William V. Horne to be postmaster at Mohegan Lake, N. Y., in place of W. V. Horne. Incumbent's commission expired December 21, 1929.

LeRoy Powell to be postmaster at Mount Vernon, N. Y., in place of S. L. Happy, deceased.

Dana J. Duggan to be postmaster at Niagara University, N. Y., in place of D. J. Duggan. Incumbent's commission expires June 3, 1930.

Henry C. Windeknecht to be postmaster at Rensselaer, N. Y., in place of H. C. Windeknecht. Incumbent's commission expired May 4, 1930.

NORTH CAROLINA

Roscoe C. Jones to be postmaster at Manteo, N. C., in place of R. C. Jones. Incumbent's commission expires June 8, 1930.

NORTH DAKOTA

Ole T. Nelson to be postmaster at Stanley, N. Dak., in place of J. N. Campbell, resigned.

OHIO

Bolivar C. Reber to be postmaster at Loveland, Ohio, in place of B. C. Reber. Incumbent's commission expired December 21, 1929.

Solomon J. Goldsmith to be postmaster at Painesville, Ohio, in place of W. R. Meredith, deceased.

OKLAHOMA

William C. Yates to be postmaster at Comanche, Okla., in place of W. C. Yates. Incumbent's commission expires June 3, 1930.

Ben F. Ridge to be postmaster at Duncan, Okla., in place of B. F. Ridge. Incumbent's commission expires June 8, 1930.

PENNSYLVANIA

Elwood S. Rothermel to be postmaster at Fleetwood, Pa., in place of E. S. Rothermel. Incumbent's commission expired April 28, 1930.

William H. Scholl to be postmaster at Hellertown, Pa., in place of W. H. Scholl. Incumbent's commission expires June 8, 1930.

Andrew L. Coffman to be postmaster at Phoenixville, Pa., in place of A. L. Coffman. Incumbent's commission expires June 10, 1930.

George F. Klinefelter to be postmaster at Shrewsbury, Pa., in place of G. F. Klinefelter. Incumbent's commission expires June 8, 1930.

John E. Showalter to be postmaster at Terre Hill, Pa., in place of J. E. Showalter. Incumbent's commission expires June 3, 1930.

Emma K. McLean to be postmaster at Weiser Park, Pa. Office became presidential July 1, 1928.

RHODE ISLAND

William L. Simonini to be postmaster at Conimicut, R. I., in place of W. L. Simonini. Incumbent's commission expires June 2, 1930.

SOUTH CAROLINA

Ralph W. Wall to be postmaster at Campobello, S. C., in place of R. W. Wall. Incumbent's commission expires June 3, 1930.

SOUTH DAKOTA

Florence M. Hausman to be postmaster at Chester, S. Dak., in place of F. M. Hausman. Incumbent's commission expires June 3, 1930.

Clarence J. Curtin to be postmaster at Emery, S. Dak., in place of C. J. Curtin. Incumbent's commission expires June 3, 1930.

Robert C. Gibson to be postmaster at Geddes, S. Dak., in place of R. C. Gibson. Incumbent's commission expires June 3, 1930.

Theresa R. Harrington to be postmaster at Montrose, S. Dak., in place of T. R. Harrington. Incumbent's commission expires June 3, 1930.

Charles P. Decker to be postmaster at Roscoe, S. Dak., in place of C. P. Decker. Incumbent's commission expires June 3, 1930.

Paul F. W. Knappe to be postmaster at Tripp, S. Dak., in place of P. F. W. Knappe. Incumbent's commission expires June 3, 1930.

TENNESSEE

John B. Elliott to be postmaster at Athens, Tenn., in place of J. B. Elliott. Incumbent's commission expires June 8, 1930.

John S. Wisecarver to be postmaster at Mohawk, Tenn., in place of J. S. Wisecarver. Incumbent's commission expires June 8, 1930.

TEXAS

Ferman Wardell to be postmaster at Avery, Tex., in place of Ferman Wardell. Incumbent's commission expires May 12, 1930.

Annie B. Causey to be postmaster at Doucette, Tex., in place of A. B. Causey. Incumbent's commission expired March 15, 1930.

William W. Sloan to be postmaster at Falfurrias, Tex., in place of W. W. Sloan. Incumbent's commission expires May 12, 1930.

Thomas L. Bryan to be postmaster at Matador, Tex., in place of T. E. Williams, removed.

Walter E. Shannon to be postmaster at North Zulch, Tex., in place of F. M. Bell, deceased.

John W. Waide to be postmaster at Paint Rock, Tex., in place of J. W. Waide. Incumbent's commission expired May 5, 1930.

Mamie Milam to be postmaster at Prairie View, Tex., in place of Mamie Milam. Incumbent's commission expired April 20, 1930.

Billie W. Sorey to be postmaster at Refugio, Tex., in place of C. E. Simpson, deceased.

Claud C. Morris to be postmaster at Rosebud, Tex., in place of C. C. Morris. Incumbent's commission expires June 7, 1930.

Lee W. Harris to be postmaster at Seymour, Tex., in place of L. W. Harris. Incumbent's commission expired May 5, 1930.

Ada A. Ladner to be postmaster at Yorktown, Tex., in place of A. A. Ladner. Incumbent's commission expires June 7, 1930.

UTAH

Claude C. McGee to be postmaster at Lewiston, Utah, in place of C. C. McGee. Incumbent's commission expires May 6, 1930.

VIRGINIA

Emma B. Snow to be postmaster at Clover, Va., in place of E. B. Snow. Incumbent's commission expires June 8, 1930.

Bertha Thompson to be postmaster at Ferrum, Va., in place of Bertha Thompson. Incumbent's commission expires June 8, 1930.

Mary C. Lewis to be postmaster at Fort Eustis, Va., in place of M. C. Lewis. Incumbent's commission expires June 8, 1930.

Jesse R. Skinner to be postmaster at Kenbridge, Va., in place of J. R. Skinner. Incumbent's commission expires June 8, 1930.

P. Edgar Lineburg to be postmaster at Stephens City, Va., in place of P. E. Lineburg. Incumbent's commission expires June 8, 1930.

WASHINGTON

Sylvester G. Buell to be postmaster at Arlington, Wash., in place of S. G. Buell. Incumbent's commission expires June 8, 1930.

WEST VIRGINIA

Shirley H. Mitchell to be postmaster at Elizabeth, W. Va., in place of S. H. Mitchell. Incumbent's commission expired May 5, 1930.

Charles J. Parsons to be postmaster at Sabraton, W. Va., in place of C. J. Parsons. Incumbent's commission expires June 3, 1930.

Archie J. Frazier to be postmaster at Triadelphia, W. Va., in place of Walter Thomas. Incumbent's commission expired April 5, 1930.

WYOMING

Ralph R. Long to be postmaster at Gillette, Wyo., in place of R. R. Long. Incumbent's commission expires June 3, 1930.

HOUSE OF REPRESENTATIVES

TUESDAY, *May 6, 1930*

The House met at 12 o'clock noon.

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

Ever-blessed God, we can not understand Thee; by searching we can never compass Thy being. Thou art infinite in truth, infinite in purity, and infinite in goodness. Touch, O touch, the best springs of our beings and let us draw near to Thee. Shield us from the poor imperfections of life and inspire us with a larger manhood, nobler generosity, purer affection, and allow us to pass into the higher realm of spiritual power and beauty. O Thou, before whom all suns, moons, stars, constellations, galaxies, immensities, and eternities wheel and blaze in triumph, yet Thou dost stoop to kiss the earth with Thy glory and claim man as Thy child. How we thank Thee, Almighty God, for this marvelous and unspeakable condescension. Amen.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

RESIGNATION OF A MEMBER

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read as follows:

PROVIDENCE, R. I., *May 1, 1930.*

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives,
Washington, D. C.

DEAR SIR: I beg leave to inform you that I have this day transmitted to Norman S. Case, Governor of the State of Rhode Island and Providence Plantations, my resignation as a Representative in the Congress of the United States from the third district of said State of Rhode Island and Providence Plantations, said resignation to take effect on May 9, 1930. A copy of said letter of resignation is inclosed herewith.

Cordially yours,

JEREMIAH E. O'CONNELL.

The SPEAKER. The Clerk will read the letter to the Governor of Rhode Island.

The Clerk read as follows:

PROVIDENCE, R. I., *May 1, 1930.*

Gov. NORMAN S. CASE,
Statehouse, Providence, R. I.

MY DEAR GOVERNOR CASE: Having been appointed by you as an associate justice of the Superior Court for the State of Rhode Island and Providence Plantations and said appointment having been confirmed by the Senate of said State of Rhode Island and Providence Plantations, in accordance with law, I hereby tender my resignation as a Representative in the Congress of the United States for the third district of said State of Rhode Island and Providence Plantations, said resignation to take effect on May 9, 1930.

Cordially yours,

JEREMIAH E. O'CONNELL.

The SPEAKER. The communications will be spread upon the Journal.

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

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. UNDERHILL. Mr. Speaker and Members of the House, in connection with the resignation you have just heard read by the Clerk of the House, I think it is most appropriate that some Member should pay a word of tribute to JERRY O'CONNELL. [Applause.]

All of us who have known him well here love him. Those of us who were privileged to know his sweet wife loved her also. This elevation to the bench came within 24 hours of the death of that beautiful character who had been such a help to him ever since their wedding morn.

I think it would not be out of place for the House, through the Clerk, to express to our colleague who has sent in his resignation to-day our sympathy in his affliction, our hope for his bright and brilliant future, and our congratulations upon his advancement to the bench of the State which he served so well while in the Congress. [Applause.]

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent that the Clerk be instructed to send a message as indicated by the gentleman from Massachusetts [Mr. UNDERHILL].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT

Mr. SIROVICH. Mr. Speaker, ladies, and gentlemen, in the realm of science, art, literature, philosophy, music, and drama the world invariably pays the tribute of its respect to those who try to improve the conditions of their fellow men. With that object in view, I have just concluded a serious drama which I trust will be instrumental in curing an evil that afflicts our country. Its action, characterization, dialogue, and motivation will, I trust, entertain the theater-loving public who are interested in the spoken drama, and later its adoption for motion pictures.

This play has been accepted, and America's foremost and greatest motion-picture actor and star, George Bancroft, will appear in the leading part. When the play comes to Washington to open in December I expect to invite the entire membership of the House as my guests on this auspicious occasion. [Applause.]

NAVAL DISARMAMENT

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

The SPEAKER. Without objection, it is so ordered.

Mr. LAGUARDIA. Mr. Speaker, there is nothing before the country at this time that is of greater interest than the naval pact which has just been brought back by our delegates.

This brings to mind what happened after the Geneva conference, when a great deal of misinformation was sent throughout the country. The misinformation was so startling that the other body of Congress created a committee to investigate. The committee was appointed on September 12, 1929, commenced its hearings on September 20, 1929, and closed the hearings on January 11, 1930.

From what some of us have gathered from the press, we have learned that shipyards had paid agents to create propaganda against any sort of a pact and had sent misinformation throughout the country to create sentiment against any sort of naval disarmament and in favor of large navies.

The information which this Senate committee obtained is of vital importance at this time. We have been unable to obtain the hearings for some reason. I think I know the reason. The chairman of this committee was Senator SHORTRIDGE, of California. The committee consisted of three members. The personnel of the committee has been changed, and with the exception of Senator SHORTRIDGE I believe the committee is inactive.

Now, the information obtained is public property; it is useful at this time. I should like to know what pressure is being brought on Senator SHORTRIDGE that he is improperly withholding this information.

Mr. SNELL. Mr. Speaker, I make the point of order that my colleague from New York is not proceeding in order when he criticizes an individual Senator in connection with his legislative capacity. Mr. Speaker, I would like to be heard on that.

Mr. LAGUARDIA. And I would like to be heard, Mr. Speaker, at the proper time.

Mr. SNELL. Mr. Speaker, as every Member of the House knows, our proceedings in the House are governed entirely by the Constitution, Jefferson's Manual, the rules of the House itself, and decisions by the Speaker and Chairman of the Committee of the Whole.

It is always understood that where there is no definite rule of the House itself applying to the case, Jefferson's Manual is to control on the subject.

In this matter before us at this time I would like to call attention to some sections in Jefferson's Manual. I would like to call the attention of the Speaker to section 301 of Jefferson's Manual:

> It is highly expedient, for the due preservation of the privileges of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature until the same have been communicated to them in the usual parliamentary manner.

I want also to call the Speaker's attention to sections 364, 365, and 367. Section 364 reads as follows:

> It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other, and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

Section 367 is very pertinent in this case; it says it is the duty of the Speaker of the House himself, if not otherwise called to his attention, to sustain the point of order along this line.

Section 367 reads as follows:

> Where the complaint is of words disrespectfully spoken by a Member of another House, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of Members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed which may give a ground of complaint to the other House, and introduce proceedings and mutual accusations between the two Houses which can hardly be terminated without difficulty and disorder.

Now there are some definite decisions that are mentioned in section 365.

While the Senate may be referred to properly in debate, it is not in order to discuss its functions or criticize its acts, or refer to a Senator in terms of personal criticism, or read a paper making such criticism; and after examination by a committee a speech reflecting on the character of the Senate was ordered to be stricken from the RECORD, on the ground that it tended to create unfriendly conditions between the two bodies—obstructive of wise legislation and a little short of a public calamity.

Now the House has always been very zealous of its own procedure and at all times to do its part and maintain friendly relations with the Senate.

In my judgment, such reference as has been made by my colleague from New York on the actions of an individual Senator, acting in his legislative capacity as a United States Senator, does not tend toward that friendly relation that should exist between the two Houses, and it does not make for the general comity of action between the two Houses that is supposed to exist. In my judgment, it is the duty of the Speaker to insist that the gentleman proceed in order if he continues his speech.

Mr. LAGUARDIA. Mr. Speaker, I always endeavor to follow the rules of the House. I am familiar with the rule cited by my colleague from New York [Mr. SNELL]. I have not in my 12 years' service at any time violated the particular rule to which the gentleman referred. May I call the attention of my colleague to the fact that we are bound by precedent in this House, and that rules have been changed by construction from time to time? I particularly call the attention of the Speaker to the genesis of Jefferson's Manual. It was prepared by Thomas Jefferson for his own guidance as President of the Senate. That being so, originally Jefferson's Manual was prepared as the rules of the Senate and the provisions therein as to criticism of a Member of another body have been ours by adoption and custom for well over 140 years. Recently, by a rule of the gavel in the other body, the provisions cited by my colleague from New York in Jefferson's Manual were wiped out. Shortly thereafter a Member of this body sought to strike out of the RECORD objectionable utterances made by a Member of the other body. If my memory serves me correctly, the Speaker refused to strike out the objectionable language. That being so, the Speaker will readily see that as a matter of self-defense, if one body is going to abolish the provisions contained in Jefferson's Manual, it is absolutely necessary that the rule apply to both bodies.

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

Mr. LAGUARDIA. My utterances were no slip of the tongue. I said what I did having in mind the changed rules, and to emphasize the point I was trying to make, when the point of order was made by my colleague from New York. I yield to the gentleman from New York.

Mr. SNELL. In making my point I had nothing in mind whatever in connection with the rules of the Senate, because this is a separate body and, as far as the House is concerned and as far as my experience in the House has been, we have always followed Jefferson's Manual in such cases as this, where there are no rules in the House definitely to the contrary. I made the point of order definitely on the rules and procedure that have always existed in the House, and so far as I know they have never been changed.

Mr. LAGUARDIA. Mr. Speaker, I await the ruling of the Chair. If I was out of order, I shall yield back the remainder of my time, because I can not properly express myself on the subject otherwise.

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

Mr. LAGUARDIA. Yes.

Mr. CRAMTON. The situation, of course, for some time in the Senate has been that the customary comity between the two bodies has been ignored. I have myself on numerous occasions in the Senate hearings and on the floor of the Senate been most unfairly and unjustly attacked, but I may say also that I think it has done me no injury whatever. [Laughter.]

The SPEAKER. Since the ruling of the Vice President just referred to by the gentleman from New York [Mr. LAGUARDIA] on April 21 of this year, in which he specifically overruled the decision of the President pro tempore of the Senate made on July 31, 1917, on the subject, the Chair has regarded it as inevitable that a situation would speedily arise of which this House must take cognizance. A comparatively recent decision of the Senate is directly in point as to whether the rules of Jefferson's Manual do or do not, impliedly at least, govern the proceedings of that body, certainly with reference to matters spoken in derogation of the actions or attitude of Members of another body, or of that body itself.

The Chair has taken the pains to look up a number of these decisions, some of which he will quote, because, as the Chair has already said, he was morally certain that a situation would speedily arise in which a final, definite ruling might have to be made in the House.

On August 26, 1912, in the Senate during the consideration of the conference report upon the deficiency appropriation bill, Mr. Charles A. Culberson, of Texas, having the floor in debate, said:

> I ask that the Secretary may read from the RECORD the marked paragraph which I send to the desk, from page 13016, in the debate in the House of Representatives.

The Secretary read as follows:

> "Mr. FITZGERALD. Mr. Speaker I move the House adhere"——

At that point Mr. John Sharp Williams, of Mississippi, made the point of order that under the rules of the Senate it was not permissible to animadvert upon the proceedings of the other House. The President pro tempore, Mr. Jacob H. Gallinger, of New Hampshire, said:

> The Chair thinks it will be found in Jefferson's Manual, not in the rules of the Senate.

Mr. Culberson submitted that Jefferson's Manual, while persuasive in determining proceedings, was not in fact, part of the rules of the Senate. The President pro tempore ruled:

> The Chair has always been of opinion that Jefferson's Manual, so far as it is pertinent, is, and has been recognized as a part of the rules of this body, and the Chair finds in Jefferson's Manual this statement—

And here he quotes from the precedent referred to by the gentleman from New York [Mr. SNELL]:

> It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

He then proceeded with his decision:

> While undoubtedly in debate in this body, and perhaps in the other body, that rule has not always been strictly adhered to, yet, the point of order having been made, the Chair feels constrained to sustain it.

On July 31, 1917—and this is the last decision of the Senate that the Chair has been able to find, and he is not aware that there has been any other decision on the subject up to the one recently made on April 21 of this year—the Senate, as in Committee of the Whole, had under consideration the joint resolution proposing an amendment to the Constitution prohibiting the sale, manufacture, and transportation of intoxicating liquor.

Mr. Joseph B. Thompson, of Oklahoma, being recognized for debate, proposed to have read at the desk a letter certifying that Jacob E. Meeker, a Representative from Missouri, was formerly a Congregational minister and had resigned under censure. Mr. LEE S. OVERMAN, of North Carolina, made the point of order that the rules of the Senate did not permit the introduction of matter reflecting upon a Member of the House of Representatives.

The Presiding Officer (WILLIAM H. KING, of Utah), President pro tempore, sustained the point of order and said:

> There is a rule that would make it improper and out of order to refer to a Member of the House of Representatives in opprobrious terms and to impute to him unworthy motives. No Senator ought to make any statement that would be a reflection upon any Member of the House or impute to him improper conduct or an unworthy motive. He is not here to defend himself. It would seem to the present occupant of the chair unfair for any Senator to make any comment upon the life or character or political conduct of a Member of the House of Representatives that would reflect upon his honor or his integrity or his good faith. The point of order is sustained.

Mr. Thompson submitted that Mr. Meeker had himself, on a previous occasion, violated the privileges of debate by inserting in the RECORD an extension of remarks reflecting on the State of Kansas. The Presiding Officer said:

> The Chair will say that an infraction of the rules of the House by a Member of the House would not, in the opinion of the Chair, warrant an infraction of the rules of the Senate by an attack upon a Member of the House. In the opinion of the Chair, nothing should be stated by Senators that would be a reflection upon the integrity or moral character of a Member of the House, or impute to him improper or unworthy motives. (RECORD, 65th Cong., 1st sess., 5597.)

On April 21, 1930, the Senate was considering a resolution (S. Res. 245) which provided that the Vice President should appoint a committee of five Senators to investigate the delay of the Speaker of the House of Representatives in not referring S. J. Res. 3 to a committee of the House and to report to the Senate what action, if any, should be taken in the premises.

Mr. GEORGE W. NORRIS, of Nebraska, in speaking on the resolution, criticized the Speaker and imputed to him unworthy motives in not referring the joint resolution to a committee.

Mr. SIMEON D. FESS, of Ohio, made the point of order that under section 17 of Jefferson's Manual it was not in order for a Member of the Senate to criticize the actions of the Speaker of the House or of any Member of the House.

The Vice President (Charles Curtis, of Kansas) overruled the point of order and said:

The Chair is willing to rule on the question. The Senate has not adopted Jefferson's Manual as a part of the rules of the Senate. It is left to the discretion of Senators as to what they may or may not say about the proceedings of the House in connection with the resolution under consideration.

Mr. FESS objected to the ruling and said:

That is not a rule.

The Vice President replied:

The Chair makes that ruling now.

The Chair has no hesitation in quoting these decisions in extenso, because it is a recognized principle that one House may refer to the parliamentary decisions of the other House in deciding questions of order (sec. 9442, Cannon's Precedents).

So far as the Chair knows, the decision of Mr. President pro tempore KING is the last decision up to the recent one by Vice President Curtis which involves the question of how far the Senate is bound by Jefferson's Manual, and while it is true that the Senate never by express rule has made Jefferson's Manual a part of the Senate rules, as the House has done, nevertheless it has been fair for the House to assume, certainly up to 1917, and, if the Chair is not greatly in error, up almost to the present moment, that in the absence of a specific rule to the contrary Jefferson's Manual did wherever applicable govern the proceedings of the Senate.

In the note of introduction to Jefferson's Manual of Parliamentary Practice it is stated, on page 93 of the House Rules and Manual, as follows:

Jefferson's Manual was prepared by Thomas Jefferson for his own guidance as President of the Senate in the years of his Vice Presidency, from 1797 to 1801. In 1837 the House, by rule which still exists, provided that the provisions of the manual should "govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House." In 1880 the committee which revised the rules of the House declared in their report that the manual "compiled as it was for the use of the Senate exclusively and made up almost wholly of collations of English parliamentary practice and decisions, it was never especially valuable as an authority in the House of Representatives, even in its early history, and for many years past has been rarely quoted in the House" (V, 6757). This statement, although sanctioned by high authority, is extreme, for in certain parts of the manual are to be found the foundations of some of the most important portions of the House's practice.

But that was back in 1880. That statement or sanction by high authorities is strengthened, for certain parts of the manual are found to be the f·.ndation of our parliamentary practice, and the Chair thinks that is daily growing more important as time goes on.

The parliamentary practice of the House of Representatives emanates from four sources: First, the Constitution of the United States; second, Jefferson's Manual; third, the rules adopted by the House itself from the beginning of its existence; and, fourth, the decisions of the Speakers of the House and decisions of the Chairmen of the Committee of the Whole.

Scarcely a day passes in this House when Jefferson's Manual is not a basis for some of our legislative proceedings. On all matters relating to appointment of standing committees and designation of duties of chairmen, the Committee of the Whole, risings of the Committee of the Whole for various reasons, reports from the committee, and amendments of the committee, most of the provisions relating to the decorum and debate, many matters relating to bills and committees, to amendments in the House, to amendments between the Houses, and particularly to all matters dealing with amendments and conferences between the two Houses, the provisions of Jefferson's Manual are basic.

There is no doubt then that even if the House had not specifically provided that Jefferson's Manual should govern in all cases where applicable, it could be safely laid down as a general proposition that Jefferson's Manual should so govern.

In fact, it must be conceded that Jefferson's Manual is the primary authority for all parliamentary proceedings in this country, and the Chair thinks that if Thomas Jefferson had never done anything except to write this monumental manual he would merit the thanks of his countrymen. [Applause.]

The Chair will not attempt to comment upon any phase of this question except that which relates to the rules of comity between the two Houses. There are three provisions, at least, of Jefferson's Manual which are particularly relative to this question. I read:

SEC. 301. It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the Legislature that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the Members of either of the other branches of the Legislature, until the same have been communicated to them in the usual parliamentary manner (a Hats., 252; 4 Inst. 15; Seld. Jud. 53.)

SEC. 364. It is breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses. (8 Grey, 22.)

SEC. 367. Where the complaint is of words disrespectfully spoken by a Member of another House it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of Members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately and not to permit expressions to get unnoticed which may give a ground of complaint to the other House, and introduce proceedings and mutual accusations between the two Houses, which can hardly be terminated without difficulty and disorder. (3 Hats. 51.)

The effect of the recent decision of the Vice President is to hold that the three sections of Jefferson's Manual just quoted do not govern the proceedings of the Senate, and that Senators may use their own discretion in making any comment, insinuation, or attack upon any Member of the House or any proceeding of the House.

The Chair makes no criticism whatever of the decision of the Vice President. He wants that clearly understood. But he thinks it is clear that under these changed conditions relating to the comity of the two Houses the House must take some action one way or the other.

Concerning those precedents in Jefferson's Manual, Mr. Speaker Clark went so far as to say that it is not in order even to compliment Members of the Senate. [Laughter.] From Cannon's Precedents I quote the following:

SEC. 9444. It is not in order to refer to a Member of the other House even for the purpose of complimenting him.

On June 27, 1918, Mr. Ben Johnson, speaking by unanimous consent, in discussing the bill H. R. 9248, the antiprofiteering rent bill, referred to Mr. Atlee Pomerene, a Member of the Senate from Ohio.

Mr. Oscar William Swift, of New York, made the point of order that it was not permissible to refer to a Senator in debate.

Mr. Johnson argues that the rule applied to criticism only, and was not applicable to his remarks in praise of the Senator.

The Speaker ruled:

The rule is that a Member of the House can not discuss a Senator at all, not even compliment him, because if you do compliment him somebody might jump up and say he was the grandest rascal in the country, and you would then have on your hands a debate of a very acrimonious nature.

[Laughter.]

There would seem to be but two alternatives for us to adopt in dealing with this situation. If the House desired to retaliate, it might, by rule, provide that these rules in Jefferson's Manual relating to comity between the two Houses should not apply to proceedings in the House. In other words, to say that Members of the House should be guided solely by their own discretion in making any comment, insinuation, or attack upon any Senator, or any proceeding of the Senate.

The other alternative is to rigidly insist upon strict adherence to both the spirit and letter of Jefferson's Manual.

In the opinion of the Chair, the adoption of the first alternative would be violative of the spirit in which the House for 140 years has followed the precepts of Thomas Jefferson in our manner of association and dealing with the other legislative body. [Applause.] After all, Jefferson's general precepts are but a restatement of the manner in which all legislative bodies, particularly the British Parliament, have dealt with each other for centuries. They are but a restatement of what is and ought to be true sportsmanship in the dealings between the legislative branches of great governments.

The Chair is firm, and he believes that the House will remain firm in our adherence to the rules of sportsmanship and comity as laid down in Jefferson's Manual. [Applause.]

A situation arose sooner than the Chair expected where he was called upon to rule upon at least one phase of this question. On April 28, one week after the decision of the Vice President, the gentleman from Massachusetts [Mr. LUCE] offered, as a matter of privilege, a resolution providing that a respectful message be sent to the Senate calling attention to certain remarks of a Member of the Senate in which he criti-

cized certain proceedings in the House. The debate upon this resolution, and the ruling of the Chair, are to be found on pages 7877 and 7878 of the RECORD, and the Chair will not quote them here.

Having had no notice in advance that such a resolution was to be brought up, the Chair had not then been able to give such investigation to this question as he has since. Nevertheless, he ruled that the resolution was not privileged in that the House, under Jefferson's Manual, had not the right to criticize the remarks of any Senator or occurrence on the floor of the Senate. Since then the Chair has had the opportunity to make more careful investigation of the principles and precedents governing this question, in anticipation that the question might again be brought up, and has already quoted what he believes to be the general rules underlying.

The remarks of the gentleman from New York [Mr. LAGUARDIA] raise a question which, while it differs in form from that upon which the Chair has previously ruled, pertains to the same general governing principles.

The question raised by the gentleman from New York is whether a Member may reflect in any way on the floor of the House against the actions, speeches, or proceedings of another Member or of the body itself.

To put it in another way, Shall the House, notwithstanding any adverse action by the other body, adhere to the provisions laid down in Jefferson's Manual, which have always governed?

The answer of the Chair is emphatically "Yes." Indeed, it appears to the Chair that it has become all the more necessary, if the rules of comity between the two Houses are to be at all preserved, that Members of the House should be limited even more rigidly than ever by Jefferson's rules prohibiting reference in terms of the slightest disparagement of the remarks or actions of Members or any of the proceedings of the other body.

If no rules of comity are to be followed in either House, then legislation may become chaos indeed.

In conclusion the Chair will say that so long as he remains Presiding Officer of this body he will see to it that the rules of Jefferson's Manual, in so far as they apply to the friendly relations between the Members of the two Houses and the Houses themselves, shall be enforced with the utmost rigidity, not only in the letter but in the spirit.

The Chair therefore sustains the point of order. [Applause, the Members rising.]

Mr. LAGUARDIA. Mr. Speaker, I bow to the Speaker's ruling, which has spoiled a perfectly good speech, and I yield back the balance of my time. [Laughter and applause.]

Mr. CRISP. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. CRISP. Mr. Speaker, I simply desire to say that I thoroughly concur in the ruling just made by the Speaker. It was a statesmanlike ruling in the interest of good legislation and the welfare of this country. [Applause.]

I am sure any other course pursued by the coordinate legislative branches of the Government would not be in the interest of orderly procedure so essential to good legislation. I wanted to express my unqualified approval of the Speaker's able ruling. [Applause.]

STOCK SPECULATIONS

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

The SPEAKER. The gentleman from Illinois [Mr. SABATH] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker and ladies and gentlemen of the House, I, too, join in congratulating the Speaker upon his able ruling, and recognize that it is in the interest of the House and in the interest of the country. But I wish to call your attention to something which to my mind is of still greater interest to the people of the Nation than friendly relationship between the House and the Senate.

Some months ago I introduced in the House a bill placing a tax of 5 per cent upon all short sales on the stock exchanges. I have made several efforts to secure consideration, but have failed, and for that reason I yesterday introduced a bill, H. R. 12171, which provides—

that it shall be unlawful for any person to deliver or cause to be delivered for transmission through the mails or in interstate commerce by telegraph, telephone, wireless, or other means of communication, any offer of sale of any shares of stock in any corporation, joint-stock company, or association, unless the person so offering said stock for sale shall have the ownership or possession, actual or constructive, of such shares of stock.

SEC. 2. That it shall be unlawful for any person to execute or cause to be executed any orders for the sale of any shares of stock in any corporation, joint-stock company, or association which have been transmitted through the mails or through interstate commerce by telegraph, telephone, wireless, or other means of communication, unless such person shall first have ascertained that the person ordering or communicating such offer of sale had at the time of the ordering or communicating of such offer of sale the ownership or possession, actual or constructive, of said shares of stock.

SEC. 3. Any person who violates any provision of this act shall be deemed guilty of a felony, and upon conviction thereof shall, if a corporation, be punished by a fine of not more than $10,000 for each offense, and all other persons so convicted shall be punished by a fine of not more than $1,000 or by imprisonment of not more than two years, or both.

SEC. 4. For the purposes of this act the term "person" shall mean any individual, association, partnership, or corporation and/or any agent, factor, or broker thereof.

SEC. 5. This act shall take effect on the sixtieth day after the date of its approval—

and as this bill was referred to the Committee on Interstate and Foreign Commerce, I feel that I will have better chance of securing favorable consideration from that committee than was accorded me on the tax bill in the Ways and Means Committee.

I am of the opinion, Mr. Speaker and ladies and gentlemen, that it is manifestly unjustifiable for us and for the Nation to permit a few designing safety gamblers to bring destruction to the business of the Nation. No one who is familiar with conditions and knows anything about the present deplorable situation can deny the fact that short selling on the stock exchange brought the havoc and created the crash last November.

At that time I wired the stock exchanges, demanding cessation of short selling, and they responded by asking their members for a report on all loanings and borrowings of stock, which action was helpful, because the most influential of the destructive short sellers did not wish their names to become known and to be held responsible for the ruination of millions of men and women.

After the issuance of this questionnaire conditions and confidence were partially restored, but business on the exchanges was reduced. The avaricious appetites that the "shorts" had worked up during the two preceding weeks were not satisfied, as there were still some investors who had escaped the slaughter, and so on Monday, November 25, the questionnaire was withdrawn, and immediately on Tuesday the attacks were renewed, and another crash followed.

I feel satisfied that the country is convinced by this last attack that short selling of commodities or stock which one does not own or possess are responsible for the destruction of actual values and for the crash and the havoc that usually follows:

Last Friday and Saturday, again, the "shorts," known commonly as "bears," at about the time the country had started rehabilitating itself, and with conditions beginning to readjust themselves, have started another crusade by throwing upon the market, as reported by the press, thousands upon thousands of shares of stock, and thus undoing all the good that the well-meaning financial and industrial leaders of the Nation have been trying to accomplish. I feel it is the duty of the House to see to it that short selling, this unjustifiable gambling, should cease. We have it in our power to bring this about.

Are we going to be courageous enough to legislate against this plunderbund in the interest of the Nation, to bring about prosperity and confidence in the Nation, or are the high-finance racketeers powerful enough to stop any action on our part? The country is looking to the House for action. I feel that legislation should be enacted which will preclude or prevent in the future these unjustifiable, yes, criminal manipulations on the part of a few men against the interests of the entire nation. [Applause.]

The SPEAKER. The time of the gentleman from Illinois [Mr. SABATH] has expired.

Mr. SABATH. In pursuance of the leave granted me to extend my remarks, I take the privilege of inserting an extract from a statement prepared by one of the best-posted men in America on this question, a man who has had years of experience and who has studied the problem thoroughly, Mr. Albert Newton Ridgely. He states that his motive—

Is simply the desire to do one good deed, one good action for the lasting benefit of ordinary men before the final dusk shall gather and the final darkness fall.

Prohibit the sale of the property of a third party (without his consent) to a second party by a first party, i. e., "short selling."

This is not at all experimental. It has been enforced not only in London and Paris with most satisfactory results, but was done by the New York Stock Exchange some dozen years ago at the time of impending threatened demoralization, with complete success—after favored banking groups and insiders had accumulated their full lines and really wanted to avert further pressure.

"Selling short" is, briefly, to sell stock you do not own, trusting that you will be able to buy lower at some later date and then make the delayed delivery. Whatever the short seller gains, obviously, either the original owner or the buyer must lose. But if outsiders sell short, as they did heavily late in 1926 and throughout 1927, the penalty usually is drastic. The manipulators at that time, knowing the income tax law would keep investment stock off the market, proceeded to mark prices upward, higher, and still higher, until the margins of those venturesome outsiders—the public—were exhausted. Thus at least was initiated the period of wild inflation, a direct result of the wrong people selling short. Similarly, later, the extreme record highs of many stocks were made by forced short covering.

Of course, short selling widens the range of fluctuations and adds to commissions and is claimed by brokers and traders to act as a cushion or stabilizer in declining markets. All Wall Street (self-interestedly) is impressed with this monstrous fallacy. So far from being a "stabilizer," except on very rare occasions, it steadily depresses prices in a weak market and brings panics to their acute stage.

Manipulation and collusive bear raiding explain the repeated violent attacks in the November collapse, and the forcing of the market to new low levels until the investing public had no available money to buy. Then, after favored capitalists had replaced their stocks and acquired their complete lines, the stock exchange issued a much belated warning against short sales; and the mere rumor that these were to be stopped ended the panic and sent stocks up 10 points that day.

Another specious and superficial argument is that investors should have the right to sell short against their safe-deposit holdings. They should have no such "right" in justice or equity. An eminent financier and esteemed "philanthropist" is said to have garnered two hundred millions within three months by actually selling short against long investment stock. He was within his present legal rights.

But having sold a vast quantity of stocks to the gullibles, would this "financier" have been logical or human had he not desired those stocks to fall, and to fall sharply, for the obvious reason that he might repurchase them on a cheap investment basis? In any case, selling short instead of long stock substantially reduced his income tax and—doubtless of more importance to him—kept his activities obscured. This is the pernicious type. At present it is any man's right and privilege under the law. But it is a wholly unfair status which permits transactions of such magnitude, affecting the actual welfare of the country, to be done in strictest secrecy and under cover.

Prohibit short sales and you will surely block destructionists; you will deal a heavy blow to ruinous manipulation—and you will go very far toward preventing future depression and panics.

ALCOHOLIC LIQUOR TRAFFIC

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent that I may address the House for three minutes.

The SPEAKER. The gentleman from Maryland [Mr. LINTHICUM] asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, Members of the House, as is well known to all of you, we have had a very long hearing on the question of the repeal of the eighteenth amendment or the modification of the eighteenth amendment, lasting four or six weeks.

None of the bills before the committee have been reported either favorably or unfavorably. Therefore two of our Members have taken advantage of the rule of the House in asking that the Judiciary Committee be instructed to report their resolutions.

I wish to call the attention of the Members to the petition of the gentleman from New York [Mr. LAGUARDIA], who asks that his bill, H. R. 130, be reported by the Judiciary Committee. This is a bill providing for the modification of the Volstead Act and which, if passed, would allow 2.75 per cent beer.

Then there is another petition on the part of the lady from New Jersey [Mrs. NORTON], asking that her resolution, House Joint Resolution 219, be reported by the Judiciary Committee. That resolution proposes an amendment to the Constitution of the United States and provides for a referendum to the voters on the eighteenth amendment.

I call this to the attention of all those who are in favor of either the modification of the Volstead Act, as is provided for by the resolution of the gentleman from New York [Mr. LAGUARDIA], or the repeal of the eighteenth amendment through a referendum of the voters of the country, as provided for in the resolution of the lady from New Jersey. I ask all of those who are in favor of these propositions to sign these petitions instructing the Judiciary Committee to report these resolutions.

I call this to the attention of those friendly to the modification of the Volstead Act and to those in favor of the repeal of the eighteenth amendment. I hope they will make their wishes known by signing the petitions which rest on the Clerk's desk. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. LETTS. Mr. Speaker, I ask unanimous consent that on Thursday, after the disposition of business on the Speaker's table, I may be permitted to address the House for 20 minutes.

The SPEAKER. The gentleman from Iowa asks unanimous consent that on next Thursday, after the disposition of matters on the Speaker's table, he may be permitted to address the House for 20 minutes. Is there objection?

Mr. MURPHY. Mr. Speaker, reserving the right to object, on Thursday we expect to go on with the legislative bill We will have some time in general debate, and I will be very glad to yield the gentleman the time he desires.

Mr. LETTS. I will say to the gentleman from Ohio that I have been requested to make some remarks on Mother's Day, and I would like to have them in the proceedings of the House.

The SPEAKER. Is there objection?

There was no objection.

PHILIPPINE INDEPENDENCE

Mr. GUEVARA. Mr. Speaker, I ask unanimous consent to print in the RECORD a statement made by the majority floor leader of the Philippine House of Representatives, Hon. Manuel C. Briones, before the Senate Committee on Territories and Insular Affairs.

The SPEAKER. The Commissioner from the Philippines asks unanimous consent to extend his remarks in the RECORD by printing a statement made by the majority floor leader of the Philippine House of Representatives before the Senate Committee on Territories and Insular Affairs. Is there objection?

There was no objection.

The statement is as follows:

Mr. Chairman and gentlemen of the committee, having arrived in Washington only a few days ago to join the other members of the Philippine delegation who preceded me to Washington, it has not been possible for me to be present at the previous hearings held by this committee. For this reason I am appearing only at this time to submit my views on the question of the independence of my country pending consideration by this committee.

There is already on file in the records of the committee the concurrent resolution adopted by the Philippine Legislature on October 29, 1929, creating a committee composed of six members, who, jointly with the Resident Commissioner, shall petition the Government and Congress of the United States for the early granting of independence to the Philippines, and submit to them from time to time the views of the legislature on any matter concerning the Philippines under consideration by the Government at Washington.

My delayed departure from the Philippines gave me an opportunity to witness a good portion of the work of organization of the first independence congress of the Philippines recently held in Manila. It would not, therefore, be presumptuous for me to say that I bring first-hand information about this congress.

The outstanding feature of this great national convention is that the intiative came entirely from a large group of private citizens acting independently of partisan considerations. The call for the congress was made by this group and addressed to the entire nation without distinction as to class, creed, or political affiliation, and the people responded readily and enthusiastically, all the vital elements of the country joining the congress.

It can be stated that never since the inception of American sovereignty has a congress of this kind assembled with such a varied and large representation from every conceivable sector of the nation for the purpose of voicing once more the desire of the people for freedom and of deliberating upon the problems which independence would bring to them. That this congress was truly national in scope may be inferred from the members representing the different elements that constitute it; representatives of agriculture, of commerce, and of industry, directors of the various civic associations, leaders in the various professions, publicists, educators, leaders of labor, religious and student organizations, municipal presidents, Moro leaders, associates of Dr. Jose Rizal and

Marcelo H. del Pilar in their struggles against Spanish misrule; veterans of the revolution, elective members of the provincial governments, officials of the former Philippine Republic, past and present members of the Philippine Legislature, and Filipino members of the council of state.

If any additional proof were necessary to show the unity of the Filipino people in their desire to be free and independent, the Philippine independence congress held recently in Manila precisely for that purpose, on February 22, 1930, the birthday of George Washington, furnished that proof. In that Congress the people met for common counsel on a common cause and all party and other differences disappeared to voice only one sentiment and to formulate only one appeal—an appeal to the sense of justice, generosity, and magnanimity of the American people for the redemption of the sacred promise to grant independence to the Philippine Islands—a promise spontaneously made in repeated declarations by the authorized officials and by the Congress of the United States.

This new appeal for freedom is embodied in the declaration approved by the Philippine independence congress in its last session on February 26, 1930, which also urges the people and Government of the United States to grant immediate, complete, and absolute independence to the Philippine Islands. The declaration breathes the appreciation and gratitude of the Filipinos toward America for all the generous and altruistic efforts displayed by her on behalf of the Filipino people, but at the same time it maintains the firm vigor and the simple dignity of the great declarations of human liberty. The full text of this declaration is as follows:

We, the members of the first independence congress convened at the city of Manila, P. I., from February 22 to February 26, 1930, upon the initiative of private citizens and composed of representatives of business and agriculture, directors of civic organizations, leaders in the various professions, publicists, educators, labor, religious and student leaders, municipal presidents, Moro chiefs, coworkers of Rizal and Del Pilar in Spain, veterans of the revolution, elective officials of the provincial governments, high officials of the former Philippine Republic, past and present members of the Philippine Legislature, and Filipino members of the council of state, after deliberating upon the problems of independence including national defense, finance, and economics as well as political, social, and educational questions which would be faced by an independent Philippines, hereby makes the following declaration:

"While fully conscious of the debt of gratitude we owe to America for her benevolent policy in the Philippines, we are convinced that immediate independence is the only solution in consonance with the unalterable desires of the Filipino people.

"No matter how lightly an alien control may rest on a people, it can not, it will not make that people happy.

"The genius and potentialities of the Filipino people can only be developed in an atmosphere of freedom unrestrained by foreign rule.

"Differences in race, history, and civilization render difficult, if not impossible, a common life under one flag between the American and Filipino peoples.

"The uncertainty of our future political status hampers the economic development of the country.

"Our present trade relations with the United States are not conducive to the economic independence of the Philippines and whatever may be the temporary advantages of such relations we are willing to forego them for the sake of freedom.

"The longer we remain under America the harder it will be for us to be freed from our political and economic dependence upon her.

"We are now better prepared for nationhood than many independent states of to-day, and we are ready to assume the risks and responsibilities of independence.

"We are not unmindful of the fact that in the final solution and settlement of the Philippine problem, American and foreign interests must be adequately safeguarded.

"The establishment of a Philippine republic to-day will be but the logical and just outcome of our long struggles for freedom and will be in keeping with American history and traditions.

"Independence will make for close friendship and better understanding between America and the Philippines, while retention fosters distrust and ill feeling.

"In our solemn constitutional covenant with America she has promised to grant us independence as soon as a stable government can be established. This condition has long been fulfilled.

"Therefore in the name and in behalf of the Filipino people we solemnly affirm with full realization of the consequences and responsibilities of political independence that our people should be allowed to live an independent life and to establish a government of their own without any further delay and without any condition which makes its advent uncertain; hence we respectfully reiterate our petition to the people and Government of the United States to grant the Philippines immediate, complete, and absolute independence."

But the independence congress did more than merely voice anew the demand of the Filipino people for independence. The Filipinos are frequently charged with being exceedingly too idealistic, but the critics forget that our people possess practical qualities which have been strengthened and developed by contact with the eminently practical American civilization and culture. Thus the independence congress, while reaffirming the moral right of the Filipinos to be free, also took cognizance of the practical problems which independence entails. Conscious of the importance of these problems, the Congress appointed committees for the study of national defense, finance, economic readjustment, and growth, as well as political, social, and educational development under a government completely free and independent. All this demonstrates that the Filipino people regard their independence not only in the abstract, based upon moral reasons beyond controversy, but also as a living reality, and as the best means to develop the genius of our race and to fulfill our destinies as a people with a history, ideals, traditions, and a personality distinctly their own.

There seems to be a school of thought which believes that independence would add nothing to the well-being and individual liberties now enjoyed by the Filipino people under the American flag, and that on the other hand independence would endanger the progress already attained. This reasoning seems convincing at first sight, but a deeper study of the question reveals its superficiality.

Besides satisfying the natural yearning of our people for freedom, independence would make the individual liberties that we now enjoy our very own to be exercised by us of our own free will and not as mere concessions from a foreign power which may withdraw them at any time. It is not enough to have personal liberties; what really and truly satisfies an individual or a people is the feeling that they possess these liberties by virtue of their own power, worth, and sufficiency, as something which of right belongs to them and not merely as a simple privilege granted by another, however good and magnanimous the source from which it may come. Existence in man of the natural feeling of dignity and self-respect has been the force which impelled all sentient peoples to struggle for their liberties and to defend them at any cost once acquired.

With respect to the alleged benefits which the mass of the Filipino people now enjoy under the American flag, the stabilizing influence of independence is the only real factor that can insure the permanence of those benefits. The present undefined, uncertain, transient political status of the Philippines can not and can never lead to the establishment of a solid economic structure. Capital, foreign or domestic, always seeks a clear and defined situation which permits normal and progressive development. Such a situation, it is admitted by all, does not obtain to-day in the Philippines. But the present political uncertainty is not the only factor that is preventing greater economic development of our country, and consequently the growth of our material well-being. The uncertainty of our economic relations with the United States is a contributing factor to this slow growth. The strong agitation which has been carried on in this country during the last few years to restrict the free entry of our principal products to the American market clearly demonstrates the fragile nature of these relations, which are already giving way to conflict and controversy. Such a situation has but one result—stagnation if not retrogression.

The argument that independence would have a disastrous effect upon our agriculture and certain Philippine industries, such as sugar, coconut oil, tobacco, embroidery, rope, is in reality an argument in favor of our cause. The reason is simple. If our political association with the United States has the effect of tieing us up permanently with the economic system of this country, and that is what this argument amounts to, then the sooner we withdraw from that dependence the better it would be for us. The longer we remain under the United States the stronger our economic dependence will be and the more disastrous the effect of separation later when independence is at last granted. To-day, at least the shock that would follow the severance of relationship would only be temporary and after the necessary readjustments have been made the situation would again become normal.

Our assertion that independence is the only satisfactory solution to the present uncertainty is predicated upon America's policy of emancipation and not upon permanent retention against the express will of the Filipino people. It is not necessary to repeat here the pronouncements of the Presidents of this Great Republic, commencing with President McKinley, which clearly establishes the granting of independence as the final solution of the Philippine problem, if such were the wishes of the Filipinos, setting thus aside any thought of retention and exploitation. Much less is it necessary to recall the solemn pledge embodied in the preamble of the Jones law, a promise around which our faith in America has been built. Any solution, therefore, that deviates from this path of honor which America herself, of her own violition, has traced out, would be repugnant to American sense of justice and fairness and unjust to the Filipino people who have been made to believe that independence would be the final goal.

The question of independence, thus, as we see it, has reduced itself to a matter of time. While some maintain that independence should be granted when the Filipinos have reached a degree of development sufficient to insure political and economic stability, we, on the other hand, affirm that the time has come. The only condition required to the granting of independence, as set forth in repeated authoritative pronouncements culminating in the preamble of the Jones Act, is the establishment of a stable government, able to guarantee security of life and of property, nationals as well as foreigners, and the fulfillment of international obligations. A stable government has been established in the Philippines long ago. Elihu Root, when he was Secretary of

War, added to the above prerequisite of a stable government the existence of the orderly and peaceful suffrages of the people. This we have also met satisfactory, the Wood-Forbes mission which reported against independence having recognized the effectiveness of our elections and the orderly manner in which they are conducted.

The Philippine government to-day, from the bottom up, is in reality a government by Filipinos with hardly any assistance from Americans. Its various branches are filled and directed by Filipinos. True, a few positions, those requiring technical skill, are held by Americans, especially in the bureau of education where Americans are needed to teach the English language to the Filipino children. But even independent countries employ foreign experts.

When the Philippines become independent it could continue to utilize the services of such technical men. Among the higher officials of our government there are practically no Americans other than the Governor General, the vice governor, who acts as secretary of public instruction, the insular auditor, and five of the nine members of the Philippine Supreme Court. With a practically responsible cabinet such as we have, closely identified with the legislature, which is entirely Filipino, it may be stated that the Governor General exercises his functions as chief executive through the secretaries of departments, who are all Filipinos, with the exception of the secretary of public instruction. It is for this reason that a Secretary of War of a past administration properly depicted the situation when he said that between the government of the Philippines and American sovereignty there exists only the tenuous connection of the Governor General.

The only logical and justifiable conclusion from these premises is that the Philippine government is fully organized and constituted and that the granting of independence to-day would be nothing more than the nominal and formal transfer to the people of the Philippines of the principal instruments of self-government already in their hands, together with the other attributes of sovereignty which America still reserves to herself.

All fear that an independent government would be, by revolution or by internal act of violence overthrown, should be set aside. The Filipino is naturally and temperamentally peaceful, and his respect for law and order is admitted even by those opposed to independence.

The efficient civil and political training that we have received, which gave us an opportunity actually to handle the instruments of democracy, has taught us that it is not necessary to resort to violence to change an undesirable government or the men that direct it. Furthermore, the Filipinos know too well the sacrifices which the achievement of freedom has required and they will not endanger it by suicidal strife. They have demonstrated in the course of their history that they possess innate qualities of discipline and readiness to follow social and political guidance even under circumstances less conducive to self-control than under a government of their own. There is no reason to believe that they would lose these deep-rooted qualities precisely when the goal of their aspirations has been attained.

A tribute to the peaceful nature of the Filipinos has come from the late Governor General Wood in his annual report to the Secretary of War for the year 1923, as follows:

"With a few minor exceptions, conditions of public order have been excellent throughout the archipelago. No disturbances have occurred beyond the control of the municipal and insular police. There has been no organized resistance to authority. Life and property have been reasonably secure and travelers have gone unmolested without arms or escort wherever they cared to go. Parties of women unescorted and unattended have traversed the most remote portions of the mountain provinces without suffering any discourtesy or annoyance."

It is asserted that an independent Philippines would be endangered by aggression from without for purposes of exploitation. Those who advance this argument consider it absolutely necessary for the Philippines to have an army and navy and fortifications sufficient to withstand attack even from the most powerful nation on earth. But we ask, what small nation would be able to stand alone if that were made a condition for an independent existence? Even the relatively large nations would be unable to maintain their independence. Only four or five countries would be able to assert their sovereignty and the rest would be nothing but mere colonies.

In the past, this argument was taken a little more seriously than at present, and even then it was regarded merely as a bugaboo. To-day, it is given a lesser importance. For a new order has come out of the old as the contribution of the World War to international security. With the instrumentalities which have been and are being created to secure permanent world peace and to insure the observance of international morality as high and as pure as that which governs the relations between individuals, we can not believe that this alleged danger to an independent Philippines is a real menace. At any rate, it is not any greater than that which has menaced the weak nations which have been enjoying their independence for centuries and those that have recently become independent.

We are not blinded by stupid optimism. Our optimism is based upon the belief that at this stage of the world's development no nation can simply devour another, especially when the latter, like the Philippines, is composed of 13,000,000 souls that have learned the meaning of liberty, not from theory but from the sacrifice of their very lives and their very fortunes. We believe that this is the propitious time to launch an independent Philippines, when the horrors of the great war are still fresh in the minds of men and international conscience for justice and righteousness is spreading and taking root everywhere under the leadership of the most powerful nations, including the United States. If the Philippines must wait until she is absolutely invulnerable from external aggression before she can be granted independence, we would have to wait for centuries, if not for all time.

In conclusion, we maintain that the only feasible solution to the Philippine problem is the granting of immediate, absolute and complete independence. All admit that something must be done to remove the present uncertainty. It is also admitted that this uncertainty, from which no one derives any benefit, can not be removed either by the adoption of reactionary measures or by the granting of larger measures of self-government: The first, because it would be repugnant to the history, traditions, and honor of the American people, who are committed to independence, and whose promise has been accepted by the Filipino people in good faith; the second, because any intermediary solution, however liberal, would not only not appease the longing of the Filipinos for independence, which would mean continuation of the agitation for it, but also because any such solution would leave unsolved those controversial problems, especially those of economic nature, which only the severance of American-Filipino relations can eliminate. The only feasible solution, therefore, is the granting of independence.

It is true that the final solution that we propose will terminate our present political association with America, but the more precious bonds will remain—the bonds of appreciation and gratitude. When our freedom shall have been granted, our veneration for America will be second only to that of our own country. And when the day of separation comes America shall have added another brilliant page to the cause of liberty and human rights as brilliant as that written in the historic city of Philadelphia, in the hallowed grounds of Gettysburg, in the emancipated island of Cuba, and in the embattled fields of France.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 2, 1930:

H. R. 7356. An act for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco.

On May 5, 1930:

H. R. 10379. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 305. Joint resolution providing for the participation by the United States in the International Conference on Load Lines, to be held in London, England, in 1930.

The message also announced that the Senate had agreed to the amendment of the House to Senate Joint Resolution 135, "Joint resolution authorizing and requesting the President to extend to foreign governments and individuals an invitation to join the Government and people of the United States in the observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3531) entitled "An act authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McNary, Mr. Norris, and Mr. Ransdell to be the conferees on the part of the Senate.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11965, with Mr. Luce in the chair.

The Clerk read the title of the bill.

Mr. MURPHY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. Gifford].

Mr. GIFFORD. Mr. Chairman, I have asked for this time for the purpose of saying a few words relative to the "lame-duck amendment," so called, which has been somewhat under discussion this morning. Inasmuch as the proceedings in another body on April 21 have been often alluded to to-day, it seems a proper statement to make that the various measures referred to the Committee on the Election of President, Vice President, and Representatives in Congress last December, when the committees were organized, were on the table and before every member of that committee, including the amendment that was sent over from the Senate, but which had not at that time been referred. I have no criticism to make because that amendment had not been actually referred, for the reason that there was before the Rules Committee of the House a resolution providing that all matters affecting amendments to the Constitution should be referred to the Judiciary Committee in the future. However, it was found that there was no probability of that resolution being reported, so the matter was finally referred to our committee.

As the chairman of the committee, I want it thoroughly understood that our committee acted wholly independently. Neither the Speaker of the House nor the leader of the House knew what action was contemplated by the committee. After due and long consideration of all those matters—and the resolution from the Senate was considered with the others—we finally reported an amendment, which is now on the calendar. So the criticism made in another body on April 21, in my opinion, was entirely unjustified as far as the action of my committee is concerned. We had that amendment before us; it was considered with all the others, and when we were ready to vote we simply reported the amendment which we considered ought to have been reported.

I want to call the attention of the House to the fact that I have been a member of that committee for seven years, and when the amendment came to us originally it was simply the so-called "lame-duck amendment."

We thought if we were to amend the Constitution we had better take care of other mechanics of the Constitution and not lay so much stress on that particular amendment.

There had been before the committee for years 15 very important questions. For instance, what would happen to the country if the President and the Vice President elect, either one or both, should die after they were elected and before they were inaugurated? This is an extremely important question, and one that, to my mind at least, has by far the greater significance and importance, and personally I would have liked to have recommended separately that portion of the resolution relating to the succession to the presidency, but it was thought that if we were to simply amend the mechanics of the Constitution the two ideas ought to be incorporated, and while I think the succession idea is far more important I have been led now to believe that the other amendment ought to be included, and though it may not be so important it is highly desirable, and certainly the country as a whole is demanding the abolishment of the short session, the doing away with filibusters, and that sort of thing.

In 1928 we had three days of debate—March 6, 7, and 8—on this question, and we embodied this debate in a public document which I think it would be well for every Member to read.

Hastily, I may say that the objection given to the adoption of the proposed constitutional amendment were, particularly, we should not tinker any longer with the Constitution. This proposed amendment is not like the sixteenth, seventeenth, eighteenth, and nineteenth amendments. This has simply to do with the mechanics of the Constitution. It was also stated that our forefathers knew exactly what they were doing when they gave us this cooling-off period of 13 months and all that sort of thing.

It was not thought of in those days. It was purely an accident in those days. After the election of the First Congress in January it assembled as soon as possible, which date was March 4. I may remind the House that the reason this change has not been practicable before is because the seventeenth amendment to the Constitution had not been adopted. Senators formerly were elected by the legislatures of the various States which meet after the first day of January. Senators are now elected in November, and this change can now be made.

So, Mr. Chairman, I thought it was timely to take this opportunity of saying, that because of the preponderance of opinion over the whole country in favor of this proposed amendment we should take early action.

A certain clipping bureau found of the editorials from all over the country 97 per cent of the newspapers were greatly in favor of this amendment and are now demanding its adoption.

The vote taken two years ago showed that there was a good majority and the change of a few votes would have been sufficent for favorable action.

As chairman of the committee and acting under the orders of my committee, I am supposed to do everything possible to bring this proposed amendment to the floor of the House during this particular session. I do not want to be lax in my duty, and my chief motive in rising at this time, Mr. Chairman, is to say that this proposed amendment which has caused so much discussion, criticism, and ill feeling has been before our committee as filed by several Members, and that the Senate resolution has been before the committee at all times in the consideration of the question. Our own amendment we considered to be much better, and as it had been discussed here at so much length, we decided to introduce it in this session just as it was voted on by the House, obtaining a large majority therefor in May, 1928. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. MURPHY. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman and members of the committee, desiring briefly to supplement the able statement made by the chairman of the Committee on Election of President, Vice President, and Representatives in Congress, permit me to call your attention to some distinctive and controlling facts and dates.

The Congress of the United States convened in 1929, on April 15. That committee was not appointed or organized during the special session. It was organized on the 12th day of December, 1929. Up to that time there was no committee, with jurisdiction, to which there could have been referred a resolution touching the election of President of the United States or his succession or the beginning or ending of his term. Congress adjourned for the holiday season on the 21st of December, 1929, convening on the 6th day of the following January, 1930.

On the 13th day of January, 1930, Chairman GIFFORD called the committee together. There was a full attendance and an elaborate and complete discussion of the problems involved in the various resolutions and bills then before the committee, either these by due reference or as a physical fact; among these was Senate Joint Resolution No. 3. The difficult problem was to present a resolution which would appeal to the country, to another body, and would pass this body by a two-thirds majority. The time for mere gestures had passed. Authorships involving helps or handicaps were to be of less importance than results.

The distinguished chairman, a member of the committee for seven or eight years, was backed by four or five members who had served for a considerable time.

The membership of that standing committee was as follows:

Charles L. Gifford, Massachusetts; Randolph Perkins, New Jersey; Arthur M. Free, California; Frank L. Bowman, West Virginia; Charles H. Sloan, Nebraska; John L. Cable, Ohio; William I. Nolan, Minnesota; Vincent Carter, Wyoming; Lamar Jeffers, Alabama; Ralph Lozier, Missouri; Samuel Rutherford, Georgia; Patrick J. Carley, New York; D. D. Glover, Arkansas.

The first eight Republicans, the other five Democrats. It may be proper to say that in this committee since its organization there has been complete agreement.

This has been a mooted question for a number of terms and they were familiar with the demands of the country and the difficulties of presenting a bill and carrying it through the House of Representatives.

I raise no new question when I say that at the time I am covering there was considerable discussion before other committees, in the press and country, relative to the last two amendments which have been adopted by the Republic—credit and discredit being hurled at them, and their validity challenged. So it was not a popular proposition for the committee to undertake and evolve something that would pass the House by a two-thirds vote.

It might meet with the approval of a majority of the House, it might meet with the approval of the press of the country; but to obtain two-thirds majority of this great body, every man who is fairly well posted in political affairs knows it presents a difficult problem.

So the chairman ably brought before the committee the two commanding facts, the jurisdiction over which was being appealed to us for exercise. The more important was that which man can not control. The period at which our Congress shall end is fixed by the Constitution. The sectional views, distributed as they may be throughout the country can not change that. It is a fixed fact by the calendar and in the Constitution. It has served us well from the organization of our Government until now.

True, I believe the majority of the American people think that we should elect our Members of Congress so they will be more immediately responsive to American people than now waiting from November until the 4th of March for the presidential succession and for the activity of the Congress for 13 months.

The second proposition and most important, those changes and influences, including life, death, incapacity, and fickle public's facile whims.

Mr. KNUTSON. Will the gentleman yield?

Mr. SLOAN. I will yield to the gentleman from Minnesota.

Mr. KNUTSON. Does not the gentleman think that the provision to which he refers was put in for the special purpose of allowing the new Member to cool off and get back to the normal basis before Congress convenes?

Mr. SLOAN. Yes. Cold storage was not in vogue at that time.

Mr. KNUTSON. The gentleman will admit that the cooling process is not to be sneezed at.

Mr. SLOAN. As a conservative I quite agree with the gentleman.

Mr. SPARKS. Will the gentleman yield?

Mr. SLOAN. I yield.

Mr. SPARKS. At the time of the adoption of the Constitution when we were in an experimental stage, was not it necessary to take a longer time to figure out the proposed course of legislation than it has been when we have a definite course?

Mr. SLOAN. Quite true. That was an important fact. It was an important fact in reaching this seat of Government. Because the winds had to carry them up and down the ocean, bays, and rivers; while we have since that time railroad, steamboat, and airplane transportation. I think the country now believes that the period between the election and the activities of the President and the Congress should be materially shortened. What the country advisedly desires and which is in line with our representative government should be brought about and that through effective means.

But, as I said before, the old system has served us well, and in its continuance no great calamity could or did occur. A betterment, an improvement in our system, undoubtedly would follow the shortened period, but that was not the large consideration. The large consideration was that under our electoral system we are liable to have blocs instead of parties. There might be many candidates voted for under our electoral system. Many of those candidates may receive less votes than a majority and none more than a plurality.

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

Mr. MURPHY. Mr. Chairman, I yield 10 minutes more to the gentleman from Nebraska.

Mr. SLOAN. Take the situation liable to occur at any election. There may be four or five candidates for the Presidency and no one receive a majority. Disease may sweep away the man for whom a plurality of votes were cast. The hand of the assassin may dispose of the second. In that case, under our system, there is but one course. The third man receives the votes, and when the election is turned into the House of Representatives is, perforce, elected President of the United States. It could well be wrought out—and Heaven forbid that it shall—we might have three candidates for the Presidency—one a Democrat, one a Republican, and one might be an anarchist. He might carry one of the small States of this Union. He might have the balance of power. But whether he had the balance or more than that and yet less than the others, the hand of an assassin might wipe out the leader and the second. In that event, under our system, this anarchist would, perforce, be the President of the United States, because he would be the only one for whom votes could be cast in the House of Representatives.

Many complications may arise. It is providential that they have not arisen thus far. It is of prime importance that this committee should make provision for these contingencies. I was reluctant to take a place upon this committee for a number of reasons, but I felt that it was my duty upon request to do so, with the understanding that the day of gestures in improving the mechanism of our Constitution should terminate and that the House of Representatives, orderly body that it is, reaching for results and not for advertisement, should work out a system that might save this Republic from chaos at some of our future elections. [Applause.] With that in view, I have followed our chairman, who made it plain to us new Members that what should be done would be to bring before this House and the country the large and controlling reasons why we should construct and submit such an amendment. I ask the chairman at this point whether in the seven years of his experience there have been extensive hearings on this proposition?

Mr. GIFFORD. There have been.

Mr. SLOAN. It did not come to my special notice. The chairman of the committee called before that body the eminent men who had resolutions before that committee, including, among others, the gentleman from California [Mr. LEA], the gentleman from Missouri [Mr. ROMJUE], the gentleman from Ohio [Mr. CABLE], the gentleman from New York [Mr. LAGUARDIA], the gentleman from Wisconsin [Mr. BROWNE], and others, to present the merits of several resolutions.

As I understand it, the committee meetings were open not only to the membership of the House and all other persons interested but to the membership of any other body that might be in existence here or elsewhere.

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

Mr. SLOAN. Yes.

Mr. GIFFORD. Formerly there were very extensive hearings under the leadership of the American Bar Association, which for years has fought for the passage of this amendment. I would remind the House that this year, while we had fairly exhaustive hearings, we had before us a public document presenting the three days' debate. The dates of those hearings were advertised in the CONGRESSIONAL RECORD, so that if anyone wished to come before the committee he could know that it was his privilege and that the opportunity was offered.

Mr. SLOAN. There were hearings held for five different days, covering 123 pages of printed matter. After that was done the chairman appointed a subcommittee of three, made up of the gentleman from Missouri [Mr. LOZIER], the gentleman from West Virginia [Mr. BOWMAN], and myself, to review the evidence and present, not the LaGuardia, Browne, Cable, Lea, Romjue resolution, or any other particular one, but to present that which we were convinced would appeal to the membership of this House and stand the best show of being carried by a two-thirds vote.

Just as soon as I could get those men together we considered the evidence and came to agreement that the resolution which would most strongly appeal to the membership of the House and command the most votes was that upon which debate had been had for three days in 1928 and which received a very large and commanding majority, but not a two-thirds vote, as the Constitution requires.

There were no differences in that subcommittee except what little difference there was between the others and myself when I suggested that perhaps the resolution should be a little more explicit in extending the power to Congress to meet some of these contingencies that experience had not pointed out. I had consulted the legislative draftsmen on the subject. But I was convinced from their statements and agreed with them that our strongest position in this House was to take that which had been fully debated and present it to the main committee and let that committee recommend what was to be done.

There appeared before that committee the Chairman of this Committee of the Whole, the gentleman from Massachusetts [Mr. LUCE], whose legal learning and forensic abilities are unsurpassed in this House. It should be said—and I can say it in his absence—that for close reasoning and "luce" speaking our Chairman of the Committee of the Whole is without a peer.

Congressmen STOBBS, SEARS, LAGUARDIA, CABLE, LEA, Clerk Tyler Page, and others, 14 witnesses in all, made their views known to the committee and they were placed in the record.

Speaking of my own State, three Members beside myself, namely, SEARS, JOHNSON, and SIMMONS, either spoke or gave written statements or otherwise made their interest manifest.

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

Mr. SLOAN. If the chairman in charge of the pending bill has plenty of time, I should like another little section of eternity cut out for me.

Mr. MURPHY. I want to be courteous. The other side have four hours and five minutes. With the permission of my colleague, the gentleman from Missouri [Mr. CANNON], I will yield the gentleman from Nebraska five additional minutes.

Mr. CANNON. In view of the fact that the time is to be yielded to the gentleman from Nebraska, that will be entirely satisfactory.

Mr. SLOAN. I thank my chairman and the gentleman from Missouri.

I want to say that with all possible dispatch the subcommittee's report was made to the main committee. The main committee authorized the chairman to report the bill, and in my opinion it will receive vigorous support in this House.

I wish to speak of the reasonable speed that we made. We were not organized until December 12; our resolution was introduced into this House five days before criticism came from another quarter. I want to emphasize what the chairman has said about the Senate resolution, concerning which something had been heard. It was before our committee all the time, on a par with all the other resolutions that were being considered, so that each had its opportunity.

I desire to give to the country this significant fact: This resolution was reported to the House long before its calendar shall come. It has not lost a moment of time or one poor fraction of

proper speed. More than that, it is ready for application at any time to the Committee on Rules to be advanced; if that Committee on Rules, speaking for the majority of this House, grants our request.

Mr. LEA. Mr. Chairman, will the gentleman yield there?

Mr. SLOAN. Yes; I yield to the gentleman.

Mr. LEA. I want to take advantage of the opportunity that the gentleman has given me by yielding to compliment the committee for its sincere interest in these problems and its work in connection with them. For years your chairman has been a close student of this subject. It is easy to realize the importance of this legislation. It gives me pleasure to stand here to-day and pay a tribute, a well-deserved tribute, as I view it, to the committee and its chairman for their consideration of these problems.

Mr. SLOAN. I thank the gentleman. Concerning our chairman, I may say with the poet—

None know him but to love him,
None name him but to praise.

The compliment of the gentleman from California, a Democrat, is a high evidence of the nonpartisan work of this committee.

There are reasons why there has been delay in connection with this measure in other years. One is the flippant manner in which it has been referred to by its professed friends, making it more an object of derision than a great piece of constructive legislation. They call it the "lame duck" amendment. In harmony with that it was so referred to in another body, and that body accordingly referred it to the Committee on Agriculture, apparently on the theory that it concerned poultry. [Laughter.]

Mr. O'CONNOR of Louisiana. Mr. Chairman, I understood this was a privileged matter and therefore was not subject to the Rules Committee. Can the gentleman enlighten us upon that?

The resolution for an amendment to the Constitution is not a privileged measure under the House rules. A study of the hearings will show that men who favor this procedure have little sympathy with the "lame duck" designations. That derisive designation carries the implication that defeated Members of Congress in short sessions of Congress, after election are unmindful of their exalted duties and violate their trusts. As the average retirement every two years is about 15 per cent, and a large number of these are voluntary, and men either in defeat or voluntary retirement are just as liable to be pure patriots as those who succeed, the injustice will readily appear.

The committee took the view that now before either defeat or victory at the polls, all Members were and should be looking to their country's good and not to any transient distinction which might be attached to formal authorship. It is a fine tribute to the Members of the House, that not one has complained because his particular form of resolution was not selected upon which to go before the House.

A distinguished member of another body on an occasion outside of Congress said, "I have no reverence for the Constitution or any of its amendments." I do not agree. The Constitution and all its amendments have my reverence. Because, there is the symmetrical crystallization of the American will. It is the greatest prose document in the world since Holy Writ. Between its immortal lines is breathed the most magnificent poem of civilization. Catch its inspiring cadences and talk no more of the turbulent roll of Ossian or the majestic movement of Milton.

Its change should be wrought with a care and wisdom, matched only by the patriotism and zeal with which Americans will uphold and defend it.

Mr. MURPHY. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. LANKFORD].

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes.

AVIATION

Mr. LANKFORD of Virginia. Mr. Chairman and my colleagues, a few days ago I had the pleasure of accompanying a congressional party to Hampton Roads, Va., and witnessing the aeronautical exhibitions that were performed there. We had our eyes opened by the wonderful strides that have been made in aviation. As we stood on the deck of that giant carrier and saw the airplanes circle about and swarm in the air like a flock of ducks we marveled at the great efficiency that has been attained in the art of aviation.

I wish especially to comment on the efficiency of the personnel, from the admiral down to the men. As I stood there and saw that wonderful exhibition I felt like taking off my hat to the Wright brothers, who made all of this possible at Kitty Hawk, N. C.

I have filed a bill, H. R. 7722, which is now pending before the Military Affairs Committee, providing for the construction by the Secretary of War of a road from Cape Henry, Va., to Kill Devil Hill, N. C. This road, aside from its military value, will make accessible the memorial to the Wright brothers at Kill Devil Hill, N. C. This memorial is now cut off from approach by vast expanses of sand and water, and the roadway when completed will not only open up to thousands and hundreds of thousands who would do honor to the Wright brothers as the years go by by visiting the shrine of the first birdmen but will lead through a section rich in early historical events and unsurpassed in wild and natural beauty.

You have often heard the expression and perhaps as often used it, "If the hill will not come to Mahomet, Mahomet will go to the hill." On this roadway you will see a hill to-day that literally would have come to Mahomet, if he had waited at the right place and for a sufficient length of time.

The name of this hill is Kill Devil Hill, located at Kitty Hawk, N. C., a vast mountain of sand, 97 feet in height, covering 26 acres, and which has moved 500 feet in the last 30 years. It is a strange coincidence that at this spot, where man first learned to fly, that even the mountains moved and this mountain would have continued its impetuous flight had it not been made world famous by the Wright brothers as the scene of the first successful flight of man. Having become world famed it became necessary to check its flight. The War Department, through its engineers, has accomplished one of the novel engineering feats of all time. They have literally anchored and chained this moving mountain. She has reached her journey's end. One of my old friends, Herman Drinkwater, a resident of Virginia Beach, and familiar with the pranks of shifting sea sand from boyhood, aided in the practical work of anchoring this mountain, and I learned of his death a few days ago with deep regret. It has been chained by covering its sandy slopes with wood mould and planting over this native grasses and shrubs that hold the shifting sand better than concrete.

The recent stabilization of Kill Devil Hill, the world's most famous moving mountain, and the determination of Congress to use it as the base of a national memorial to the Wright brothers, has convinced me of the wisdom of connecting this memorial with civilization by means of a concrete roadway leading from Fort Story at Cape Henry, which protects the entrance to Chesapeake Bay, along the ocean front and over the narrow strip of sand beach separating Back Bay and Currituck Sound from the ocean to the memorial at Kill Devil Hill, a distance of 60 miles.

This short roadway covers the scene of three great first events in American history. First comes Cape Henry—at its northern end where still stands the first lighthouse erected in America, and the scene of the first landing of permanent settlers in America—the John Smith expedition on April 26, 1607. John Smith himself, it is true, did not land, for he was in irons for insubordination on the way over, but when the sealed orders from the King were opened, several days later at Jamestown, it was found that he was placed in command of the expedition. This spot is the scene of an annual pilgrimage held on the 26th of each April, attended by men of national prominence and thousands of visitors.

Another first event occurred at the southern end of this roadway, on Roanoke Island—the birth of Virginia Dare, the first white child born in America. At this point also occurred the mysterious disappearance of the lost colony in 1585—a colony sent over by Sir Walter Raleigh 22 years before Jamestown. Part of the colony was left on Roanoke Island and the ship returned to England for supplies. Sir Richard Grenville, the commander of the expedition became more interested in privateering than he was in his friends left in America, and when he returned three years later not a trace of them could be found—only the mysterious word carved on a tree "Croatan."

The third great event occurred at Kill Devil Hill near Kitty Hawk, the scene of the first successful and sustained flight of man, made by Orville Wright in 1903, which marked the beginning of man's conquest of the air. Even now in its infancy it has enabled him to span the oceans, circle the poles, and circumnavigate the earth.

Along the brief span of roadway will be seen myriads of wild fowl in their native element, bent and twisted pines, lashed by northeast gales, spreading their limbs toward the land as if seeking protection from the fury of the gales, ever-changing colors of sand and sky, each scene an inspiration for the artist and lover of nature. Along this route was the haunt of Blackbeard, the most famous and ruthless of pirates; it is said that Nags Head, near Kitty Hawk, received its name from the practice of these buccaneers in tying a lantern on a horse's head and driving him along the beach to lure vessels to their doom. I have personally dug out of the sands in this barren area a tombstone bearing the date 1736, showing that it was occupied at that time by perhaps fisher folks by day and pirates by night.

At Virginia Beach, one of the most beautiful resorts on the Atlantic coast and connected by concrete road with Washington, can be found wonderful surf bathing, perfect golf, fishing, and ample accommodations; a duck hunter's paradise in winter and a haven of rest and recreation during the entire year; and within 50 miles lie Jamestown, Yorktown, Williamsburg, and Hampton Roads, the scene of the first conflict between ironclads—ironclads that perhaps in another generation will be singing their swan song to the hawks of the air, first flown by the Wright brothers at Kill Devil Hill.

Let me quote an account of the first flight given by Capt. William J. Tate, a former Coast Guard and eyewitness to the event:

At last the decision and the final hour arrived, and in the presence of J. T. Daniels, W. L. Dough, A. D. Etheridge, three members of the near-by Coast Guard station; W. C. Brinkley, of Manteo, N. C.; and an 18-year-old boy, John Moore, of Nags Head, N. C., the machine was taken out of the hangar and placed upon the track on the level plain near the hangar; the motor was started and allowed to run and warm up; Orville Wright stepped into this new vehicle, confidently took hold of the controls, clipped the restraining wire, and the machine began to run along the track. After a 40-foot run it arose of its own power in free flight, soared along a distance of 120 feet from where it left the ground, and alighted without mishap. Thus the most epoch-making event of all the human ages was accomplished.

Since this spot on which was achieved man's ambition to master the air and of which he has dreamed since time began will become more and more famous as time goes by and will become a mecca for generations yet unborn of those who would do honor to the first birdmen, it may be interesting to mention the manner in which these points, Kitty Hawk and Kill Devil Hill, received their unusual names. Of Kitty Hawk it is said that the Indian name for goose was honk, and in describing the period of a year to the early English settlers the Indians described it as from "Killy honk to killy honk," meaning from the time the first goose was killed in one season to the first in the next season was a year. This name now has geen gradually changed to Kitty Hawk. However, some of the old deeds on record to-day describe this area as Killy Honk.

As to Kill Devil Hill it is said that after the days of piracy, and when underwriters came into existence, watchmen placed on the beach to guard salvaged cargoes reported to their employers that during the night the devil walked off with bales of goods. A particularly shrewd watchman was employed, and one night he saw a bale of goods moving off apparently of its own accord. He investigated and found a rope attached to the bale, and following it for some 100 yards he discovered a man on a beach pony dragging it away. He reported to his employers the next day that he had killed the devil. Since that time this hill has been known as Kill Devil Hill.

Since time began man has longed for and dreamed of the conquest of the air. Icarus, in Greek mythology, sought to accomplish it with wings attached to his body by wax, but when he flew too near the sun he did a tail spin; Pegasus, the winged horse of Bellerophon, was the next dream of the ancients, and the dreamer came nearer to the truth than he knew, for there is a marked similarity between the ancients' conception of a winged horse and the metal-winged horse with which Colonel and Mrs. Lindbergh crossed the continent a few days ago.

But it remained for two quiet, determined American dreamers to make these dreams come true, and Orville and Wilbur Wright did this on December 17, 1903, at Kill Devil Hill, Kitty Hawk, N. C.

In conclusion, my colleagues, on the board outside the Chamber, there is a map giving a description of this entire territory and showing the course of the road. If you have an opportunity, I hope you will examine it before you leave. [Applause.]

Mr. CANNON. Mr. Chairman, I yield 35 minutes to the gentleman from Missouri [Mr. LOZIER].

PHILIPPINE INDEPENDENCE

Mr. LOZIER. Mr. Chairman, without further quibbling, equivocation, or delay the United States should grant unconditional independence to the inhabitants of the Philippine Islands. From every worth-while standpoint our national interests will be promoted by a speedy withdrawal of our sovereignty from these far-off Asiatic possessions. By the fortunes of war into which we were reluctantly drawn, these islands with their millions of brown-skinned men and women were left on our front doorstep. They are not the fruits of a war of conquest, or for territorial expansion, or for national aggrandizement. They are the residue of an adventure in the initiation of which we were undeniably actuated by altruistic, unselfish, and humanitarian motives. We assumed sovereignty over the Philippines only because American statesmanship could devise no scheme compatible with our national honor to avoid taking them, but at the time there was no substantial national sentiment in favor of permanently retaining them as provinces, admitting them to our sisterhood of sovereign States, or keeping them for all time under our flag. Subsequently, by a solemn legislative declaration, we, in no uncertain terms, made known to the world our deliberate purpose to grant full and complete independence to the Philippines.

If we were sincere in our professions, if the sentiment and wishes of the great majority of the American people are to be respected, if our solemn covenants are to be fulfilled, if our promises are to be 100 per cent performed, and if we are to keep faith with our own conscience, we should get out of the Philippines, for we must admit that we are now holding these islands not as owners but as trustees under an express trust, the plain terms of which not only permit but require us to withdraw from these regions in the Far East, over which an inscrutable Providence gave us temporary control. [Applause.] Moreover, this is not a dead, dry, passive, or inactive trust; it is not merely an implied, resulting, or constructive trust; it is a direct, express, and active trust, the clear intent, purpose, and provisions of which will never be consummated and in good faith performed until we grant the Philippines unconditional independence.

My conclusions have not been hastily formed. My zeal for Filipino independence is not of recent birth. I am not in any way or to any extent influenced by economic problems that have recently arisen in reference to tariff duties on imports from the Philippines. Nor am I moved by any selfish, sordid, or sinister appeal, or narrow nationalism. In framing the pending tariff bill we have been brought face to face with certain perplexing problems that tremendously emphasize the wisdom and necessity of our withdrawing from the Philippines in order to preserve some of our domestic commodity markets for the American farmer. These markets are now savagely menaced by imports of agricultural products from the Philippines. For economic reasons, the arguments in favor of relinquishing the Philippines are not only convincing but irrefutable. Undoubtedly the financial interests of the American people as a whole will be conserved and promoted by a speedy severance of our present relations with our insular wards. [Applause.]

But I do not predicate my demand for Philippine independence primarily on economic grounds. To my way of thinking these economic reasons are quite convincing, but they are not the prime factor in the equation. There are more persuasive and compelling reasons why we should heed this fervent prayer for independence. There are moral and ethical reasons that appeal mightily to the minds and consciences of men; reasons that are founded on solemn covenants and involve not only our national interests but our national honor; reasons that underlie and spring from a safe and sane national policy; potential reasons that have existed ever since we took over the Philippines following the treaty of Paris, which ended the Spanish-American War, and which reasons, with the flight of time have grown stronger and stronger, and each year make our stay in the Philippines more hazardous and indefensible.

A proper solution of the Philippine problem involves not only our own national interests and national dignity, but the destiny of more than 12,000,000 men and women, who in 1898 by the fortunes of war came under our flag and sovereignty. In this, and in subsequent addresses, I propose to analyze the Philippine situation, review the circumstances surrounding our assumption of sovereignty, consider the principal arguments against Philippine independence, and present some of the compelling reasons why we should speedily end our Philippine experiment.

Obviously it will serve no useful purpose to detail the events that culminated in the Spanish-American War, and which marked the passing of the last vestige of Spanish authority in the Orient and in the western world. It is sufficient to say this war involved primarily the problem of freeing Cuba from Spanish misrule, and was the inevitable fruitage of centuries of cruelty and oppression of her colonies by Spain. What a brilliant and glorious, yet cruel, bloody, and gruesome page Spain has written in the history of the western world. Controlling at one time the major portions of the continents of North and South America, for centuries the unchallenged mistress of the sea, rich and respected at home and abroad, for centuries the paramount power of Europe and the world, yet by shortsightedness, misrule, unspeakable tyranny, and pitiless exploitation, she lost all of her oversea empires, which in potential and actual wealth, staggered human comprehension and surpassed the most fantastic dreams of avarice. For a long time after Spain had been shorn of her other dependencies, she managed to hold Cuba, Porto Rico, and the Philippines, and, by the exercise of moderation, her sovereignty over these princely possessions might

have been prolonged indefinitely. But Spanish Bourbons, learning no lesson from their inglorious and melancholy experiences, selfishly continued to exploit and rule these colonies by methods typical of medieval absolutism.

The Philippine Islands, the largest group of the Malay Archipelago, were discovered in 1521 by Magellan, a Portuguese mariner in the service of Spain, and conquered by Spain in 1565, under the reign of Phillip II. Thus for more than three centuries the Filipino race lived under the baneful and depressing shadow of Spanish autocracy. The story of this people is one of the most pathetic in modern history. But an unfathomable Providence, with the slow-moving shuttle of destiny, was silently weaving a web of events that in the fullness of time would emancipate this enthralled race from age-long servitude.

Destiny imposed on the United States the unsought and unwelcome task of terminating the intolerable conditions in Cuba, and we found ourselves at war with Spain. In a surprisingly short time our Navy destroyed or drove the Spanish Fleet from the seven seas and our Army, composed largely of volunteers, carried our flag to a speedy and decisive victory. The valor of our military and naval forces in the Spanish-American War, as in all other contests in which we have engaged, brought to our soldiers, sailors, and marines imperishable glory.

Defeated on land and sea, the proud house of Asturias sued for peace. Spain, having by centuries of misrule, inexorable exploitation, and pitiless oppression forfeited her right to longer retain these rich insular possessions, and as an inevitable result of our victories, the United States assumed control of these islands and their many millions of inhabitants, not as chattels or pawns or as our absolute property, but we accepted them in trust, to keep or dispose of them in due time and in such manner as would best promote our and their national interests and honor.

While no other course was open to us, the assumption of sovereignty over these islands, marked a radical departure from our traditional policy. As modified by twentieth century conditions, the Monroe doctrine embodies our one outstanding national policy, which, with the approval of our people for over a century, has become a part of our accepted national creed. By that epoch-marking declaration, we, in effect, erected a barrier around the Western Hemisphere, and served notice on the greedy nations of the world that in their lust for power, and in their ambition for national aggrandizement and territorial expansion, they must not attempt to break through, tunnel under, or climb over this wall, which marked a sphere in which our interests and influence were paramount.

When fairly construed and intelligently applied, the Monroe doctrine means that, we will permit no European or Asiatic nation to acquire territory in the Western Hemisphere, because such acquisition might menace our interests and impair our influence as the dominant power in the western continent, and in consideration of other nations being excluded from the Western Hemisphere, we in turn, impliedly agree not to menace the security of other nations, by acquiring territory and establishing outposts in the Eastern Hemisphere where their interests and influence are predominant. If we, in order to safeguard our national interests, forbid European and Asiatic nations acquiring territory in the Western Hemisphere, where our interests are undoubtedly peculiar and preeminent, how can we consistently invade the Eastern Hemisphere and establish dependencies in regions where the interests and influence of other nations are paramount? [Applause.]

By announcing the Monroe doctrine we served notice on foreign nations that were annexing territory in strategic positions throughout the world, that they must keep their hands off the continents of North and South America and islands in adjacent waters. To justify and enforce this policy and be consistent, we are morally obligated not to acquire and hold far-distant territory in regions where other nations, by reason of their location, have a vital, peculiar, and preeminent interest. From the birth of our Nation there has been an overwhelming sentiment among our people to confine our activities to the western world, and to limit our territorial expansion, if any, to the areas within the walls, which we, by the Monroe doctrine, have thrown around the Western Hemisphere.

The American people have never given any mandate for the permanent retention of the Philippines, or sanctioned a policy that would make us a "Pacific power," as that term is now understood, or involve us in the complex Far East problems and intrigues, that must inevitably grow out of our permanent, or even protracted control of the Philippines. We are not an "empire-minded" people. We accepted these rich insular possessions, not gleefully, but because it was unthinkable that the astucious Spaniard should continue longer to exploit them, and because there was nothing else for us to do but to take them. But there has never been a substantial national sentiment in favor of permanently retaining them.

In unequivocal language we have proclaimed to the world that we were not permanently annexing these islands, that we had no thought of retaining them as colonial possessions, or incorporating them as integral or inseparable units of our Federal structure. In presidential messages, in congressional debates, from platform, forum, pulpit, and press, we, with seeming sincerity, announced to the world that our stay in the Philippines would be short, and that independence would be granted as soon as the inhabitants were capable of self-government. This did not mean that independence would come only after decades, generations, or centuries of tutorage under American Governors General, American Congresses, and American Presidents; nor that we would measure their capacity for self-government by such a high standard, that they could not possibly hope to meet our arbitrary and self-serving requirements.

Who will challenge the sincerity of our Government and the good faith of the American people when we assured the inhabitants of the Philippine Islands that we would grant them independence at no distant date? The rank and file of our citizenry, the great mass of right-thinking, right-living men and women in the United States are not to blame for our failure to keep faith with the inhabitants of the Philippines. The responsibility rests with Congress and our Presidents, who have sacrificed duty on the sharp edge of expediency, beguiled by the sophistry of those who for selfish ends have ceaselessly preached the spurious and sinister gospel of procrastination; who deep down in their hearts want us to permanently retain the Philippines, or prolong our stay there indefinitely, for the financial gain that would accrue to a very small group of our people interested in trade and commerce with these islands.

By longer listening to the siren son of those who dream of territorial expansion in the Orient, we will dull our national conscience, violate our national covenants and impair our prestige as a fair dealing, square-shooting, and self-respecting nation. In meeting this issue let us not be constrained by fear, swayed by passion or false pride, intoxicated by the hope of financial gain, misled by prejudice, or seduced by ambition. But let us cling tenaciously to the faith and ideals that actuated our far-seeing constitutional fathers when they wrote our national creed, formulated our safe and sane national policies, marked out our national trails and established our national landmarks.

Vain and fruitless will be our triumph at Manila, Santiago, and San Juan, if the pæans of victory are disturbed by the unanswered prayers of a captive race. Disappointing will be our songs of exultation if their echoes are mingled with the pathetic voices of millions of brown-skinned men and women reproaching us for not having kept faith with them. The policy I advocate may mean less territory and a few less dollars to a few Americans, but it will earn the lasting good will and benediction of liberated millions, ease our national conscience, fulfill our national covenants, and demonstrate to the world that our Republic will keep its promises, and be not only just, but generous in its dealings with an humble but deserving race that was cast into our lap by inexorable destiny and the whirligig of war.

Mr. LEA. Will the gentleman yield?

Mr. LOZIER. I yield.

Mr. LEA. I take it that the gentleman from Missouri [Mr. LOZIER] thinks we should free the Philippine Islands on the basis of keeping faith with a promise. Would the gentleman be in favor of their independence for that reason alone at this time?

Mr. LOZIER. I will say to my friend from California that it is undeniably our duty to keep faith with the inhabitants of the Philippines and fulfill in letter and spirit our promise to grant them independence. This promise, standing alone, would be a sufficient reason why the Congress of the United States should grant full and complete independence to the inhabitants of these islands, but there are many other reasons which appeal very strongly to the mind and conscience of the American people, which support and buttress the arguments in favor of relinquishing these Asiatic possessions. There are financial reasons, economic reasons, strategic reasons, and many other reasons why our permanent or protracted stay in the Philippines is unwise and, in my opinion, dangerous to our national interests. Undeniably we should keep faith with the Philippines and grant them the promised independence.

Mr. LEA. From the standpoint of keeping faith with that promise, what does the gentleman think that promise required, so far as time is concerned?

Mr. LOZIER. Our promise, not only implied but expressed, was to withdraw from these islands as soon as the inhabitants

were capable of self-government, or, to express it in another way, when they shall have established a stable government. This did not mean that they were to wait decades, generations, or centuries, or that they would be denied independence until they had acquired as much genius or capacity for self-government as the American people claim to possess. A reasonable construction of our promise is that we covenanted to withdraw our sovereignty as soon as the inhabitants had created a stable governmental structure which would be conclusive evidence of their capacity for self-government.

Our promise did not imply that we would measure their capacity for self-government by American or European standards, or that they had to establish and maintain as efficient and stable a government as that of the United States; and it was never understood that their government should be in all respects a duplicate of ours. The only conditions we imposed were that the native inhabitants were to establish and maintain a republic or representative form of government suitable to their needs, in harmony with their environment, and which would promote the interest and welfare of the population as a whole.

Mr. GUEVARA. Will the gentleman yield?

Mr. LOZIER. I yield to my friend, the honorable Commissioner from the Philippines.

Mr. GUEVARA. I wish to correct the statement that the promise to grant independence to the Philippine Islands is predicated upon the capacity of the people of the Philippine Islands for self-government. The only condition required, previous to the granting of independence, was that as soon as a stable government is established in the Philippine Islands then independence shall be granted to the Philippine Islands.

Mr. LOZIER. Answering my friend from the Philippines, I will say there is no disagreement between his and my construction of our obligation under our promise to grant independence to the Philippine Islands. We have promised this independence as soon as the inhabitants have established a stable government for the administration of their domestic and ultimately their international affairs, which is tantamount to saying that independence will be granted as soon as they are capable of self-government. I contend that that time has already come, and there is no substantial reason why they should longer continue under our trusteeship.

In this connection I want to say that the Filipinos have established and are now maintaining an efficient and stable government for the administration of their domestic affairs, 98½ per cent of all the civil officers in the Philippines being native inhabitants of those islands. The Filipino race has made marvelous progress in education, culture, social and civic affairs, and in the science of government in the last generation. They have demonstrated beyond the peradventure of a doubt that they have a genius for government. They are progressive and ambitious and animated by passion to qualify themselves for the duties and responsibilities of life and to have a part in the world's work and accomplishments.

Mr. LEA. I do not want to press the gentleman unless it is entirely agreeable to him.

Mr. LOZIER. Go ahead. I am glad to yield to the gentleman from California, who is always interesting and well informed, and who always contributes something worth while to every debate in which he participates.

Mr. LEA. Is it the gentleman's judgment that the Filipinos having established the reputation of having a stable government, we are now called upon to free them?

Mr. LOZIER. Undeniably, yes.

Mr. LEA. Assuming we have reached that conclusion, how soon does the gentleman think freedom should be granted?

Mr. LOZIER. We should withdraw our flag from the Philippine Islands just as soon as the inhabitants have created a republic or governmental structure patterned in a general way after our scheme of government. By this I mean that we should release these islands without unnecessary delay, within the next few years, and just as soon as they can rear a stable government. To do this, ample notice should be given to the inhabitants to the end that they may be advised as to the proposals and have a voice in formulating the institutions under which they are to live and work out their racial and national destiny. Ample time should be allowed for the selection of delegates to a constitutional convention, and all inhabitants, including all racial groups, should be given fair representation in that convention.

The members of this convention should proceed deliberately in writing the constitution of the Filipino republic, which, when completed, should be submitted to the inhabitants for ratification. While unnecessary delay should be avoided, ample opportunity should be allowed for full and free discussion, to the end that the organic act may reflect the wishes of the inhabitants. It is only necessary to delay our withdrawal long enough to allow the inhabitants, by the exercise of reasonable care and diligence to set up a governmental structure with which to take over the responsibilities and burdens incident to a self-governing state.

I am not able to state dogmatically just how long this would require, but, in my opinion, not more than five years would be required to formulate their scheme of government, write their constitution, and enact the necessary statutes to enable the inhabitants to take over the exclusive management and control of their domestic and international affairs.

Judging the future by the past, the inhabitants will be amply able to rear and maintain a stable republican form of government, and I believe the United States should proceed upon the theory that not more than five years will be required to enable the native inhabitants to set their house in order and be in a position to take over the administration of their own affairs.

In the last 30 years the Filipino race has made marvelous progress in education, the arts, and the science of government, and has developed a remarkable genius and capacity for politics and efficient administration of public affairs. The advancement of the Filipino race in the last three decades has no counterpart or parallel in the history of the world, considering that Spain never shared with her subjects the duties and responsibilities of government.

Mr. LEA. Assuming that period has arrived and we grant them full independence, what, if any, further obligations does America owe to the Philippine Islands different from any other nation?

Mr. LOZIER. It is my purpose to discuss this phase of the problem in a subsequent address. But for the information of my colleague and others I will take this occasion to say that our future attitude toward the Philippines after their liberation is a matter to be considered by the Congress as we approach the time when we will sever our present relations with our insular wards. In relinquishing the Philippines I believe we should make known to the world that the United States will not stand by and permit any other nation to make a war of aggression on the Philippine republic. I do not think that there is any danger of any European or Asiatic nation attempting a conquest of the Philippine Islands after the withdrawal of our flag.

I am further convinced that the great nations would willingly enter into a covenant for the neutralization, integrity, and independence of the Philippine Islands. The gentleman from California has raised an interesting question which I hope to discuss in detail in a subsequent address.

Mr. SLOAN. Will the gentleman yield?

Mr. LOZIER. I yield to my friend, the gentleman from Nebraska.

Mr. SLOAN. In the proposition to grant them full independence, does the gentleman's plan include all the islands and all the people, whatever lines of demarcation there may be among them, or is it to be limited territory and limited peoples or tribes, and I say that with the utmost respect for them?

Mr. LOZIER. Answering the gentleman from Nebraska, I will say that these 7,000 and more islands were intended by Providence to constitute one great state, and to have an important part in the development of the Orient. Practically all of the inhabitants belong to the Malayan race, although, of course, there are different tribes, dialects, and, I may say, groups of different or uncertain racial origin. But there is a similarity and cohesiveness which will justify the incorporation of all these islands and all these inhabitants in one nation. But in framing their organic act the rights and privileges of each and every racial group should be amply protected, to the end that all may enjoy the benefits and blessings of free government and have equality of opportunity.

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

Mr. SANDLIN. Mr. Chairman, I yield the gentleman from Missouri 10 additional minutes.

Mr. LOZIER. Since the dawn of civilization, since the historic muse began to keep a record of all the dark hand of destiny weaves, can you point to many instances where a king or commonwealth has freely and willingly, without compulsion or adequate compensation, given up power, dominion, or territory, or restored independence and self-government to a conquered nation or subject race? When in all the annals of time has any nation voluntarily or without remuneration surrendered the fruits of conquest or rich possessions acquired by the fortunes of war?

The outstanding exception to this almost universal practice is found in the action of the United States Government, after the Spanish-American War, in giving Cuba independence and in solemnly promising autonomy to the Philippines. To this policy we were morally committed before we entered the war

that destroyed the last vestige of Spanish power in the Western Hemisphere. This pledge was made in good faith and not with crossed fingers. It had and has the sanction of the enlightened sentiment of an overwhelming majority of the American people. This solemn covenant is but half fulfilled. We have kept faith with the Cuban people, but our promise to grant the Filipinos independence is as yet unperformed. This obligation can not be evaded without a sacrifice of our national honor. By no process of reasoning, by no refined sophistry or doctrine of expediency, by no consideration of self-interest or financial gain, can we justify further delay on our part in keeping faith with our conscience and fulfilling our pledge to the Philippine people.

Mr. LEA. Will the gentleman yield?

Mr. LOZIER. I yield.

Mr. LEA. With reference to your statement that in consideration of our excluding European and Asiatic nations from the Western Hemisphere we are morally obligated not to invade the Eastern Hemisphere and establish dependencies in regions where other nations, by reason of their location, have a paramount interest, is there not this distinction? When we went to take the Philippines we did not invade or violate any rule established by the oriental countries so far as territorial relationships were concerned.

Mr. LOZIER. I do not contend that when we took over the Philippines we violated the legal right of any Asiatic nation or disregarded any announced policy of any nation in the Orient, but I assert that such action on our part violated the fundamental principle on which our Monroe doctrine is based. This doctrine is bottomed on the proposition that the United States is the dominant power in the Western Hemisphere; that by reason of our location we have a peculiar and paramount interest in the national life of North and South America and adjacent islands, which interest would be injuriously affected and seriously menaced if European or Asiatic nations should acquire territory in the Western Hemisphere and establish dependencies in our front or back yard.

That these nations, by acquiring territory in the Western Hemisphere, would thereby acquire a special, peculiar, and vital interest in affairs that are essentially Pan American, and sooner or later the interests of these nations, functioning through their American dependencies, would conflict with our national interests. They would automatically become our rivals and challenge our preeminence as the dominant power of the western world.

Once intrenched in North and South America, the influence of these Asiatic and European nations in purely American affairs would be tremendously augmented and precipitate intrigues and rivalries, now so common in Europe. If we are consistent, and if we honestly believe in the philosophy on which we predicated the Monroe doctrine, we can not logically invade the Eastern Hemisphere and establish dependencies which would make us an Asiatic power and inevitably embarrass or threaten the interests and influence of other nations in that remote region, and involve us in the complex Far East problems and intrigues.

There is the same reason for the Asiatic nations to declare an Asiatic Monroe doctrine, or for the European nations to declare a European Monroe doctrine as there was for the United States to promulgate our traditional Monroe doctrine.

If we can invoke this policy against Europe and Asia, by the same token the nations of those continents can invoke the same principle or policy against us. The Asiatic and European nations, in ethics and morals, have as much right to embarrass us by establishing dependencies in the Western Hemisphere as we have to embarrass them by establishing dependencies in the Orient. It is a poor rule that will work when we want protection from a possible danger, but which can not be invoked in fairness and justice against us by other nations that are interested in being protected from an invasion by us of their spheres of influence.

To speak frankly, we have no business in the Orient, and the sooner we relinquish the Philippines, the better it will be for us and for the Philippines.

By permanently holding the Philippines we violate the spirit and the principle upon which the Monroe doctrine was founded. We are undeniably inconsistent, if we, by the Monroe doctrine, throw a barrier around the Western Hemisphere and deny to other nations the privilege of acquiring territory within this area, because such acquisition might impair our interests and jeopardize our national security, and then ignore this principle and policy by invading the Eastern Hemisphere and establishing dependencies and outposts in regions where other nations, by reason of their location, have a peculiar and paramount interest.

Most persons who oppose immediate or early independence for the Philippines, predicate their opposition on the claim that the inhabitants are not yet qualified for self-government. By whose yardstick and by what standard are these qualifications to be measured? Must the Filipino have the same genius and capacity for self-government that we Americans are supposed to possess? Shall we demand that the Filipino demonstrate his capacity for self-rule before he has been given a fair trial and had an opportunity to prove his aptitude for efficient management of his own domestic and international affairs? Every race must crawl before it can walk, and it must walk before it can run. Efficiency in the administration of a government is the fruitage of opportunity and experience. Every great nation has passed through periods of infancy and adolescence. The capacity of the Filipino for wise and efficient self-government, which has already been developed to a remarkable degree, will improve as they take on themselves exclusively the burdens and responsibilities of enacting and administering their own laws. Talents grow with use. Skill in governmental matters will come with experience.

The realization by a people that they are free; that they are privileged in their own way to work out their own destiny; that they have no masters but their constitution, their laws, their conscience and sense of right; that they must solve their own problems, develop their own culture, rear their own institutions, enact and administer their own laws, and develop their own civilization, will sober them, inspire them, strengthen them, incite their patriotism, arouse their interest in public affairs, give them poise, discretion, and conservatism, and develop their faculty and talents for governmental affairs, which can never come to a people held in bondage, and on whom the duties and sole responsibilities of government have never been placed.

I have watched with interest and admiration the progress of the Filipino race since these islands came under our sovereignty, and in all the annals of time no record can be found comparable with that of the Filipinos, who, emerging from more than three centuries of pitiless oppression, quickly learned the ways of the western world, developed a passion for education, exhibited remarkable genius for governmental affairs, and proceeded to establish a culture and civilization suitable for their needs and local environment, all of which justify the opinion that this hitherto backward race is undoubtedly destined to play a prominent and important part, not only in the development of the Orient, but in the history of the world. [Applause.]

And the United States, as the outstanding Republic of the world, should ungrudgingly keep faith with these generous and confiding people and fulfill the promise that we have made to them in letter and spirit.

Our permanent or protracted stay in the Philippines is pregnant with very mischievous consequences. The lust for power is reprehensible when displayed by a monarchy, but it is especially odious when manifested by a republic and garbed in professions of sincerity and disinterestedness. It is a serious act for any nation, especially a republic, to throw itself across the path over which 12,000,000 people are traveling toward self-government, thereby blocking their progress. Only under the benign influence and stimulation of self-government, can any race capitalize its physical, intellectual, and spiritual powers, and reap the bountiful rewards Providence has ordained it should enjoy.

In the time at my command to-day, I have only been able to present a few preliminary observations on the Philippine problem. From time to time as I may find opportunity to be heard, it is my purpose to discuss every phase of this question, in the hope that I may contribute something to a speedy and just solution of what I consider one of the most important issues now confronting the American people. [Applause.]

Mr. SANDLIN. Mr. Chairman, I yield now to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Chairman, I ask this time in order to correct what perhaps is a wrong impression gained through the question I asked of the gentleman from Missouri [Mr. LOZIER]. I agree with the gentleman that the United States should keep its promise to the Philippines, and keep that promise in good faith. I do not agree with him that there is any injustice to oriental nations by the United States being in the Philippines. If there is any injustice in our remaining there, it is an injustice to the Philippine people and not to other Asiatic countries.

Mr. SANDLIN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CULLEN].

UNEMPLOYMENT

Mr. CULLEN. Mr. Chairman and members of the committee, we are nearing the end of the second session of the Seventy-first Congress, and it is high time that we pause to review the business and labor situation of our country at this time fairly and

impartially, so that we may take back to our people some effective plan for relieving the present unemployment situation.

Senate bills 3059 and 3061, introduced by Senator WAGNER, of New York, to remedy unemployment were reported favorably by a unanimous vote of the Senate Committee on Commerce after an executive session held on April 3, and on April 30 were passed by the Senate and sent to the House. The Wagner bills provide for more comprehensive unemployment statistics, and for long-range planning of public works for the purpose of offsetting cyclical unemployment. A third bill, S. 3060, which provides for cooperation of Federal and State governments in the establishment of employment agencies, has been held up temporarily at the request of the National Association of Manufacturers to allow them to file a brief with the committee in regard to the bill.

We can not overlook the importance from a practical point of view, a means of ascertaining the extent of the distressing unemployment in the country at this time. As the result of the apparent indifference and shortsightedness of many men in public life, they find themselves to-day in a maelstrom of recrimination due to exaggerated guesses of unemployment. The arbitrary figures in regard to the number of people out of work and the Government's lack of any comprehensive statistics to show the present number of unemployed workers has been the result of a serious disturbance throughout the Nation, and it seems to me that Congress should throw its full and immediate support behind the Wagner bills, which will undoubtedly help to relieve the present period of depression, which has been so disastrous to capital and labor.

The first of the Wagner bills provides for an expansion of the Bureau of Labor Statistics that would permit it to gather figures on unemployment of a far more comprehensive character than those on which it must rely at present. The second would put in practice the policy of planning ahead for public projects, including river and harbors improvements, flood control, public buildings, and highways, so that work on any or all of these might be accelerated immediately when depression threatens the Nation. I believe that this legislation proposed by Senator WAGNER is sound in principle and should lead to immediate legislative action by Congress.

Let the Congress not forget that a warning against the possibility of trouble was issued a few days ago by William Green, president of the American Federation of Labor. His statement is deserving of our closest attention, when we consider that Mr. Green is one of the world's most conservative labor leaders, and incidentally one of the bitterest opponents of any type of red movements. When such a man speaks of the possibility of trouble as a result of widespread unemployment and hunger, it is time for Congress to take some definite action.

In urging the passage of the Wagner series of unemployment bills, Mr. Green stated to the Senate committee:

> Our people should be given the opportunity to earn money and not have it doled out to them without labor in return.

He further stated that—

> Unless employers change their tactics toward the unions we shall face either Federal unemployment insurance to take care of the jobless or have a revolution to contend with.

What has caused a conservative type of man like Mr. Green to issue such a statement? His answer in the form of statistics shows that one in every four men unemployed this winter; almost half the men in the building trades unemployed; an estimated national total of 3,700,000 men out of work in the country during the month of February, with a loss in wages of $400,000,000 for that month alone.

That nonunion labor has fared even worse seems to be indicated by the Federal Reserve Board production statistics just announced. Taking three outstanding unorganized industries, the automobile production index fell from 148 in February, 1929, to 103 in February, 1930; iron and steel from 128 to 118; textiles from 113 to 98, while industrial production as a whole dropped from 117 to 105.

The number of commercial failures in March was the largest since 1922, according to Dun's Review.

With the possible exception of the American Federation of Labor, the New York State Industrial Commission has probably the most complete facilities for obtaining data on unemployment of any organization in the country. Testifying before the Senate Commerce Committee on March 21, Miss Frances Perkins, New York State industrial commissioner, said that unemployment conditions in New York, the largest industrial State in the Union, were the worst in more than 15 years; that appeals for charity had increased 200 per cent in the last six months, the increase coming from persons normally employed; and that conditions were "striking and shocking."

Bread lines and soup houses were common sights in every important industrial center in the country. In New York City lines of hungry and destitute line up daily, two and three blocks long, at these bread and soup houses. The famous Little Church Around the Corner in New York established a bread line for the third time in its existence of approximately 80 years.

Governor Roosevelt, of New York, said in a statement that, while there is likely to be some easing of the unemployment situation with the coming of spring, it will not be sufficient to restore normal employment so necessary for stable business, and that if plans are not made now the slump of the autumn and winter of 1930–31 will be more distressing than ever.

The governor has taken the bull by the horns and has appointed a special committee of business men and labor representatives to work out such practical methods as can be devised for the future control of unemployment.

Ladies and gentlemen, in closing my remarks I wish to say to you that if it were not for the bread lines, the lodging houses, and the many charitable organizations the misery of the most serious unemployment crisis in many years would be even greater. In this crisis it appears to me that the Congress has been delinquent. Work must be created in such emergencies. It can only be created by united action of the Congress. It is a reasonable function of a humanitarian Federal Government to help provide or at least stimulate the leadership for united action to alleviate the existing privation and suffering of the horde of unemployed.

We have a wealth in dollars undreamed of and a staggering array of physical plants and vast natural resources, and it seems to me that the Congress should pledge itself to put forth its best efforts to keep our own people and our Nation prosperous, so that everyone may have an equal opportunity to be steadily employed at a living wage, and it is my sincere hope that the Wagner bills now before the Congress shall pass and become law before this session adjourns. [Applause.]

Mr. SANDLIN. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. HILL].

EXPORT DEBENTURES

Mr. HILL of Washington. Mr. Chairman, the export debenture with organized agriculture under the agricultural marketing act would give protection to the producers of wheat and other surplus crops that can not be protected by tariff duties. The Senate put the debenture into the tariff bill by an amendment. If the House had accepted this amendment, the export debenture would become a part of our protection policy. On Saturday, May 3, the House had the debenture amendment up for consideration. As a member of the Ways and Means Committee, and favoring the debenture, I moved that the House concur in the Senate amendment and led the fight for the debenture plan. We made the hardest and best fight possible for it against the powerful forces of the administration leaders in the House. We lost. The vote stood 161 for and 231 against the debenture, and 36 not voting; 111 Democrats voted for and 36 Democrats voted against the debenture; 49 Republicans voted for and 195 Republicans voted against the debenture; 1 Farmer-Labor voted for it. In appreciation of the efforts made in behalf of the debenture, Mr. L. J. Taber, master of the National Grange, wrote me as follows:

WASHINGTON, D. C., *May 5, 1930.*

Hon. SAM B. HILL,
House of Representatives, Washington, D. C.

DEAR MR. HILL: Allow me to commend your leadership and support of the debenture amendment to the tariff act. I can assure you that the farmers of Washington, as well as the farmers of the Nation, feel that the export debenture is a necessary complement to the tariff act. It is the one sure way of bringing tariff benefits to wheat and similar staple crops.

It is interesting to note that the longer the debenture has been debated and discussed the stronger it has become. The first time it was voted upon it received little support. A year ago it received 113 votes. Last Saturday 161 supported it, indicating a growing sentiment that the debenture program is as defensible as the tariff itself, is in harmony with the present drawback provisions of the tariff, and is no more a subsidy than the high or prohibitive tariff rates.

The National Grange has a sincere desire to support legislation that will benefit the agricultural producers in all parts of the Nation and give them equality of opportunity and reward commensurate with those engaged in other callings.

Again assuring you of our appreciation, I remain,

Yours sincerely,

L. J. TABER,
Master National Grange.

The export debenture was defeated by 70 votes. The debenture is therefore eliminated for the present as a part of the

farm-relief program, and I shall not discuss it further at this time. The only farm relief possible now must be worked out under the agricultural marketing act of June 15, 1929. I want to talk to you to-day about that act.

To aid the farmers of America to take over and control their own markets is the sole purpose of the agricultural marketing act. I voted for it. It was not my first choice of legislation for the relief of agriculture and it was not the kind of relief legislation that the majority of the farmers had been demanding for eight years. It is, however, the legislation which President Hoover recommended and sponsored. It is his plan of farm relief—make no mistake about that. The farm relief act is President Hoover's idea. Congress passed the bill that he asked for and provided for a Federal Farm Board with broad powers to administer the act.

The President selected and appointed the members of the board. I supported the measure. I had faith in the President's sincere desire to formulate a system that would enable the farmers to set up and control their own markets as other industries control the markets of their products. I had faith in the President's wholehearted purpose to put his great influence and farvisioned business capacity back of the plan to establish agriculture as an independent and self-operating industry in the marketing of its products. Neither Mr. Hoover nor anyone else had any illusions as to the magnitude of the undertaking and the difficulties and opposition that would be encountered in carrying the plan into effective operation. It involves a nation-wide movement of the farmers into a close-knit business combine. To lift a continent of farmers out of their accustomed ways of individual marketing and place them in cooperative groups on the basis of commodity marketing challenges the highest intelligent action of the farmers themselves, aided by the Federal Farm Board with all its power and resources. It is a Herculean task but it can and must be done. There is a desperateness in the situation that compels this accomplishment. The average farmer is just as keen and capable a business man as the average man in other occupations, if not more so, but he has a more difficult problem to solve. There are 6,000,000 farms in the United States and about 30,000,000 farm people. The farms are operated independently by individualized farmers. To organize these independent thinking and independent acting men into cohesive sales-agency groups where individuality must be subordinated to the common purpose is extremely difficult, and the coordination of these groups through a nation-wide organization adds other if not greater difficulties. But how is the farm-marketing problem to be solved in the interest of the farmers unless cooperation is substituted for competition in selling their products, and how can this substitution be effected except through farmer owned and farmer controlled cooperative sales agencies that cover and embrace the terminal as well as the intermediate markets? What, then, is to be done? There is no choice. The farmers must organize under the plan of the Federal Farm Board and the agricultural marketing act. They have everything to gain and nothing to lose. If they do not so organize they are already lost. If they organize under this plan they will gain control of their markets and agriculture will step up to the marketing level of other industries.

The more I study this plan of President Hoover for the solution of the farm marketing problem and the work of the Federal Farm Board in putting it into operation the stronger is my faith in its practicability. My faith is further strengthened in the workability of the plan by the fear which has seized the Minneapolis Grain Exchange and has caused it to send out the distress call to have the Chamber of Commerce of the United States pass resolutions condemning the agricultural marketing act and demanding its repeal. The grain exchanges did not oppose but rather encouraged the passage of this act, because they believed the plan would not work. They felt sure that the farmers could not or would not organize to put the plan into operation. They are now convinced to the contrary and are in a panic of fright. They say that the scheme must be destroyed or they will lose control of the farmers' market. On the representations of the grain and cotton exchanges and other nonproducer dealers in farm commodities that they are being put out of business by the agricultural marketing act the Chamber of Commerce of the United States last week by resolution condemned the use of Government funds to aid agricultural cooperatives. Of course, they know that if this aid should be withdrawn the act would be utterly useless, but if continued the act will be effective.

The act provides a half billion dollars from the Federal Treasury to be used by the Federal Farm Board in financing farm marketing operations under the act. However, the act is not self-executing. Nor can the board put it into operation unless the farmers will organize producer-owned and producer-controlled cooperative marketing associations. The act does not automatically organize the farmers into cooperative marketing associations and does not compel them to organize themselves into such associations. It does invite them to voluntarily organize and withholds its benefits from them until they do.

The plan is entitled to a fair trial. It is a pioneering adventure, but no one doubts the efficacy of bargaining power in the commerce of marketing. The lack of it places either the buyer or the seller in a position of helpless disadvantage. For a half century and more far-seeing farmers have been trying with meager success to bring about cooperation of producers in the marketing of farm products. Many such organizations, local in scope of operation, have been formed which have brought actual advantages and presaged far greater potential advantages of cooperation. It is obvious, however, that lacking a nation-wide organization on a commodity basis, local cooperatives are in competition with each other instead of cooperating in marketing their commodities. Under such conditions there can be no cooperation among the individual cooperative marketing associations.

The plan of the Federal Farm Board under the farm marketing act is to coordinate marketing operations of the various individual and local cooperative associations, handling the same commodities, through an organized, nation-wide sales agency.

The agricultural marketing act is based on the recognized necessity of cooperative action of the farmers in marketing their products. It proceeds on the proven theory that the farmers, acting individually and separately in their marketing operations, are both helpless and hopeless in the matter of bettering their bargaining power in selling their commodities. The act does not provide for financial assistance to the individual farmer marketing his products individually, but it does provide for assistance to the individual farmer as a member of a cooperative marketing association. Such assistance, however, must come through the cooperative association of which he is a member, as the Federal Farm Board deals only with cooperative marketing associations and not with the individual members of such associations.

The day of the one-man marketing agency is past. The sooner this fact is accepted the quicker will come relief to agriculture.

The Federal farm act is not a lazy man's law. It points the way to marketing success for the farmer, but it does not haul him there. He must do his own traveling along the directed way to reach the goal pointed out to him. Success is based upon responsibility. The man who will not accept responsibility will not achieve success. Opportunities must be embraced when presented.

The farmers of America have the opportunity of a lifetime under the farm marketing act to form local, regional, and national cooperative marketing associations with the active help and financial backing of the Federal Government. I fully realize that the gigantic size of the undertaking staggers the imagination of the man unaccustomed to contemplate a personal part in a business organization of nation-wide scope, and taxes his faith in the possibility of its accomplishment.

The fact remains, however, that if the farmers of this country are to develop a system whereby they can control their own markets such system must include the operation of the terminal markets where the greatest influence is exercised upon control of prices and orderly distribution. This result can not be accomplished merely through local cooperatives for they can not force cooperation at terminal markets. Nothing short of a comprehensive organization of local, regional, and national cooperative marketing associations can give to the farmers the control of their markets. The heart and soul of the act is collective and cooperative marketing and its whole plan is to encourage and assist the farmers to organize themselves into cooperative marketing associations to accomplish such purpose.

Agriculture is on trial for its life as an independent industry. Does any man believe that it will ever reach the plane of parity with other industries until and unless the farmers gain control of their own markets?

We are faced with the alternative of whether we shall rise to the occasion and demonstrate our capacity to do the job or admit failure simply because the work of organizing agriculture on a nation-wide scale is a gigantic and difficult task to accomplish. Recognizing the large and peculiar difficulties of bringing the farmers throughout the Nation into cooperative effort in marketing their commodities, the Federal Farm Board has taken the leadership in initiating these organization movements. This work has progressed to a point of accomplishment that demonstrates that the farmers, with the assistance of the Federal board, can effect the necessary organizations of local, regional, and national cooperative marketing associations.

Under the guidance of the Federal Farm Board four national commodity sales agencies have been formed. They are Farmers' National Grain Corporation, National Wool Marketing Associa-

tion, American Cotton Cooperative Association, and National Bean Marketing Association. In addition to these four national agencies plans are well under way for the establishment of the National Livestock Marketing Association. Producers of dairy products, rice, tobacco, poultry and eggs, seeds, apples, and potatoes are also being encouraged to centralize their marketing activities in order that they will have a greater bargaining power.

The Farmers' National Grain Corporation was the first of the agencies to be established. It was incorporated October 29, 1929, with a capital stock of $10,000,000. Also on February 11, 1930, the Grain Stabilization Corporation was organized for the purpose of aiding in the stabilization of wheat prices, and the Federal Farm Board provided it with an initial credit of $10,000,000. Both corporations have their headquarters at 343 South Dearborn Street, Chicago, Ill. The Federal Farm Board has issued the statement that the Farmers National Grain Corporation will have adequate capital if given the support of existing farmer-owned grain marketing associations to handle annually more than 500,000,000 bushels of all grains.

The National Wool Marketing Corporation was incorporated November 20, 1929, with an authorized capital stock of $1,000,000. Last January the officers of this corporation, with the approval of the Federal Farm Board, signed a marketing contract with Draper & Co., of Boston, Mass., constituting that company the exclusive agent for the corporation in the sale of wool and mohair consigned for marketing to the woolgrowers' central agency by its member cooperative associations. The Federal Farm Board has loaned money and extended a line of credit to the National Wool Marketing Corporation.

The American Cotton Cooperative Association was the third central commodity marketing agency to be organized by cooperatives with the aid of the Federal Farm Board. This association was incorporated on January 13, 1930, with a capital stock of $30,000,000. This new association has brought almost the entire cotton cooperative marketing system of the South into one organization, and through it the cooperatives will be prepared in advance for the handling of the 1930 crop under the control of a tightly organized group. It will have back of it ample financial support of the Federal Farm Board.

The National Bean Marketing Association was recently incorporated with a capital stock of $1,000,000 as the central selling agency for the marketing of dry beans handled cooperatively. This association has been recognized by the Federal Farm Board as eligible for loans and credit from the board.

In addition to the four central commodity sales agencies set up under the guidance and with the assistance of the Federal Farm Board four advisory commodity committees have also been set up by cooperative associations on invitation of the board, as provided in the agricultural marketing act. These advisory committees consist of seven members each, and are for dairy products, wool and mohair, wheat, and cotton. The State of Washington has representation on two of these committees. F. J. Wilmer, of Rosalia, Wash., is a member of the advisory committee for wheat and A. G. Zeibell, of Marysville, Wash., is a member of the advisory committee for dairy products.

When we consider the enormous amount of work on the part of the farmers and the Federal Farm Board necessary to organize cooperative marketing associations for the various farm commodities and to establish central sales agencies for such cooperatives, I feel that the progress of the work to date is highly gratifying and encouraging.

It is true that wheat prices, especially, have been so low during the period of operation of the Federal Farm Board that many farmers have been led to doubt the efficacy of the agricultural marketing act. It must be borne in mind, however, that the organized nonfarmer dealers in agricultural commodities are doing everything in their power to discredit the act and the work of the Federal Farm Board in order to hold the control of the farm markets in their own hands and to prevent the farmers themselves from gaining such control. Every farmer and every friend of the farmer should rally to the support of the Federal Farm Board and to the organization movement to put the farmers in control of their own markets. The agricultural problem is not of concern alone to the farmers. There can be no real prosperity anywhere so long as the fundamental industry of agriculture is not showing a profit. The people of the cities can not be prosperous unless the farmers can buy. The cities should, therefore, lend every helpful effort and encouragement possible to bring buying power to the farmers.

Through the agricultural marketing act the Federal Government says to the farmers, "If you are interested enough to follow a plan which I suggest to solve your marketing problems, I will loan you the money and show you how to do it." I submit that that is a fair proposition. The act has potential farm relief in it. We can make it a success; we can also let it fail. It is our move. It is up to us to accept whole-heartedly the Government's offer or to reject it flatly. There is no middle ground—there is no twilight zone.

The Federal Farm Board recently issued a circular in the form of questions and answers, giving a detailed interpretation of the agricultural marketing act and information as to the work of the board. This circular is a valuable aid to an understanding of the act itself and of the program to carry it into operation. I will, therefore, embody it in my remarks without reading it. The circular follows:

QUESTIONS AND ANSWERS

GENERAL

1. Question. What is the Federal Farm Board?

Answer. The Federal Farm Board, created to administer the agricultural marketing act, is composed of eight members appointed by the President and confirmed by the Senate. The Secretary of Agriculture is ex officio member of the board.

2. Question. Is the Federal Farm Board a division of the United States Department of Agriculture or an independent unit?

Answer. The Federal Farm Board is an independent unit, but is cooperating with the Federal Department of Agriculture and other governmental agencies to avoid duplication of services.

3. Question. What is the length of term of the members of the Federal Farm Board?

Answer. Six years. The terms of the first board members expire as follows: Two at the end of the first year, two at the end of the second year, one at the end of the third year, one at the end of the fourth year, one at the end of the fifth year, and one at the end of the sixth year. In case of a vacancy the appointment is only for the unexpired term.

4. Question. When did the agricultural marketing act become a law?

Answer. June 15, 1929, when it was signed by President Hoover.

5. Question. When did the Federal Farm Board begin its work?

Answer. Members of the Federal Farm Board met for the first time on July 15, 1929. The President called them into this meeting, which was held at the White House.

6. Question. What general policy was laid down by Congress to guide the Federal Farm Board?

Answer. The Federal Farm Board is charged with carrying into effect the policy of Congress as expressed in the agricultural marketing act, which is as follows: "To promote the effective merchandising of agricultural commodities in interstate and foreign commerce, so that the industry of agriculture will be placed on a basis of economic equality with other industries." More specifically, the policy is expressed as follows: "To protect, control, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their food products—

"(1) By minimizing speculation.

"(2) By preventing inefficient and wasteful methods of distribution.

"(3) By encouraging the organization of producers into effective associations or corporations under their own control for greater unity of effort in marketing and by promoting the establishment and financing of a farm marketing system of producer-owned and producer-controlled cooperative associations and other agencies.

"(4) By aiding in preventing and controlling surpluses in any agricultural commodity through orderly production and distribution, so as to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in prices for the commodity."

7. Question. In what general way does the Federal Farm Board plan to help improve the farmer's marketing system?

Answer. First, by helping farmers organize into cooperative marketing associations. Second, by aiding in federating these associations into district or regional selling units and, wherever possible, into national sales agencies. Third, by assisting them through loans and in developing highly efficient merchandising organizations.

8. Question. What other major objectives does the Federal Farm Board have?

Answer. To assist farmers through collective action in controlling the production and marketing of their crops; to encourage the growing of quality crops instead of more crops; to aid in adjusting production to demand.

9. Question. What would be the effect on consumers of agricultural products if farmers limited production to harmonize with demand?

Answer. The Federal Farm Board is working on the theory that the production of farm products in excess of normal marketing requirements is a waste. It injures the producer without benefiting the consumer. The consumer requires and should have a normal supply of food and textile products of high uniform quality. The producer desires a supply which can be sold at prices that will assure him a reasonable profit on his farm business. The development and maintenance of a condition of stability with regard to production and price will benefit both producers and consumers. Such coordination of supply and demand is a problem to which the farmer cooperatives must give further attention, and in the solution of which the Federal Farm Board must render all possible assistance.

10. Question. Can farmers build up a cooperative system of marketing with the aid of the Federal Farm Board that will reduce fluctuations in prices of farm products, yield the farmers larger incomes, and yet not raise prices to consumers of farm products?

Answer. The Federal Farm Board believes this can be done.

ORGANIZATION

11. Question. Is there a blanket plan for the marketing of all kinds of farm products?

Answer. No. The cooperatives and the Federal Farm Board realized from the beginning that no stereotyped marketing plan could be used in the development of a system for the handling of all kinds of products. It is necessary to work out an individual plan for each commodity. For example, a plan has been developed for the marketing of grain, another separate and distinct plan for the marketing of wool and mohair, and still another for the marketing of cotton.

12. Question. What producers of farm products are to be aided by the Federal Farm Board?

Answer. The Federal Farm Board will help producers of recognized agricultural products, no matter where they live in the United States, provided they organize themselves into cooperative associations for the business of marketing their crops.

13. Question. Does the Federal Farm Board deal directly with the individual producer?

Answer. No. Congress realized that it would be impracticable for the board to deal directly with individual producers, and provided that the board should deal with farmers and ranchers through producer-owned and controlled organizations.

14. Question. Is it necessary for individual producers to join a cooperative marketing association to be benefited under the marketing provisions of the agricultural marketing act?

Answer. Yes.

15. Question. Is it necessary for a producer to join any organization other than his cooperative association?

Answer. No. It is not necessary for a producer to join any organization other than a commodity cooperative qualified to deal with the Federal Farm Board through a central marketing agency for the commodity or directly in the event there is no such central organization.

16. Question. Does the cooperative marketing plan fostered by the Federal Farm Board provide for an organization that will take care of all products grown on a farm located in a diversified agricultural region?

Answer. Yes. In some diversified agricultural regions where there is not enough of any one crop produced to justify the establishment of a local commodity organization to handle only one product, the board has found it necessary to encourage the organization of associations equipped to receive various kinds of farm crops and coordinate the sale of them through central sales agencies dealing in specific commodities.

17. Question. What must a farmer do in order to market his products through a central or national sales agency, owned and controlled by farmers and recognized by the Federal Farm Board?

Answer. He must join a local or regional cooperative marketing association that has been organized to meet the conditions of the Capper-Volstead Act. Where an association does not exist in the farmer's immediate locality he will have to help organize one. The State agricultural colleges, State extension services, State departments of agriculture, State departments of vocational agriculture, and other agencies in many States stand ready to assist farmers in their organization work.

18. Question. What is required of a cooperative association formed to meet the provisions of the Capper-Volstead Act?

Answer. The cooperatives must meet all of the provisions of the Capper-Volstead Act. The main provisions are:

1. That the members or stockholders shall be agricultural producers;
2. That the association must be operated for the mutual benefit of its members;
3. That the association shall be engaged in interstate commerce;
4. That the association shall not do more business with nonmembers than with members; and
5. The association must conform to one of the following: Either that it follow the principle of 1 vote per member or else dividends on capital stock must be limited to 8 per cent.

19. Question. Does the Federal Farm Board deal directly with the local cooperative associations?

Answer. The board deals with the national or central marketing organizations as soon as they are established. Through these organizations the board aids district and local associations. It is the policy of the board to request that all local, State, or regional cooperatives affiliate with the central as soon as it is formed.

20. Question. Will the marketing plan now being developed under the guidance of the Federal Farm Board eliminate existing cooperatives?

Answer. It is not the policy of the board to encourage the elimination of any cooperative association that is rendering an efficient and necessary service. The board will try to strengthen existing cooperative associations, help form new ones wherever they are needed, and bring them all into central marketing agencies.

21. Question. Does the Federal Farm Board buy or sell farm products?

Answer. No. The Federal Farm Board does not buy or sell farm products of any kind. It is helping farmers establish organizations to market their own products.

COMMODITIES

22. Question. What constitutes a commodity?

Answer. The agricultural marketing act directs the Federal Farm Board to designate as a commodity any farm product or group of products whose use and marketing methods are similar.

23. Question. How many commodities have been designated by the Federal Farm Board?

Answer. Eleven. (Up to March 15, 1930.)

24. Question. What are the commodities that have been designated by the Federal Farm Board?

Answer. The 11 designated commodities are:

1. Cotton.
2. Dairy products, including fluid milk, cream, cheese, condensed milk, butter, ice cream, evaporated milk, whole and skim milk powder.
3. Wheat.
4. Rice.
5. Livestock.
6. Wool and mohair.
7. Tobacco.
8. Poultry and eggs.
9. Seeds, including alfalfa, clover, timothy, redtop, and other field seeds.
10. Potatoes.
11. Coarse grains.

25. Question. Will other commodities be designated by the Federal Farm Board?

Answer. Yes. The Federal Farm Board is studying the uses and methods of marketing other farm products and later will designate additional agricultural commodities when sufficient information is available upon which to act.

26. Question. What is an advisory commodity committee?

Answer. Advisory commodity committees are provided for in the agricultural marketing act. These advisory committees are to represent commodities before the Federal Farm Board.

27. Question. Who selects the members of the advisory commodity committees?

Answer. They are selected by the cooperatives at the invitation of the Federal Farm Board. The manner of selection is prescribed by the board. Each advisory commodity committee is composed of seven members; the act requires that two members shall be specialized handlers or processors of the commodity.

28. Question. How often are the advisory commodity committees to meet?

Answer. At least twice a year upon call of the Federal Farm Board, and at other times upon call of a majority of the advisory commodity committee's members.

29. Question. Do members of the advisory commodity committees receive salaries?

Answer. No. The committee members are paid $20 a day and expenses when attending committee meetings called by the Federal Farm Board and doing other work ordered by the board.

STABILIZATION

30. Question. What is meant by a stabilization corporation as provided for in the agricultural marketing act and what is the position of the Federal Farm Board on the subject of stabilization?

Answer. According to the Federal Farm Board's interpretation, the process of stabilization divides itself into two rather distinct classes. The first class is what might be called normal operations, involved in almost everything the board is doing. Every measure taken to increase the effectiveness of cooperative organizations in any commodity, or improve their financial position, to centralize or correlate their activities so as to make their operations more effective, is in itself a process of stabilization. It is the hope that as time goes on this activity will in most cases prove to be all that is needed, the result, of course, depending on how successful cooperatives are in working out large, well-managed organizations, which will control a sufficiently large percentage of the product to make their influence felt on the market.

The second form of stabilization might be termed extraordinary or emergency operations, whereby, because of a large surplus of any commodity, the operation would consist of buying and taking off the market some considerable part of the tonnage so as to relieve the pressure and carrying the product until some future date in the hope there would be a more favorable opportunity of disposing of it. This second or emergency class of operation would, of course, be carried out strictly under the provisions of the agricultural marketing act with money advanced by the board, and if the final result of such operation shows a loss or deficit, such loss will be borne by the revolving fund as provided by the act. The Grain Stabilization Corporation, with headquarters in Chicago, is an example of the latter or emergency type. (See sec. 9 of the act.)

LOANS

31. Question. How much Federal Government money is available for loans to farmers under the provisions of the agricultural marketing act?

Answer. Congress authorized $500,000,000 to be used as a revolving fund. At the outset only $150,000,000 of this amount was appropriated. The board will ask for more money as it is needed.

32. Question. What rate of interest does the Federal Farm Board charge on loans made from the $500,000,000 revolving fund?

Answer. The money is loaned to cooperatives at a limited rate of interest—"in no case shall the rate exceed 4 per cent per annum on the unpaid principal." (See sec. 8 of the act.) Where national or central agencies exist the Federal Farm Board loans the money to them. These central or national agencies, in turn, loan the money to district or local cooperatives at a slightly higher rate of interest to cover handling charges and build up a reserve to the association against losses. Profits resulting from their operations will go to build up the reserves of the national or central, in which ownership is shared by members in proportion to their patronage.

33. Question. Can an individual farmer borrow money directly from the Federal Farm Board?

Answer. No. Money is being loaned by the board to producers through their cooperative organizations and not to individuals.

34. Question. Can individual cooperative associations borrow money directly from the Federal Farm Board?

Answer. It is a policy of the Federal Farm Board to make loans to farmer-owned cooperative central commodity marketing organizations as soon as they have been established instead of lending directly to local associations. The National Wool Marketing Corporation, the Farmers' National Grain Corporation, and the American Cotton Cooperative Association are examples of national commodity marketing organizations. In the absence of such central associations or corporations the board has advanced money directly to qualified cooperatives. Application blanks are furnished by the Federal Farm Board to prospective borrowers, with the necessary forms of exhibits which will develop the detailed information that should be before the board when it considers the application of an association for a loan.

35. Question. What associations are eligible to borrow money from the Federal Farm Board?

Answer. The organization applying for the loan must be a cooperative association meeting the provisions of the Capper-Volstead Act, marketing agricultural products and doing an interstate business. The organization must show satisfactory management and sound operating policies.

36. Question. Are there any restrictions on the power of the Federal Farm Board to loan money to associations?

Answer. No loan shall be made to any cooperative association unless, in the judgment of the board, the loan is in furtherance of the policy of the agricultural marketing act. The cooperative association applying for the loan must have organization, management, and business policies of a character that will insure the reasonable safety of the loan.

37. Question. Is the Federal Farm Board compelled to make a loan to an association merely because it is eligible for a loan?

Answer. No. The Federal Farm Board has complete discretion with respect to the making of any loan.

38. Question. May a cooperative association borrow money from the Federal Farm Board for the purpose of buying farm supplies?

Answer. No. There is no authority under the agricultural marketing act for the loaning of money to a cooperative association for the purchasing of farm supplies.

39. Question. In making loans, are there any restrictions for which the money may be used?

Answer. The purposes for which loans may be made are all specified in the act.

40. Question. For what purposes may money be loaned by the Federal Farm Board to qualified associations?

Answer. Loans may be made from the revolving fund to assist associations as follows:

1. In the effective merchandising of agricultural commodities and food products thereof.

2. In the construction or acquisition by purchase or lease of physical marketing facilities for preparing, handling, storing, processing, or merchandising agricultural commodities or their food products.

3. In the formation of clearing-house associations.

4. In extending membership of the cooperative association applying for the loan by educating the producers of the commodity handled by the association in the advantages of cooperative marketing of that commodity.

5. In enabling the cooperative association applying for the loan to advance to its members a greater share of the market price of the commodity delivered to the association than is practicable under other credit facilities.

41. Question. Are there any restrictions on loans which the board may make to cooperative associations?

Answer. Yes. The board is prohibited from making any loan that "is likely to increase unduly the production of any agricultural commodity of which there is commonly produced a surplus in excess of the annual marketing requirements."

In addition there are special restrictions on loans for acquiring physical facilities. They are: "No loan for the purchase or lease of such facilities shall be made unless the board finds that the purchase price or rent to be paid is reasonable."

Also: "No loan for the construction, purchase, or lease of such facilities shall be made unless the board finds that there are not available suitable existing facilities that will furnish their services to the cooperative association at reasonable rates; and in addition to the preceding limitation no loan for the construction of facilities shall be made unless the board finds that suitable existing facilities are not available for purchase or lease at a reasonable price or rent."

42. Question. Will the Federal Farm Board supervise the operations of a cooperative to which it has loaned money?

Answer. As long as the organization is indebted to the Federal Farm Board its management will be subject to the approval of the board and its records open to the board's inspection and audit.

43. Question. Does the Federal Farm Board have offices outside of Washington?

Answer. The Federal Farm Board has a regional office at 519 New Post Office Building, Portland, Oreg., and 419 Arctic Building, Seattle, Wash.

Mr. CANNON. Mr. Chairman, I yield now to the gentleman from South Carolina [Mr. GASQUE].

Mr. GASQUE. Mr. Chairman, under leave to extend my remarks in the RECORD I include a resolution adopted a few days ago by the Tobacco Cooperative Marketing Association of South Carolina in support of the work of the Federal Farm Board.

The resolution is as follows:

Whereas it appears that selfish interests representing at least a part of the industrial, commercial, and business groups of the United States are expressing their opposition to the Federal marketing act being administered through the Federal Farm Board; and whereas Federal Government has on many occasions come to the rescue of such interests at times when business conditions seemed to be depressed and no objection was raised to such action.

Therefore, we, the directors recently elected by the members of the Tobacco Cooperative Marketing Association of South Carolina, that has been organized in a large measure through the sympathetic and active support of the Federal Farm Board and the extension service of South Carolina, do hereby protest and earnestly call to the attention of the farmers of our State and the Nation to rally to the support of the Federal Farm Board and the President of the United States in their earnest effort to aid agriculture.

Resolved, That a copy of this resolution be sent to the President of the United States, chairman of the Federal Farm Board, the daily press of South Carolina, North Carolina, and Virginia, and the Members of Congress, both Senate and House, of South Carolina. This resolution passed the 2d day of May at a meeting of the full board of directors at Florence, S. C.

Mr. MURPHY. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. HOGG].

Mr. HOGG. Mr. Chairman and members of the committee, Hon. Louis W. Fairfield, whose recent death has been reported to the House of Representatives, was a kindly and affable gentleman, a sincere and conscientious public servant, an able scientist and educator, and a well-trained student of public affairs. Throughout the Nation he possessed a vast throng of devoted friends who mourn the loss of his outstanding and picturesque personality.

During his four terms as Congressman from the twelfth Indiana district, Mr. Fairfield was diligent in his championship of the fundamentals of republicanism, and scrupulously committed to keeping the faith as he found it in his constituency.

RESEMBLED LINCOLN

Even those who had occasion to differ with him politically were always conscious of Mr. Fairfield's sincerity of motive and conscientiousness of purpose. Resembling Lincoln in physical appearance and in the simplicity of his political philosophy. Mr. Fairfield was frequently called upon to deliver addresses at services held in Lincoln's memory. He lived a long, busy, and useful life. His memory will be cherished by all who knew him.

Hon. Louis W. Fairfield was the youngest son of George and Clarissa Garner Fairfield, pioneers in Ohio. He was born October 15, 1858, in Auglaize County, near Wapakoneta, in a log cabin. When he was 8 years of age his parents moved to a rural community near Lima, Ohio. At the age of 16 Mr. Fairfield passed the required examination and began in a district school his life profession as a teacher. For the next few years he taught school, worked on the Pennsylvania Railroad as a section hand, and earned money to begin his course in what is now Ohio Northern University at Ada. He supported himself

in this course by teaching in various communities near Ada. While teaching he regularly walked in to the college to take part in the evening debating society programs, in which he soon demonstrated his fine abilities as a speaker.

BEGAN HIS CAREER AS AN EDITOR

During 1881 and 1882 he was editor of the Kenton Republican at Kenton, Ohio. He then became editor of the county paper at Sandusky, Ohio, and from there went to Middlepoint as superintendent of schools.

While a student at Ada College he was in the classes of Prof. L. M. Sniff. A mutual friendship began between them, which in succeeding years resulted in the founding of Tri-State College at Angola, Ind.

FOUNDS A COLLEGE

Tri-State College was begun in 1884, when Prof. L. M. Sniff became president. There was only one frame building, with a heavy debt, and 34 students the first term. Soon Mr. Fairfield moved to Angola, joined President Sniff in the faculty, and became vice president. From the start it was, in the words of Mr. Fairfield, "a sacrificial service in obedience to great educational ideals." They sought to eliminate all extravagant social functions and all nonessentials in the college courses, to emphasize the essentials, and welcome all students who were willing to work. There never has been any financial endowment. The school has had to compete with endowed institutions and stand on its own merit. The smallness of their salaries and the greatness of their service was amazing. The story of their prodigious labors, their heroic sacrifices, and their success in the steady and sturdy growth of the college would make a most interesting chapter in the history of education. Tri-State College stands to-day unique in the demonstration of the liberty, economy, and efficiency that succeeds in harmony with these ideals, and it has put Angola on the map of the educational world.

LEFT DEEP IMPRESS AS TEACHER

For 32 years—1885 to 1917—Mr. Fairfield served as vice president, and his fame as a teacher, preacher, and lecturer spread through the adjoining States. His range of subjects was unusual, including history, science, mathematics, philosophy, and literature.

Thousands of alumni have gone out of Tri-State College to become leaders in all callings and professions of life.

A CHRISTIAN MINISTER

When he came to Angola in 1885 he was actively identified with the Christian Church and soon was ordained to the Christian ministry. As opportunity afforded, in connection with his other work, through all succeeding years he has preached the gospel with great power and blessing. He was an elder of the church until death.

SERVED LOYALLY IN CONGRESS

Mr. Fairfield was given a leave of absence from the college when he was elected to Congress from the twelfth district of Indiana in 1916, where he served for eight years, retiring in 1924. Few men in public life have enjoyed such fine tributes of praise from leaders of both political parties.

He was an earnest and useful Member of Congress and gained respect for his abilities in Washington. He had influential committee assignments and was a force to be reckoned with in the House when the vicissitudes of the political game brought his retirement.

Mr. Fairfield was uncompromising for those things which he thought were for the rights of the citizenship and for the honor of the Nation. He was not a quibbler nor a dissimulator. He had no hesitancy in stating his position on a question, and no amount of influence could deter him from that position unless he was convinced that another course was better. As he served young men and women in his teaching days, he served the whole Nation in his career as a statesman.

He was an upright man, a generous man, a kindly man, and wealthy—vastly rich, not in a wealth counted by gold and silver, but in the wealth of loving esteem of everyone who knew him and delighted to call him friend.

ESTIMATE OF HIS CHARACTER

The manner of this man was such that, in all the battles and controversies of life, his bitterest opponent could grasp his hand to eternal friendship.

If you glanced into his mind, you saw the balance wheel of humor, the rapier of logic and adroitness, justice's equal scales, and, over it all, the mellow light of tolerance.

His graciousness was such that those of different religious and social views and habits were at ease with him. He was not stilted, he was not strained, he was not dogmatic.

He had the genius to help the young to find themselves and the tact not to destroy their individuality. Countless beneficiaries all over this country bear witness to this.

Could all the inspiration he has furnished be brought back to him as lifeblood, hundreds of years might easily be added to his three score and eleven. [Applause.]

In addition to all of this he was nature's man. He loved the hills, the lakes, the streams, the flowers, and every living thing.

He retained his boyish enthusiasm and his youthful spontaneity. He was so molded that he was easily understood. There was no mystery in his make-up and no guile.

He was positive in his convictions and determined in his purposes. Yet he moved easily among men of every class. The meanest were not abashed by his presence, yet they respected him.

He never lost his usefulness because of any preconceived religious, social, or political convictions.

It never entered his mind to go about doing good. He went about being good. What the sunlight is to the earth, the life of such a man is to society in which he moves.

The nonessentials about which men differ occupied little space in his thought. He moved majestically toward the main purposes of life. He was graceful in thought and high in resolve. It would be a strange human that ever bore him malice. He left a priceless heritage. [Applause.]

Mr. MURPHY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LUCE, 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. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT—NINTH INTERNATIONAL DAIRY CONGRESS (S. DOC. NO. 143)

The SPEAKER laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed.

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State, to the end that legislation may be enacted to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, to be held in Copenhagen, Denmark, in July, 1931.

HERBERT HOOVER.

THE WHITE HOUSE, *May 6, 1930.*

CAPT. DRINKARD B. MILNER

Mr. SANDERS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2076) for the relief of Drinkard B. Milner, a similar House bill having been favorably reported from the committee and now on the calendar.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of a Senate bill, which the Clerk will report.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That in the administration of the emergency officers' retirement act Capt. Drinkard B. Milner shall be considered as coming within the provisions of said act and entitled to the benefits thereof.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2589. An act authorizing the attendance of the Marine Band at the Confederate Veterans' reunion to be held at Biloxi, Miss.

ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Wednesday, May 7, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, May 7, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE POST OFFICE AND POST ROADS—SUBCOMMITTEE NO. 3

(10 a. m.)

To authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof (H. R. 4135 and S. 1101).

To vest in the Postmaster General authority to decide which bid is the most advantageous to the Government in connection with the purchase of motor trucks and motor-truck equipment in order that a reasonable standardization of motor trucks and equipment may be maintained throughout the Postal Service, and to purchase motor-truck parts from the manufacturers of the motor trucks under such arrangements as the Postmaster General may deem advantageous to the Government (H. R. 8772).

To authorize the Postmaster General to purchase motor-truck parts from the truck manufacturer (H. R. 9374).

To enable postmasters to designate one or more employees to perform duties for them during their absence, including the signing of checks in the name of the postmaster (H. R. 8773).

Authorizing the purchase and maintenance of passenger-carrying automobiles for use at post offices having gross receipts of $1,000,000 or more (H. R. 9561).

COMMITTEE ON EDUCATION

(10.30 a. m.)

To provide for the further development of vocational education in the several States and Territories (H. R. 10821).

COMMITTEE ON WAR CLAIMS

(10.30 a. m.)

For the relief of George B. Marx (H. R. 1611).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To amend section 4530 of the Revised Statutes of the United States (H. R. 6789).

To amend section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea" (H. R. 6790).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills in the subcommittee.

COMMITTEE ON WAYS AND MEANS

(11 a. m.)

To provide for a prohibition upon the importation into the United States of certain anthracite coal (H. R. 12061).

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To exclude certain citizens of the Philippine Islands from the United States (H. R. 8708).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To reorganize the Federal Power Commission and to amend the Federal water power act, and for other purposes (H. R. 11408).

COMMITTEE ON FLOOD CONTROL

(10 a. m., 2 p. m., and 8 p. m.)

To consider the economics involved in flood control in areas affected by backwaters of the Mississippi River.

To amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928 (H. R. 8479).

To amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, approved May 15, 1925" (H. R. 11548).

The committee will hear proposals to construct a spillway below New Orleans.

EXECUTIVE COMMUNICATIONS, ETC.

455. Under clause 2 of Rule XXIV, a letter from the Acting Secretary of War, transmitting draft of a bill "to permit naval and Marine Corps service of Army officers to be included in computing dates of retirement," was taken from the Speaker's table and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CABLE: Committee on Immigration and Naturalization. H. R. 10672. A bill to amend the naturalization laws in respect of posting of notices of petitions for citizenship; without amendment (Rept. No. 1386). Referred to the House Calendar.

Mr. KVALE: Committee on the Territories. S. J. Res. 155. A joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson; without amendment (Rept. No. 1387). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SCHAFER of Wisconsin: Committee on Claims. S. J. Res. 165. A joint resolution authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware; without amendment (Rept. No. 1384). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 305. A bill for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt; with amendment (Rept. No. 1385). Referred to the Committee of the Whole House.

Mr. KNUTSON: Committee on Pensions. H. R. 12205. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; without amendment (Rept. No. 1388). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. KAHN: A bill (H. R. 12199) to authorize the design, construction, and procurement of one metal-clad airship of approximately 100 (long) tons gross lift and of a type suitable for transport purposes for the Army Air Corps; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 12200) to amend the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. ARENTZ: A bill (H. R. 12201) for the rehabilitation of private irrigation projects; to the Committee on Irrigation and Reclamation.

By Mr. JAMES (by request of the War Department): A bill (H. R. 12202) to authorize certain activities for the maintenance of the Army; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 12203) to prohibit the operation of motor propelled vehicles by Army post exchanges for hire for private gain without a certificate of convenience and necessity in States which require such certificate for the operation of motor-propelled vehicles; to the Committee on Military Affairs.

By Mr. WINGO: A bill (H. R. 12204) to amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928; to the Committee on Flood Control.

By Mr. KNUTSON: A bill (H. R. 12205) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. FISH: Joint resolution (H. J. Res. 331) relative to The Hague Conference on the Codification of International Law; to the Committee on Foreign Affairs.

By Mr. IRWIN: Joint resolution (H. J. Res. 332) prohibiting the Postmaster General from discriminating between individuals, firms, corporations, and communities in the receipt, transportation, dispatch, and delivery of registered mail matter; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWMAN: A bill (H. R. 12206) for the relief of Freda Mason; to the Committee on Claims.

Also, a bill (H. R. 12207) for the relief of Lewis Clark; to the Committee on Claims.

By Mr. CARLEY: A bill (H. R. 12208) for the relief of Albert A. Ayuso; to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 12209) for the relief of the estate of Victor L. Berger, deceased; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 12210) granting a pension to Robert M. Knipple; to the Committee on Pensions.

By Mr. DOUGLAS of Arizona: A bill (H. R. 12211) for the relief of John W. Miller; to the Committee on Military Affairs.

By Mr. GREENWOOD: A bill (H. R. 12212) granting a pension to Nancy Ann Scribner; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 12213) for the relief of Will A. Helmer; to the Committee on War Claims.

By Mr. HOPKINS: A bill (H. R. 12214) granting an increase of pension to Elizabeth J. Mumford; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 12215) for the relief of Daisy Ballary; to the Committee on Military Affairs.

By Mr. JOHNSTON of Missouri: A bill (H. R. 12216) granting an increase of pension to Margaret C. Vitteto; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 12217) providing for the appointment of Roderick R. Strong as a warrant officer, United States Army; to the Committee on Military Affairs.

By Mrs. McCORMICK of Illinois: A bill (H. R. 12218) granting a pension to Bertie E. Williams; to the Committee on Pensions.

By Mr. McCLINTIC of Oklahoma: A bill (H. R. 12219) providing for the enrollment of William J. Cizek as a member of the Kiowa Indian Tribe of Oklahoma and providing for an allotment of land in the Kiawo, Comanche, and Apache Indian Reservations; to the Committee on Indian Affairs.

By Mr. MOREHEAD: A bill (H. R. 12220) granting a pension to Pearl Rounds; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 12221) granting an increase of pension to Christina Stiehl; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 12222) authorizing the Treasurer of the United States to pay to Henry F. Meyers the sum of $785.10 as full compensation for services rendered as a member of local draft board No. 1, Omaha, Nebr.; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 12223) granting an increase of pension to Jane Bronson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12224) granting an increase of pension to Ida E. Saxbury; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 12225) for the relief of the heirs of James H. Jones; to the Committee on War Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 12226) for the relief of Edward Deyarmin, otherwise known as Edward Miller; to the Committee on Naval Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12227) granting a pension to Charles Farris; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 12228) granting an increase of pension to Nancy Malone; 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:

7213. By Mr. GUEVARA: Petition of Cepriano Gigata, of Guiuan, Samar; Pedro Bassig, of Ilagan, Isabela; and Agustin Ibus, of Laspinas, Rizal, all citizens of the Philippine Islands, to secure speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

7214. By Mr. JOHNSON of Washington: Petition and resolutions of various organizations and sundry citizens of South Bend, Wash., favoring the enactment of House bill 8976, for the relief of Indian war veterans and widows and minor children of veterans; to the Committee on Pensions.

7215. By Mr. SWANSON: Petition of C. C. Wilson and 53 others, urging increased Spanish War pensions; to the Committee on Pensions.

7216. By Mr. WELCH of California: Petition of all clerks of the post office of San Francisco, Calif., urging that a special rule be granted to permit early consideration of the Kendall bill, H. R. 6603; to the Committee on the Post Office and Post Roads.

SENATE

WEDNESDAY, *May 7, 1930*

(Legislative day of Wednesday, April 30, 1930)

The Senate met at 12 o'clock meridian in open executive session, on the expiration of the recess.

The VICE PRESIDENT. The Senate, as in legislative session, will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed the bill (S. 2076) for the relief of Drinkard B. Milner.

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

H. R. 10209. An act authorizing the appropriation of $2,500 for the erection of a marker or tablet at Jasper Spring, Chatham County, Ga., to mark the spot where Sergt. William Jasper, a Revolutionary hero, fell; and

H. R. 10579. An act to provide for the erection of a marker or tablet to the memory of Col. Benjamin Hawkins at Roberta, Ga., or some other place in Crawford County, Ga.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 305) providing for the participation by the United States in the International Conference on Load Lines, to be held in London, England, in 1930, and it was signed by the Vice President.

CALL OF THE ROLL

Mr. GLASS obtained the floor.

Mr. FESS. Mr. President, will the Senator from Virginia yield to me to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Virginia yield for that purpose?

Mr. GLASS. I yield.

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

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

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

Mr. BLACK. I desire to announce that my colleague the senior Senator from Alabama [Mr. HEFLIN] is necessarily detained in his home State on matters of public importance.

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

Mr. WALSH of Montana. Mr. President, will the Senator from Virginia yield?

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

Mr. GLASS. I yield.

RECEPTION TO SENATOR DAVID A. REED

Mr. WALSH of Montana. Mr. President, I am advised that another Member of this body, returning from abroad after having rendered distinguished service as a member of the American delegation at the naval conference in London, is about to resume his duties in this Chamber. In token of the deserved esteem in which he is held by his colleagues in this body, I suggest that he be greeted upon his entrance to the Chamber by the Members of the Senate, led by the Vice President, in the well of the Senate. I move that a recess be now taken for such time as is necessary to carry out this order.