all the business away from the railroads; that he can not possibly extend this service to that extent on the appropriations which Congress gives him. He is now under the law limited in the operations for this fiscal year to the appropriation we gave him. He will be limited in the next fiscal year to the appropriation that Congress gives him. It makes no difference whether you are carrying the mail by air, by rail, or by boat, the Postmaster General is limited by the appropriations which Congress gives him. I hope I make that clear to my friend from Texas. There is nothing in the bill that can possibly give the Postmaster General the authority which the gentleman fears.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. JACOBSTEIN. Under what authority are the experiments now being made?

Mr. LAGUARDIA. By the item in the appropriation bill.

Mr. JACOBSTEIN. Then the Postmaster General is expending money which he was not authorized to spend?

Mr. LAGUARDIA. Oh, no. We appropriate each year a certain amount to carry the mail by air. But it is simply an appropriation item subject to a point of order each year and that point of order has been raised each year.

Mr. JACOBSTEIN. Can the Postmaster General continue this Air Service without a special appropriation?

Mr. LAGUARDIA. No; he can not. Now, on the subject of aviation, if you will bear with me a few moments, I will endeavor to demonstrate to you that it can not possibly be carried on or developed if we make it a temporary proposition and the appropriation subject to a point of order each year.

As far as carrying the mail by air is concerned it is past the experimental stage. We have demonstrated the practicability of this new means of transportation and I will give you some figures in regard to it. The Air Mail Service of the Post Office Department is the one department of the Government dealing with aviation that has made a complete success. Yesterday you heard the discussion in general debate on the naval appropriation bill that carries \$14,000,000 for that department with \$24,000,000 more to come for airplane carriers, and \$550,000 for planes to put on those carriers. During that discussion the need of developing an air industry and keeping a permanent trained personnel were stressed and emphasized. In the report from the Committee on Appropriations the President's message transmitting the Budget is quoted and it is quite opportune that I read from that message now: "Aside from the important factor of training personnel," said the President, speaking of aviation, "our national defense is largely an industrial problem. To-day the outstanding weakness in the industrial situation as it affects national defense is the inadequacy of facilities to supply Air Service needs. The airplane industry in this country at the present time is dependent almost entirely upon Government business. To strengthen this industry is to strengthen our national defense." Here gentlemen is an opportunity to do just that and in a productive, useful manner. In a few days you will have the military appropriation bill, carrying with it fifteen or sixteen million dollars for aviation, yet in all of the time that

the Post Office Department has been carrying the mail by airplane, since 1918, you have given them but \$10,000,000, of which we have at the present time in property \$3,000,000.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. LANHAM. Will the gentleman distinguish between this bill, H. R. 6942, and the provisions of H. R. 7064? I understand that the gentleman made the report of the committee on that bill, which provides for the limit of cost.

Mr. LAGUARDIA. I am coming to that in a moment.

Here are some of the outstanding facts relative to the Air Mail Service, which may be of interest to you.

It was started in 1918. In 1920 it began transcontinental operation, relaying on and off railway trains and flying only during the daylight hours. In 1923, after having lighted an airway from Chicago to Cheyenne, we operated for four days as a continuous movement service in both directions across the country. This test was successful and, beginning with July 1 this year, we have operated on a similar schedule each day.

As I said before, counting this year's appropriation, the Air Mail Service has spent less than \$10,000,000 since it was inaugurated in 1918, and we now have on hand over \$3,000,000 worth of tangible property in the shape of buildings, motor equipment, flying equipment, tools, and so forth. This inventory is made up on the basis of going value prices.

There are 580 people in the employ of the Air Mail Service, of whom 49 are pilots. Since July 1, although our performance has not been 100 per cent, we have been unusually fortunate in being on time a substantial percentage of the whole time, we have had no fatal service accidents, and we have only been off schedule badly when the weather has been clear against us. Fogs, heavy snowstorms, and like disturbances, of course, result in our being unable to get through on schedule time.

Let me pause but a few moments to read from a speech made by Col. Paul Henderson, the Second Assistant Postmaster General, before the College of Engineering of the New York University on October 22, 1924. He gives in a few words the history and development of our Air Mail Service that it is well worth while reading here:

There have been several distinct steps in the Post Office Department's use of the airplane. A start was made in 1918 by the establishment of a route from Washington to New York. This is approximately 200 miles by air line. Later, other independent and disconnected routes were established between such points as Cleveland and Chicago, New York and Cleveland, Chicago and Omaha, Chicago and St. Louis; Chicago and St. Paul and Minneapolis. None of these comparatively short, disconnected routes was sufficiently long to permit the airplane earning for itself sufficient gain over rail operation to develop any marked advantage. For example, it took about two hours to fly to New York from Washington. The trains run in five hours. It took the better part of an hour to carry the mail out to the field just outside of Washington, ready for its departure, and it consumed almost, if not quite, an hour to get it in from the flying field at New York to the post office ready for distribution. This cut down the advantage to just about an hour, which is not sufficient to make it worth while.

Much advantage was gained in the way of experience in the matter of operating these disconnected routes.

A nucleus of organization was developed. Pilots were trained. The operation of several types of airplanes was studied and methods of maintenance, inspection, and repair were arrived at.

The public began to think of the airplane as a possible postal transport agency. People within the postal organization saw enough of the new vehicle to begin to have some little degree of faith in its possibilities. These lines were certainly valuable as entering wedges, and from their operation the Air Mail Service has been able to grow. But for these comparatively small starts and but for the foresight and the courage of those responsible for them, there would be no Air Mail Service to-day.

It soon became quite apparent to those who studied the subject that the airplane could not really begin to mean much in the matter of postal transportation until the distances covered were at least 1,000 miles.

Basing its action upon the experience which it had derived from these operations, in 1920 plans were made for a transcontinental service with New York as one terminus and San Francisco the other. These plans were reasonably well matured in 1921, during which year this transcontinental service was actually placed in operation.

This was a relay service operated in connection with the railway trains. By that I mean that mail was flown during the daylight hours from station to station across this route and that during the night this mail continued its forward movement in the railway-mail cars. With this service the airplane came to really mean something to the

Post Office Department. It operated with an increasing degree of regularity and dependability until, in the spring of 1922—when as it happened I came into the service of the department—I found this service operating with a remarkable degree of regularity, well established in the minds of the people as a serious postal function, well organized as to its personnel, and really moving forward beautifully.

It became apparent to me that the next forward step should be that of conducting these flights during the night time as well as during the daylight hours. Much of the advantage which the airplane was able to take to itself in competition with the train was lost because of our inability to operate at night. Feeling confident that night operation could be made practical, in June, 1922, the department inaugurated what might be termed a laboratory experiment in night flying. Land lighthouses of varying types were examined, purchased, and tested; pilots were asked to pass judgment upon advance plans for a practical night airway. These experiments and this laboratory work of ours culminated in August, 1923, in a four-day test of continuous flight operation in each direction across the continent.

To make this test possible, an airway had been lighted from Chicago to Cheyenne, approximately 1,000 miles. This test was 100 per cent successful. Mail was carried eastbound on one day of the test in 26 hours and 14 minutes. The average for both directions those four days was well under 30 hours. Everything about the test seemed to indicate that our laboratory work and experimenting had been thoroughly done. However, it was not until July 1 of this year that we were able to undertake, as an every-day job, to repeat what we did in those four days of August a year ago. Part of the reason for this interval of delay was our lack of available funds. Now, and since July 1 last, we are operating seven-days-a-week continuous service from New York to San Francisco. This operation is running along very smoothly. Our schedules are approximately four hours longer than our experiment of a year ago would indicate as practical. There is no hysteria in the service. Pilots no longer fear flying at night. It is just taken for granted that night flying is here and here to stay. People in New York are no longer astounded when they get letters which left San Francisco early the day before. Every day the service becomes more popular with the people, and consequently better patronized. Every day we learn new, important things in connection with the details of this operation. I am confident, from what I have seen, that this transcontinental service—which is now about 4 months old—is here to stay.

Here is a public official who not only has ability, courage, and vision, but the required enthusiasm to make possible a great transcontinental air line.

We have, therefore, moved San Francisco up to within 34 hours of New York. Congress does not want the Post Office Department to stand still. Let us give the department the power, the authority to add to their transcontinental route by the scheduling of other operations over it during the 24-hour period. It is necessary to operate out of New York each night for delivery in Chicago the next morning. We will retain control of appropriations. Nothing in this bill takes that power away from Congress. But let us not hamper aviation development by uncertainty, by hand-to-mouth existence. Let us not hold back Colonel Henderson, this splendid, energetic official. Permit him to develop his department in keeping with progress and development in aviation. It is certain that as the designers of airplanes develop better type planes and as better motors are invented and produced, we will be able to reduce the time between New York and San Francisco. As we grow and learn we will be able to expand this wonderful service. Give the department a chance is all we ask in this bill.

The line between New York and San Francisco functions daily. The plane leaves New York at 10 o'clock in the morning, eastern time, and arrives at San Francisco at 5.45 Pacific time, the next day. The country divided into three zones—New York to Chicago, Chicago to Cheyenne, Cheyenne to San Francisco. We are charging 8 cents extra on each letter for each zone, making a total charge of 26 cents from New York to San Francisco, or of 10 cents within the zone.

We have landing fields, which are the relay points, and take mail at New York City; Bellefonte, Pa.; Cleveland, Ohio; Bryan, Ohio; Chicago, Ill.; Iowa City, Iowa; Omaha, Nebr.; North Platte, Nebr.; Cheyenne, Wyo.; Rawlins, Wyo.; Rock Springs, Wyo.; Salt Lake City, Utah; Elko and Reno, Nev.; and finally San Francisco. The total length of the route is 2,680 miles.

Since July 1, in excess of the 2-cent rate, we have had an income of approximately \$50,000 a month. In other words, during the first five months of operation this fiscal year we collected approximately \$250,000.

I want now to call your attention to what has been actually accomplished by the Post Office Department. We have extended a lighted airway from Chicago east to Cleveland, and

from Cheyenne west to Rock Springs, and we are now endeavoring to extend it from Cleveland to New York. Our lighted airway, I believe, is the most ingenious and safest that has ever been operated since aviation has been developed. We have permanent lighted airways, the territory covered by night flying. The system provides towers with 36-inch arc lights throwing a beam 150 miles. The towers are placed approximately 250 miles apart. Then in between we have 18-inch arc lights, throwing a beam 40 miles, 25 miles apart. So that at all times the machine is within the ray of these beam lights. Then at intervals of 3 miles we have a ground light, such as you see in the picture on this board. There is a picture here also of the beacon lights, which are 250 miles apart, and the other lights, which are 25 miles apart. Every 25 miles we have an emergency landing field, and that is surrounded by lights. So that the plane at all times is within gliding distance of an emergency field by reason of a very carefully thought-out landing and lighting system.

A great deal of the credit for this lighting system should be given to the Second Assistant Postmaster General, Colonel Henderson, and the superintendent of air mails, Mr. Egge. Because of that carefully thought out system we have had no accidents at night. We have been able to fly up to 97 per cent of efficiency all through the time since July 1 to date, and, as I have just stated, we have brought San Francisco within 32 hours of New York by mail. That is an actual accomplishment.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. GRIFFIN. All of these beacon lights and landing places have been established by the United States Government?

Mr. LA GUARDIA. Absolutely; and that is out of the limited appropriations that we have had. We have something to show for the money which the Congress gave us.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. BLANTON. The statistics show that 90 per cent of all of the commercial mail of New York is actually mailed between the hours of 1 and 7 p. m.

Mr. LA GUARDIA. That is correct.

Mr. BLANTON. And that there are fast mail trains leaving New York from 7 o'clock p. m. until 1 o'clock a. m., going in the direction of Chicago, bound westward.

Mr. LA GUARDIA. Yes.

Mr. BLANTON. And the air mail does not leave New York until 10 o'clock the next morning?

Mr. LA GUARDIA. No.

Mr. BLANTON. When these trains could have carried the mail fully the distance that the airplane could travel in order to pick it up the next morning.

Mr. LA GUARDIA. The gentleman is correct.

Mr. BLANTON. And the trains carry the mail for about one-twentieth of the cost that the airplanes do?

Mr. LA GUARDIA. One-tenth.

Mr. BLANTON. It was one-thirty-sixth when the gentleman from Illinois, Mr. Madden, first made his splendid speech against all the money we are wasting upon it.

Mr. LA GUARDIA. Oh, we are not wasting any money in the Post Office Department. In reply to the gentleman, let me say that we concede that for short hauls the transportation of mail by air is not successful, but when you take a line from New York to San Francisco, or from New York to Chicago, and when we will have our lighted airway from New York to Chicago, as we will very soon, we can beat the train time by 70 per cent, and that is exactly what we are trying to do. Air mail leaving New York at 10 a. m. is landed in Chicago at 6 p. m. the same day. No train can beat that. If we authorize as a permanent establishment the carrying of mail by this up-to-date modern means of transportation I assure the gentleman that we will establish in this country a system of air mail transportation which will be of great benefit to the commerce, to the industry, and to the happiness of the people of this country.

Notwithstanding the train schedules, let me read from Aviation, December 1, 1924, which will give an idea of the valuable and important mail carried by this service:

Millions of dollars each week are being sent from Kansas City to New York and other eastern cities by air mail.

The use of air mails for the transfer of money, according to the officials of the Commerce Trust Co., results in the saving of thousands of dollars in interest that would be lost if the transfers were made

by train. The bank forwards daily a letter containing all New York checks of \$1,000 or more. The amount varies from \$500,000 to \$2,500,000 in each letter.

While the Federal reserve bank has not yet adopted the use of air mail, many other Kansas City banks make all transfers to cities along the air routes by the more modern method.

The safety of sending money shipments by air also appeals to bankers and insurance companies. This factor they say makes it a desirable medium, even to such points as St. Louis, Chicago, Cleveland, and Cincinnati, only an overnight run from Kansas City by train.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. SNELL. I am interested in the general proposition; but it seems to me that we are giving a pretty wide scope of authority to the Postmaster General. Would it not be possible to authorize something in the line of the work that he is doing at the present time, with perhaps some reasonable extension, and stop there, rather than to give him permission to establish air mail service in any part of the United States or its Territories?

Mr. LA GUARDIA. In reply to that I looked up the history of air mail legislation and we have it here. I will say to the distinguished gentleman from New York, when the first railroad mail service was established, at the time the statute passed, I think in 1838, it designated certain lines. It seems that the Postmaster General in those days had a great deal of trouble in being limited to certain routes, so in 1872 a general statute was passed authorizing the Postmaster General to designate any railway as a post road, and we have simply followed the history, the experience, and almost the wording of railway mail legislation in drafting this bill.

Mr. SNELL. Of course, that is taking advantage of a system that exists at the present time, and it is a little different in establishing a new means of transportation over a new territory.

Mr. LA GUARDIA. It does not. The air is here; we are not limited by tracks or roadbeds. There is unlimited possibility, as the result of the tests made and the experience since 1918 has demonstrated that the Post Office Department has sufficient experience that they are not going to embark in short hauls or lines where there is a distinct loss. I am sure there can be no abuse under the law.

Mr. SNELL. Right there, the gentleman does not expect it to be carried at a profit, does he?

Mr. LA GUARDIA. I do not believe there will be anything like the losses we have in other classes of mail. Let me read the Postmaster General's report, the last report for the fiscal year ended June 30, 1924, in which he says:

The appropriation for the year for the service was \$1,500,000. The expenditures were \$1,495,996, and we carried 60,001,360 pieces of first-class mail.

I think that is a pretty good showing. Out of that money we purchased considerable equipment.

Mr. SNELL. It does not state how much was received for carrying the mail?

Mr. LA GUARDIA. No.

Mr. SNELL. It does not show anything except the number of pounds.

Mr. LA GUARDIA. It shows out of that limited amount of money—

Mr. SNELL. The receipts might not have come within 40 apple trees of paying the expenses.

Mr. LA GUARDIA. We have got everything to show for it. If the gentleman has seen the report of the cost-ascertaining committee, he will see that several classes of mail were carried at a great loss, and this is nothing like that.

Mr. SNELL. If the gentleman will yield further, I do not expect them to pay the cost, but I thought the inference of the gentleman's remark was that it pretty nearly paid its own expenses.

Mr. LA GUARDIA. I believe in 1925 and 1926, when we have better equipment and more lines, it will carry its own expenses. I am sure the gentleman has confidence in the Postmaster General, and I do not believe he will question that it is now very near the point of being self-sustaining.

Mr. SNELL. I think we ought to have some limitation on the general proposition; otherwise I am in favor of the proposition.

Mr. LA GUARDIA. I really do not believe it is necessary. I am sure the general law covers that, and that no expenditures not specifically authorized in an appropriation bill could be incurred by any Postmaster General.

Mr. CRAMTON. Will the gentleman yield?

Mr. LA GUARDIA. I will.

Mr. CRAMTON. If I understand the gentleman's remark just now, I believe he stated this service was about self-supporting.

Mr. LA GUARDIA. In 1925-26.

Mr. CRAMTON. And that the bill urges that this authority be given for an extension on the theory it is practically self-supporting; am I correct?

Mr. LA GUARDIA. Exactly.

Mr. BLANTON. Will the gentleman yield for one other question?

Mr. LA GUARDIA. I will.

Mr. BLANTON. I was wondering by what chain of circumstances the gentleman from New York was selected as the administration floor leader to put this bill through the Congress?

Mr. LA GUARDIA. I will say for the gentleman's information and enlightenment that prior to last November the gentleman was chairman of the subcommittee on air mail and had given a great deal of thought and study to this subject, and in accordance with the custom of the committee he was intrusted with reporting this bill.

Mr. BLANTON. I am glad the gentleman has still the confidence of the steering committee.

Mr. LA GUARDIA. Oh, well; do not worry about that, I will say to the gentleman.

Mr. KELLY. In connection with the question asked by the gentleman from New York [Mr. SNELL], which is an important question, as to the revenues now being received from this Air Mail Service, I think it would be well to read here an official statement made by General Henderson to me under a letter which I received this morning at my request. He said:

Also starting on July 1, special postage rates have been charged. Since July 1 the income of the Post Office Department, as a result of this operation in excess of the ordinary 2-cent postage charge, has been approximately \$50,000 each month. In other words, during the first five months of this continuous transcontinental operation the department has collected approximately \$250,000 as excess postage.

In other words, they have collected \$250,000 as excess postage.

Mr. LA GUARDIA. I had already given that figure.

Mr. SNELL. How much did it cost?

Mr. KELLY. It has a clear excess of over \$600,000 a year.

Mr. SNELL. I would like to know for the information of the House how much it costs to maintain the service?

Mr. KELLY. In excess of the appropriation given?

Mr. SNELL. I thought perhaps you people knew. It is an important question, and I would like to know what it costs.

Mr. KELLY. I think it might be pertinent to say that the clear profit over the 2 cents is \$600,000 a year.

Mr. SNELL. Would the gentleman call it a clear profit if it costs \$2 to get one?

Mr. LA GUARDIA. Of course, our initial expenditures would not be a fair test, permit me to say to the gentleman, because we had to go out and survey this ground first, buy equipment, buildings, and get the service started.

Mr. SNELL. A reasonable allowance ought to be made for your equipment.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. CRAMTON. In regard to receipts, if they could be shown by months, showing the decrease in the latter months as compared with July, that would be informing.

Mr. LA GUARDIA. That averages from July, I will say to the gentleman, \$50,000 a month.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. LANHAM. The gentleman from New York made a report on the bill H. R. 7064, a bill introduced by the gentleman from Pennsylvania [Mr. KELLY], to encourage commercial aviation and authorize the Postmaster General to contract for Air Mail Service.

Now, the conditions of that bill are such that in establishing air service between various points the Postmaster General is authorized to pay only four-fifths of the revenue derived from the service performed. Now, if this mail is being carried at a loss, does the gentleman think it will encourage commercial aviation to pay it only four-fifths of the revenue? And does he think that there is any likelihood that commercial companies will take the risk?

Mr. LA GUARDIA. Yes. If the gentleman will read the hearings he will find that all the commercial companies favor

that bill. We have a great many distant points in the United States where private contractors would be glad to come in and give daily Air Mail Service on those terms.

Mr. LANHAM. Can the Government carry the mail at a profit between those points itself?

Mr. LA GUARDIA. Well, we have the equipment now. We do not want to stifle this business entirely. The Air Mail Service between San Francisco and New York can absorb my branch lines as feeders.

Mr. LANHAM. I am trying to make the distinction between governmental operation and commercial operation.

Mr. LA GUARDIA. We have not had enough operation to make that comparison at this time.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. RAKER. Could not the gentleman tell the committee what it costs the Government approximately, now to equip a man so that he will be capable to use an airplane?

Mr. LA GUARDIA. During the war we thought it would take about \$20,000.

Mr. RAKER. Outside of what the gentleman has said, to the effect that the expenses may be a little more than the revenue, but in a year or so he hopes the revenue will equal the expenses, is it not one of the best investments that this Government could make to have on hand a large number of well-equipped and qualified aviators? [Applause.]

Mr. LA GUARDIA. I tried to make that clear when I opened my remarks. Not only that, but this department, with its meager appropriations, has not only developed a successful transcontinental line but is training real navigators of the air. It is one thing to make spectacular circles over an air field, and another thing to make a night flight across the country.

Mr. RAKER. That is the thing I wanted to emphasize. It is one thing to practice over the fields, and another thing to navigate 3,000 miles.

Mr. LA GUARDIA. Yes.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. BLACK of New York. I wonder if any of the business interests oppose this bill at this time?

Mr. LA GUARDIA. I am trying to pass this bill.

Mr. RAKER. Mr. Chairman, will the gentleman yield for just one more question?

Mr. LA GUARDIA. Yes.

Mr. RAKER. Then every aviator who becomes competent and qualified to deal with the Government in this way or privately is an asset worth millions of dollars to this country. Is not that correct?

Mr. LA GUARDIA. Yes. I am going to read, with the permission of the House, a list of air lines throughout the world and the subsidies given to them by their respective governments.

We are not asking for a governmental subsidy. We do not want to subsidize anybody. But I will say that our Government is not doing a fraction of what other countries are doing for the development of aviation. At the present stage of aviation individuals are not buying airplanes. The lack of flying fields, the timidity of shippers and passengers, and the limited trade make it impossible for private enterprise to embark to any great extent in commercial aviation. That is only temporary. Eventually the carrying of passengers and freight will be as common as railway transportation. The gentlemen will recall the early days of the railroads. Was it not necessary then for the Government to subsidize new railroad lines? Did we not give grants of land to the various railroad companies? Did not the State give tax exemption for years and ground terminal centers? Yet we hesitate to do anything practical and definite for the promotion and development of the greatest means of transportation, the greatest invention that human mind has evolved in the history of the world. Why, gentlemen, I said a moment ago that we are not doing anything in comparison to what other countries are doing, and yet, since 1917, this Government has spent more for aviation than any other Government and has less to show for it. Most that we have to show for the hundreds of millions of dollars spent for aviation is scandals, inefficiency, graft, favoritism, investigations, special investigations, congressional investigations, reports, and statistics of what we failed to do. Let us now do something real, something definite, something concrete. Let us establish the policy of transportation of mail by airplanes or other flying machines, thereby making it a permanent institution.

To give an idea of the advancement made by other countries in the manufacture of airplanes, air motors, as well as practical use of aviation and the direct subsidies or assistance given by various nations, let me read from page 2 of the Aircraft Yearbook, 1924, published by the Aeronautical Chamber of Commerce of America (Inc.):

(From Aircraft Yearbook, 1924, p. 2)

THE LEADING MILITARY FLYING NATIONS

The four leading military flying nations of the world to-day are: France, Great Britain, Italy, and Germany; with Russia and Japan as significant potential powers looming more clearly in the near background. The commercial fields into which this policy has led are to be found in all the markets of the world, not even excluding the United States, as is seen by the following:

COUNTRIES INTO WHICH FRENCH, BRITISH, ITALIAN, AND GERMAN AVIATION HAS PENETRATED

From France: Argentina, Austria, Belgium, Bolivia, Brazil, China, Czechoslovakia, Denmark, Ecuador, Greece, Guatemala, Japan, Yugoslavia, Mexico, Peru, Poland, Rumania, Russia, Siam, Spain, and United States.

From Great Britain: Argentina, Australia, Brazil, Canada, Chile, China, Czechoslovakia, Ecuador, Egypt, India, Japan, Lithuania, New Zealand, Peru, Rumania, Russia, Spain, Switzerland, and United States.

From Italy: Argentina, Brazil, Guatemala, Yugoslavia, Peru, Russia, Spain, and United States.

From Germany: Argentina, Austria, Colombia, Denmark, Finland, Guatemala, Hungary, Italy, Japan, Latvia, Mexico, Norway, Russia, Sweden, Switzerland, and United States.

Although American commercial aviation has made numbers of attempts at exporting in not a single country of the world has it had even the passive assistance of its own Government, while in at least one region—Asia—it has been specifically barred, although the industries of France, Great Britain, Italy, and Germany have been permitted to enter.

Furthermore, our own Government, through military purchases, has, possibly unwittingly, assisted foreign aircraft manufacturers to penetrate the coveted American field and actually to establish themselves in this country.

Sixteen of the fifty-five nations, the aviation activities of which are recorded in this volume, are pursuing a deliberate policy of establishing air transport. Just as Great Britain, by means of preferential laws, mail contracts, and grants built up a preponderance in merchant shipping, which in turn became the bulwark of sea power; and just as Germany, by means of tariffs and dumping, constructed an enormous world-wide trade machine, which in the late war was the severest obstacle to allied victory, so France, Great Britain, Italy, and Germany, among others, are extending air lines, like an invisible web, across Europe and into Africa, Asia, and South America.

Air lines of the world, 1923, exclusive of the United States (1)

Contracting or operating nation	Route	Civil air funds or subsidies by each nation
Argentina	Buenos Aires-Montevideo (twice daily)	\$4,500 monthly.
Australia (British)	Geraldton-Derby (weekly)	Substantial
Austria (Germans and French)	Charleville-Cloncurry (weekly)	
	Vienna-Budapest (daily)	
Belgium	Brussels-Paris (daily)	8,100,000 francs.
	Brussels-London (daily)	
	Brussels-Amsterdam (daily)	
Brazil	Congo River, Belgian Congo (mail schedule)	\$100 a trip.
Colombia (Germans)	Rio de Janeiro-Porto Alegre	
Denmark (Germans)	Magdalena River between Barranquilla and Cartagena (several times a week)	\$14,700.
Estonia (Russians and Germans)	Copenhagen-Hamburg (occasional)	
Finland	Reval-Helsingfors (frequent)	
	Reval-Riga (frequent)	
	Helsingfors-Reval (occasional)	
	Paris-London (daily except Sunday)	
	Paris-Brussels (daily except Sunday)	
	Paris-Strassburg-Prague-Warsaw (daily except Sunday)	179,963,550 francs.
	Paris-Strassburg-Prague-Vienna-Budapest-Belgrade-Bucharest-Constantinople (daily to Vienna; thence twice or three weekly)	
	Antibes-Ajaccio (thrice weekly)	
	Marseille-Toulouse (mail)	
	Toulouse-Barcelona-Alicante-Málaga-Rabat-Casablanca (frequent, mails)	
	Casablanca-Oran (frequent)	
	Algiers-Biska (frequent, mails, military)	
	Biskra-Tougourt (occasional)	
	Tougourt-Ouargla (occasional)	
	Dakar-Kayes (frequent)	
	Saigon-Canton (frequent)	

Air lines of the world, 1923, exclusive of the United States—Continued

Contracting or operating nation	Route	Civil air funds or subsidies by each nation
Germany (Russians, Dutch, English, Poles, Finns, Letts, Swiss, and Hungarians)	Hamburg-Copenhagen (occasional)	Indirect, but generous.
	Berlin-Hamburg-Bremen-Amsterdam-London (daily)	
	Koenigsburg-Smolensk-Moscow (daily, mails)	
	Koenigsburg-Memal-Riga-Reval-Helsingfors (frequent)	
	Munich-Zurich-Geneva (several times a week)	
	Munich-Vienna-Budapest (daily)	
	Danzig-Warsaw-Lemberg-Warsaw (frequent)	
	London-Manchester (daily)	
	London-Paris (daily)	
	Paris-Basle (occasional)	
Great Britain	Basle-Zurich (occasional)	£571,000.
	London-Brussels (daily)	
	Brussels-Cologne (daily)	
	London-Rotterdam-Hanover-Berlin (daily)	
	Southampton-Guernsey (frequent)	
Hungary (Germans and French)	Cairo-Bagdad (frequent, military and mails)	45,000,000 kronen.
	Budapest-Vienna (daily)	
Italy	Milan-Rome (frequent)	£34,000.
	Rome-Ancona (frequent)	
	Rome-Brindisi (frequent)	
Japan	Tokio-Osaka (daily, experimental mail)	\$300,000.
	Osaka-Shikoku Island (intermittent)	
Netherlands (British)	Amsterdam-London (daily)	1,400,000 florins. 1923-1926.
	Amsterdam-Hamburg-Copenhagen (frequent)	
Poland	Warsaw-Cracow (intermittent)	Slight.
Russia (Germans)	Moscow-Koenigsburg (daily, mails)	Heavy.
	Moscow-Riga (experimental)	
	Moscow-Rostov-Tiflis (experimental)	
	Moscow-Baku (experimental)	
Siam (French)	Korat-Roi Echi-Ubon (weekly, mail)	\$235,000.
Spain	Continental Spain-Canary Islands (experimental)	
Sweden	Seville-Larache-Morocco (daily)	
	Malmö-Copenhagen-Warnerunde-Berlin-Hamburg (experimental)	
	Geneva-Munich (several times a week)	
Switzerland (Germans and British)	Zurich-Basle-Paris-London (occasional)	450 francs each flight, Geneva-Munich.

Now, let me call your attention, gentlemen, to the report of the National Advisory Committee on Aeronautics:

A few days ago the President of the United States, in compliance with the provisions of the act of Congress approved March 3, 1915 (Public, No. 273, 63d Cong.), submitted the Tenth Annual Report of the National Advisory Committee for Aeronautics. This report in a few pages records the advancement in the art of flying, in the science of real dynamics, and the progress in practical aviation. The scientific branch of aviation in our Government is way ahead of the practical development. I recommend the report of the Aeronautic Advisory Committee to my colleagues. It is now printed as Senate Document No. 158, Sixty-eighth Congress, second session.

Let me here read what it says about the Air Mail Service:

The Air Mail Service was inaugurated May 15, 1918, the first route being between Washington and New York. It has been supported by annual congressional appropriations without having been definitely established by law.

It is a transportation service directly operated by the Post Office Department under the immediate control of the Second Assistant Postmaster General.

The personnel of the Air Mail Service totals 580, including 42 regular airplane pilots and 5 reserve pilots. The airplane pilots, as well as the other personnel, are secured direct from civil life without examination.

The flying equipment of the Air Mail Service comprises a total of 94 airplanes, of which there are 82 DH-4's, used for carrying the mails, 4 inspection airplanes in good condition, and 8 others that are not serviceable.

The air-mail stations in operation number 15, extending across the country on the route from New York to San Francisco. There is also an air mail general repair depot located at Chicago employing 115 men. At this station airplanes are overhauled and rebuilt, and spare parts are stocked for all flying equipment and ground equipment, especially that needed for night flying.

In a special report of the National Advisory Committee for Aeronautics submitted to President Harding on December 20, 1922, at his request, it was stated that—

The fundamental purpose of the Air Mail Service is to demonstrate the safety, reliability, and practicability of air transportation of the mails, and incidentally of air transportation in general. In particular it should—

(a) Develop a reliable 36-hour service between New York and San Francisco, and make that service self-supporting by creating the necessary demand for it and charging a rate between ordinary postage rates and night-letter telegraph rates.

That we have already accomplished.

(b) Keep strict records of the cost of the service and strive in every way to reduce such costs to a minimum, thereby demonstrating the value of air transportation from an economic point of view, and in particular making it possible for private enterprise eventually to contract for the carrying of mails by airplane at a rate which not only would not exceed the income from such a service, but would permit the Post Office Department to provide other postal airways to meet the demands of the people for the more rapid transportation of mail.

We provide for that in a separate bill, which we will consider to-day.

In the present undeveloped state of the art it would be wholly impracticable to operate an air mail service by contract.

The Air Mail Service at the present time is conducting an experimental demonstration of the practicability of night flying in the transportation of mail between New York and San Francisco by air. The ground equipment for night flying extends from Bryan, Ill., near Chicago, to Rock Springs, Wyo., near Cheyenne, and mail is being transported regularly on an approximate average of 41 hours for westbound mail and 36 hours for eastbound. The use of the service is gradually increasing, and the developments to date indicate that in a reasonable time the service will be fully self-supporting.

We believe it will be in a very short time.

The development of the Air Mail Service has been a credit to American aviation. It is a practical means for aiding the development of commercial aviation, as well as a means for expediting the transportation of mail. Mail is bound to be carried eventually by the fastest means available, and it is safe to say that in this age of progress the American people will demand and will support a more or less general use of aircraft in the future for carrying the mails.

That there should be opposition to establishing the policy of carrying mail through the air and establishing regular permanent air-mail lines, of course, is not surprising. Progress is always opposed, whether in science, art, mechanics, or even in politics. The same sort of opposition now presented against this bill was raised and urged in 1835 or thereabouts when we were first considering the transportation of mail by rail. The gentlemen will recall the time the Post Office appropriation bill was under consideration the first session of this Congress a point of order was raised against the item providing appropriations for maintaining the transcontinental air line. I have referred to that before, but I want to recall the attention of my colleagues to an authentic record read by my colleague from Iowa [Mr. RAMSEYER] at that time. The gentlemen will recall that he read from "A History of the Railway Mail Service," and to refresh the memory of the House and to emphasize the point which I am trying to make, that the present opposition is due to lack of vision or misinformation or neglect to be informed or perhaps inspired by those who see this new means of transportation as a real competitor that will put them out of business, as the locomotive put the stage coach out of business in the early thirties, let me read from the CONGRESSIONAL RECORD of February 12, 1924, page 2320, where you will find a few paragraphs taken from the history I have just mentioned, prepared in 1885, which was read on that day by the gentleman from Iowa [Mr. RAMSEYER]:

At this time grave doubts were entertained as to whether the railway service could ever be made acceptable to the public or the department, and frequent threats are on record that the contractors will be remanded to the stage coaches.

February 18, 1835, on account of many complaints of gross irregularity in the transportation of the newspaper mail between Philadelphia and Harrisburg and Carlisle, the contractors were informed by the department that if the irregularities were repeated "this mode of transportation by the railroad must be at once abandoned, and you will be required to resume your double daily line of four-horse post coaches between Philadelphia and Chambersburg."

March 27, 1835, a letter from the department reveals the fact that the contractors, after having used the railroad from Baltimore to Frederick for some time, ask permission to resume their trips by stage coach. On this request the Postmaster General made the following indorsement: "The contractors will go by railroad or otherwise, so that the mail is carried in due time."

A letter addressed by the department, March 28, 1835, to James Reeside, contractor, complains that "The mail from New York to Philadelphia, by railroad, is usually late, taking more than 13 hours from Jersey City. * * * This was hardly the case in the worst of bad staging."

The intimation is given to the contractor that a repetition of these evils will be followed by directions from the department to abandon this mode of conveyance and to resume his former route; that is, go back from the railway to the stages.

Dated April 30, 1835, there is a paper in the department which reads like this:

"There have been two failures of the mail from beyond Philadelphia at this city in the course of the present week, occasioned, it is said, by accidents to the locomotives on the Amboy & Camden Railroad. These occurrences are peculiarly annoying at this time and have become the subject of public notice and complaint. From the experiences we have had, the adoption of the railroad to the purpose of mail transportation is becoming every day more and more questionable. It is very apparent that it can not be relied on with that degree of certainty which is all important in the transmission of the mail, and without which disappointments occur to the public and complaints are rung in the ears of the department from every quarter of the country."

Then, too, with regard to contracts, I find in this history:

"The early notices of acceptance of proposals on lines where railroads were in course of construction were, many of them, qualified by the phrase, 'On condition that in case any arrangement shall hereafter be made under the authority of Congress to carry the mail for the whole or any part of the route on railroad, then your contract to be annulled, or there shall be a pro rata deduction, as the case may be.'"

"February 26, 1836, the contractor on route between Augusta and Charleston is authorized to make a subcontract with the railroad company if he desires to do so. The letter notifying the contractor says: 'The Postmaster General will not object to your making a subcontract with the railroad company, provided all the offices be supplied, and provided the expedition furnished by the railroad involve no extra expense.'"

We can truly say history repeats itself, and our predecessors were as afraid of the railways as some of my colleagues seem to be afraid of the airplanes. Still, we have the benefit of nearly a hundred years of advancement; and while there might have been some justification for the timidity and lack of vision on the part of our predecessors of the thirties, there surely can be no justification for any well-informed, well-read gentleman who wants to keep abreast of the times.

We have a demonstration, a living, existing demonstration, of what can be accomplished, so that there is no reason to hesitate any longer.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FROTHINGHAM. Are the subsidies which the gentleman speaks of as being granted in various countries given for carrying the mail?

Mr. LAGUARDIA. Absolutely.

Mr. FROTHINGHAM. Are they given also to concerns which carry passengers?

Mr. LAGUARDIA. They are given to private concerns which carry both passengers and mail.

Mr. FROTHINGHAM. Do they have to carry the mail in order to get the subsidy?

Mr. LAGUARDIA. No. For instance, Buenos Aires-Montevideo, \$4,500 monthly; in Belgium, Brussels-Paris, Brussels-London, Brussels-Amsterdam, and Congo River, Belgian Congo, \$1,000,000 francs, and Magdalena River, between Barranquilla and Cartagena, \$100 a trip, and so on. I have the whole list here.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Is the gentleman and his party in favor of granting subsidies to corporations?

Mr. LAGUARDIA. Which party?

Mr. BLANTON. And if they are, since when?

Mr. LAGUARDIA. They are not. I will say to the gentleman from Texas that personally the gentleman from New York is not urging a subsidy; he is doing exactly the opposite and is trying to impress upon the gentleman from Texas the fact that you appropriate \$20,000,000 and \$50,000,000 to the Army and the Navy for experimental purposes, for the training of personnel and for being prepared, while here you appropriate \$2,000,000 a year, or \$3,000,000 a year, to be used for useful purposes. In this way you train personnel and do something real. It is not a subsidy; it is an economy, a governmental economy in the highest sense of the word.

Mr. SEARS of Florida. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SEARS of Florida. In reading section 2, it would appear to me that the Postmaster General could authorize other routes, but I notice from your report that this bill simply authorizes the Postmaster General to carry on the present Government owned and operated Air Mail Service.

Mr. LAGUARDIA. He has not the money to do anything else.

Mr. SEARS of Florida. But the bill would lead us to believe that he could establish other routes.

Mr. LAGUARDIA. But he has not the money to do it, I will say to the gentleman.

Mr. SEARS of Florida. I am glad the gentleman is frank, because I thought that must be the case. In the letter written by the Postmaster General to the chairman of the Post Office Committee, it is stated that a bill was introduced by Mr. KELLY on the 18th of February and that this bill was not reported until May 13. I was wondering why the great Post Office Committee struck out section 3 and did not incorporate Mr. KELLY's bill in this bill.

Mr. LAGUARDIA. The Post Office Department asked to have those bills separately reported. The next bill to be called up will be the bill to which the gentleman refers, and we will have another day because this is our first day.

Mr. KETCHAM. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. KETCHAM. Before the gentleman concludes, I would like to have him make a statement with reference to the reliability of the schedules that have been maintained in operating the Air Mail Service.

Mr. LAGUARDIA. Ninety-seven per cent.

Mr. KETCHAM. Also the freedom from accidents.

Mr. LAGUARDIA. We have had no serious accidents. Probably we should touch wood.

Mr. SNELL. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SNELL. Are the aviators doing this work Army or naval aviators?

Mr. LAGUARDIA. No; they are paid by the Post Office Department.

Mr. SNELL. They have nothing to do with the Army or the Navy?

Mr. LAGUARDIA. No. I will say to the gentleman from Texas—

Mr. SNELL. I am not from Texas.

Mr. BLANTON. It would be an honor to the gentleman if he were.

Mr. LAGUARDIA. Pardon me. Then I will say to the gentleman from New York that I have been trying to urge since the Sixty-sixth Congress, when I left the Army and came back to the House, the use of the aviators we may have in the Army and the Navy, assigning them for duty with the Post Office Department, but that has not been agreeable to the Army or the Navy.

Mr. SNELL. Would that result in cutting down the expense of the service?

Mr. LAGUARDIA. Of course it would, but they will not do it. Now, gentleman, I hope you will give this bill your very serious consideration. It is absolutely necessary and it is in keeping with the progress of the times. Now, gentlemen, everything that is progressive has opposition, whether it is in science, medicine, or even in politics. I may be wrong on some of my political views; I may be wrong on some of my economic ideas, but on this subject I am right, and I hope the House will agree with me, at least on this bill. [Applause.]

Mr. BLOOM. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLOOM. I would like to know whether there is any limit to the expenditures which the Postmaster General may make?

Mr. LAGUARDIA. Yes; that is under the control of Congress. Now, gentlemen, in closing I just want to say that I believe that the congratulations of this House should be extended to Col. Paul Henderson, Second Assistant Postmaster General, and his able general superintendent of air mail, Mr. C. F. Egge. These men have succeeded in developing a transcontinental service. The praise of this House is also deserved by the cooperation given them by the zone superintendents, pilots, mechanics, radio men, and the personnel of the Air Mail Service. The esprit de corps of this service is excellent; their efficiency of the highest. Together they have demonstrated to the world the great possibilities of aviation for useful, peaceful purposes. We are proud of them all. They have done well. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the bill.

The CHAIRMAN. Does any member of the committee desire time in opposition to the bill? If not, the gentleman from Texas is recognized for one hour.

Mr. BLANTON. Mr. Chairman and gentlemen, I have but one interest in this bill, and that is in behalf of the people of the United States. The inference that was made by the gentleman from New York that some railroads might have objection to this bill had no application to me whatever. I have no connection—and never have had in my life, of any kind, nature, or description—with any corporation or with any railroad. I own not a dollar's worth of stock in any corporation and never have owned a dollar's worth of stock in a corporation. I oppose this bill only because I feel sure that it is against the best interests of the people.

Is this bill as restricted as the gentleman from New York seems to think it is simply because the Postmaster General has not yet been given the money? Why, a man does not have to be a scientific expert to know what this language means. It plainly authorizes the Postmaster General to operate and maintain new air mail routes anywhere in the United States. I know that the committee can and will push this bill through. They had that purpose in mind, I presume, when they favorably reported this bill introduced by the gentleman from New York [Mr. LAGUARDIA]. They knew they would have the help, at least, of two parties to put it through—the Republican Party and his new party—because he and the gentleman from Wisconsin [Mr. BERGER] constitute the new party here. Therefore, with added strength thus given to the bill they bring it here.

I want to read this bill:

That the Postmaster General shall arrange the air routes on which the mail is carried by airplane or other flying machine.

SEC. 2. The Postmaster General is authorized to operate and maintain air mail service in any part of the United States and Territories that he may from time to time designate.

You see that this bill authorizes him to operate and maintain new routes everywhere at his own discretion, without coming to Congress. Does not that language mean it? Why, the language is as plain as English can make it.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BLANTON. In just a moment, and then I will yield all time the gentleman wants me to yield. Now, I want to submit this to the Committee on Rules, whose distinguished chairman [Mr. SNELL] honors the committee here to-day with his presence. [Laughter and applause.]

The gentleman knows, because he is well versed in such matters, that if the Postmaster General were to see fit tomorrow to establish a mail route from Washington down through Atlanta, Ga., to New Orleans and Dallas, Tex., and then on to El Paso, he would have a right to do it under this bill, and Congress would have to pay its debts. He could enter into a contract after this bill is passed even though it might cost twenty times as much as the contracts with railroads now call for, and we would have to furnish the money to pay the bill because we authorize him here in this bill "to operate and maintain" new air-mail routes without limit, and he has a right to do everything that we authorize.

Mr. BOYLAN. Will the gentleman yield for a question?

Mr. BLANTON. I promised first to yield to the gentleman from New York.

Mr. LAGUARDIA. I am sure the distinguished legislator, the gentleman from Texas, would not want to go on record as saying that this bill would authorize the Postmaster General to do anything he wanted to, when the gentleman knows he is limited to the appropriations which we give him.

Mr. BLANTON. When the Congress passed the war act authorizing the President to conduct war and to use the resources of this Government, we did not first have to appropriate the billions of dollars before he made contracts. We did that afterwards. The President entered into the contracts, however, under that authority.

Mr. LAGUARDIA. The gentleman would not press that as a proper comparison.

Mr. BLANTON. Whenever we authorize the Postmaster General "to operate and maintain new air-service routes without limit," the presumption to all contractors all over the United States is that we are going to pay the bill. I may not be as distinguished a lawyer in the country as the gentleman from New York, because I do not hail from New York—

Mr. LAGUARDIA. It is a good place to be trained.

Mr. BLANTON. It is a good place to be trained in subtlety sometimes.

Mr. LAGUARDIA. Let us analyze that. Will the gentleman yield for a moment?

Mr. BLANTON. I am used to reading language for what it means, and that is what this language means.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman. I did not mean to be offensive, because I think a great deal of the gentleman from New York.

Mr. LAGUARDIA. The gentleman knows that the Secretary of War and the Secretary of the Navy are authorized by law to buy aviation equipment or contract for battleships and yet they are limited to the appropriations which Congress gives them.

Mr. BLANTON. The gentleman from New York knows that this is legislation—

Mr. LAGUARDIA. Exactly.

Mr. BLANTON. Legislation that authorizes the Postmaster General to do anything he wants to do in Air Mail Service.

Mr. LAGUARDIA. Within the limits of the appropriation that Congress may make.

Mr. BLANTON. But the gentleman did not put that language in this bill, which is language that appears in lots of legislative bills. If the gentleman had wanted to restrict the Postmaster General, he should have added the language: "within the limitations of appropriations made by Congress"; but the committee did not do that, and the gentleman has not offered any amendment to that effect.

Mr. CARTER. Will the gentleman yield for a question?

Mr. BLANTON. I yield to the gentleman.

Mr. CARTER. Would not this be the case: This bill authorizes the Postmaster General to contract for mail routes?

Mr. BLANTON. Yes.

Mr. CARTER. And having contracted for them, could Congress in good faith refuse to make good those contracts?

Mr. BLANTON. That is the very point I am making. The clear, incisive, legal mind of the gentleman from Oklahoma has seen the point I am trying to make here, and that is exactly the situation, gentlemen.

Whether you gentlemen want to put this great power into the hands of the Postmaster General or not, I do not know. I know one thing. I know that if the party of the gentleman from New York [Mr. LAGUARDIA]—that is, the political party now constituted here in the persons of the gentleman from New York and the gentleman from Wisconsin [Mr. BERGER]—was in power, the Republican steering committee would never for one minute pass this bill and thus place this power in the hands of one of their Cabinet officers; and I do not say that offensively. That is quite a growing party. It now has two representatives here. But I can go further than that, because I sat here in this House and watched Republicans when my side was in power. If the Democrats of this country, who have ably shown their ability to run a government rightly, were now in power, the Republican steering committee on the other side of the aisle would never let a bill like this pass, giving such unlimited power to any Cabinet officer of that party. Oh, because you are now in power, you pass this bill and think it is all right. I think a great deal of your Postmaster General personally. He has never yet turned me down on any reasonable proposition I have requested of him.

Mr. LAGUARDIA. That is more than the gentleman from New York can say.

Mr. BLANTON. He has never turned me down on a reasonable proposition, because I do not ask for anything except what is reasonable and proper. I do not ask him for patronage jobs like the gentleman does.

Mr. LAGUARDIA. We do not get any, either, and the gentleman knows it.

Mr. BERGER. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BERGER. This simply shows that the Republican Party has good reason to trust the Socialist Party and it could not trust the Democratic Party. [Laughter.]

Mr. BLANTON. Oh, but the gentleman from Wisconsin could never make the American people believe that.

Mr. BLACK of New York. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BLACK of New York. Of course the Republican Party will trust the Socialist Party with the air.

Mr. BLANTON. Yes; with the air, but with nothing else.

Mr. BERGER. But not with the hot air of the gentleman.

Mr. LOWREY. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. LOWREY. The gentleman from New York spoke a while ago of carrying air by mail, and now the gentleman from Texas speaks of running a line of this kind to Dallas, Tex.—

Mr. BLANTON. Oh, the gentleman from Mississippi now is getting facetious, and I have not time to yield for facetiousness.

Mr. LOWREY. Does not the gentleman think that even a Republican Postmaster General would be too wise to establish a line to carry air to Texas? [Laughter.]

Mr. BLANTON. He certainly would not go through the swamps of Mississippi or over them. [Laughter.]

I want to say this to my colleagues without taking up further time: This bill ought not to pass without some kind of restriction. If you are going to pass it at all, you ought to put a limitation in here providing that the money spent shall be within the limitations of the appropriations made by Congress. You ought to do that to protect yourselves, to protect the Appropriations Committee and the people.

Mr. RAMSEYER. Will the gentleman yield for a question on that point?

Mr. BLANTON. On that point; yes.

Mr. RAMSEYER. There is to be another bill brought up under which the Postmaster General is authorized to make contracts with private carriers without any cost to the Government, and that will have nothing to do with the appropriations made by Congress.

Mr. BLANTON. But every bill should stand on its own footing. The gentleman may not get a chance to pass another bill.

Mr. RAMSEYER. Oh, yes; we will.

Mr. BLANTON. What is the use of passing legislation by piecemeal? Why do you not cover the situation in one bill? I am surprised that the Republican steering committee would permit a bill of this kind to be taken up in the absence of the gentleman from Illinois [Mr. MADDEN], whose time now is taken up in the Appropriations Committee in properly framing the appropriation bills. I do not believe that you could pass this bill if the gentleman from Illinois [Mr. MADDEN] was on the floor. I heard the finest argument from him I ever heard in my life when you first started in this air mail service from New York to San Francisco: he came on the floor and defeated it. He showed that it cost then—regardless of what it costs now—about 36 times as much as under the present mail contract with the fast trains coming out of New York every night.

Here is the foolish situation we find ourselves in. Most of the commercial mail from New York—at least 90 per cent of it gets into the post office by 7 o'clock p. m., and the mail for California stays in the post office all night when a dozen fast trains that night are coming out of New York going toward Chicago and could be in Chicago the next morning at 9:30 o'clock. The mail stays there all night, then it is picked up by airplane and leaves at 10 o'clock the next morning and is carried west. I believe you should save that air run from New York to Chicago. The mail that leaves New York at 4 o'clock in the afternoon gets into Chicago the next morning at 9:30. It gets to Chicago the next morning before the airplane leaves New York.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LAGUARDIA. The fast train for Chicago leaves New York at 3:40 and gets to Chicago about 9 o'clock the next morning. We leave New York at 10 o'clock and the air mail gets to Chicago at 6 o'clock that day.

Mr. BLANTON. Why can not you New Yorkers deposit this mail that you want transported to San Francisco in the post office by 3 o'clock p. m. and let it go from New York to Chicago on this Broadway Limited fast mail train that leaves New York at 3:45 p. m. and arrives in Chicago at 9:30 the next morning?

Mr. LAGUARDIA. The mail that leaves at 10 o'clock gets into Chicago that night at 6.

Mr. BLANTON. Let me ask the gentleman how much commercial mail is mailed in New York in the morning prior to 10 o'clock? Very little, and the gentleman knows it. Some of the business houses in New York are not open much before 10 o'clock in the morning.

Now, I am not against experimental airplane service conducted in a proper manner. I will not raise my voice against the experimental service between New York and San Francisco. That is all right. It has been of service and worth the money to the Government as an experimental matter. But I know what will come from the passage of this bill. I know that the friends of the Postmaster General, political and otherwise, would get his ear, bring their tremendous influence to bear upon him, and make him see their way, and under this authorization he could establish and operate and maintain new contracts for as many new air mail routes as he saw fit. Now, you colleagues ought to hesitate before you pass this bill.

Mr. LAGUARDIA. If the restriction was put on this bill would the gentleman vote for it?

Mr. BLANTON. I will if you put the restriction on, as long as the gentleman from Illinois [Mr. MADDEN] is chairman of the Committee on Appropriations. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, I yield to the gentleman from Michigan [Mr. McLEOD].

Mr. McLEOD. Mr. Chairman and gentlemen, for many months I have hoped that some bill tending to encourage commercial aviation would be reported favorably by a House committee, that the House of Representatives might be given an opportunity to discuss the necessity of going to the limit in every way possible in behalf of commercial flying in the United States.

The two bills reported back to the House by the Committee on the Post Office and Post Roads, and which you now have under consideration, are steps in the right direction. One of them legalizes the granting of contracts by the Postmaster General, and its passage will result in the establishment of air mail lines with private individuals and planes under contract to carry the mail.

One of the most important questions of the day is the extension of aviation, both military and commercial. Other countries have recognized this fact and have spent huge sums on aerial development. I am at a loss to understand why the United States, the largest and most prosperous of all nations, should be reluctant to enter into competition with lesser nations in perfecting and extending aviation. This country at the present time has set the pace for commercial enterprise in everything except aviation. It has made it extremely difficult for its neighbors to keep this pace; yet at the same time it is ignoring the most important commercial enterprise—it is allowing countries unable to compete in every other commercial field to far surpass it in the most important one.

While other countries, notably England, are doing everything in their power to bring about ventures into the commercial aviation field by private individuals and corporations, the United States has been standing idly by, making no progress, making no effort to keep pace, contented with a dilapidated and inadequate Army and Navy air force, and thoughts of commercial aviation yet unborn.

The desire to compete with other nations in the commercial aviation field is grasping a firm hold on public sentiment. A start is all we need, and in a short time we will set the pace in aviation just as we have kept it in other commercial fields.

The passage of the two bills pending before you to-day will be only a start—but the right kind of a start—and the complete awakening will see established passenger and freight air lines second to none in the world; large corporations engaged in commercial aviation, and a fleet of planes that in times of stress may be converted into battle types in an hour.

There are a number of persons in the United States who are interested in commercial aviation and who would spend large sums in the establishment of air lines and in the development of commercial aviation. All they need is a little encouragement—recognition by the Government of this country of the value and necessity of commercial aviation to a great and prosperous Nation.

This bill may properly be termed the first official recognition of commercial aviation by the United States, and therefore this is an historical occasion. Its significance is very broad in that it marks the entry of our country into better and larger fields of endeavor.

I would like to see this bill passed unanimously, and I would like to see more bills of this nature, wider in scope, perhaps, reported from committees and passed by the House. I am eagerly looking forward to the day when this body of wise legislators will enact into law a bill providing for governmental aid to those responsible individuals and corporations who are willing to establish air lines for the transportation of passengers and freight. Such action by the House of Representatives and the Senate is inevitable. It is bound to come eventually, because it is extremely necessary to the successful operation of commercial planes. It would only be in keeping with the general policy of the Government practiced in the past to encourage entry by private capital into new fields. It would be only what other countries have done and are doing for commercial aviation; countries which are much less prosperous than the United States. England has done it. France has done it. And why, if you please, should this Nation be backward?

General Mitchell, of the Army Air Service, for whom I have the highest admiration, has advanced a plan whereby, if I properly understand it, the Government would operate air lines for the carrying of passengers and freight, and upon the lapse of a certain period would sell these lines to private individuals and corporations.

While General Mitchell's idea is along the right line, I feel that such action on the part of the United States would involve a large expenditure. It would compel our country to spend vast sums during the period prior to the time when the lines might be placed on a paying basis. I am afraid that this plan would not be in keeping with the commendable economy policy of the present administration, nor would it meet with the approval of the citizens, already overburdened with taxes, who are crying tax reduction.

Would it not be a better plan to set aside a sum—say, for example, \$100,000,000—and provide that the Secretary of Commerce, after careful investigation, loan amounts not exceeding two-thirds of the total amount required to establish lines, the individual or corporation desiring such governmental fiscal aid providing the rest and agreeing to repay the Government the amount borrowed within a period of seven years? I am of the opinion that in that time every line established upon the provisions of such a bill would be on a paying basis and that those who took advantage of the governmental-aid clause would be in a position to refund the amount borrowed. In this manner the Government would lose nothing. The money it loaned to responsible corporations and individuals would be secured by the holdings of these individuals and corporations. Overtaxed citizens would not be called upon to pay for this new venture and it would serve to put this Nation on a basis with other nations in the commercial aviation field. It would, indeed, have the desired results, and there are many who would avail themselves of the Government's offered aid.

Perhaps this is not the best plan that could be advanced after careful study of the aviation field, but it is the most economical, and it is a plan that would meet with the approval of the general public and would permit this country to immediately enter into aerial competition with its neighbors.

Let us not call this plan a subsidy plan. It is not that. I want to make this point clear, because I realize that those who are opposed to the encouragement of commercial aviation would sing the subsidy song and would try in every way possible to make the public believe that such a plan, if adopted, would cost them large sums of money. It is merely a plan advanced for the purpose of providing Government aid or loans for commercial aerial development, these loans to be repaid in seven years. I am fully aware that were such a plan put in bill form it would meet with a great deal of opposition, but I am also fully confident that there are enough men in this lower House who know the necessity of encouraging passenger and freight air lines to put such a measure through.

Let us study carefully the aviation subject—it is very broad—and let us do something immediately to enter the airplane into the commercial aviation field. It is essential that this be done at once, for every day we delay it is putting us that much further behind other countries in the aviation field.

My reason for supporting the two bills before us to-day is that they are stepping-stones to greater ventures in commercial aviation. Their consideration here, I feel confident, will cause wise legislators to awaken to the crying need of encouraging further commercial aviation, which they have considered lightly in the past. For that reason and the reason that they are good bills they warrant the support of every Member of this House.

I congratulate the chairman and the members of the Post Office Committee on their handling of these bills, and sincerely trust that many more bills encouraging commercial aviation will be reported favorably by House committees in the future, and that the House itself may see fit to enact many of them into law.

Mr. BLANTON. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, during the previous session of Congress some of you may remember that one day I stood on the floor and advocated the raising of this appropriation, and the distinguished chairman of the Appropriations Committee [Mr. MADDEN] made a point of order against this very thing. At that time the gentleman from New York [Mr. LAGUARDIA] and several others of us service men were trying very hard to put this provision through in favor of air mail. I look upon this as not only a proposition for carrying the mails from New York to San Francisco and Chicago and St. Louis or any other place, but I look upon it as a provision connected with the national defense. I am glad to see in the naval appropriation bill and the Army appropriation bill appropriations for real aviation in the United States and real aviators. We who were in France during the war know what it means to be up in the Argonne and see these German planes come over and point out our position to the Germans, and we with no adequate planes to fight them. We had

plenty of American aviators ready to go up in the air but we had no airplanes for them to go up in, while the French and the Belgians had plenty of them.

I do not want to see any other war. I do not want to see any war at any time, and I hope that we will never have any war at any time, but if it does come I do not want to see it come when we are in the same position. I do not want to be placed in the position where the enemy will have the airplanes, the eyes to show our position, and we not be in a position to have any adequate planes for American aviators.

That is what we went through in the last war and we do not want to go through it again. It seems to me that the economic side of the question should be very plain to us as Members of Congress. Whether or not we pass this legislation at this time, the airplane service is bound to come. I was reading an article last night in the Liberty Magazine which said that while Congress is passing legislation, tinkering with railroads, or is not, inventions take care of these things, and whether Congress likes it or not, the different inventions take care of these propositions, and that progress comes along and that before Congress passes legislation the thing is all settled. Whether we pass this legislation or not at this time, it is coming. Let us have vision. The day is coming when the mails are going to be carried all over the United States by airplanes. The day is coming when we are going to have express packages carried by airplane. We are going to have Zeppelins or different kinds of planes like Z-3 carrying these things.

Mr. LA GUARDIA. We take packages now up to 50 pounds.

Mr. CONNERY. Yes. We ought to have vision and be glad to pass legislation like this, that gives opportunity not only from an economic standpoint, but from the position of national defense, to have our aviators and airplanes ready, provided not only by the United States, but if necessary by private corporations—and those of you who have heard me in the past know that I have never been very strong and have never fought very much for large corporations. But I am for anything, whether private or Government-owned, that will take care of our national defense and see that we have trained aviators ready to carry the mail in time of peace and in time of war to keep enemies off these shores. [Applause.]

Mr. LA GUARDIA. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CLANCY].

Mr. CLANCY. Mr. Chairman, it seems to me that there is an almost anxious effort upon the part of the gentleman from Texas [Mr. BLANTON] to play upon the prejudices that some Members of the House must feel against the gentleman from New York [Mr. LA GUARDIA] because of his political affiliations. He says that just two parties, Progressive and Republican, are for this measure. In rebuttal I wish to call attention to the fact that the Second Assistant Postmaster General, in charge of this item, Mr. Henderson—who, by the way, is a son-in-law of the gentleman from Illinois [Mr. MADDEN], whom Mr. BLANTON quoted against the air mail—said that the credit for putting through the measure last year belonged to Detroit and in a large measure to the Detroit Board of Commerce. Through the efforts of at least one Member of the Michigan delegation, and he a Democrat, who made a fight for it, the item was kept alive after being struck out on a point of order in this House.

The matter went to the Senate, and it was put through there at double the amount it was killed at in the House, and when it came back here for a vote at \$2,750,000 there were enough Members on this side of the House at least, with Members on the other side, to insure the continuation of the United States Air Mail Service with all its equipment across the continent, and to insure the vocations of its aviators, many of whom risked their lives in the World War, and are accounted World War heroes. Thus the Democrats materially helped to save the United States air mail last year.

I hold in my hand a picture taken from the Detroit Free Press of an airplane just made in an airport, donated by Henry Ford and Edsel Ford, and sold to the United States Air Mail Service for operation between Cleveland and Chicago.

In a report made to the President by the United States National Advisory Council it is declared that the United States air mail is the most important development of aviation to-day, and aviation is one of the most tremendous facts before the public of America or of the world to-day.

The Air Mail Service of the United States is the most important development we have in aviation as stated, and this legislation merely seeks to protect it against any capricious Member who wishes to make a point of order and kill this

essential enterprise. The fact is that if you get aviation to the point where our private capital will invest, then America will lead the world, because, as General Mitchell, of the Army Air Service, says, America has the personnel, the industry, based on the automotive industry and the raw material, as no other country has. So far as the personnel is concerned, in the United States Air Mail Service are to be found the finest aviators in the world.

Henry Ford and Edsel Ford, Detroit, and the Detroit Board of Commerce are very much interested in this development. You do your part in carrying along the United States Air Mail Service, which, as the reports to the President said—and President Coolidge concurred with this—is the nub of the whole aviation situation, and many of you will live to see the day when the bulk of the freight and passenger business in the United States is carried by airplane and other air machines.

Europe has seen the necessity of building up and encouraging aviation, and through subsidies, which are quite taboo in our system of government, is building up various lines which operate on the Continent. Some other lines reach out from Cairo to Bagdad, under the English system, and in Europe we have the international line from Berlin to Moscow under the German-Russian system. The United States is the birthplace of aviation and we should not fail to take advantage of the opportunity that is presented to us. Aviation will develop particularly the great States of the West and of the South, who have not the population nor the industry to support railroads. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LA GUARDIA. Will the gentleman from Texas use up some of his time now?

Mr. BLANTON. I do not care to use any further time.

Mr. LA GUARDIA. Then, Mr. Chairman, I call for the reading of the bill.

The CHAIRMAN. If no one else desires to discuss the bill, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General shall arrange the air routes on which the mail is carried by airplane or other flying machine.

Mr. MOORE of Georgia. Mr. Chairman, I move to strike out the last word. Representing the first district of Georgia, I desire to say that the folks whom I represent are in favor of this kind of legislation. [Applause.] The board of trade down there recently passed resolutions insisting that I should get busy up here, and the people that I represent down there want this kind of legislation. It seems to me that this thing is coming. Those of you who stand in the way of it to-day will see in the course of time the mistake that you are making here to-day. When the rural-carrier routes were first started they met with much opposition in this country. The delivery of the mail to the people on the farms was a slow process, and all of these new processes are slow. People hang back. They get in ruts, and they do not want to try a new thing.

Just a few years ago in Georgia I was mayor of a little town when the automobile first came out. There were three of them in the town, and along came a great petition, signed by lots of folks in that town, asking that those things be denied the use of the streets. If the mayor and the council had agreed with those petitioners where would we be in the march of progress to-day? We saw the thing was coming, and we decided to let the automobiles stay in Statesboro, Ga., where I happened to be mayor at that time. [Applause.] The man who stands here to-day and opposes the carrying of the mail by airplane is just simply getting in his own shadow, and that is all there is about it. You might as well come along and vote for this kind of legislation. It is just a question of a short time.

Now, I believe in economy as much as anybody and I believe in protecting the taxpayers of this country, but here is a thing needed, a thing we need in this country, and that is men who can go in the air and manage a plane. You talk in this country about not fighting, about not having any more wars! You might just as well get down and crawl in a hole and stay there. Wars will go and come. We have had them for 6,000 years and will have them in the future. I am in favor of training the boys of this country to handle the airplane, because the future fighting is going to be done very largely in the air. Let us have mail by air. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General shall arrange the air routes on which the mail is carried by airplane or other flying machine.

SEC. 2. The Postmaster General is authorized to operate and maintain air mail service in any part of the United States that he may from time to time designate.

The committee amendments were read, as follows:

Section 2, page 1, line 6, insert the word "Sec." Page 1, line 8, after the word "States," insert the words "and Territories."

The question was taken, and the amendments were agreed to.

Mr. CRAMTON. I offer an amendment at the close of the paragraph to insert the language I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. CRAMTON: At the end of line 9, page 1, insert: "Provided, That additional air routes shall not be arranged, operated, or maintained until transportation by air mail has passed the experimental stage and is substantially self-supporting."

Mr. CRAMTON. Mr. Chairman, at the present time we have under operation an experimental route from New York to San Francisco. We have an appropriation for that purpose this year of \$2,750,000. I do not know of anyone who is opposed to this experimentation or any necessary experimentation. The bill before us proposes to give the department authority to extend this service anywhere in the United States. That means an expenditure would be authorized that would run into many, many millions of dollars. The gentleman from Georgia [Mr. Moore], who has just spoken, expressed the pride of his community in having this service. Every community will feel the same way and will call upon their Representatives to have this service extended. When Mr. MADSEN spoke on this subject in the House on the 7th of June, in connection with the proposed Boston extension, he said:

The plan has been to run an air mail service between New York and San Francisco simply for experimental purposes. Anything more than that is pork barrel, ought not to be done, ought not to be tolerated.

He said at that time:

Mr. Speaker, to extend the Air Mail Service to Boston is nonsense [applause], nothing more or less. In the first place, air mail service is impracticable on any distance less than 1,000 miles. If you can not run the Air Mail Service for 1,000 miles or more, you had better not run it at all, because the trains will get the mail to points covering a distance of 500, 600, or 700 miles quicker than the airplanes will, because the trains run at night, while the airplanes run only in the daytime, except on the specified route that is lighted between New York and San Francisco.

The plan has been to run the Air Mail Service between New York and San Francisco simply for experimental purposes, and anything more than that is pork barrel, ought not to be done, and ought not to be tolerated. You can not carry mail at \$5.35 a ton-mile as a commercial proposition, and that is what it has been costing. It is true they have reduced the cost to \$2.40 a ton-mile, and it may be true that some time in the distant future they will reduce that cost to 60 cents a ton-mile; but to say that we will send mail by air instead of by train over a route where the train can arrive sooner than the airplane can is not only expensive but unwise and nonsense. It ought not to be done, and this bill ought not to pass. [Applause.]

The present time to carry mail by air costs \$2.60 per ton-mile. It is claimed if the planes carry the full capacity of 1 ton that will reduce the cost per ton-mile to a little over 60 cents, six times the rail rate. The increased rate for this special service, it is alleged, will make the service self-sustaining, but that will depend upon there being enough of the special-rate mail to fill the planes to capacity.

The proposed New York to San Francisco program gives ample opportunity for this sort of experiment.

The fact is at the present time they only carry about one-fourth of that anticipated capacity, so they have not yet reached the point where it cost them, in my judgment, anything less than \$2, as against 11 cents by rail. Now, there are some gentlemen very ready to raise some question of a Member's motives; but, as we all seek to do our duty here, we have to face any aspersion of that kind that may arise.

I have no objection now to extending this mail service just as the importance of the service justifies it and the revenue produced by the demand for it makes it reasonably more self-supporting. But I do not believe just to satisfy local pride that we ought to pay \$2 per ton-mile if it can be done for 11

cents and when existing mail routes will give equally good service.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. CRAMTON. I do not want to take up much time.

Mr. HULL of Iowa. Does the gentleman mean to estop an extension of the service if it is not self-sustaining by his limitation?

Mr. CRAMTON. I want to place the limitation here until it is substantially self-supporting.

Mr. RAMSEYER. If the gentleman will permit, the interpretation of the amendment would be when it passes the experimental stage.

Mr. CRAMTON. The balance of the amendment clears that, when it is substantially self-supporting.

Mr. RAMSEYER. Who is to judge of when it passes the experimental stage; Congress?

Mr. CRAMTON. The Postmaster General ought to be able to judge whether it is self-supporting or not.

Mr. RAMSEYER. Does the amendment so state?

Mr. CRAMTON. Yes—

Mr. RAMSEYER. Does it state the Postmaster General is to judge?

Mr. CRAMTON. No. This bill gives authority to the Postmaster General.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAMTON. Later, if you please. The present service extends from New York to San Francisco and benefits the entire country. If the business men mail a letter in Detroit at night, it can connect with the Air Mail Service at Cleveland or Chicago in the morning and get the benefit of the Air Mail Service beyond that point. An air-route extension to Detroit might flatter Detroit but would not improve their mail facilities.

What will happen if this bill goes through unamended is that every gentleman here who represents a city district will feel impelled to force an extension of the service to his city. The gentleman from Savannah is not the only one. I have newspaper clippings showing that there is a movement fostered by the boards of trade and chambers of commerce in every large city in the United States along that line.

The CHAIRMAN (Mr. LEHIBACH). The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CRAMTON. Gentlemen join together, as is always the history of those matters, and force appropriations; \$5,000,000, \$10,000,000, any amount. The bill of the gentleman from Pennsylvania [Mr. KELLY], which I suppose will follow this one, is a much better bill, and if this bill were framed along similar lines, no one could object to it. Every purpose for military use in war, every purpose for the development of aviation, would be served by the development of commercial aviation as proposed by the Kelly bill for use of private lines in the feeders for the Air Mail Service. When it comes to commercial aviation and its development, the Kelly bill reported by this committee provides that private carriers shall receive not more than four-fifths of the revenue and net one-fifth to the Treasury. But in this bill on lines to be Government operated the lid is off entirely. They will cost under present conditions five times the revenues or more, and a network of such lines may spread over the country.

If my amendment does not accomplish the purpose that the language in the Kelly bill accomplishes, it might be modified. The proposition of the gentleman from Texas [Mr. BLANTON] would not cure the situation at all. It would simply invite combines here in behalf of appropriations.

Money is needed in the Postal Service. A bill is now pending in this Capitol to increase the pay of postal employees some \$60,000,000. That bill is being held up because the postal revenues are not sufficient to care for it. When a bill is proposed to increase the postal rates to produce the needed additional \$60,000,000 to take care of that, there is opposition to the increased rates. There is opposition to the increase of pay without increase of rates. What right have we, when this question of adjustment of pay for postal employees is under way, to put an added burden of \$3,000,000 or \$5,000,000 or \$10,000,000 upon the Postal Service?

Mr. BOYLAN. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BOYLAN. Would the gentleman be willing to transfer some of the funds voted for the enforcement of prohibition to this service?

Mr. CRAMTON. If I were willing, it would probably be the first time the gentleman from New York and I had agreed upon any proposition relating to prohibition. I think there should be some more substantial reason for it than that. [Laughter.]

I hope the amendment which I have offered may be adopted in order to safeguard the Treasury. I was not last session opposed to an appropriation for the existing experiment. I am not now opposed to the experimental route, but I was opposed to combines for extensions everywhere. I have had my mail flooded by appeals from motor manufacturers in Detroit asking me to support that measure. We make the best planes and the best motors in Detroit that are made anywhere. But we ought to act here from the national viewpoint and not be influenced wholly by locality. [Applause.]

I will ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD and include the remarks of the gentleman from Illinois [Mr. MADDEN].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GALLIVAN rose.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. GALLIVAN. Mr. Chairman, this amendment does not mean anything, after all, and it is hardly worth while to take up the time of the committee in opposing it.

It says:

Provided, That additional air routes shall not be arranged and operated or maintained until transportation of air mail has passed the experimental stage and is successfully self-supporting.

Well, the gentleman from Iowa [Mr. RAMSEYER] asked the gentleman from Michigan [Mr. CRAMTON], who is the sponsor of this amendment, who was to be the official to say whether or not the transportation of mail through the air had reached the successful stage, and he was quite unable to answer.

As a member of the subcommittee of the Committee on Appropriations, which only to-day finished the drafting of the appropriation bill to take care of all of our postal facilities, may I say to the gentleman from Michigan and to those who are giving me attention that the one man in the Post Office Department who ought to know, the Second Assistant Postmaster General, Col. Paul Henderson—and, parenthetically, I might add that there is no finer official in the entire Government of this Republic—has convinced our committee that the transportation of mail by air has passed the experimental stage, and Col. Paul Henderson is substantiated by the Postmaster General. If they can not convince a committee of Congress, and if that committee subsequently can not convince this Congress, then it would be for Congress to cancel any further appropriations for air-mail transportation.

But, as I said in the beginning, this amendment itself means absolutely nothing, and I am rather surprised that my distinguished friend from Michigan, who usually, except when he talks on prohibition [laughter], says things worth while, should take up the time of the committee at this hour in presenting such an amendment to the House. [Applause.]

Just here I want to read an editorial from the Indianapolis News of a few days ago which is rather appropriate to this whole subject:

AVIATION'S FUTURE

When Col. Paul Henderson, Second Assistant Postmaster General, was placed in charge of the department's Air Mail Service he became convinced that unless night flying were possible the movement might as well stop. No other country had tried night flying, except in war and under the pressure of military necessity. Night service was established and has been maintained with few interruptions since the initial flight in August, 1923.

Colonel Henderson says that the first consignments obviously were "publicity junk." People wished to patronize a novelty. Then the freak mail stopped and the weight of mail carried diminished. After a lull business men began to appreciate the economic value of saving time by air mail, and there has been a constant increase in bulk, with the result that the planes now are loaded to about 75 or 80 per cent of their capacity.

The Air Mail Service will succeed, says Colonel Henderson, only as the business world realizes its importance. He believes that the country should think more about commercial aviation than aviation as an arm of national defense. "National defense in the air," he says in the New York Times, "must be the outgrowth of commercial aviation; never can commercial aviation, in an economic sense, grow out of military flying. Therefore, instead of persistently harping on the need for more appropriations so that it can be profitable to manufacture aircraft, we must work out some national policy whereby the public will find it profitable to use aircraft. And having done this, we shall have solved

the whole problem." Colonel Henderson throws out the hint that although aviation is flourishing abroad, largely because of heavy government subsidies, it is, from a commercial standpoint, practically on the verge of collapse in this country. As will be noted, he does not wish Federal appropriations. He wishes the public to use airplanes for business profit, and in that event there would be plenty of reserve in time of war—a very sensible view.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. BLANTON. I offer an amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 6, after the words "Postmaster General", add a comma and insert the following: "within the limit of appropriations now or hereafter to be made therefor by Congress."

Mr. RAMSEYER. Mr. Chairman, I make a point of order that we have passed that section.

Mr. BLANTON. No; we have not passed section 2.

The CHAIRMAN. Nothing has been read beyond section 2 of the bill.

Mr. RAMSEYER. I withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. BLANTON. Mr. Chairman, the author of this bill says there is no intention on his part or on the part of the committee to permit the Postmaster General to go beyond the authorizations of appropriations made by Congress. If there is no such intention, why not pass this amendment?

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SNELL. Is it not a fact that the law now prohibits any executive officer of the Government from making a contract where there is no appropriation or a contract beyond the appropriation?

Mr. BLANTON. Not where by legislation we specifically authorize him to do something, such as is done in this bill.

Mr. SNELL. In these general appropriation bills there is a general authorization carried in the bills, but it is the distinct law of Congress that an executive officer must not exceed the appropriations made in carrying out any proposition.

Mr. BLANTON. But that applies to appropriation bills.

Mr. SNELL. I know; then this would not add anything if we passed it again.

Mr. BLANTON. But this is a legislative bill, and it specifically authorizes the Postmaster General to do a specific thing; that is to operate and maintain any and all air mail routes he may determine upon.

Mr. SNELL. But all of these things are original and definite authorizations, and then they are appropriated for afterwards, and there is a definite law against a Cabinet officer going beyond the amount appropriated.

Mr. BLANTON. If I thought like the gentleman from New York, I would not offer this amendment. But my experience since I have been here is this: That whenever Congress specifically authorizes a bureau chief to do a specific thing he can and does go ahead and do that very thing and make it a charge upon the Government.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WAINWRIGHT. I want to ask the gentleman whether he thinks it is perfectly plain that this bill, if enacted into law, will authorize the Postmaster General to contract unlimitedly within his discretion?

Mr. BLANTON. That is my idea.

Mr. WAINWRIGHT. The bill provides that he shall operate and maintain. Does that mean—

Mr. BLANTON. To save time I want to ask the gentleman from New York [Mr. SNELL] one question.

Mr. SNELL. I want to ask the gentleman from Texas whether he meant what he just said, namely, that it authorizes him to contract without regard to the appropriations made.

Mr. BLANTON. I do think that. Now, I want to ask the gentleman from New York this question: If there were any attempt on the part of the Postmaster General to go beyond the limit of the appropriation allowed him by the Appropriations Committee, would the gentleman stop him?

Mr. SNELL. I would try to; I certainly would.

Mr. BLANTON. The gentleman would try to stop him?

Mr. SNELL. I certainly would.

Mr. BLANTON. Then I withdraw the amendment, Mr. Chairman.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

3. The Postmaster General is authorized to contract with any individual, firm, or corporation for the transportation of mail by aircraft between such points and in accordance with such regulations as he may prescribe.

With the following committee amendment:

Strike out all of section 3.

Mr. BOYLAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Does the gentleman from New York move to strike out the last word of the committee amendment?

Mr. BOYLAN. Yes.

The CHAIRMAN. Then the gentleman from New York is recognized for five minutes.

Mr. BOYLAN. Mr. Chairman, I want to say that I am for this bill, and I hope it will pass, but another thing I would like to say is that last June, before we adjourned, we raised the hopes of the employees of the Postal Service; we painted a picture for them which led them to hope for a happy Christmas. In a few days we will disperse from the august and historic precincts of this Hall of the House of Representatives to our firesides and in the bosoms of our families enjoy the festive times and days of Christmas and the succeeding holidays. How will these postal employees enjoy their holidays, overworked, as they will be, by the excessive demands made upon them, made by you and by me and by every other citizen in this great country. The little hope they had in looking forward to a bright and cheerful Christmas has been dissipated by Congress doing nothing to bring about what this House voted to do before Congress adjourned. Are we going to break those promises? Are we going to forget what we said to these men during the campaign? Is the honor of basking at the feet of the illustrious and genial President at the breakfast table to result in dissipating the promises we have made to these faithful employees? Are we not going to give them at least the hope that the \$300 increased pay we promised and voted for them will materialize in the near future?

Mr. STENGLE. Will the gentleman yield?

Mr. BOYLAN. I will.

Mr. STENGLE. It is not the intention of my colleague to create the impression that this delay in giving justice to the postal employees is due to any inactivity, voluntarily performed, on the part of this House, is it?

Mr. BOYLAN. Well, by indirection; yes.

Mr. STENGLE. Is it not a fact that the body at the other end of the building has gone to sleep and that we are wide awake? [Applause.]

Mr. BOYLAN. Very true, but when I look around and see the influential men sitting in this body—the distinguished gentleman from Ohio [Mr. LONGWORTH] and the distinguished gentleman from New York [Mr. SNELL]—

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BOYLAN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. BOYLAN. I know that if the powerful influences that are wielded by Members of this House would go over to the other side of the Capitol and put an entering wedge under some of the illustrious gentlemen holding down seats there, then action might be had.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. LA GUARDIA. I understand the other body has agreed to vote on the bill the gentleman is discussing on January 5.

Mr. BOYLAN. I think the vote should be to-morrow in order that a Christmas joy and a Christmas spirit might be brought home to the employees of our great Postal Service, and having the knowledge that it was coming would make the day better and happier and would inculcate in the minds of the faithful employees a greater desire to perform service satisfactory to the country.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to revise and extend the remarks just made by myself.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to revise and extend the remarks he has just made. Is there objection?

There was no objection.

Mr. LA GUARDIA. Mr. Chairman, I make the same request. The CHAIRMAN. The gentleman from New York makes the same request. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I rise in opposition to the committee amendment.

I rise primarily to ask the gentleman in charge of the bill the theory they have in striking out section 3.

Mr. LA GUARDIA. Because the purpose of section 3 is covered by language contained in the bill introduced by the gentleman from Pennsylvania, which has been favorably reported.

Mr. RAKER. And the Postmaster General reports favorably upon it?

Mr. LA GUARDIA. He does.

Mr. RAKER. In substance, that is the same language as section 3, is it not?

Mr. LA GUARDIA. It is substantially the same as section 3, except it provides that the Postmaster General shall pay not more than four-fifths of the income on any particular line.

Mr. RAKER. That is just a technical perfection. Do you expect to call up that bill this afternoon?

Mr. LA GUARDIA. We do.

Mr. RAKER. You are going to call it up and pass it before we adjourn to-day?

Mr. LA GUARDIA. We hope so.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. LA GUARDIA. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 6942) establishing transmission and carrying of mail by airplane and flying machines, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. LA GUARDIA. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LA GUARDIA, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LA GUARDIA. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I call up the bill (H. R. 7064) to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service.

Mr. BLANTON. Mr. Speaker, I make the point of order we have not a quorum.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. It is clear there is no quorum present.

Mr. SNELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 11]

Abernethy	Browne, Wis.	Crowther	Favrot
Ackerman	Buckley	Cummings	Fenn
Aldrich	Bulwinkle	Curry	Fisher
Anthony	Rurdick	Dallinger	Fitzgerald
Ayres	Butler	Davey	Forster
Barkley	Byrnes, S. C.	Dickstein	Frear
Beedy	Carew	Domnick	Fredericks
Black, Tex.	Clark, Fla.	Doyle	Freeman
Bowling	Clarke, N. Y.	Dyer	French
Brand, Ga.	Cole, Ohio	Eagan	Funk
Brand, Ohio	Cooper, Ohio	Edmonds	Gambrill
Britten	Corning	Evans, Mont.	Garrett, Tenn.
Browne, N. J.	Croll	Fairchild	Gasque

Geran	Lilly	O'Sullivan	Sherwood
Glatfelter	Lineberger	Oliver, N. Y.	Simmons
Graham	Logan	Palge	Smithwick
Green	McDuffie	Parker	Snyder
Greenwood	McKenzie	Peavey	Spearing
Hawley	McNulty	Peery	Stevenson
Hoch	Madden	Phillips	Sullivan
Holaday	Magee, Pa.	Porter	Swoope
Howard, Nebr.	Mead	Pou	Tague
Hudson	Merritt	Purnell	Taylor, Colo.
Hull, Tenn.	Michaelson	Quayle	Thomas, Ky.
Johnson, S. Dak.	Miller, Ill.	Rainey	Tincher
Johnson, W. Va.	Mills	Reed, N. Y.	Tinkham
Kahn	Montague	Reed, W. Va.	Tydings
Kindred	Mooney	Roach	Voigt
King	Moore, Ill.	Robison, Ky.	Ward, N. Y.
Kunz	Morgan	Rogers, Mass.	Ward, N. C.
Kurtz	Morin	Rogers, N. H.	Weller
Langley	Morris	Sabath	White, Kans.
Larsen, Ga.	Nelson, Wis.	Sanders, Ind.	Williams, Mich.
Larson, Minn.	Nolan	Sanders, N. Y.	Wolf
Lazaro	O'Brien	Schall	Wright
Lee, Ga.	O'Connor, N. Y.	Shallenberger	Zihlman

The SPEAKER. Two hundred and eighty-seven Members have answered to their names—a quorum.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

RIVERS AND HARBORS APPROPRIATION BILL

Mr. DEMPSEY, chairman of the Committee on Rivers and Harbors, by direction of that committee, reported the bill (H. R. 10894, Rept. No. 1053) authorizing construction, repair, and preservation of certain public work in rivers and harbors, and for other purposes, which was read a first and second time and, with accompanying papers, referred to the Committee of the Whole House on the state of the Union.

CONTRACT AIR MAIL SERVICE

Mr. LAGUARDIA. Mr. Speaker, I call up the bill H. R. 7064, to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service.

The SPEAKER. The gentleman from New York calls up the bill H. R. 7064 on the Union Calendar. The House will automatically resolve itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. LEHLBACH in the chair.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman from New York if he does not think the bill ought to be read for the information of the House, in view of the fact that it is a great departure from the present policy of the Government carrying its own mail?

Mr. LAGUARDIA. The bill is short and can be read while the gentleman is talking.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read the bill as follows:

Be it enacted, etc., That this act may be cited as the air mail act.

SEC. 2. That when used in this act the term "air mail" means first-class mail prepaid at the rates of postage herein prescribed.

SEC. 3. That the rates of postage on air mail shall be not less than 10 cents for each ounce or fraction thereof.

SEC. 4. That the Postmaster General is authorized to contract with any individual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate at a rate not to exceed four-fifths of the revenues derived from such air mail, and to further contract for the transportation by aircraft of first-class mail other than air mail at a rate not to exceed four-fifths of the revenues derived from such first-class mail.

SEC. 5. That the Postmaster General may make such rules, regulations, and orders as may be necessary to carry out the provisions of this act: *Provided*, That nothing in this act shall be construed to interfere with the postage charged or to be charged on Government operated air-mail routes.

Mr. LAGUARDIA. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman and gentlemen of the committee, I sincerely hope that this measure which is really a companion or rather supplemental measure to the one just passed, may speedily be enacted.

It is the result of more than two years study and conference on the part of the Post Office Committee. We have had the leaders in the aviation industry, the officials of the department, and public-spirited citizens before us at extended hearings,

and this bill seems to be the consensus of opinion of all interests as to the most practical bill we can frame.

Our efforts in this new field resulted in the formulation of principles underlying the proper establishment and encouragement of commercial transportation of mail by aircraft.

These might be stated as follows:

1. The controlling factor in the initiation of any service by or through Government agencies is assumed to be the public interest in or demand for such service.

2. If regular, reliable, and safe transportation of mail by aircraft performs a service more valuable in certain respects to a portion of the public than is rendered by existing modes of mail transport, it is reasonable to assume that such a service will be supported by that public, who will readily subscribe a fair proportion of the increased value which the service yields them in order to support and sustain it. Anyone who believes honestly in the future of aeronautical transportation must subscribe to the belief that mails can be transported by aircraft in manifold instances in such ways as to perform a service of much greater value than can be rendered by existing modes of transportation. If this were not true, then the basis of hope in the future of air transport is false, or one is forced to admit that the present state of the art is inadequate.

3. If the public, however, can not be encouraged to patronize a reliable and safe air mail service offered at reasonable rates, it may be fairly assumed that such lack of support is evidence that said air mail transportation does not perform a more valuable service than existing modes of transportation.

4. The transport of mail by aircraft being more costly in almost every instance than its transport by other means, it follows that if it does not perform a more valuable service to the public, which they recognize and for which they are willing to pay, there is no reason to support it, except upon a subsidized basis, for military or other purposes.

5. Therefore a bill to authorize contracts for air mail service should give encouragement to the establishment of routes where the carriage of mail by aircraft will result in an obvious and direct value to the public, and the rates prescribed should represent a fair proportion of this special value sufficient to encourage and sustain the commercial operation of such routes.

6. Now, the transport of mail by aircraft during the hours between the close of one business day and the opening of the next, where the points of origin and destination of the mail are separated such a distance that an equivalent service can not be or is not performed by other modes of transportation, represents at once a service wherein the public recognizes an obvious and direct value. Moreover, the value of such service to the public may often be so great that the cost of the service becomes immaterial or of secondary importance.

7. Where the distance between the points of origin and destination of the mail is great enough to permit of a saving of more than one business day by air transportation the value of such service to the public is proportionately greater, as is the cost of rendering such service, and the rates prescribed may be correspondingly higher. The advantages of air mail service are more obvious the longer the routes. The bill therefore should provide for the encouragement of proper extensions to routes wherever a contractor shall have demonstrated satisfactory service in his initial operations.

8. A charge for the transportation of mail by aircraft, based on the value to the public of such air transport, results in a direct stimulus to the contractor to strive to render a service of maximum possible benefit to the public. In addition, it relieves the Postmaster General from exercising an arbitrary decision as to what air routes shall be authorized, placing the burden upon the parties seeking the contract to demonstrate to the satisfaction of the Postmaster General that they propose to carry mail by aircraft in such a way as to result in an obvious public benefit. It is to be expected that the Postmaster General will cooperate with the contractor in the encouragement of public patronage in such ways as are open and proper to him.

9. The initial charge should be sufficiently high, so that any revisions which in the future may be deemed advisable will result in lowering and not in increasing the rates. The proportion of the revenue from air mail allotted to the contractor should be sufficient to attract responsible organizations of sufficient capital and enterprise to assure continued success, while the proportion allotted to the Post Office should be adequate to provide for facilities for collection and delivery.

Now, Mr. Chairman, we have endeavored to carry out these principles in this bill.

We authorize the Postmaster General to contract with private companies and fix the maximum compensation at four-fifths of the revenues.

We fix a minimum postage rate of 10 cents an ounce and permit the making up of a capacity load out of ordinary first-class mail.

The gentleman from New York raised the question of the cost of carrying the mail by Government planes. I did not have at hand what I was looking for, certain testimony which appeared in the hearings on the bill of 1922, when a somewhat similar measure was under consideration. At that hearing Mr. Shaughnessy, Second Assistant Postmaster General, requested the passage of such a bill. His statement was as follows:

The CHAIRMAN. Have you any figures on the cost of this carrying mail from New York to San Francisco by air mail now?

Mr. SHAUGHNESSY. Yes; we know what it costs.

The CHAIRMAN. What does it cost?

Mr. SHAUGHNESSY. We put it this way: In the last fiscal year, charging every dollar that could be charged against the air mail properly, it cost \$1.43 a mile to operate it. This fiscal year, right now, charging every dollar against the air mail that can be charged, it is costing us \$1.04 a mile to operate.

The CHAIRMAN. For how many pounds, on the average?

Mr. SHAUGHNESSY. On the average, it would not be over 350 pounds—about 350 pounds. We can increase that next year to perhaps 800, but right now it is 350.

The CHAIRMAN. And 350 pounds cost \$1.04?

Mr. SHAUGHNESSY. \$1.04, or 3 mills a pound a mile.

Now, we established through the transcontinental route a rate of \$1.04 for carrying 350 pounds of mail. That was the basis we had in fixing the rate of postage and compensation to contractors.

The Postmaster General and the department do not expect to own all the airplanes in this country which are to be used in transportation of mail. It would not result in the greatest benefit for national defense. What we desire to do is to get private companies to put their ships in the air carrying the mail at a profitable rate to them and the Government and make the improvements that must be made in aircraft, and that is the basis of this bill.

As to what may be accomplished, I give the following memorandum prepared for me by the Post Office Department some years ago:

PITTSBURGH AND KANSAS CITY

By rail: Direct route, 902.94 miles; west, 24 hours and 50 minutes; east, 30 hours and 25 minutes. Via Cincinnati, 931.84 and 936.04 miles; west, 33 hours and 30 minutes; east, 32 hours and 50 minutes.

By air: Pittsburgh via Cincinnati and St. Louis to Kansas City, 850 miles; 11 hours.

TRAIN SCHEDULES AND MILEAGE (Central time shown)

WESTBOUND

Direct route: Leave Pittsburgh 8.40 a. m., arrive St. Louis 1.30 a. m.; 620.50 miles. Leave St. Louis 2.05 a. m., arrive Kansas City 9.50 a. m.; 282.44 miles. Total miles, 902.94.

Via Cincinnati: Leave Pittsburgh 7.50 a. m., arrive Cincinnati 5 p. m.; 310.40 miles. Leave Cincinnati 9 p. m., arrive St. Louis 7.45 a. m.; 339 miles. Leave St. Louis 9 a. m., arrive Kansas City 5.20 p. m.; 282.44 miles. Total miles, 931.84.

EASTBOUND

Direct route: Leave Kansas City 9 a. m., arrive St. Louis 5.45 p. m.; 282.44 miles. Leave St. Louis 7.45 p. m., arrive Pittsburgh 3.25 p. m.; 620.50 miles. Total miles, 902.94.

Via Cincinnati: Leave Kansas City 9 a. m., arrive St. Louis 5.45 p. m.; 282.44 miles. Leave St. Louis 8.56 p. m., arrive Cincinnati 7.30 a. m.; 339 miles. Leave Cincinnati 8.30 a. m., arrive Columbus 12.05 p. m.; 123.70 miles. Leave Columbus 12.40 p. m., arrive Pittsburgh 5.50 p. m.; 190.90 miles. Total miles, 936.04.

AIR ROUTE SCHEDULE AND MILEAGE

(Central time shown)

WESTBOUND

Leave Pittsburgh 4.30 a. m., arrive Cincinnati 8 a. m.; 270 miles. Leave Cincinnati 8.15 a. m., arrive St. Louis 12.15 p. m.; 330 miles. Leave St. Louis 12.30 p. m., arrive Kansas City 3.30 p. m.; 250 miles. Total miles, 850.

EASTBOUND

Leave Kansas City 5 a. m., arrive St. Louis 8 a. m.; 250 miles. Leave St. Louis 8.15 a. m., arrive Cincinnati 12.15 p. m.; 330 miles. Leave Cincinnati 12.30 p. m., arrive Pittsburgh 4 p. m.; 270 miles. Total miles, 850.

ADVANCED DELIVERY OF MAIL

West: From New York, New England, New Jersey, Pennsylvania, and Washington, D. C., for delivery in Cincinnati, 22 hours; for Kentucky and Tennessee, 12 hours; for St. Louis and connections, 12 to 16 hours; for Kansas City and connections, 16 to 20 hours. Mail from

Cincinnati for delivery in St. Louis advanced 16 hours, and Kansas City and connections 12 to 16 hours. Mail from St. Louis for Kansas City and connections advanced 6 to 10 hours.

East: Mail from Kansas City for delivery in St. Louis advanced 20 hours; for Cincinnati, 16 hours; for Pittsburgh and connections, 24 hours. From St. Louis for delivery in Cincinnati, 16 hours, and for Pittsburgh and connections, 12 hours. From Cincinnati to Pittsburgh and connections, from 7 to 12 hours.

That means it would be possible to cut the time down for a trip of 850 miles from Pittsburgh via Cincinnati and St. Louis to Kansas City from 33 to 11 hours. In other words, there would be a saving of 22 hours in the delivery of mail between those points. At a cost of not \$1.04, which it is costing the Post Office Department, but a higher rate, estimating it \$1.50 for 350 pounds carried 850 miles, there would be a cost to the contractor of \$1,275. That is, he would have to pay that much out for gasoline, pilot, equipment, and so forth. If he could get the entire load made up of this special air mail at 10 cents an ounce, he could make a big profit, but the trouble is that we are faced with the practical proposition that probably at no place in the United States can we start out and get a load of 350 pounds of air mail. That is something that has to be worked up. At first we would start in probably with 50 pounds, and it would be impossible for the airplane company to carry 50 pounds alone and live commercially. So we came to the next practical proposition of filling up the load with regular first-class mail, so that he would be sure of a capacity load, and on that we would pay him exactly the same percentage that we pay him on the other. If we could give him half a load at the 10-cent rate and half at the 2-cent rate, he would get a little over cost probably; but if we could give him the total, he would be able to get about \$1,900. The companies agreed that that would furnish a fair basis at least for an experiment.

It does not interfere with the rate on the route which we have provided for in the bill just passed. That is a transcontinental route, established by the Government, with every detail of it handled by the Government.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Yes.

Mr. BLACK of New York. What is the term contemplated for these contracts by the Postmaster General?

Mr. KELLY. The matter will be in the hands of the Postmaster General. The suggestion was made that there ought to be a contract for four years, the same as made by the star-route contractors at the present time. That is a matter that will have to be worked out. We could not say that it should be one year, two years, or four years. We had to leave it finally to the discretion of the Postmaster General, and that discretion will be exercised by him in the light of the knowledge and experience gained.

Mr. Chairman, this is a most appropriate day on which to pass this bill. Just 21 years ago to-day, on December 17, 1903, the Wright brothers made their first successful flight by airplane.

We are now embodying, I hope, that great triumph into the permanent Postal Service of the United States.

It is the longest stride we have ever made in binding the Republic into a neighborhood by the lessening of time and distance. By rail and the stagecoach, in the fifties, the mail was carried across the continent in 565 hours average time. In 1850 it required 3 days by rail and 21 days by stage, or 24 days from New York to San Francisco. In 1860 two and one-half days by rail from New York to St. Joseph, Mo., brought the mail to the eastern terminus of the pony express; from there by horse to San Francisco took eight more days.

In 1876, when locomotives were more efficient, a special train carried mail from New York to the west coast in 100 hours. Continued improvement in rolling stock, rails, and locomotives brought the time of the transcontinental mail by special train down to 87 hours in 1923. This is the acme of the speed by rail, but the average time by rail is 120 hours from coast to coast. By relay flying, day and night, the air mail made the trip in less than 27 hours. Moreover, during the week of experimental flying the air mail made a round-trip flight, including a lay-over of 11 hours and 36 minutes at San Francisco, in 18 hours and 47 minutes less time than the minimum time required for a letter to travel one way by train.

What is in effect a daily mail service between New York and San Francisco is one of those achievements which are so spectacular that it is almost impossible for the lay mind to grasp its significance. To be able to cut from three to five business days from the time required to do business by mail between any two industrial centers is a performance of incal-

culable benefit and one which, as time goes on and its advantages become better known, is but the forerunner of a network of such day and night air-mail routes which will be established as a result of popular demand throughout the country.

The passage of these two measures will make this one of the greatest days for aviation in the history of the United States. [Applause.]

Mr. GRIFFIN. Mr. Chairman, I rise in opposition to the bill.

The CHAIRMAN. Is the gentleman a member of the committee?

Mr. GRIFFIN. No.

The CHAIRMAN. The gentleman is recognized.

Mr. GRIFFIN. Mr. Chairman and gentlemen, we are at the parting of the ways. The Government has borne the burden and the heat of the day in developing the airplane industry. As Major LaGUARDIA indicated in the pictures which were on the floor a few moments ago, while the other bill was under consideration, the so-called companion bill, you saw how the Government has laid out millions of dollars in establishing beacon lights and in constructing hangars and landing places from the Atlantic to the Pacific.

It has developed the airplane industry not only in the Postal Service but in the War Department, in the Navy Department, and even in another branch of our Government—the Bureau of Standards. Altogether we are spending millions of dollars annually on airplane experimentation. The Government has paved the way.

Now we have come to the point where airplane navigation has been developed to such an extent that it is safe—in the opinion of some—to turn the industry over to profiteers and commercial exploiters. There have been hovering about Washington for several years men who have mulcted this Government out of vast sums during the war in unscrupulous airplane adventures. The Government's experimentation has made the act feasible. These foxes have been watching the tree blossom and ripen. They have only one idea, and that is that the fruit is ready to be eaten. They want to grab the air mail transportation service.

Mr. CONNERY, of Massachusetts, in his very fine speech while the other bill was under consideration, said that we ought to have vision with respect to aviation. That is true. Airplane navigation has passed the experimental stage, and in a few years will not only be carrying the mail but property and persons as well. In short, we ought to see that we are in the beginning of a great epochal transformation of transportation. Now we are confronted with this proposition: Shall we, by our action here to-day, dedicate this Nation to a policy which proved to be so unsatisfactory in the past with respect to railroad transportation?

Comparison is made to the opposition which developed in 1838 against the suggestion of allowing the railroads to carry the mails. My opposition does not come in that category. That ancient opposition was against any innovation. On the contrary, I take a liberal and progressive attitude in regard to air transportation. I am for the innovation, but I want the Government—not private, selfish interests—to profit by it.

We ought to retain the business of air transportation, as we have paid dearly for it, and ought not to relinquish it just as it is on the eve of a great and profitable development. After having spent millions of dollars in perfecting it, is it right that we should turn this great industry in its infancy over to men who will use it for their personal profit and mulct the Government and the people alike? I think, gentlemen, we ought to halt; we ought to hesitate before we proceed further. The gentleman from Pennsylvania [Mr. KELLY] confesses that the Government does not intend to continue the business of air mail transportation. Well, if the Government did not intend to carry on the air mail transportation, why did it commit us to such a tremendous outlay in expenditure?

Mr. SNELL. Will the gentleman yield for a short question?

Mr. GRIFFIN. I yield first to the gentleman from Illinois.

Mr. DENISON. The gentleman is making a very interesting talk about profiteers, saying they want to get hold of this service. Now, I am interested in that statement, and I would like the gentleman to be a little more specific if he can and inform the committee who the men are—the profiteers—who are trying to get this service. Can he give some of them, so we may know better in respect to this matter?

Mr. GRIFFIN. The gentleman has doubtless seen the Year Book of the Aeronautical Chamber of Commerce. In that is a list of scores of airplane manufacturers and concerns that are claiming to be in a position to carry mails as well as persons and property.

Mr. DENISON. Does the gentleman know of any firms not doing a legitimate business? Are they not doing a legitimate business?

Mr. GRIFFIN. Of course, they are doing a legitimate business. I do not object to their business aspirations, but I do not think that it is good policy for this Nation to surrender to these men the postal facilities of our Nation.

Mr. DENISON. Does the gentleman think we are surrendering to them the control of the postal facilities of the Nation by making contracts for the delivery of mail? We make contracts for the delivery of mail on the surface of the ground.

Mr. GRIFFIN. In my opinion, to be frank with the gentleman, I think we are opening the door for a repetition of the star-route scandals.

This bill is not drawn carefully; it is not drawn with sufficient concern for the welfare of this country or for the Government interest, but permits the Postmaster General now, of his own volition, at his own discretion, to hand out these air-mail contracts for the carrying of the mail. There ought to be limitations put upon it; and furthermore, he should not be permitted to allow these men to take four-fifths of the proceeds of the service.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. SNELL. From the statement as to the cost that has been made here, does the gentleman think there is a prospect of letting out a great amount of contracts for the future?

Mr. GRIFFIN. Indeed I do, because these figures are rather padded. The gentleman from Pennsylvania [Mr. KELLY] has disclosed the admission of the postal authorities as to the expense of carrying the mail. I have other figures that are even less than that, figures obtained from the same source; that is, from Mr. Shaughnessy, quoting 75 cents.

Mr. KELLY. A year ago it went up to \$1.04.

Mr. GRIFFIN. And it might go up to \$2.04 for the purposes of this bill.

Mr. MURPHY. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. MURPHY. The gentleman was not serious when he said that because the Government had gone to the expense of developing the airplane for the carriage of mail we ought to cut out competition?

Mr. GRIFFIN. No. I say that since the Government has laid out millions of dollars in the establishment of landing fields and beacon lights all over the country and developed and educated navigators of the air, and since the Government is familiar with all the intricacies of the air mail transportation, it ought to retain its advantage; and I am sure that when the final figures are announced as the result of the operation of the Air Mail Service at the end of the next fiscal year you will be surprised perhaps to learn that it will show a material profit.

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. JACOBSTEIN. Do I understand, then, that it is your idea that the Government ought permanently to remain in the transportation business so far as the Air Mail Service is concerned?

Mr. GRIFFIN. I think I am perfectly justified in taking that stand.

Mr. JACOBSTEIN. That is the policy you want to lay down, so far as the Air Mail Service is concerned, that the Government permanently shall be the transporter of its own mail?

Mr. GRIFFIN. That is my belief and conviction, founded upon past experience.

Mr. LaGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. LaGUARDIA. There is no intention on the part of the department to turn over the transcontinental routes and other large routes to private transportation. Two or three contracts are now being carried on by private enterprise, one in Louisiana and one in Alaska.

Mr. GRIFFIN. There is nothing in this bill to prevent the Postmaster General from entering into a contract with some of these airplane companies to carry the mail even on this transcontinental air route.

Mr. LaGUARDIA. There is not a company in the United States that is equipped to carry on a route between Washington and New York or from New York to San Francisco.

Mr. GRIFFIN. How long will that last? There is no assurance that it will last for any time.

Mr. LA GUARDIA. The industry has been in a deplorable condition for the last four or five years.

Mr. MURPHY. Mr. Chairman, will the gentleman again yield?

Mr. GRIFFIN. Yes.

Mr. MURPHY. Is the gentleman serious when he thinks that the Government should not spend money in developing the air service along this theory, that citizens of the United States may compete for the carrying of the air mail? If the gentleman's contention is correct, of course, the Government ought then to stop spending money at New York developing the harbor facilities there for carrying on the commerce of the world. One argument is just about as good as the other. Private enterprise could not develop the air service, but private enterprise has the right to go into it once it is developed.

Mr. GRIFFIN. By the Government?

Mr. MURPHY. Certainly. The Government develops all our harbors and all our canals.

Mr. GRIFFIN. And reaps much from the Government outlay.

Mr. MURPHY. I do not say that the Government is prepared now to compete in every way everywhere, but I am sure the gentleman does not want to use the air mail as an entering wedge for Government ownership and operation of public facilities of all kinds.

Mr. GRIFFIN. Well, that is a moot question. I do not think that that question ought to be taken up just at this stage.

Mr. MURPHY. Well, the gentleman took the position—

Mr. GRIFFIN. When that question arises I will be prepared to meet it, but I am looking now at the fate of this bill and its wisdom as a legislative enactment, in protecting the interests of the people. In my opinion, I solemnly declare to you that this bill is loosely drawn, aimed only in the interest of a few men who are standing ready to take contracts. Take a look at the hearings. You gentlemen here have the hearings and you have the report. Read what the report says:

These hearings were attended by representatives and individuals, firms, and corporations interested in commercial aviation.

Where were the people represented? Except by the Members of this House sitting on the subcommittee, who were supposed to represent their interest, only one side was heard. There was no demand from the general public for the transfer of this activity from the hands of the Postal Service into the hands of individuals. Why are they in this game? They are in it for profit not for the benefit of the Postal Service and not for the benefit of the people. It is too early as yet for us to venture upon the trial of transferring the airplane service to private individuals or corporations.

Mr. BLANTON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. BLANTON. Would not the gentleman from New York prefer to see our Government follow Great Britain and unite all of the various branches of our air service, utilizing such as should be used by the Army, such as should be used by the Navy and by the Marine Corps, and by the Postal Department, but under one united air service, at the same time letting it be under the control and direction of the Government itself? Would not the gentleman prefer to see that done?

Mr. GRIFFIN. That is a policy with which I am very much in sympathy. I do not believe it is the part of wisdom for this Government to continually fritter away money in the different departments for the same activity. They could very well be consolidated. The men who are spending their time flying about the air in circles and trying to make speed records could better be employed in carrying useful articles of mail to other parts of this country. [Applause.]

Mr. BLACK of New York. Will my colleague yield to me?

Mr. GRIFFIN. Yes.

Mr. BLACK of New York. I am wondering how the gentleman would create air routes that might be used for private transportation purposes.

Mr. GRIFFIN. They are already created by our Government.

Mr. BLACK of New York. And in no other way could they be created. Then is the gentleman opposed to any commercial organization going into the business of air transportation for any purpose?

Mr. GRIFFIN. No. I hope I have not permitted myself to be misunderstood to that extent. I have no objection to men joining themselves together in the form of a corporation or other business unit for the purpose of carrying on business. The field is open to them. What I do object to is men taking advantage of the effort, the industry, and the expenditure laid

out by the Government and commercializing it for personal profit.

Mr. SUMMERS of Washington. Will the gentleman yield to me?

Mr. GRIFFIN. Yes.

Mr. SUMMERS of Washington. The Pacific Northwest is very far removed from New York and other great commercial centers of the East. We would like very much to have our mail service connect with the New York and San Francisco service, but the Government is not willing to do that. Could there be any objection to a commercial company tapping the Northwest—Oregon, Washington, Idaho, and Utah—and connecting with the main line in Nevada, as has been proposed, and act as a feeder to that Government line? What objection could there be to that?

Mr. GRIFFIN. There would not be any objection at all.

Mr. SUMMERS of Washington. We would like to have it.

Mr. GRIFFIN. In fact, under the bill just passed, which I did not oppose, the Postmaster General is permitted to maintain and operate lines of Air Mail Service wherever he may designate. That bill has been passed and it will probably be passed in the Senate, and if it becomes a law it will have two results: First, it will get rid of the annual objection to this item in the appropriation bill, and, in the second place, it will open up, such as you indicate ought to be opened up, new lines of Air Mail Service. The Postmaster General can do that. Under that bill he is empowered to designate a line, say, from San Francisco up to Portland, Oreg. He can do that, but under the limitation or understanding which we had on this floor when the bill was passed, as to the interpretation of the bill, the Postmaster General can not designate an airplane course or route without coming to Congress for the authorization or for the requisite funds to carry it out. But the Postmaster General can designate the route and then can come to Congress and get the money to operate it.

I am in favor of the extension of the airplane service to every part of the United States. Last year when this measure came up and it was proposed to extend it to Boston, I stood in favor of that proposition. I believe that it ought to be extended generally throughout the country, but here is where the rub comes. The gentlemen who are standing by waiting to grab this new activity of the Government want to get into the game before the Government shows that the postal airplane service can be operated economically and at a profit. They want to get in now, and I do not believe they ought to be permitted to reap the advantage of the Government's work before the Government has had an opportunity to give all parts of this country a fair deal.

Then when the Postmaster General indicates a route from San Francisco up along the Northwest into the territory of the gentleman from Washington, we will put it up to the people of your district and put it up to the gentleman himself to answer in his own heart whether he would want to see that service discontinued and turned over to private operation.

Mr. LOZIER. Will the gentleman yield for a question?

Mr. GRIFFIN. I yield.

Mr. LOZIER. In principle and as a governmental policy, is there any difference in the Government contracting with a commercial aviation company for the transportation of mail by air than in contracting with a railroad company for the transportation of mail by rail?

Mr. GRIFFIN. Absolutely none; no difference whatever, and that is just the rub.

We do not want to open the door. We do not want to open a Pandora's box of scandals. We had an experience with the star-route scandals in the past in the granting of postal contracts to favorites of this or that administration. We do not want to have a recurrence of that situation.

It does not require a vast expenditure of money for the Government to develop the airplane service as it has been developed in the past, intelligently, quietly, conservatively, going step by step, showing that it can be operated economically, and then when it is operated economically ask yourselves whether you want to turn it over to private corporations and to private individuals.

The phase of trained navigators has been accentuated in the debate on the other bill. Is it desirable to have trained navigators familiar with the navigation of airplanes? Then why not maintain control of them? We have them in the Army, and we have them in the Navy. Why not retain them in the Postal Service?

Gentlemen, in short, if you pass this bill, you are going to divest yourselves of a great opportunity for the conservative, honest development of airplane transportation. You are going to turn it over to a lot of struggling, snarling, competing con-

tractors, who will use every device and intrigue in order to get fat contracts. The time is not ripe for it. We are not ready for that step as yet.

I do not think the gentleman from Pennsylvania was quite candid in saying that this bill is a companion of the other bill. It is not a companion of the other bill. It is a supplement to the other bill. The other bill laid the foundation for the extension of these air mail routes, but none of us felt justified in asserting, although we were inclined to suspect, that the other bill was simply laying the foundation for this bill and to open up this avenue of fraud and intrigue and commercial exploitation of the Air Mail Service.

Mr. Chairman, I reserve the balance of my time.

Mr. LAGUARDIA. Mr. Chairman, I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, compared with the preceding bill, so far as concerns the Treasury, this bill is a life-saver. The other bill permits carriage by the Government at about 400 per cent of the revenue; that is, it costs four times as much as the Government receives. This bill proposes to encourage commercial aviation by turning over to them four-fifths of the revenue. I am not sure the bill goes far enough. We might better turn over 100 per cent of the revenues than have the Government operate all of these extensions. The experimental lines the Government has operated and may continue to do so, but I hope the extensions will be under the Kelly bill, and therefore save the Government millions of dollars.

Mr. LAGUARDIA. Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. MOORE].

Mr. MOORE of Ohio. Mr. Chairman, I am venturing to speak as a member of the committee for just a minute or two and call attention to the mail service in Alaska as indicating the desirability and necessity for this legislation and that contained in the bill just passed.

To illustrate, from Fairbanks to McGrath, in Alaska, mail is being carried by sled now. The round-trip distance between these places is 544 miles by air line. By sled route it is approximately 700 miles. By sled route to-day it takes 18 days to make the round trip in carrying the mail between these points. The Post Office Department made an experiment and by air mail route that trip was made in one day. It costs approximately \$1,000 per trip now, and the Post Office Department believes it can carry the mail there by air route at a less cost if these two bills become laws. This is a good illustration of the desirability of carrying the mail by airplane.

Mr. TREADWAY. Mr. Chairman, I make the point of order that there is no quorum present. I will withdraw that; I thought the gentleman from Illinois had finished.

Mr. GRIFFIN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and eighteen Members present, a quorum. The Clerk will read the bill for amendment.

The Clerk read the bill for amendment.

Mr. LAGUARDIA. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that it pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7064) to encourage commercial aviation and to authorize the Postmaster General to contract for Air Mail Service, and had directed him to report the same back with the recommendation that it pass.

Mr. LAGUARDIA. Mr. Speaker, I move the previous question on the bill to final passage.

The motion was agreed to.

Mr. GRIFFIN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present, and evidently there is no quorum present.

ADJOURNMENT

Mr. SNELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 26 minutes p. m.) the House adjourned until to-morrow, Thursday, December 18, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

735. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1925, for continuing work on Dam No. 2, Muscle Shoals, Ala., \$3,501,200 (H. Doc. No. 487); to the Committee on Appropriations and ordered to be printed.

736. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department, for the fiscal year ending June 30, 1925, pertaining to the Public Health Service, \$275,000 (H. Doc. No. 488); to the Committee on Appropriations and ordered to be printed.

737. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment of the United States, office of Architect of the Capitol, for the fiscal year 1926, in the sum of \$5,058.80 (H. Doc. No. 489); to the Committee on Appropriations and ordered to be printed.

738. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year ending June 30, 1925, pertaining to the Internal Revenue Service, for refunding taxes illegally collected, \$50,000,000 (H. Doc. No. 490); to the Committee on Appropriations and ordered to be printed.

739. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Justice for the fiscal year ending June 30, 1925, amounting in all to \$20,000; also a draft of proposed legislation extending and making available until June 30, 1925, the appropriation of \$9,000 contained in the second deficiency act, fiscal year 1924, for supplies for the United States courts and judicial officers (H. Doc. No. 491); to the Committee on Appropriations and ordered to be printed.

740. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior, National Park Service, for the fiscal year ending June 30, 1925, to remain available until June 30, 1926, for the control and prevention of insect infection of growing timber within the confines of national parks, \$25,000 (H. Doc. No. 492); to the Committee on Appropriations and ordered to be printed.

741. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia for the fiscal year ending June 30, 1925, amounting to \$20,500 (H. Doc. No. 493); to the Committee on Appropriations and ordered to be printed.

742. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year ending June 30, 1925, \$223,500 (H. Doc. No. 494); to the Committee on Appropriations and ordered to be printed.

743. A communication from the President of the United States, transmitting a draft of proposed legislation making available the sum of \$15,000 from the unexpended balances of the appropriation of \$20,000,000 provided by the national defense act of June 3, 1916, as amended, for the purpose of defraying such expenses as may be necessary and incidental to the arbitration of the rate of royalty to be paid the American Cyanamid Co. on patents owned by said company (H. Doc. No. 495); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. SNELL: Committee on Rules. H. Res. 370. A resolution extending the time for rendering the report of the Committee on World War Veterans' Legislation to February 15, 1925; without amendment (Rept. No. 1050). Referred to the House Calendar.

Mr. BUTLER: Committee on Naval Affairs. H. R. 10685. A bill to authorize the Secretary of the Navy to extend the nurses' quarters at the naval hospital, Washington, D. C., and to construct necessary additional buildings at certain naval hospitals; without amendment (Rept. No. 1051). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 10739. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works at the naval air station, Pensacola, Fla.; without amendment (Rept. No. 1052).

Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Rivers and Harbors. H. R. 10894. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; without amendment (Rept. No. 1053). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREWRY: Committee on Naval Affairs. H. R. 9540. A bill to authorize the purchase by the city of Norfolk, Va., of the bridge across Boush Creek and approaches thereto; without amendment (Rept. No. 1054). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10403) granting a pension to James H. Osburn; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10610) granting an increase of pension to Abbie Osborn; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PAIGE: A bill (H. R. 10881) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM: A bill (H. R. 10882) providing for punishment of assaults upon letter or mail carriers; to the Committee on the Judiciary.

By Mr. MORROW: A bill (H. R. 10883) for the development of the Carlsbad Cave in the Carlsbad Cave National Monument, N. Mex.; to the Committee on the Public Lands.

By Mr. GRAHAM: A bill (H. R. 10884) granting an increase of pension to certain Civil War veterans; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 10885) to amend the World War veterans' act of 1924; to the Committee on World War Veterans' Legislation.

By Mr. SHERWOOD: A bill (H. R. 10886) to promote the erection of a monument in honor of Gen. Anthony Wayne and his legion in Lucas County, Ohio, on the site of the Battle of Fallen Timbers, which was fought August 20, 1794, and was followed by the treaty of Greenville in 1795 and years of peaceful settlement of the Northwest Territory; to the Committee on the Library.

By Mr. ALLGOOD: A bill (H. R. 10887) granting the consent of Congress to the State of Alabama, through its highway department, to construct a bridge across the Coosa River at Gadsden, Etowah County, Ala., on State road No. 1; to the Committee on Interstate and Foreign Commerce.

By Mr. BULWINKLE: A bill (H. R. 10888) to provide for the securing of lands in the southern Appalachian Mountains for perpetual preservation as a national park; to the Committee on the Public Lands.

By Mr. HOWARD of Nebraska: A bill (H. R. 10889) to provide for the purchase of a site and the erection of a building thereon at Madison, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 10890) to extend the time for the exchange of Government lands for privately owned lands in the Territory of Hawaii; to the Committee on the Territories.

By Mr. REECE: A bill (H. R. 10891) to provide for the securing of lands in the southern Appalachian Mountains for perpetual preservation as a national park; to the Committee on the Public Lands.

By Mr. THOMAS of Kentucky: A bill (H. R. 10892) to correct the military record and provide for the granting of pensions to survivors of certain battalions of Kentucky Militia; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 10893) to provide for a suitable national park in the Appalachian Mountains for the perpetual preservation of the forests and wild life of the Appalachians and for recreational purposes; to the Committee on the Public Lands.

By Mr. DEMPSEY: A bill (H. R. 10894) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. RUBEY: A bill (H. R. 10895) to prohibit the carrying by mail of the United States of any newspaper, circular, pamphlet, or publication containing any advertisement for the sale of any pistol or revolver, and to provide penalties; to the Committee on the Post Office and Post Roads.

By Mr. FREE: Resolution (H. J. Res. 311) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 10896) granting an increase of pension to Samantha A. Carnefix; to the Committee on Pensions.

Also, a bill (H. R. 10897) granting an increase of pension to Reuben Waller; to the Committee on Pensions.

Also, a bill (H. R. 10898) granting an increase of pension to Clarence L. Wimer; to the Committee on Pensions.

By Mr. BELL: A bill (H. R. 10899) for the relief of N. H. Strickland; to the Committee on Claims.

By Mr. BOX: A bill (H. R. 10900) granting a pension to Theo Dorsett; to the Committee on Pensions.

By Mr. CHRISTOPHERSON: A bill (H. R. 10901) for the relief of W. H. King; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 10902) granting a pension to John A. Powers; to the Committee on Pensions.

By Mr. COOK: A bill (H. R. 10903) granting a pension to Edward Jones; to the Committee on Invalid Pensions.

By Mr. FAUST: A bill (H. R. 10904) granting a pension to Samuel Andrew; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 10905) granting an increase of pension to Andrew Long; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 10906) granting a pension to Ralph Lotz; to the Committee on Pensions.

By Mr. HASTINGS: A bill (H. R. 10907) for the relief of A. B. Cameron; to the Committee on Claims.

By Mr. JOHNSON of Washington: A bill (H. R. 10908) for the relief of Mrs. Frank G. Sanford; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of West Virginia: A bill (H. R. 10909) for the relief of James L. Barnett; to the Committee on the Civil Service.

By Mr. KEARNS: A bill (H. R. 10910) granting an increase of pension to Kate Sherman; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 10911) granting an increase of pension to Helena Bunt; to the Committee on Pensions.

By Mr. KOPP: A bill (H. R. 10912) granting an increase of pension to Christena E. Waitman; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 10913) granting an increase of pension to Samuel A. Holt; to the Committee on Pensions.

Also, a bill (H. R. 10914) granting an increase of pension to Sidney S. Pugh; to the Committee on Pensions.

Also, a bill (H. R. 10915) for the relief of James A. DeLoach; to the Committee on Claims.

By Mr. McKEOWN: A bill (H. R. 10916) for the relief of Isaac M. Wood, also known as J. M. Wood; to the Committee on Military Affairs.

By Mr. McLEOD: A bill (H. R. 10917) for the relief of William H. Crampton, formerly a captain, United States Army; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 10918) granting a pension to Thomas A. Heard; to the Committee on Pensions.

Also, a bill (H. R. 10919) granting a pension to Bertha C. Hammer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10920) granting an increase of pension to Mary A. Hester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10921) granting an increase of pension to Elizabeth M. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10922) granting an increase of pension to Amelia Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10923) granting an increase of pension to Jennie McQueen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10924) granting an increase of pension to Eady Elizabeth Ripple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10925) granting an increase of pension to Charles McCarthy; to the Committee on Pensions.

Also, a bill (H. R. 10926) granting an increase of pension to William S. McGaha; to the Committee on Pensions.

Also, a bill (H. R. 10927) granting a pension to Elda Leota Rutherford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10928) granting an increase of pension to Katharine K. Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10929) granting an increase of pension to Margaret A. Saunders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10930) granting an increase of pension to Mary P. McIntyre; to the Committee on Pensions.

Also, a bill (H. R. 10931) granting an increase of pension to Susan O. Adams; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 10932) granting an increase of pension to Lydia F. Barkley; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 10933) for the relief of Martin L. Duffy; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 10934) for the relief of William Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 10935) granting an increase of pension to Roy Elrod; to the Committee on Pensions.

By Mr. SIMMONS: A bill (H. R. 10936) granting an increase of pension to Archie A. Warner; to the Committee on Pensions.

Also, a bill (H. R. 10937) granting an increase of pension to Mary A. Webb; to the Committee on Invalid Pensions.

By Mr. SPROUL of Illinois: A bill (H. R. 10938) for the relief of Wilder B. Thompson; to the Committee on Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 10939) granting a pension to Maria L. Stewart; to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10940) granting an increase of pension to Christopher T. Grinstead; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10941) granting an increase of pension to William H. Poindexter; to the Committee on Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 10942) granting a pension to Mary E. Marvin; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10943) granting an increase of pension to Charles M. McDonald; to the Committee on Pensions.

By Mr. WILLIAMSON: A bill (H. R. 10944) for the relief of Benjamin Ghostbear; to the Committee on Claims.

By Mr. WILSON of Indiana: A bill (H. R. 10945) granting an increase of pension to Rachel Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10946) granting an increase of pension to Mary Wolven; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3244. By the SPEAKER (by request): Petition of Nettle Creek congregation and Sunday School of the Friends Church, Hagerstown, Ind., urging Congress to distribute literature dealing with the narcotic question; to the Committee on Printing.

3245. Also (by request), petition of M. A. Cooper, Austin, Tex., urging Congress to give favorable consideration to the claim of the Hunter Brown Co.; to the Committee on Claims.

3246. Also (by request), petition of W. S. McCrea, executive secretary of the Intermediate Rate Association, Spokane, Wash., urging that action be taken this session of Congress on the Gooding bill; to the Committee on Interstate and Foreign Commerce.

3247. Also (by request), petition of Laughlinton United Brethren Christian Endeavor Society, Laughlinton, Pa., favoring the distribution of literature by Congress relative to the drug menace; to the Committee on Printing.

3248. Also (by request), petition of the City Council of Chicago, Ill., requesting that the United States airplane flagship *Chicago* be placed in the custody of the city of Chicago; to the Committee on Military Affairs.

3249. Also (by request), petition of Army and Navy Union, Boston, Mass., favoring the passage of pending legislation to increase the pensions of Civil and Spanish War veterans and their widows and children; to the Committee on Pensions.

3250. By Mr. ABERNETHY: Petition of George A. Nicoll, W. T. Brinson, G. Lewis, W. H. Lee, W. H. Horton, Z. V. Parker, D. W. Richardson, R. B. Lane, T. D. Warren, W. L. Hand, William Dunn, jr., Thomas O. Moore, A. J. Gaskins, D. P. Henry, Hellen Huff, L. H. Cannon, G. A. Barden, J. S. Miller, William T. Hill, F. M. Hahn, Edward Clark, W. W. Chadwick, L. H. Cutler 3d, Robert P. Lane, W. F. West, A. F. Patten, Lee N. Reed, William B. Lane, G. R. Fuller, J. H. Ziegler, C. M. Kehoe, T. P. Ashford, O. W. Lane, W. Henderson, and others favoring the game refuge bill (S. 2913, H. R. 745); to the Committee on Agriculture.

3251. By Mr. CELLER: Petition of residents of Patchogue and East Patchogue, for the dredging of Swan River; to the Committee on Rivers and Harbors.

3252. By Mr. CULLEN: Petition of metal trades department of the American Federation of Labor, favoring a well-balanced Navy in accordance with the ratio agreed to by the International Conference on Limitations of Armament; to the Committee on Naval Affairs.

3253. By Mr. FREDERICKS: Petition of citizens of Santa Monica, Calif., protesting against the passage of Senate bill 3218, providing for Sunday observance; to the Committee on the District of Columbia.

3254. By Mr. GALLIVAN: Petition of Cornelius A. Parker, Boston, Mass., recommending early and favorable action on House bill 5195, which provides for the establishment of the probation system in the Federal courts; to the Committee on the Judiciary.

3255. Also, petition of Local No. 25, National Federation of Federal Employees, Boston, Mass., urging early and favorable action on House bill 8202 and Senate bill 3011, to amend the present Federal employees' retirement act; to the Committee on the Civil Service.

3256. By Mr. GRAHAM: Petition of residents of Philadelphia, Pa., protesting against the passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3257. By Mr. SHREVE: Petition of residents of Titusville, Pa., and vicinity; residents of Spartansburg, Pa.; and residents of Corry, Pa., opposing the passage of the compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

SENATE

THURSDAY, December 18, 1924

(Legislative day of Tuesday, December 16, 1924)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, one of its clerks, announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 6942. An act establishing transmission and carrying of mail by airplanes and flying machines;

H. R. 7064. An act to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service; and

H. R. 9093. An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty.

SAMUEL GOMPERS

Mr. DILL. Mr. President, I desire to avail myself of the privilege of not discussing the subject now before the Senate, by speaking for a few minutes regarding the life and work of Samuel Gompers, late president of the American Federation of Labor, who was buried to-day in Sleepy Hollow Cemetery at Tarrytown, N. Y.

For 40 years he has been president of the American Federation of Labor. He was not merely the titular head, but the real leader of the union-labor forces of this country. As leader he wrought such profound changes in the economic and industrial life of this country that the American people had come to consider him almost as an institution.

He stood always for the weak and the poor who were forced to live lives of toil, but compelled the respect of those to whom he was opposed. His funeral cortege across the country from Texas to Washington and from here to New York has