HOUSE OF REPRESENTATIVES

SATURDAY, FEBRUARY 7, 1931

The House met at 12 o'clock noon.

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

Our Blessed Father in Heaven, wherever Thy name is known its praise is sung by rich and poor. With words pulsating with eternity, Thou hast spoken to all through Thy only begotten Son. Walking each day with Him, noble graces and virtues spring in our hearts and lives. Out of these will flow sincerity of purpose, purity of thought, and spirituality of life. Thus, O God, make our calling effectual, filling us with grand conceptions which enrapture our daily tasks. Let not our thought of Thee be little, but big, bathing our souls with Thy divine spirit, lest their delicacy be violated, for they can so easily pass into unhealthy indifference. Flood our days with patriotic and intellectual romance, so that we shall love our country and clasp its standard to our breasts. Amen.

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

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 February 6, 1931, the President approved and signed bills of the House of the following titles:

H. R. 2936. An act to provide for a preliminary examination of the Tittabawassee and Chippewa Rivers, Mich., and San Juan River, N. Mex., with a view to the prevention and control of floods; and

H. R. 15592. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14246) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes."

The message also announced that the Senate further insists upon its amendments to the foregoing bill disagreed to by the House, asks a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PHIPPS, Mr. SMOOT, Mr. MOSES, Mr. HARRIS, and Mr. GLASS to be the conferees on the part of the Senate.

NATURALIZATION OF CERTAIN ALIENS

Mrs. LANGLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5627, relating to the naturalization of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment. I have conferred with the minority and majority members of the Committee on Immigration and they concur in this request.

The SPEAKER. The gentlewoman from Kentucky asks unanimous consent to take from the Speaker's table the bill H. R. 5627, with a Senate amendment thereto, which the Clerk will report.

The Clerk read the title of the bill and reported the Senate amendment, as follows:

Page 1, line 7, after "such," insert "withdrawal (and the application therefor) and."

The SPEAKER. Is there objection to the request of the gentlewoman from Kentucky?

Mr. GARNER. Mr. Speaker, reserving the right to object, the gentlewoman from Kentucky has informed me that she has consulted the gentleman from Texas [Mr. BOX], who, as I understand it, would be on the conference committee on this amendment if it went to conference, and that this request is entirely agreeable to him.

Mrs. LANGLEY. Absolutely.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was concurred in.

DROUGHT CONDITIONS

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short statement by the commissioner of agriculture of the State of Louisiana on the drought situation in that State.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD by printing a statement from the commissioner of agriculture of Louisiana on the drought situation in that State. Is there objection?

There was no objection.

The statement is as follows:

The same sense of duty that prompted me as commissioner of agriculture—the servant of my people—to use every effort to alleviate distress and suffering among our fellow citizens at the very beginning of the crisis brought about by an unprecedented drought over a large section of Louisiana prompts me, after an exhaustive and careful survey, to make the following report of actual conditions existing among thousands of Louisiana's finest people. The sense of plain duty also prompts me to voice in no uncertain language the views of the hundreds of leaders with whom I have conversed during this survey. Realizing the existence of a deplorable situation, it is none the less my duty as a public servant to call upon every available source for quick and efficient means through which further privation may be obviated.

The Louisiana drought-relief committee has done commendable work in this widespread stricken area, as evidenced by smoothly functioning organizations, working under this committee's guidance, which in many instances had been rendering aid of material nature before Government and Red Cross agencies entered the affected area. These organizations are yet giving every ounce of energy, endeavoring to relieve the distress prevailing among the farmers of north and central Louisiana.

We should be proud of the work of these organizations and of the bravery and fortitude of our people, who have steadfastly faced the gigantic task of overcoming terrific handicaps that confront them. Not only have those thousands of our good fellow citizens, in whose homes privation and famine have stalked, held their heads high and smiled in the face of hardship and hunger, but our merchants, bankers, and other community leaders have gone to the limit of their available resources to cope with the deplorable situation with local efforts and capital.

It is a well-known fact that the funds that are now available to the Red Cross are not near sufficient to take care of the actual needs of the citizens in the stricken sections of our Nation.

With no intention to reflect upon our brethren of neighboring States, who have given certain and emphatic demonstration of their plight, it must be said that the drought stricken of Louisiana have grimly but silently kept their peace.

As in any such situation, this comparative silence on the part of Louisiana's sufferers is falsely interpreted as a sign of "all is well," and while the attention of the people of a benevolent Nation has been focused upon Arkansas and other States, where widespread bank failures and demonstrations invariably brought about by human misery have taken place, the seriousness of the plight of our own people in the drought-affected area has not been fully realized, not even by our home people. There is no question but what this is true.

As the commissioner of agriculture of Louisiana, the public servant of the great farming class of this State, I have put forth every effort of which I am capable to secure the needed relief for the conditions which we all should know exist. From the outset of the discussion of plans looking toward relieving distressing conditions which have been brought about here and all through the drought-affected area, the full force of the department of agriculture has been thrown behind every agency, both governmental and otherwise, in an effort to help provide the needed funds with which to cope with this major economic problem in our State—a problem that daily becomes, and is still becoming, more acute. Again I stress the splendid results achieved by the State drought-relief committee, of which I have the honor to be a member.

After a trip through most of the affected area in Louisiana, during which many parishes involved have been visited, the opinions of hundreds of citizens heard, and the actual state of affairs in all this territory viewed with my own eyes, I am convinced that our only course to avoid privation and actual famine is to use every available means to impress upon the President, Congress, and the entire Nation the true situation. As much as it injures the pride of any red-blooded man to give voice to an appeal which is in itself an admission that help must come from outside sources, this is our duty.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

It is difficult to comprehend that approximately 40,000 good, honest, hard-working Louisiana families have become dependent upon outside aid for life's necessities. These people are not seekers of charity. They are not looking for a dole. The Nation must be made to realize that this situation calls for the dispensation of something that can not possibly be described as charity. The Government must realize this, and set in motion immediately the machinery by which these citizens can be placed again on a self-sustaining basis. They must not be allowed, no matter what the cost in dollars and cents, to become dependent for another year upon outside aid to prevent starvation and widespread misery. Through the loss of spirit and actual physical strength, brought about by their inability to take their rightful place as producers in the Nation, this condition will inevitably exist unless quick and efficient action is forthcoming.

Throughout this area of Louisiana I have also seen with my own eyes the barren and empty shelves of many of the general stores whose owners have given to the last drop of their resources to tide over their customers of long years.

They can not go farther. They have reached their limit.

These conditions are all too true. As much as we deplore them, as much as our pride rebels, we must face the situation in all its gravity and make known to the world the absolute necessity that prevails in order that Louisiana's affected citizens may receive the proper relief that American taxpayers and contributors to American independence deserve.

In order that these people may be made self-sustaining, productive citizens, it is essential that they be kept in position to carry on the operations necessary to the production of a crop. This action must be assured immediately or there will be no chance whatsoever for these courageous souls to carry on through the crop year. They can go no farther when the supply of foods for their bodies ceases. They can go no farther no matter what other provisions have been made for seed, feed, and livestock and other farming necessities. The very purpose for which the Federal Government has provided loans for these people will be defeated if food is not provided. Our stricken citizens can not go on with the work necessary for the production of a crop with weakened bodies and visions of starvation. They can not possibly do so, and the lien which the Government has taken upon the crop it hopes will be made will be worth nothing.

Regardless of the pleas, the protestations, the most rigid demands which were made by not only Louisiana's Representatives, but by leaders from every other portion of the drought-affected area, who could readily forsee the present unfortunate conditions, the Government has seen fit to deny the right to purchase food for the farmers to whom it is at present making loans for the purpose of financing this year's crop. I can not for the life of me see the logic in such a procedure, for it is obviously impossible for a hungry man and his hungry family to produce a crop with which he expects to repay the Government the money which has been loaned him, for no matter what other means he has with which to work he must have food.

The expressions of hundreds of leaders and the conditions which I have beheld myself during this survey convince me that the local interests will be entirely incapable of coping with the serious situation which the failure of the Government to provide food has brought about.

There is no assurance whatsoever that the Red Cross—doing as noble work as could possibly be done—can secure the needed funds with which to relieve such widespread conditions of distress. I find none who voice the hope that the Red Cross can contribute the meager rations, which amount on an average of $10 per month for the average family of five, beyond a very limited time.

In our own State of Louisiana a great majority of those approximately 40,000 families now receiving aid from the Red Cross, without which many of them could not exist, have absolutely no prospect of realizing a return from their efforts to produce a crop until early fall. Between the time that Red Cross funds have become exhausted and the time when these crop funds are realized these people must be sustained.

I, therefore, urge every loyal citizen throughout the entire State to call to the attention of the entire Nation the urgent need for material assistance with which these conditions can be met. Congress must not adjourn on March 3 with this great problem unsolved. It must not adjourn with the possibility of starvation staring these thousands of humans squarely in the face. It is the plain duty, it is the only humane course for Congress to follow to make adequate provisions in order that there may be no question whatsoever that this issue may be met as Americans should meet it.

CONDITIONS IN ARKANSAS

Mr. DRIVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an address delivered by my colleague, Mrs. EFFIEGENE WINGO, on conditions in Arkansas.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks by printing an address delivered by the gentlewoman from Arkansas [Mrs. WINGO]. Is there objection?

There was no objection.

The address is as follows:

Madam President and ladies, I deem it a great privilege to be able to come before such a representative body of women, and I appreciate the opportunity of telling you some of the conditions in my State.

My State, Arkansas, has received much publicity during the last few weeks, and unkind, unjust, and unwarranted criticism. My people are proud, unselfish, and patriotic, but at this time most unfortunate.

May I briefly sketch the causes of our distress, the reason for it I know not. The entire State seems to have suffered from the drought, whereas other States except Kentucky have only suffered in spots.

In 1927, you will recall, we had devastating floods. These floods are not caused solely by our rivers but by the melting snows and rivers of far away Colorado and the other States along the Mississippi River.

We were just beginning to recover from this disaster when unprecedented cold weather came in the winter of 1929–30, the temperature going down to 10° below freezing in the extreme southern part of the State and to 10° and 12° below zero in the middle western and northern parts of the State. Never was such cold weather recorded by the Weather Bureau, and no one lived who remembered such extreme cold. This extremely cold weather killed our beautiful magnolia trees and Cape-jasmines and even the hardy shrubs and the bulbs in the ground.

In my district there is the largest acreage of Elberta peaches under one management in the world. From these orchards thousands of carloads of peaches are shipped each year, bringing thousands of dollars into the State. Last year, because of this extreme cold weather, killing the fruit, there was not a peach. The strawberry and truck crops were short because of the late cold and rains.

The corn and cotton crops, our main crops, early in May should have been well started. From May 18 to August 10 there was no rainfall, and for 43 days the thermometer hovered around 100. It was hard to live—too hot to sleep. By the middle of August everything was seared.

The people realized the seriousness of the situation, and the local chapters of the Red Cross, cooperating with the county and home-demonstration agents, went from one community to another, slaughtered and canned whole beeves and sheep, preparing for winter. Many fine cattle were killed. Other animals were sent to market and sold for a very small price, because there was no feed for winter and money was scarce. The poultry and animal industries have been greatly crippled.

As soon as the fall rains started, these same patriotic people planted fall gardens and rye, oats, and barley for pasturage. Without these crops there would have been greater suffering, but early and severe cold weather again shortened the season.

I want to state here that many of these needy people are not our own citizens. Every year we have hundreds of people whom we call "crop followers." They travel from State to State and help to harvest the crops. When a crop is finished they move on.

It is not only the native Arkansan who is in distress, but in my own town we have representative families from 44 States in the Union. It is not only the people of the South who are suffering.

Great credit is due the Red Cross, especially the membership of the local chapters. These men and women have worked night and day since last August. One county has not had any outside aid. Soup and milk lines have been formed in all localities where possible, and the women are trying to care for the thousands of undernourished children. It is thought that if we can carry the suffering people through the next eight weeks the people will be able to help themselves.

All able-bodied men beseech the Red Cross to let them work—they are not mendicants. The failure of many banks because of these conditions has made the situation more difficult. It will take years for the State to rehabilitate herself. The economic situation is so thoroughly demoralized that farmers will lose their cattle, their lands, their homes. People who have known wealth all their lives have nothing.

This is a gloomy picture, but a true one. The little children are proud even in their poverty and hesitate to accept food. A friend who worked hard for the Red Cross during the World War wrote me "that the war was terrible, but now it is heartbreaking when big, strong men come to me and with quivering lips say, 'we must have help.'"

I thank you for your kindness in asking me to present these conditions and assure you, in the name of a great State, proud even in her suffering, I want to express my heartfelt gratitude.

PROTECTION OF THE DAIRY INDUSTRY——PAYMENT OF ADJUSTED-SERVICE CERTIFICATES

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a resolution adopted by the General Assembly of the State of Tennessee on the subject of the use of palm oil in the manufacture of oleomargarine.

Also, by printing a resolution adopted by the same body on the subject of the payment of the adjusted-service certificates.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD

by printing therein two resolutions adopted by the General Assembly of the State of Tennessee. Is there objection?

There was no objection.

PROTECTION OF THE DAIRY INDUSTRY

Mr. DAVIS. Mr. Speaker, on November 12, 1930, the Commissioner of Internal Revenue issued a ruling permitting the use of unbleached palm oil in the manufacture of oleomargarine without subjecting the finished product to the Federal tax of 10 cents per pound. This ruling in favor of butter substitutes, composed largely of imported products, has wrought havoc with the very important dairy industry in this country.

The Committee on Agriculture of the House has favorably reported a bill to remedy this deplorable condition.

Under leave granted, I herewith insert in the RECORD a resolution adopted by the House of Representatives of the General Assembly of the State of Tennessee protesting against said ruling of the Internal Revenue Department and urging the enactment of legislation to remedy the situation created thereby. Said resolution is as follows:

House Resolution 18. (By Mr. Gillum)

Whereas the dairy farmers of the Nation have been seriously affected by the ruling of the United States Internal Revenue Department as of November 12, 1930, which exempts oleomargarine made from vegetable oils carrying natural coloring matter from the Federal tax of 10 cents per pound on all colored oleomargarine; and

Whereas the recent prices prevailing on all dairy products, with a decline in the price of milk, cream, and butter, have caused a daily loss of approximately a million dollars to the dairy farmers of the Nation; and

Whereas the dairy industry, which is now leading in wealth produced by any manufacturing industry of the Nation, has received from said ruling its most serious blow: Therefore be it

Resolved by the House of Representatives of the General Assembly of the State of Tennessee, That we hereby implore our Senators and Representatives in Congress to use their influence and best efforts toward the correction of this injustice to the dairy farmers of the Nation and of Tennessee: Be it further

Resolved, That we respectfully solicit the entire congressional delegation from Tennessee to support such measures as are now pending in Congress that will correct this injustice to our leading agricultural industry, which is now so seriously threatened, and that a copy of this resolution be forwarded immediately to our Senators and Representatives in Congress; also to the National Dairy Union and to the American Farm Bureau at Washington, D.C.

Adopted February 4, 1931.

WALTER M. HAYNES,
Speaker of the House of Representatives.

PAYMENT OF ADJUSTED-SERVICE CERTIFICATES

Mr. DAVIS. Mr. Speaker, under leave granted, I hereby insert in the RECORD a House joint resolution adopted by the General Assembly of the State of Tennessee urging the payment in cash of the adjusted-service certificates issued to the veterans of the World War.

The resolution is as follows:

House Joint Resolution 5. (By W. J. Matthews)

Be it resolved by the house of the sixty-seventh General Assembly (the senate concurring), That two United States Senators from Tennessee and the Members of the lower House of Congress from Tennessee are respectfully requested and urged to voice the sentiment of their constituency and lend just consideration to the soldiers of the World War, by voting for the bill now pending before Congress of the United States providing for the payment, in cash, of the adjusted-service certificates issued to the soldiers of the late war; and that a copy of these resolutions be forwarded to the Hon. Herbert Clark Hoover, President of the United States, and the two United States Senators from Tennessee, and the Members of the lower House of Congress from Tennessee.

Adopted January 12, 1931.

WALTER M. HAYNES,
Speaker of the House of Representatives.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a telegram from the Los Angeles Council of the American Legion representing 17 posts of the Legion showing that they have gone on record in favor of paying the adjusted-service certificates at once.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. UNDERHILL. Mr. Speaker, I object.

ADDRESS BY HON. FRANKLIN W. FORT, OF NEW JERSEY

Mr. RAGON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an address delivered by the gentleman from New Jersey [Mr. FORT] last night over the radio on the subject of what America owes to Arkansas, and I hope that every Member of this House will read this beautiful speech. [Applause.]

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD by printing therein an address delivered by the gentleman from New Jersey [Mr. FORT]. Is there objection?

There was no objection.

WHAT AMERICA OWES TO ARKANSAS

Last summer a drought of unprecedented severity struck large sections of the United States—nowhere more forcibly than in Arkansas. On all but 1 of 43 successive days the thermometer went above 100°, and for three months the rainfall practically never moistened the ground. Arkansas is a farming State—her crops were destroyed. And, in the wake of the destruction, 143 banks failed in six months, so that both the income and the savings of her people were gone.

To-night I want to give you a bit of the history of the World War as it affected Arkansas—that you may understand the type of Americans who are there in need—that you may hear one of the finest stories of mass self-sacrifice in all our history.

It was my privilege during the war to be a member of the Washington staff of the United States Food Administration. My duties were chiefly to visit the different States, assist in organizing them, and make explanatory talks about the food program and the reasons for the various restrictive requests which we made of the people. In the course of this work I went to Arkansas in 1918 and on Thursday, the 28th of March, made a talk in the city of Pine Bluff, then the second city in the State and the county seat of Jefferson County, which, as I recall it, had a population of nearly 60,000 people. I was utterly a stranger and the meeting had been arranged on only 48 hours' notice, but, in a great tabernacle which had been built for some revival campaign, there were gathered two or three thousand people hungry for the story of the war and of how they could help and believing that the man from Washington could tell them.

The great German drive had just broken the British lines in northern France and, day by day, the communiques brought more and more dreadful news. It looked like a longer and harder war those days than it ever had before or ever did again. And all of us were tense, indeed. To many Americans on the seaboard and to some elsewhere the war had been a real and horrible thing for years, but to most of the people in that part of America it had only recently become real. The background was very cloudy, but they knew that America was involved, that their boys had gone to do their share, and they wanted to know what those at home could do, and to do it. Never mind what the war was all about. Enough that America was in, and they were Americans.

So I told them why food must be saved, and which foods. At the moment wheat was our greatest need and I told them why, because we had had a very short crop in 1917 and because our allies were in dire straits and wheat was the easiest grain to handle and ship both to them and to our own troops in France. The Food Administration, as you will recall, operated on the basis of voluntary self-denial, not of enforced rationing, but the wheat situation was so acute that just at that period we had set a limit of allowance of wheat flour for the various States, something like seven pounds per person per month.

I told them all this and then added that, of course, they might have this amount, but we hoped they would do better because they would get their spring vegetables early; because they knew how to make corn bread and we didn't up North; and because our munition workers needed a sandwich bread while the South did not. They listened intently—so much so that I told the story very simply without rhetorical appeal except as the facts themselves appealed. And I went on the midnight train to another town.

On Sunday the county food administrator of Jefferson County, Mack Hollis, telephoned to me at Little Rock an invitation to be in Pine Bluff Monday noon. He refused to give any reason other than to promise that I would not be disappointed if I came, but something in his voice made me cancel another engagement and go.

At the hotel in Pine Bluff were gathered the county food-administration staff and a group of leading citizens. They had gathered to give me a message to Mr. Hoover, then United States Food Administrator, and this was the message: Between Thursday night and Monday morning they had taken a census of every unbroken package of wheat flour in Jefferson County—whether a 24-pound paper bag or a 196-pound barrel—of every brand and of no brand. And every housewife had taken back her package to the grocer who had repaid her the original retail price. And every grocer had taken back his stock—on hand or repurchased—to the jobber, who had repaid him the original wholesale price. And they there tendered the entire supply, some 11,000 barrels, at the original cost price to the jobber for shipment to our own soldiers or sailors or to the Allies or to the munition workers up North, but not, as they put it, for resale in the South to any less patriotic neighbors.

With the tender went the pledge that no other wheat flour would be permitted to come into the county until the next harvest was milled, then four months away. And when a man who was there from outside Pine Bluff made the suggestion that it should be shipped by special train to New York with labels proclaiming it as Pine Bluff's contribution to the allied cause the instant and emphatic response was "No; we didn't do it for advertising."

I returned to Washington in a few days to be met with telegrams that all Arkansas was on fire to emulate Pine Bluff, and Mr. Hoover sent me back to handle the collection of the flour and arrange for the reimbursement of the jobbers. The question of price came up—the flour was of many brands and many original costs—and the practical flour men of the Food Administration wanted to name a flat price or at least a top price. But Mr. Hoover, with that fine appreciation of the true spirit of America which is always his, said "Pay them whatever they say it cost, recognizing the patriotic impulse that inspires them. If any of it is higher than the Army and Navy or the allied purchasing commission will pay, I'll pay for it myself and give it to the Belgian Relief Commission." And the practical flour men wanted it shipped to near-by points and other flour already packed in jute sent abroad. It would have been much simpler. But Mr. Hoover said that the wish of the people of Arkansas was to be respected and their flour shipped.

So their flour was shipped to New Orleans, repacked in jute and sent abroad—55,000 barrels of it from all over Arkansas. Some was carted, without charge, 20 miles by mule team to the railroad from back in the country or the mountains. And all of it was delivered at New Orleans at a lower average price than the then prevailing wholesale rate for flour there. I even had to fight them to keep enough for their hospitals and to avoid closing their commercial bakers. If their country and its Allies needed wheat, Arkansas did not—that was the universal attitude.

Three weeks after my first visit I was in Pine Bluff again—and again in the great tabernacle. Senator ROBINSON was there to tell them more about the war and the structure was jammed with eager people. When he had finished, the chairman introduced me simply as "the man who has come to take our flour away from us"—and they cheered and applauded as I have never been applauded before nor since. The sight of that wildly cheering throng will be with me always. You would have thought I had performed some great service or brought some munificent gift. But it was not I they were cheering, it was the messenger through whom they were sending their superb proof of their Americanism and their fine devotion.

But Arkansas did not stop with flour. In the fall we had a real shortage of sugar. Again we made allotments to the States. For November we fixed for Arkansas about 4,000,000 pounds—about 2 pounds per person. Well, along in October a telegram came to Washington from Hamp Williams, Arkansas State food administrator, tendering 1,000,000 pounds of Arkansas sugar allotment for November as a Christmas present to the troops in France—not to Arkansas' troops, but to America's troops. And we arranged to have 1,000,000 pounds of sugar made into candy and sent it to France with a card in each box reading, "To the American troops in France. The manufacture of over 2,000,000 pounds of candy for you has been made possible by a free-will offering of the people of Arkansas, as a Christmas token of their loyalty to you and to the cause which you so splendidly uphold." And as a result the people of Arkansas had only a little over a pound of sugar apiece for the month of November. Mr. Hoover acknowledged this unique gift with the words "I must leave the expression of gratitude for this thoughtful generosity of the people of Arkansas to the boys in France. All that I can do is to express my very great personal appreciation of their fine spirit." And on November 5, 1918, General Pershing cabled to the Arkansas food administrator, expressing the gratitude of the boys in France in these words: "Please convey to the people of Arkansas our grateful thanks for their generosity to the American Expeditionary Forces. Their act of self-denial in offering one-quarter of their November allotment of sugar to provide candy for the troops is a Christmas gift that warms the hearts of all and makes us still more thankful for American ideals and more proud of our people at home, whose battles we are fighting."

Thus Arkansas cast her bread across the waters—and followed it with sugar. She gave, not out of plenty but out of scant supplies. And to-day the people of Arkansas need food and need it desperately. Two methods are suggested to meet their need. One is through a Government appropriation—as we handle poor and alms cases—taxing our people to pay the bill. The other is by the voluntary contributions of American citizens as we care for our families, our friends, and neighbors in their time of need. Which method shall we use? Arkansas answered that question for us in 1918. She asked no law, no tax to stir the generosity of her people. She enforced no contributions from them, but out of their great hearts they gave as individuals that others might live.

And now we—you and I and all of us—have the chance through our gifts to the Red Cross to return to the people of Arkansas the food which they cast across the waters. And we will—I know we will—not as a thing of laws or taxes but in that fine and generous spirit which lives in every true American—that spirit of which Arkansas gave such compelling proof—the spirit of unsparing self-sacrifice. Let us do our part to-night.

CONSTRUCTION OF PUBLIC WORKS AT PHILADELPHIA, PA.

Mr. DARROW. Mr. Speaker, I call up the bill (H. R. 10166) to authorize the Secretary of the Navy to proceed with the construction of certain public works at Philadelphia, Pa., and for other purposes, with Senate amendments thereto and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Pennsylvania calls up the bill H. R. 10166, with Senate amendments thereto, and moves to concur in the Senate amendments. The Clerk will report the bill and the Senate amendments.

The Clerk reported the title of the bill and read the Senate amendments as follows:

Page 1, line 11, after "$3,000,000," insert "*Provided*, That of the above amounts $200,000 for the purchase of land and $100,000 for the buildings, equipment, accessories, and appurtenances, in all, $300,000, shall be expended from the naval hospital fund."

Page 2, lines 4 and 5, strike out "such lands as he may deem necessary or desirable for said purpose" and insert "any land which may be acquired by gift."

Page 2, after line 5, insert:

"SEC. 3. The Secretary of the Navy is hereby authorized to employ, when deemed by him desirable or advantageous, by contract or otherwise, outside professional or technical services of persons, firms, or corporations, to such extent as he may require for the purposes of this act, without reference to the classification act of 1923, as amended, or to section 3709 of the Revised Statutes of the United States, in addition to employees otherwise authorized, and expenditures for such purpose shall be made from the naval hospital fund."

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Do I understand that the gentleman from Pennsylvania is calling this up as a matter of right under the rules for the purpose of moving that the House concur in the Senate amendments, and that the Chair has held that that is a privileged matter under the rules?

The SPEAKER. The Chair thinks so.

Mr. VINSON of Georgia. Mr. Speaker, did the gentleman from Pennsylvania ask unanimous consent to take it from the Speaker's table, or has he moved to take it from the Speaker's table?

The SPEAKER. The Chair understood the gentleman from Pennsylvania to call it up. The Chair thinks he has a right to do this inasmuch as it does not seem to the Chair that it is necessary to consider the Senate amendments in Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia. As the gentleman from Oklahoma [Mr. MCCLINTIC] is on the floor, I have nothing further to ask the gentleman from Pennsylvania.

Mr. STAFFORD. Mr. Speaker, will the gentleman from Pennsylvania yield?

Mr. DARROW. Yes.

Mr. STAFFORD. Has the amendment that the Senate has added to section 2 any covert significance? As section 2 was originally phrased the Secretary of the Navy was authorized to accept on behalf of the United States any such lands as he may deem necessary or desirable for the stated purpose.

Now, you strike out "such lands as may be necessary or desirable for said purposes" and provide that he is authorized to accept any land which may be acquired by gift. Is it purposed by the changed phraseology that the Secretary of the Navy is obliged to accept land which perhaps he may not think is necessary or desired by the Government for this purpose?

Mr. DARROW. Mr. Speaker, in reply to the gentleman from Wisconsin [Mr. STAFFORD], my understanding of that amendment is that it was a change of verbiage simply to clarify it and put it in better language than it was in the House bill. As I understand, it does not change the provision with reference to the purchase of land or anything else.

Mr. STAFFORD. The original language would vest in the Secretary of the Navy authority to accept only such lands as he deemed necessary or desirable. Now you are taking away that privilege and saying "such lands as may be acquired by gift" and removing the discretion. Is it the purpose to foist upon the National Government land which the Secretary of the Navy may not deem necessary or desirable?

Mr. DARROW. No. In reply to that I think I can state positively that this is the language that the department itself requested, and it is simply to put it in different phraseology.

Mr. STAFFORD. The department requested this change?

Mr. DARROW. Yes, sir.

Mr. STAFFORD. Then they have changed front since the bill was under consideration in the House?

Mr. DARROW. I do not think so.

Mr. STAFFORD. Well, they have as far as changing the language is concerned.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. DARROW. I yield.

Mr. VINSON of Georgia. The effect of the Senate amendment is that discretion is given the Secretary of the Navy to accept from the city of Philadelphia certain property, if that property is suitable for hospital purposes. If it is not suitable for hospital purposes, then the Secretary has the right to take out of the hospital fund $200,000 for the purpose of purchasing property suitable for a naval hospital. Not one dollar of that money comes out of the Treasury of the United States. It is put into the hospital fund by the officers and enlisted men of the Navy. Is that not correct?

Mr. DARROW. As penalties and fines, and can be used for this purpose.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DARROW. I yield.

Mr. LAGUARDIA. The gentleman is incorrect. Section 2 of the bill reads:

> The Secretary of the Navy is hereby authorized to accept, on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to any land which may be acquired by gift.

And, if the gentleman will permit, when this matter was before the House last session we wrote into that bill at the time "such lands as he may deem necessary or desirable," because there is a proposition to put this hospital down in the lowlands near the tracks.

Mr. VINSON of Georgia. May I state to the gentleman from New York the intention was to confer upon the Secretary authority to accept suitable lands? If it is not suitable, they are to purchase land.

Mr. LAGUARDIA. That has been removed. If the gentlemen will vote down the Senate amendment, then it will carry out the idea and intent of the House.

Mr. VINSON of Georgia. Does the Senate amendment preclude the Secretary of the Navy from having a voice in accepting the property?

Mr. LAGUARDIA. Yes; because these words are stricken from the bill: "Such lands as he may deem necessary or desirable for said purpose," and in lieu thereof these words put in: "Any land which may be acquired by gift."

Mr. VINSON of Georgia. Of course, I will state we do not want to force the Secretary to accept lands that are not suitable. We want to leave it discretionary with the Secretary in accepting the property.

Mr. LAGUARDIA. If the gentleman will remember, when the bill was before the House we agreed we would hold the Secretary of the Navy responsible.

Mr. VINSON of Georgia. That is correct.

Mr. LAGUARDIA. And those words are put in. Now they are stricken out and we practically tell him to take any land that is given as a gift. The gentleman from Georgia [Mr. VINSON] has a great deal of interest in this hospital. The gentleman's committee has a great deal of interest in this hospital. I most humbly suggest that that change should not be permitted.

Mr. STAFFORD. The idea is that we reject the Senate amendment, as far as section 2 is concerned?

Mr. LAGUARDIA. Exactly.

Mr. MILLER. Will the gentleman yield?

Mr. DARROW. I yield.

Mr. MILLER. There is no provision in the bill requiring the Secretary to accept that land. He may accept it.

Mr. LAGUARDIA. Yes. It authorizes him to accept it.

Mr. MILLER. If he finds the donation is not available for that purpose, he can reject it.

Mr. LAGUARDIA. What is the gentleman's interpretation of the action of Congress in guiding the Secretary, when we struck out the phrase "that it must be desirable for such purpose" and put in "land which may be offered as a gift"?

Mr. MILLER. Changes, simply to clarify the situation. He can accept it or not, as he pleases.

Mr. VINSON of Georgia. Will the Senate amendment preclude the Secretary from having discretion to accept what property is tendered?

Mr. LAGUARDIA. The provision put in by the House "such lands as he may deem necessary or desirable for said purpose" is stricken from the bill and in lieu thereof the Senate has inserted "any land which may be acquired by gift."

Mr. DARROW. Is it not true that this simply authorizes the Secretary of the Navy to accept any land that might be offered as a gift, if he thinks it desirable?

Mr. LAGUARDIA. Oh, I would go along with the gentleman on that, but you have stricken out "the desirability."

Mr. DARROW. But he is authorized to do it if, in his judgment, he wants to accept it.

Mr. LAGUARDIA. Oh, I can not construe it that way. I will leave it to any Member of the House, once having written into the bill the words "as he may deem desirable," and then striking that out, would be construed to mean that the Secretary of the Navy is limited to taking the land, as long as it is a gift.

Mr. VINSON of Georgia. I may state to the gentleman my understanding of the thought of the committee was two things: To leave it discretionary with the Secretary of the Navy to accept whatever property is offered.

If that is not satisfactory to the Secretary of the Navy, then he is authorized to purchase suitable property. Does the bill do that?

Mr. LAGUARDIA. When the gentleman uses the language "to accept such gift," does he not couple it with the language "if the land is suitable for said purpose"?

Mr. VINSON of Georgia. It does not make it absolutely mandatory on the part of the Secretary to accept it. He has the alternative of accepting it if he sees fit to do so. If the land is not suitable and he does not accept it, then he has the alternative of buying suitable property. That is the intention.

Mr. STAFFORD. Under what phraseology is the Secretary given that discretion?

Mr. HALE. In section 1. It is necessary to read section 1 and section 2, and the only purpose of the Senate amendment in section 2 is to make it plain that the Secretary of the Navy is given authority to accept such a gift. As the House passed the bill section 2 did not contain the word "gift," and the Senate has put that word in the bill. It is clear to me, at least, that section 1 gives the Secretary of the Navy authority to accept a gift, and if the gift is not suitable he is given authority to go ahead with a purchase.

Mr. VINSON of Georgia. And that was the intention.

Mr. HALE. That is all that is intended.

Mr. VINSON of Georgia. That is all we desire to do.

Mr. LAGUARDIA. The gentleman is in error when he says the House bill did not contain a provision which permitted the Secretary to accept a gift, because the bill provides that:

> The Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable for said purpose.

Mr. HALE. Then section 2 was superfluous as the House passed it, and the Senate has fixed it so it is not superfluous, and a reading of section 1, in connection with section 2, makes the authority complete.

Mr. LAGUARDIA. The gentleman has confidence in the Secretary of the Navy?

Mr. HALE. I have.

Mr. LAGUARDIA. Then what is wrong with the proposition so that it has been found necessary to strike out the language:

Such lands as he may deem necessary or desirable for said purpose.

Mr. HALE. I think there is nothing wrong with the proposition, and I think the bill does that.

Mr. LAGUARDIA. No; the amendment strikes those words from the bill.

Mr. HALE. If the gentleman will read section 1 over again I think he will find it does not.

Mr. LAGUARDIA. I think it does. There can not be any difference of opinion about that.

Mr. DARROW. To me it is very clear that the Secretary is given discretion to accept a gift or not. If he does not accept it then he has authority, under section 1, to purchase land at a cost not to exceed $200,000. If he accepts a gift, of course, he does not have to purchase. There is certainly discretion there. He can purchase or he can accept a gift.

Mr. LAGUARDIA. I am sure the Members who oppose this provision want to be helpful, so why does not the gentleman pass his bill without the Senate amendment, because the bill, without the Senate amendment, carries out the purpose?

Mr. DARROW. We passed the bill and it came back from the Senate with this amendment. I am doing this because of the urgency of the matter, and inasmuch as the amendment does not change the authority of the Secretary of the Navy to purchase or to accept a gift—in order to save time and insure the passage of the bill—I hope gentlemen will not raise any objection.

Mr. LAGUARDIA. I appeal to every Member of the Naval Affairs Committee who has the interest of the Navy at heart and who wants to build this hospital at a suitable location.

Mr. VINSON of Georgia. That is what we are trying to do.

Mr. LAGUARDIA. If this amendment is agreed to, I am sure this matter wil come back to haunt you.

Mr. VINSON of Georgia. Let me suggest to the gentleman that that is the desire, and that is what we thought the Senate amendment did, leave it to the discretion of the Secretary to accept suitable property, and if suitable property was not offered, then to give him the alternative of purchasing property that would be suitable.

Mr. LAGUARDIA. Then why in the name of common sense did you strike out the words "desirable for said purpose"?

Mr. McCLINTIC of Oklahoma. Does the gentleman hold that the change in the bill will probably cause this hospital to be located in some section of the city where the ground is low and swampy?

Mr. LAGUARDIA. I hold that the striking out of the provision contained in the bill putting the responsibility on the Secretary of the Navy as to the desirability of the location is tantamount to a mandate to the Secretary to accept a gift.

Mr. McCLINTIC of Oklahoma. Does not the gentleman think he could get some kind of an agreement with the author of the bill, having in mind that it will probably be passed without any serious objection?

Mr. VINSON of Georgia. I will state to the gentleman from Oklahoma that the idea of the author of the bill is to avoid a conference. Of course, if the bill goes to conference, these things could be worked out, but the gentleman from Pennsylvania is seeking to avoid the necessity of a conference, having in mind that the amendment does exactly what was in the mind of everyone, to leave it discretionary with the Secretary.

Mr. LAGUARDIA. I leave the responsibility with the gentleman on the Naval Affairs Committee.

Mr. McCLINTIC of Oklahoma. Will the gentleman yield to me for a brief statement?

Mr. DARROW. I yield to the gentleman.

Mr. McCLINTIC of Oklahoma. Mr. Speaker and gentlemen of the House, as a member of the Committee on Naval Affairs I have interposed objection to this bill in the past on the ground that this hospital is being constructed chiefly for the purpose of taking care of veteran patients, when in my opinion every department of the Government should take care of its own patients, and I have thought that if the Veterans' Bureau does not have a sufficient number of hospitals it is the duty of this Congress to give its support to any legislation that is necessary to bring that about.

When this bill was up before I called attention to a letter written to the gentleman from New York [Mr. SNELL], and I have a copy of the letter here, in which a positive recommendation was made by the Veterans' Bureau that this bill be not enacted into law. However, to be fair, I want to say that a recommendation was made in favor of this project in some kind of an annual report, but when the bill came before the committee language was used by the Secretary of the Navy that absolutely reported against the passage of this particular bill, and I have the letter here and will put the language used in the RECORD:

And therefore the Navy Department does not recommend that the bill H. R. 10166 be enacted at the present time.

May I say in conclusion that the Washington Star of yesterday carries the statement that 18 new veterans' hospitals are to be completed, and according to the present program this will provide 10,000 additional beds available for veteran patients.

I think the Navy ought to have facilities to take care of the sick and injured, and I shall always vote for any hospital bill that is necessary to take care of them, but I do not believe it is right to remove veterans away from their homes and put them in naval hospitals. I think it would be far better to utilize private hospitals, having in mind that a patient will always do a great deal better if he can be hospitalized close to his loved ones. For this reason I have opposed not this particular bill, but the principle that is involved, having in mind that if this bill is enacted into law other sections of the country will come in and ask for naval hospitals for the purpose of hospitalizing veteran patients, and for this reason I had hoped we would not establish a precedent which would cause a flood of similar bills to be presented to the Congress in the future.

Mr. DARROW. Mr. Speaker, in reply to the gentleman from Oklahoma, let me refer to the Federal Hospitalization Board, which was formed in 1924, a board composed of representatives from all the bureaus, the Army, the Navy, the Veterans' Bureau, and the Public Health Service.

Mr. McCLINTIC of Oklahoma. Let me say to the gentleman I will admit they have made a favorable report, but not on this bill, if I am correctly informed.

Mr. DARROW. And permit me to state the purpose of this board.

This bill was referred by the Budget to the board for its recommendation. The board has favorably recommended it to the Budget and the Budget has approved it.

The purpose of the board is:

It shall be the duty of the board (a) to recommend general plans of operation designed to knit together proper coordination of the hospital activities of the several departments and establishments, with a view to increasing the usefulness and efficiency of the several organizations so as to achieve a maximum of service and economy in operation, maintenance, and betterments; to give consideration to and make recommendations on questions which may arise concerning the proper coordination, with particular reference to (a) the use of existing facilities, (b) the construction of addtional facilities, and (c) the standardization and utilization of supplies. The purpose of creating this board is to coordinate the separate hospital facilities—

Of the Government.

It has proven to be an economy, as well as promoting efficiency, to operate in this way.

This is a general and surgical hospital. The nearest Veterans' Bureau hospital, according to the testimony, is out on the Great Lakes near Chicago, with another one in Maine, and a new one being constructed at Hartford. It is true they have neuropsychiatric and tuberculosis hospitals, but there is no hospital to take care of this class of patients, and General Hines, in a letter that I have here, said they will

need at least 400 beds at this hospital, otherwise he would be compelled to ask Congress to authorize a Veterans' hospital in this vicinity.

Mr. McCLINTIC of Oklahoma. The gentleman's statements are absolutely correct, but it is rather hard for a member of the committee to straighten out in his own mind the report on the bill which says:

And therefore the Navy Department does not recommend that the bill H. R. 10166 be enacted at the present time.

Mr. DARROW. Yes.

Mr. McCLINTIC of Oklahoma. I was just wondering why the Secretary of the Navy made a direct adverse report on this bill, and why General Hines said in his letter to Chairman SNELL, dated June 12, 1930, the following:

The bureau, under existing law, can not recommend to the Congress any additional hospital facilities at this time unless—

And then the letter goes on to state the reasons why, if certain changes were made with respect to the regulations to take in an entirely different class of patients, it might then be advisable.

So in view of the fact that both of the bureaus have made adverse reports, it seems the policy I have advocated is correct. However, I want to say that personally I do not have any objection to the gentleman making his presentation. I realize he is doing the best he can for his district. The gentleman certainly has been kind and generous to me, and I would not have anyone for a minute think I am making my objection for any other reason except from the standpoint of advocating a proper policy.

I am especially interested in the thought that private hospitals should be utilized to take care of veteran patients in the event there are not sufficient facilities to be had in veterans' hospitals. The adoption of such a policy would cause many ex-service men to receive treatment near to their place of residence, which would help them from the standpoint of morale and cause them to be better satisfied in every way. I have in mind some splendid fireproof new hospitals owned by private individuals in the district that I have the honor to represent. All of these could furnish some beds to hospitalize veteran patients, if such a policy was adopted. Therefore, I am hoping that the Veterans' Bureau will carefully consider my views along this line, as I know such a policy would be beneficial to all concerned.

My attention has just been called to some remarks made by the gentleman from Pennsylvania [Mr. SWICK] concerning this subject, which are pertinent, as follows:

There may be those who feel that the veteran should be hospitalized in a Government hospital. Many of the veterans felt, soon after coming out of the Army, that they wanted to be hospitalized by themselves. But conditions have changed. It has been 12 years since the close of the war. Eighty per cent of these men at that time were single and rather preferred to be with their comrades. To-day, however, the picture has changed, and 80 per cent of these men are married and have families, and it seems to me that a great majority of them would prefer to be hospitalized in their own city, or in their own county, or even in their own congressional district, where "Johnnie" or "Mary" could call on them, along with mother, every day or two and know exactly how the veteran father and husband was getting along, and it would be a comfort for him to have these near and dear ones see him often.

I want to conclude by asking that each and every one of you may give this subject your earnest consideration, with a view to giving the greatest service to the veteran with the least burden on the taxpayer.

Anyone interested in this subject will find a complete statement of facts in the CONGRESSIONAL RECORD dated June 18, 1930, in a speech made by myself on that occasion.

Mr. DARROW. In reply to that I want to say that the Secretary of the Navy, after receiving the approval of the Budget, has recommended this as the most urgent need of new construction because of the fire hazard and because these old temporary buildings are rapidly approaching the limit of their usefulness. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Senate amendments.

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

On motion of Mr. DARROW, a motion to reconsider the vote whereby the Senate amendments were agreed to was laid on the table.

TAXES—BONUS—LIENS

Mr. HANCOCK of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including three resolutions adopted by the General Assembly of North Carolina and directed to the Congress of the United States.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HANCOCK of North Carolina. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following and direct the same to the Congress of the United States:

Resolution 11

S. Res. 16: A joint resolution requesting Congress to rebate at least 20 per cent of the commodity tax collected from North Carolina to relieve the land tax for schools of the State

The General Assembly of North Carolina do enact:

Whereas for the fiscal year 1920 the Federal Government collected from tobacco and cigarette taxes imposed in North Carolina $108,457,156.85, and in 1930, $256,729,938.33. For 11 years $2,009,878,428.98 has been collected. The income tax for 1920 was $44,962,859.99; for 1929, $20,066,795.21. The tobacco taxes have increased nearly two and a half times and the income tax lowered by over one-half. The tobacco and cigarette tax in 1929 was $233,915,029.11, an increase this year over last year of $22,814,909.22, yet North Carolina collected for all State purposes last year (1929) from income, inheritance, license, and franchise tax $15,823,932.63. Of this sum $6,500,000 was used for an equalizing fund for schools. This year the tobacco farmers are estimated to have gotten an average of about 12 cents a pound for tobacco, and the Federal Government placed a tax of about 96 cents a pound on tobacco and cigarettes—the Federal Government got eight times more a pound than the farmer. This tax tends to depress the tobacco industry and ultimately and adversely affects the tobacco farmer.

Whereas our schools—other than the equalization fund—are supported by a tax on land and 46½ per cent of our tax on land is levied for school purposes. The total levied on land for the year 1927–28 was $35,605,440.70. Since the World War every tax has been decreased except the tobacco tax, which has been increased two and a half times—which is heavy. Under the Federal law, the Federal estate tax is reduced by the amount of State inheritance tax paid down to a minimum of 20 per cent of the Federal tax, by giving credit on the Federal tax of all State tax paid up to 80 per cent of the Federal tax. For example, if the Federal tax is $10,000 and the North Carolina State tax $8,000, the taxpayer pays the National Government $2,000 and the State $8,000. Thus our State collects $8,000 without increasing the taxpayer's burden. We have a precedent to request this rebate.

Resolved by the senate (the house of representatives concurring)—

SECTION 1. That the Congress of the United States be requested and urged to pass a law providing that whenever any State of the Union levies a tax for revenue on any commodity or article upon which the United States Government levies a like or similar tax the United States Government will remit to the person, firm, or corporation paying said tax an amount equal to the tax levied by the State for said purpose upon said commodity or article provided the State tax does not exceed 20 per cent of the tax levied by the United States Government.

SEC. 2. That his excellency Gov. O. Max Gardner is requested to appoint a committee to memorialize Congress as to this heavy tax, and take such action as they deem proper in an effort to obtain a rebate as suggested, or any other method whereby a portion of this tax can be used to relieve the heavy tax on land in North Carolina; this committee to act without cost to the State.

SEC. 3. That a copy of this resolution be forwarded by the secretary of state to each Senator and Member of the House of Representatives in Congress from this State that they may use their utmost endeavor to obtain this rebate.

SEC. 4. That this resolution be in force and effect from and after its ratification.

In the general assembly read three times and ratified this 19th day of January 1931.

R. T. FOUNTAIN,
President of the Senate.
WILLIS SMITH,
Speaker of the House of Representatives.

Examined and found correct.

LOVILL, *for Committee.*

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, J. A. Hartness, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (three sheets) to be a true copy from the records of this office.

In witness whereof I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh this 31st day of January, in the year of our Lord 1931.

[SEAL.] J. A. HARTNESS,
Secretary of State.

Resolution No. 13

S. R. 55: Joint resolution requesting Congress to pass an act authorizing the immediate payment to veterans of the World War the face value of their adjusted-service certificates

Whereas unemployment and distress can be reduced and our Nation made prosperous immediately without changing our tax laws, if Congress will authorize the payment in cash at this time of an honest debt which has been publicly confessed now owed by the Government to the veterans of the World War for services rendered; and

Whereas this will affect over 3,000,000 veterans of the World War who reside in every section of the United States and payment of the certificates at this time will relieve unemployment and distress: Now, therefore, be it

Resolved by the senate (the house of representatives concurring)—

SECTION 1. That we memorialize the Congress of the United States to enact into law some measure that will authorize the payment at this time of the adjusted-service certificates now held by the World War veterans.

SEC. 2. That a copy of this resolution be forwarded to each Senator and Member of the House of Representatives in Congress from the State of North Carolina with the request that they seek by appropriate legislation to secure the payment of these adjusted-service certificates at this time.

SEC. 3. That the Secretary of State of North Carolina transmit, under seal of the State of North Carolina, copy of this resolution to the secretary of state in all those 31 States in which the legislatures are now in session with the request that it be presented to the several legislatures as a memorial from the Legislature of North Carolina.

SEC. 4. That this resolution shall be in force from and after its ratification.

In the general assembly read three times and ratified, this 30th day of January, 1931.

R. T. FOUNTAIN,
President of the Senate.
WILLIS SMITH,
Speaker of the House of Representatives.

Examined and found correct.
For committee.

GATLING.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, J. A. Hartness, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (two sheets) to be a true copy from the records of this office.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 31st day of January, in the year of our Lord 1931.

[SEAL.] J. A. HARTNESS,
Secretary of State.

Resolution No. 14

S. Res. 54: Joint resolution requesting the Senators and Representatives in Congress from the State of North Carolina to secure the enactment of some appropriate measure delaying foreclosure of liens by Federal land banks

Whereas three successive crop failures having visited the State of North Carolina and other Southeastern States, making it practically impossible for certain borrowers from the Federal land banks to meet the interest on their loans; and

Whereas under the law the land banks are closing out these delinquents; and

Whereas there have been introduced in the Congress of the United States resolutions requesting the officers of the Federal land banks to withhold these foreclosures: Now, therefore, be it

Resolved by the senate (the house of representatives concurring):

SECTION 1. That we request the Senators and Representatives in Congress from the State of North Carolina to support any appropriate legislation that will delay the foreclosure of liens held by the Federal land banks or the Federal farm loan banks, and joint-stock land banks, pending the action of Congress on legislation making appropriations for the Government to meet the maturing interest and to carry them for such time as in the judgment of the local Federal land-bank officers would be justified and to support such pending legislation providing for such appropriations.

SEC. 2. That a copy of this resolution be transmitted to each Senator and Representative in Congress from North Carolina by the Secretary of State under the seal of State.

SEC. 3. That this resolution shall be in full force and effect from and after its ratification.

In the general assembly read three times and ratified, this the 30th day of January, 1931.

R. T. FOUNTAIN,
President of the Senate.
WILLIS SMITH,
Speaker of the House of Representatives.

Examined and found correct:

GATLING, *for Committee.*

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, J. A. Hartness, Secretary of State of the State of North Carolina, do hereby certify the foregoing and attached (two sheets) to be a true copy from the records of this office.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 31st day of January, in the year of our Lord 1931.

[SEAL.] J. A. HARTNESS, *Secretary of State.*

CHANGING NAME OF B STREET NW. TO CONSTITUTION AVENUE

The SPEAKER. Under a rule adopted yesterday the consideration of District bills is in order.

Mr. ZIHLMAN. Mr. Speaker, I call up first, in recognition of the distinguished gentleman from Wisconsin [Mr. COOPER], House Joint Resolution 404, on the House Calendar, to change the name of B Street NW. in the District of Columbia.

The Clerk read the joint resolution, as follows:

House Joint Resolution 404

Joint resolution to change the name of B Street NW., in the District of Columbia

Whereas one of the important results of the completion of the work, now in progress, of carrying out the plans of the National Government for public improvements in the District of Columbia will be a widened B Street NW., approximately 2 miles long, from the Capitol Grounds to Arlington Memorial Bridge; and

Whereas this street, bordered by stately public buildings and by the beautiful Mall and Parkway, within which are the Nation's monument to George Washington, and memorial to Abraham Lincoln, will be one of the most impressive thoroughfares in the world; and

Whereas a street thus connecting the Capitol with the Memorial Bridge leading over the Potomac River to Arlington National Cemetery, formerly the home estate of Robert E. Lee, and to the Washington Memorial Highway which ends at Mount Vernon—a street so rich in historical association and destined during the centuries to behold countless processions of American patriots and millions of liberty-loving men, women, and children, wending their way to Arlington and the Tomb of the Unknown Soldier—should have a name in keeping with its character, a name of dignity and beauty and profound significance; and

Whereas the Constitution of the United States of America, "the most wonderful work ever struck off at a given time by the brain and the purpose of man," is the mighty instrument which made the land of Washington and Lincoln and Lee "An indissoluble Union of indestructible States" from the Great Lakes to the Gulf of Mexico, from the Atlantic Ocean to the golden shores of the Pacific, the grandest home that freedom ever knew, under the freest government the world has ever seen: Therefore be it

Resolved, etc., That in honor of the Constitution of the United States of America, the thoroughfare now known as B Street NW., in the District of Columbia, and as it may at any time be extended, widened, or otherwise changed, shall hereafter bear the name "Constitution Avenue."

Mr. ZIHLMAN. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, the preamble of the pending resolution recites the reasons why I think that "Constitution Avenue" would be a most appropriate name for this new and what is to be magnificent avenue from the Capitol Grounds to the Potomac River and Arlington Memorial Bridge.

The Constitution united politically what at one time were differing sections of the Republic, and this soon-to-be beautiful avenue from the Capitol to Arlington Memorial Bridge will in sentiment also unite these two sections.

The preamble and resolution, if I may be permitted to read them, are as follows:

Whereas one of the important results of the completion of the work, now in progress, of carrying out the plans of the National Government for public improvements in the District of Columbia, will be a widened B Street NW., approximately 2 miles long, from the Capitol Grounds to Arlington Memorial Bridge; and

Whereas this street, bordered by stately public buildings and by the beautiful Mall and Parkway, within which are the Nation's monument to George Washington, and memorial to Abraham Lincoln, will be one of the most impressive thoroughfares in the world; and

Whereas a street thus connecting the Capitol with the Memorial Bridge leading over the Potomac River to Arlington National Cemetery, formerly the home estate of Robert E. Lee, and to the Washington Memorial Highway which ends at Mount Vernon—a street so rich in historical association and destined during the centuries to behold countless processions of American patriots and millions of liberty-loving men, women, and children, wending their way to Arlington and the Tomb of the Unknown Soldier—should have a name in keeping with its character, a name of dignity and beauty and profound significance; and

Whereas the Constitution of the United States of America, "the most wonderful work ever struck off at a given time by the brain and the purpose of man," is the mighty instrument which made the land of Washington and Lincoln and Lee "An indissoluble union of indestructible States" from the Great Lakes to the Gulf of Mexico, from the Atlantic Ocean to the golden shores of the Pacific, the grandest home that freedom ever knew, under the freest government the world has ever seen: Therefore be it

Resolved, etc., That in honor of the Constitution of the United States of America, the thoroughfare now known as B Street NW., in the District of Columbia, and as it may at any time be extended, widened, or otherwise changed, shall hereafter bear the name "Constitution Avenue."

Mr. Speaker, it is needless for me to remind the House of what the Constitution of the United States of America has done for our country and for the world. Gladstone, in a famous essay, declared the Constitution to be "the most wonderful work ever struck off at a given time by the brain and the purpose of man," and this, I believe, is the view now generally held by the statesmen of the world.

We are apt to forget sometimes, I fear, what the Constitution did for us and for all humanity. I believe from a reading of history that next to the establishment of the Christian religion, the establishment of the United States of America as an independent republic is the most important event in the history of mankind. [Applause.] And this we owe entirely, absolutely, to the Constitution.

At the time of its adoption, may I remind you, the States were virtually as hostile to each other as the countries of continental Europe had always been toward each other. For example, as you know, Connecticut declared almost, not quite, war against New York, and erected a tariff barrier against products from New York coming into Connecticut. New York retaliated by putting up a tariff against products from New Jersey and Connecticut. They would not allow a cord of wood to come over from Connecticut to be burned in the city of New York without paying a tax.

Courts were broken up in Massachusetts in several cities by armed mobs, some of which included men with guns and bayonets. Judges, trying to administer justice, were driven from court rooms in fright for fear of their lives.

The most critical period in the history of this Republic was not the four years of the War between the States—1861 to 1865—but in my judgment, a fair reading of history demonstrates that, beyond all question, the dangerous period for American institutions and for the preservation of liberty to mankind were the six years following the signing of the peace between Great Britain and the thirteen Colonies.

The Colonies were drifting toward anarchy. As I said, they were as hostile to each other as for generations the countries of continental Europe had been toward each other. And it was the Constitution, and only the Constitution, the product of the convention in Philadelphia presided over by George Washington, which saved the discordant Colonies from anarchy. It is to the Constitution, and only to the Constitution, that we owe our existence as a nation. [Applause.]

To show the transcendent importance in human affairs of our Constitution, I need not remind you, Mr. Speaker, that when it was adopted the statesmen of the Old World held that the mass of mankind had no "rights" but only certain "privileges" which might or might not be granted them as a favor by some monarch wearing a crown. Only a few years before the Declaration of Independence was proclaimed the Commentaries of Blackstone, one of the so-called fathers of English law, were published and sent throughout the civilized world. On reading them in law school, I memorized and have since always remembered, as you remember, Mr. Speaker, certain of his statements of what the world generally then thought were fundamental principles of government. And especially do we remember his statement that—

The distinction of ranks and honors is necessary in every well-governed State. A system of nobility creates and preserves that gradual scale of dignity which proceeds from the peasant to the prince.

And another statement of his:

Where the magistrate upon every succession is elected by the people and may, by the express provision of the laws, be deposed (if not punished) by his subjects, this may sound to some like the perfection of liberty, and look well enough when delineated upon paper, but in practice will ever be found productive of tumult, contention, and anarchy.

But, Mr. Speaker, that this so-called father of English law and European statesmen generally were mere children in their estimate of man's power of self-government, we have demonstrated by our example of more than 140 years of government under the Constitution of the United States of America. [Applause.]

Never before now, Mr. Speaker, has there been an opportunity for the Congress appropriately to name a street Constitution Avenue. Because now, for the first time, there is to be in the District a street worthy of that lofty name.

It has been suggested, I observe in the newspapers, that this street be named Jefferson Avenue, after Thomas Jefferson. No one, I think, has a higher appreciation than is mine for that great man. But it does not seem to me that this thoroughfare from the Capitol to the Potomac River should be called Jefferson Avenue. Already there are in this country innumerable Jefferson Streets and Jefferson Avenues. I do believe, however, and have long thought, that there should here be a memorial worthy of him. But that memorial should, in my judgment, be on an open space to be called "Independence Square," or at the end of what might be called "Independence Avenue." It should be located in harmonious relation to other features of the great development, and where the greatest possible number of residents and visitors will readily see it. It should, of course, contain a statue of the immortal author of the Declaration of Independence; but most important of all, the law for its erection should expressly command that on the exterior of such memorial, and above the principal entrance, in large letters of bronze overlaid with gold leaf, shall be these words:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights—

[Applause.]

that among these are Life, Liberty, and the pursuit of Happiness. That to secure these Rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.

And the law should contain also an express provision that these words on the memorial shall every night be illuminated by electric light so that they may never be in darkness, but always, in the daytime and in the night time, be plainly legible to visitors or passers-by. Such a memorial would, as it were, be the very soul of Thomas Jefferson. Who can measure the good it would do to have Thomas Jefferson thus speaking every day and every night to his countrymen? And now, if ever, the world needs to hear him. [Applause.]

Mr. Speaker, these words are the declaration of a principle of government. But it is the Constitution of the United States of America, we must remember, which has blessed mankind by making this principle a living thing. That Constitution is the imperishable guaranty of liberty to the American people. [Applause.]

Mr. Speaker, in my judgment, this thoroughfare of 2 miles from the Capitol to the river ought not to be named after any State, or after any individual, however distinguished. Nor does either the name Memorial Avenue or National Avenue impress me as being at all worthy of it. "Memorial Avenue" is too indefinite—too vague—not sufficiently specific.

And there are throughout the country innumerable "National" Avenues.

Mr. Speaker, and ladies and gentlemen of the House, when the stately public buildings and other structures which are to border it from the Capitol to the river shall be completed, there will be no other thoroughfare in America—indeed, I believe, no other in the world—to rival it in impressiveness and as a reminder of the long, long struggle to rescue liberty from the grasp of hostile power. Every American patriot passing along "Constitution Avenue" will think of the Constitution of the United States of America, the charter by which his liberty is made secure, and to which his country owes all its greatness and glory. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, it has been called to my attention since my distinguished colleague the gentleman from Wisconsin [Mr. COOPER] began speaking that he, more than any other man, possibly, is responsible for the Lincoln Memorial Building, that wonderful temple, the Nation's most beautiful monument to the Great Emancipator, and also for the avenue that leads to it. This comes to me from one of the officers of the House who is familiar with facts, and with which many Members have some knowledge. He has just brought me a copy of the CONGRESSIONAL RECORD which contains the address of Mr. COOPER on January 28, 1913. I was present at that time, but the incident had escaped me. The remarks referred to occurred in a discussion with the distinguished gentleman from Kentucky, Mr. Sherley, and at that time Mr. COOPER had this to say about that marvelous temple, which had been authorized to be constructed by the Government:

Mr. COOPER. I give it as my judgment, after having seen many of the important memorials in Europe and some in Asia, that nowhere will there be another so simple, beautiful, dignified, and effective.

On entering it one will see nothing in front of him in the majestic room, 60 feet in height, except at the opposite end a statue to Abraham Lincoln, not in "Greek garments," as somebody said yesterday, but clad as he was here in Washington in the days when he was saving the Republic of the United States. [Applause.] The place will be a sanctuary. Turning and looking between the columns he will read on the wall:

"Four score and seven years ago our forefathers brought forth on this continent a nation, conceived in liberty and dedicated to the proposition that all men are created equal"—

And all of that wonderful address.

Mr. SHERWOOD. Did not he say that on the battlefield of Gettysburg and not in a Greek temple?

Mr. COOPER. He said it at Gettysburg.

I would complete the picture so graphically drawn by the gentleman from Wisconsin by reading two brief extracts on the same subject, also brought to me by an official of the House, who was present on all the occasions when that subject was before the House for consideration.

On October 11, 1913, Mr. COOPER said of the proposed Lincoln Memorial:

I wish this memorial to be made a leading feature of the Burnham Commission's great plan for the improvement and beautification of the city of Washington. That plan provides for the removal of the Botanic Garden and the conversion of the site into Union Square; for the making of an avenue bordered by trees straight from the Capitol to the Potomac, this avenue to contain two monuments, one the towering shaft to the memory of Washington, the Father of the Republic, and the other a beautiful memorial to Lincoln, the man who saved it; and that from the memorial to Lincoln a great bridge shall span the river to Arlington, where sleep the Nation's dead. * * *

Mr. Speaker, the whole conception of this avenue as proposed by the Burnham Commission is magnificent—the Capitol, Washington, Lincoln, the Memorial Bridge, Arlington! No other avenue in all the world would be so beautiful nor mean so much to the friends of free government.

Nearly a dozen years after his eloquent tribute above recited, my distinguished colleague, Mr. COOPER, on February 18, 1925, said in the House when discussing this same subject:

Mr. COOPER. Gentlemen, * * * the plan is to have an avenue from this Capitol to the Potomac. In that avenue will stand only the towering shaft to George Washington and the superb, the matchless memorial to Abraham Lincoln. Beyond will come the Memorial Bridge, and then Arlington, where rest in dreamless sleep the soldier dead. During the generations after you and I are forever gone millions of our countrymen will come to this Capital City, and millions as the generations pass away will go over that bridge to Arlington. The Capitol, Washington, Lincoln, the Memorial Bridge, and Arlington, the home of Lee. [Applause.] It is a glorious conception. Every Member of the House should be glad of the opportunity to vote for the pending bill. [Applause.]

Mr. Speaker, we have had here to-day an example of what we are pleased to call old-school eloquence and ideals, a school of which my distinguished colleague [Mr. COOPER] and the distinguished gentleman from Virginia [Mr. TUCKER] are both members. It is a school which brings back to us high ideals and noble sentiments, with reverence for our great Constitution, frequently in the midst of our practical everyday sort of work in this House of Representatives. When we listen to the eloquent address of a man like my friend and colleague [Mr. COOPER] who has proposed this resolution to name this thoroughfare Constitution Avenue it brings to mind the debt of gratitude the country owes him and those who visioned this great plan that is now about to be realized. No man has fought more brave battles in this House and in national conventions during two score of years past than my eminent colleague, a real man, second to none. He enjoys the love and respect of this whole House with his 36 years of service which he has so honorably held, lately as dean of the House. This occasion is a privilege granted to Members of the House of which we are all proud. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, as one of the many great admirers of the distinguished gentleman from Wisconsin [Mr. COOPER] in this House, I rise to say that every moment during my service here his splendid service has been to me an inspiration. I can remember that memorable night of April 6, 1917, when three men in this House, rising in their seats from both sides of the aisle, dared to get up and tell the Congress of the horrors of war and to ask the Congress to hesitate before it voted this great Government into war. One was the distinguished gentleman from Wisconsin [Mr. COOPER]. The other two I have in mind were the distinguished gentleman from Missouri, Mr. Champ Clark, and the distinguished gentleman from North Carolina, Mr. Claude Kitchin, the absence of each of whom we daily miss. What they said upon that night has been ever present with me. What they said of the horrors of war was true, as we have found out since that time.

But I noticed that after this country engaged in war no men in the House were more active than these three very distinguished statesmen in support of their Government and in helping their Government to win the war. [Applause.]

In conclusion permit me to say that every bit of the distinguished service of this distinguished gentleman from Wisconsin [Mr. COOPER] has been characterized by that doctrine that all men are created free and equal and are endowed with inalienable rights. [Applause.]

Mr. ZIHLMAN. Mr. Speaker, I move the previous question on the joint resolution to final passage.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ZIHLMAN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

Mr. PATTERSON. Will the gentleman yield?

Mr. ZIHLMAN. I yield.

Mr. PATTERSON. I would like to know the order in which the gentleman is going to consider the bills to-day?

Mr. ZIHLMAN. I will furnish the gentleman with a list of the bills.

Mr. PATTERSON. I thank the gentleman.

OUTDOOR ADVERTISING SIGNS

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, and pending that I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. ZIHLMAN] calls up the bill S. 4022; and pending that, asks unanimous consent that the bill be considered in the House as in Committee of the Whole House. Is there objection?

Mr. PATTERSON. Reserving the right to object, is it the purpose of the gentleman to call up the bill S. 3165 this afternoon?

Mr. ZIHLMAN. Yes. It is my purpose to call it up later in the day.

Mr. PATTERSON. Mr. Speaker, I do not wish to delay orderly procedure, but I feel that this bill requires a great deal of consideration and I feel there are many Members

that probably would not understand the purport of this bill and the effect it might have.

Mr. DEMPSEY. What is the bill to which the gentleman refers?

Mr. PATTERSON. It is a bill sponsored by the traction companies and the big corporations, in my judgment, to raise the taxicab fares back to 65 and 75 cents instead of 35 cents.

Mr. LAGUARDIA. No; no. This is the outdoor advertising bill.

Mr. PATTERSON. I am not talking about the bill which the gentleman is calling up now. I am talking about S. 3165.

Mr. ZIHLMAN. The gentleman can raise that question at the proper time if he desires to do so.

Mr. LAGUARDIA. On the bill S. 4022 there is a very interesting constitutional question. I am sure the gentleman wishes to give the House the benefit of his study of this question, so that we may be sure that we are passing a real good bill. Everybody is in sympathy with the purpose of the bill, but I think that it should be considered in the Committee of the Whole.

Mr. PATTERSON. The point I was trying to make is that those of us who oppose this bill will not have an opportunity to put our case before the House unless the gentleman is kind enough to give us that opportunity.

Mr. ZIHLMAN. I am sure I will be able to give the gentleman every opportunity to present his views and any amendments he may suggest when we reach the bill about which the gentleman is speaking.

Mr. PATTERSON. I do not wish to take it out on the bill S. 4022, but it seems to be the only way we can do it.

Mr. LAGUARDIA. If the gentleman from Alabama would not tell all he wishes to do, we could do it better.

Mr. PATTERSON. I am not telling anything.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. ZIHLMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, and pending that motion I ask unanimous consent that general debate be dispensed with.

Mr. LAGUARDIA. I object to that, Mr. Speaker.

Mr. ZIHLMAN. Mr. Speaker, I will modify my request, that general debate be limited to 20 minutes, 10 minutes to be controlled by the opposition and 10 minutes by myself.

Mr. LAGUARDIA. The time is fixed by the rules, Mr. Speaker.

The SPEAKER pro tempore. There is no special rule involved. The bill is called up by the gentleman from Maryland.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAGUARDIA. In the absence of the House fixing the time, any party who is recognized in opposition to the bill is in control of one hour, and the gentleman favoring the bill in control of one hour.

The SPEAKER pro tempore. The gentleman is partly correct. Any Member who receives recognition is recognized for one hour.

Mr. ZIHLMAN. Mr. Speaker, may I ask the gentleman what time he desires be fixed for the general debate on this bill to regulate outdoor advertising in the District of Columbia?

Mr. LAGUARDIA. Two hours.

Mr. ZIHLMAN. Mr. Speaker, I renew my motion, without the unanimous-consent request.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Maryland.

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 consideration of the bill (S. 4022) for the regulation of outdoor advertising in the District of Columbia, with Mr. STAFFORD in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. LAGUARDIA. Mr. Chairman, I object.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to make and enforce such regulations as they may deem advisable to govern the erection, hanging, placing, painting, display, and maintenance of all outdoor signs and other forms of exterior advertising within the District of Columbia, and such regulations as may be promulgated hereunder shall have the force and effect of law.

SEC. 2. No person, persons, firm, or corporation shall engage in the business of erecting, hanging, placing, painting, or displaying any sign for outdoor display within the District of Columbia without first having obtained a license therefor from the superintendent of licenses of the District of Columbia, which license shall bear an identification number: *Provided*, That no license shall issue without the prepayment of $5 to the collector of taxes of the District of Columbia, and an annual fee of $5 thereafter for each succeeding year. For good cause shown the Commissioners of the District of Columbia shall have the power to reject any application for a license hereunder, or, where license has been issued, to revoke it.

SEC. 3. That paragraph 39 of the act of July 1, 1902 (32 Stat. L. pt. 1, pp. 627–628), relating to billposters and signs, and the act of March 4, 1913 (37 Stat. L. pt. 1, p. 974), relating to the erection of real estate signs in the District of Columbia, be, and the same are hereby, repealed.

SEC. 4. Any person, persons, firm, or corporation, whether as principal, agent, or employee, violating this act or any of the regulations promulgated pursuant to said act, shall, upon conviction thereof in the police court of the District of Columbia, be fined not less than $5 nor more than $100 for each and every offense, and a like fine shall be imposed for each and every day thereafter that such violation of law shall continue: *Provided*, That the regulations promulgated hereunder shall be printed in one of the daily newspapers published in the District of Columbia, and no penalty prescribed for the violation of said regulations shall be enforced until 30 days after the publication of such regulations.

The CHAIRMAN. If no general debate is desired, the Clerk will read the bill for amendment.

Mr. LAGUARDIA. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. LAGUARDIA. I wish to hear the proponent of the bill, and then I desire recognition.

The CHAIRMAN. Does the gentleman from Maryland desire recognition?

Mr. ZIHLMAN. I desire recognition, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland [Mr. ZIHLMAN] is recognized for one hour.

Mr. ZIHLMAN. Mr. Chairman, I yield such time as he may desire to the chairman of the subcommittee having the bill in charge.

Mr. BLANTON. Mr. Chairman, a point of order. That is not necessary. The gentleman has that right, anyway. After he is recognized the gentleman can yield his one hour to anybody he desires.

The CHAIRMAN. The gentleman from Maryland is recognized.

Mr. ZIHLMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana, the chairman of the subcommittee having this bill in charge [Mr. HALL]. [Applause.]

Mr. HALL of Indiana. Mr. Chairman and gentlemen of the committee, as the chairman of the committee has said, I was the chairman of the subcommittee which had this bill in charge; and perhaps there are a few remarks which ought to be made in explanation of it.

The National Government is in the midst of a tremendous building program in the District of Columbia and the surrounding territory. It is spending millions of dollars upon that building program in preparation for the years to come, and especially does it have in mind the George Washington celebration in 1932. In preparation for this the expenditure of money alone does not make the proper prepa-

ration, because we must properly control the general viewpoint around the city and its approaches.

I am sure that everyone who has driven into the city of Washington has been struck by some of the views that are presented to them—billboards, unsightly signs upon old buildings, and even in the city of Washington its beauty is spoiled because of the unsightly and uncontrolled advertising that is carried on.

The title of the bill—

To regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia—

explains the purpose of the bill. The intention is to place in the hands of the Commissioners of the District of Columbia authority, after public hearings, to regulate this method of advertising. Extended hearings were held on this bill, both in the Senate and in the House committee. No serious objections whatever were presented from any organization. The bill has the indorsement of the Commissioners of the District, the civic organizations of the city, and the various organizations which really have an interest in the welfare of the District of Columbia.

This particular form of legislation is creating a great deal of interest all over the country, and it is a start along a line that is going to be taken up by the various States in an endeavor to make our public highways more presentable.

One of the objections I anticipate to this bill will be to the provision found on page 2, lines 2 and 3, in which authority is given to the commissioners to regulate advertising on public ways and on public space and also to regulate the same on private property that is exposed to public view. This was not in the bill as it came to us from the Senate, but is an amendment presented by the Commissioners of the District. It was also presented to us by the legislative counsel of the District. This particular amendment was taken from the laws of the State of New York in its attempt to control this particular form of advertising.

I am not going to discuss the constitutional questions involved in this particular amendment. I am not a constitutional lawyer.

Mr. LANKFORD of Georgia. Will the gentleman yield?

Mr. HALL of Indiana. I yield.

Mr. LANKFORD of Georgia. Has the Supreme Court of New York passed on the constitutionality of this particular provision?

Mr. HALL of Indiana. I can not answer that. In furthering this particular legislation I am sure that, as it is presented to you here, we are indebted to Mr. Noyes, of the Washington Star, for a great deal of the information that has come to us and the creating of a favorable attitude toward this particular legislation.

It is our sincere hope that this bill shall be enacted into law, because it will go a long way toward making Washington the beautiful city we are hoping it will continue to be. [Applause.]

Mr. ZIHLMAN. Mr. Chairman, I think the gentleman from Indiana has fully explained the purposes of the bill, and I do not think there is any more debate desired by those who favor the legislation.

Mr. LAGUARDIA. Mr. Chairman, I ask recognition.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Is not the situation just this: The genleman who facetiously calls himself an outlaw, but who is just the opposite, now has every member of the committee with his hands up, and he has the House with its hands up, so that no one may move, and he is not going to let us do anything this evening unless this 3 per cent per month bill is withdrawn. The gentleman is within his rights, and he knows how to do it, so why does not the committee realize the situation and withdraw that bill and let us go on and pass legislation that is needed? If they do withdraw this, then the gentleman is going to let them pass these other bills, is he not? Is not that the situation?

Mr. LAGUARDIA. I do not know. The gentleman from Texas is an expert in parliamentary maneuvers, tactics, and strategy.

Mr. BLANTON. When I see a situation I can tell what it means.

Mr. PATTERSON. But this is not the only bill that will be opposed.

Mr. BLANTON. I really believe this bill, known as the Capper-Bowman bill, originally drawn by the gentleman from Kentucky, Judge Gilbert, is the result of the honest, conscientious work of the gentleman from Kentucky, Mr. Gilbert, for the poor people of the District, believing that it will benefit them.

Mr. ZIHLMAN. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] realizes that as chairman of the committee with this program of legislation in charge I am anxious to pass legislation which the District Commissioners say is essential in the conduct of public business. In view of the attitude taken by the gentleman in tying up the committee and making it impossible for the consideration of legislation to which there is no opposition, if the gentleman will desist now, then, as chairman of the committee, I shall take the bill he has been speaking of off the list.

Mr. LAGUARDIA. Mr. Chairman, I yield the floor.

Mr. PATTERSON. What about Senate 3615?

The CHAIRMAN. The gentleman from New York yields the floor. The gentleman from Maryland is recognized.

Mr. ZIHLMAN. I might say to the gentleman from Alabama that legislation to which there is a great deal of opposition will have to be governed by the situation that develops.

Mr. PATTERSON. There will be plenty of opposition developed.

Mr. ZIHLMAN. If the gentleman will permit the chairman of the committee to get rid of this needed legislation, I shall give him opportunity to explain his opposition to legislation on the program. We must be governed by the judgment of the House as to whether we will go ahead with it.

Mr. PATTERSON. I think this admits of the same consideration as the other bill, and I think the gentleman ought to withdraw it also.

Mr. MOORE of Virginia. Will the gentleman do us the favor of stating the bills he proposes to call up and the order in which he proposes to call them, so that we may know whether to be here at this or that hour?

Mr. ZIHLMAN. If the gentleman will let us proceed with this bill, I shall make a statement as to that.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to make and enforce such regulations as they may deem advisable to govern the erection, hanging, placing, painting, display, and maintenance of all outdoor signs and other forms of exterior advertising within the District of Columbia, and such regulations as may be promulgated hereunder shall have the force and effect of law.

With the following committee amendments:

Page 1, line 4, after the word "empowered," insert the words "after public hearings," and in line 5, after the word "and," insert the word "to."

Line 6, after the word "to," insert "control, restrict, and," and on page 2, line 1, after the word "advertising," insert "on public ways and public space under their control and on private property within public view."

The committee amendments were agreed to.

The Clerk read as follows:

SEC. 2. No person, persons, firm, or corporation shall engage in the business of erecting, hanging, placing, painting, or displaying any sign for outdoor display within the District of Columbia without first having obtained a license therefor from the superintendent of licenses of the District of Columbia, which license shall bear an identification number: *Provided*, That no license shall issue without the prepayment of $5 to the collector of taxes of the District of Columbia, and an annual fee of $5 thereafter for each succeeding year. For good cause shown the Commissioners of the District of Columbia shall have the power to reject any application for a license hereunder, or, where license has been issued, to revoke it.

With the following committee amendments:

Page 2, line 8, strike out the word "or," and after the word "displaying" insert the words "or maintaining."

The committee amendments were agreed to.

The Clerk read as follows:

SEC. 3. That paragraph 39 of the act of July 1, 1902 (32 Stat. L., pt. 1, pp. 627–628), relating to billposters and signs, and the act of March 4, 1913 (37 Stat. L., pt. 1, p. 974), relating to the erection of real-estate signs in the District of Columbia, be, and the same are hereby, repealed.

With the following committee amendment:

Page 2, line 21, after the word "signs," strike out the comma and the words "and the act of March 4, 1913 (37 Stat. L., pt. 1, p. 974), relating to the erection of real-estate signs."

Line 23, strike out the word "are" and insert the word "is."

The committee amendments were agreed to.

The Clerk read as follows:

SEC. 4. Any person, persons, firm, or corporation, whether as principal, agent, or employee, violating this act or any of the regulations promulgated pursuant to said act, shall, upon conviction thereof in the police court of the District of Columbia, be fined not less than $5 nor more than $100 for each and every offense, and a like fine shall be imposed for each and every day thereafter that such violation of law shall continue: *Provided*, That the regulations promulgated hereunder shall be printed in one of the daily newspapers published in the District of Columbia, and no penalty prescribed for the violation of said regulations shall be enforced until 30 days after the publication of such regulations.

With the following committee amendments:

Page 3, line 5, strike out "$5" and insert "$10," and in line 6, strike out "$100" and insert "$200."

The committee amendments were agreed to.

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

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. SNELL] having resumed the chair, Mr. STAFFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. ZIHLMAN. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them in gross.

The amendments were agreed to.

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

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

Mr. ZIHLMAN. Mr. Speaker, in view of the opposition that has manifested itself to the bill S. 3615 by the gentleman from Alabama, and the gentleman from Alabama [Mr. PATTERSON] agreeing to withdraw his opposition to the program of the committee, I hereby withdraw the bill S. 3615, the taxicab responsibility bill, from consideration on the program to-day.

WIDENING OF PINEY BRANCH ROAD, DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 16479) to authorize the widening of Piney Branch Road NW., in the District of Columbia, and for other purposes, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. ZIHLMAN] calls up the bill H. R. 16479 and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to institute in the Supreme Court of the District of Columbia under subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, and amendments thereto, a proceeding in rem to condemn the land necessary for the widening of Piney Branch Road to a width of 90 feet from Butternut Street to the Metropolitan Branch of the Baltimore & Ohio Railroad, in the vicinity of Fern Place NW., in the District of Columbia, the land herein authorized to be condemned for said widening being a strip of land 28½ feet wide along the westerly line of Piney Branch Road, as now publicly owned between Butternut Street and Blair Road through squares 3171 and 3174, and a strip of land 28½ feet wide along the easterly line of Piney Branch Road as now publicly owned between Butternut Street and Blair Road through squares 3172, 3190, 3189, and a public park at the intersection of Cedar Street with Piney Branch Road and a public park at the intersection of Blair Road and Piney Branch Road; and the commissioners are further authorized to condemn a strip of land 90 feet wide between Blair Road and the Metropolitan Branch of the Baltimore & Ohio Railroad upon a direct extension of the lines of Piney Branch Road between Blair Road and Butternut Street as herein provided for: *Provided*, That through squares 3171 and 3172 the condemnation shall be upon such curve lines as the commissioners may determine to connect with Piney Branch Road as now publicly owned south of Butternut Street and upon such curve lines through squares 3182 and 3184 as the commissioners may determine to connect with the proposed underpass in the vicinity of Fern Place and the Metropolitan Branch of the Baltimore & Ohio Railroad.

SEC. 2. All laws now in force and effect for the condemnation of streets in accordance with the plan of the permanent system of highways for the District of Columbia shall be applicable to the condemnation for the widening of Piney Branch Road as provided for in this act, and the indefinite appropriation for the opening, extending, widening, or straightening of streets in accordance with said plan shall be available for the payment of any and all costs and expenses in connection with the condemnation proceedings instituted in accordance with this act.

With the following committee amendment:

Page 3, after line 10, insert the following new paragraph:

"SEC. 3. All laws and parts of laws inconsistent with or in conflict with the provisions of this act are hereby repealed."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

RAILROAD CONSOLIDATION

Mr. WOLVERTON of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks on railroad consolidation by inserting in the RECORD a speech delivered by Hon. John J. Cornwall, of West Virginia, former Governor of West Virginia, and now general counsel of the Baltimore and Ohio Railroad Co., on this subject before the Association of Commerce at Bloomington, Ill., on January 27, 1931.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The address is as follows:

I am glad to have the opportunity to meet so many of the business men of Bloomington and regret that President Willard was unable to be here, for I quite appreciate your desire to have him as your guest. I am sure, however, that you thoroughly understand how much engrossed he is in these days of unsettled conditions. He asked me to say that he hopes to have the pleasure of visiting you on some future, similar occasion.

Mr. Willard appreciates, as do all the other Baltimore & Ohio officers, the apparent friendly feeling of the people of Bloomington toward the Baltimore & Ohio. Indeed, that spirit of friendliness appears to exist all along the Chicago & Alton. I, myself, have had a number of letters from different cities and towns on its lines indicating that the acquisition of the road by the Baltimore & Ohio was welcomed.

We quite understand what the Alton has meant and continues to mean to the city of Bloomington, and you need feel no apprehension here as to the outcome of Baltimore & Ohio control. With modern shops, strategically located, I should think you might reasonably hope that, if the Alton is strengthened, as we expect, under Baltimore & Ohio ownership, Bloomington would profit therefrom.

Naturally, now that your home line has passed under trunk-line control, you may wonder what kind of folk constitute the Baltimore & Ohio management; how they do business and what is their attitude toward employees and the public. Perhaps I can exercise a little more liberty and use a little more leeway in discussing those questions than could the other general officers of the company, for this reason:

All of them have been railroad men all their lives, and all of them, except President Willard, have spent their lives with the Baltimore & Ohio, and he, as you know, has been president of the company for more than 20 years.

For myself, while I have been of counsel for the company, in some capacity, for a third of a century, I have been a director for 10 years and general counsel for less than 9 years. Long before

I came to the Baltimore & Ohio as general counsel I had dealings with Baltimore & Ohio officials. With their cooperation, I was interested in building a short-line railroad. I was identified with industries that shipped thousands of carloads of freght over the line.

As a member of the Legislature of West Virginia, and as the State's chief executive, a State in which the railroad has very large interests, I had an opportunity to know and observe the way Baltimore & Ohio officials did business, and it was because of that knowledge and my admiration for them and for President Willard's policies that I accepted the invitation to become a part of the Baltimore & Ohio organization. I have never regretted that step.

What are the Baltimore & Ohio policies, you may ask, with perfect propriety.

I think that question may be fairly answered by a few simple statements. When Mr. Willard came back to the road as its president, more than a score of years ago, in speaking to the supervising officers of the company at a general staff meeting, he laid down the general but, nevertheless, definite proposition that he wanted the Baltimore & Ohio to be "a good neighbor."

Now, I need not undertake to define what characteristics one must possess to be a good neighbor. That would be a waste of time. Our individual views might vary in some degree, but fundamentally they would be the same. Baltimore & Ohio officers and employees, from the highest to the lowest, understood and caught the "good-neighbor" spirit. They have, as a rule, lived and practiced it among themselves and in their dealings with the public. Of course, in a big organization, occasionally someone is bound to get out of step. Under exasperating conditions or in difficult situations any of us may fail to measure up to our responsibility sometimes, but, on the whole, I think our organization has the neighborly spirit

I believe you know something of the cooperative plan which was born on the Baltimore & Ohio, whereby management and men work together for better results; whereby workers are invited to make, and have made, thousands of suggestions which were adopted, of improving conditions and increasing the output of shops, a plan that has not only facilitated the work but further cemented the good relations between the management and the men.

Then, in dealing with the question of the relations of the company with its customers and the general public, President Willard clothed the Baltimore & Ohio spirit with this language—"the will to please." It is in the light of that apt phrase that we of the Baltimore & Ohio try to work. We like to think of these things as constituting the Baltimore & Ohio spirit. We talk it among ourselves, and all of us are expected, and I think most of us honestly try, to possess and to manifest that spirit in our dealings and in our relations with our customers and with the public.

This much I have said in an effort to interpret to you the Baltimore & Ohio spirit and to give you intimation of the motivating methods of the Baltimore & Ohio management.

For a time at least, I do not know how long nor do I think anyone else can say, the Alton will be operated as a separate entity, apart from the Baltimore & Ohio but under its control. Nevertheless, I feel sure you will find the Baltimore & Ohio spirit pervading the local organization and you will find Baltimore & Ohio executives will know you and your local situation and that they will be ever interested in your welfare, for upon the prosperity of the communities along the line the prosperity and progress of the Alton must in large part depend. And, of course, all of us hope for its prosperity and progress.

For more than a decade the question of railroad consolidation has beclouded the horizon of the carriers, beclouding it worse in the eastern or trunk line territory than in the other parts of the country because there is more trackage and more problems per square mile than there is in the other sections.

For eight years the Interstate Commerce Commission delayed issuing a final plan, often indicating its inability or indisposition to do so, and more than once asking Congress to relieve it of the task. Finally, last year it promulgated the plan providing for five instead of four systems in the eastern region outside of New England.

Soon it was evident to almost everybody that the projected fifth system, of which the Wabash was to be the key, because of changed economic and business conditions, if for no other, was impossible of attainment. In the meantime the business depression and decline in railroad revenues made it imperative that the railroad situation in that territory be relieved of uncertainty. The trunk-line executives set about to see what might be accomplished in that direction. You are familiar with what they accomplished in the way of a tentative or general agreement for the grouping of the roads in that region into four systems. The matter, of course, is for the commission to determine finally. There must be hearings—considerable delay is unavoidable—but those who know the general railroad situation naturally hope the commission will be able to act with reasonable promptness and that it will find it in the public interest to approve the 4-system agreement so that the carriers in that region will be relieved of uncertainty; so that the smaller lines will know where, ultimately, they are to land; so that plans can go forward for development of the systems, not alone in the interest of the railroads but in the interest of a revival of general business and a return of normal conditions.

There has been a feeling engendered in some quarters, especially in congressional circles, that the proposed grouping is some kind of a high financial scheme; that it is to be a stock-watering job. The people who think this forget how these unifications are hedged about by law and safeguarded by the strictest supervision of the Interstate Commerce Commission in the issuance of securities.

They appear to feel it is a grab game of the railroads. As to this they forget that the 1920 amendment to the interstate commerce act ordered the Interstate Commerce Commission to bring about the grouping of all the railroads in the country into a limited number of strong, well-balanced systems.

They forget that our present large and efficient railroad systems are the result of mergers or absorptions in the past. The Baltimore & Ohio itself is made up of several hundred small or short lines. All of the large systems were created through an evolutionary process. During Federal control—the Great War period—the Government arbitrarily grouped them, or many of them, unifying their operations. When the roads were turned back to their owners in 1920, Congress was convinced they could be financed more successfully and operated more efficiently and economically were they grouped into a limited number of systems—hence the law to that effect. Instead of having them go on with the slow process of developing big systems as heretofore, it would have them come forth under the commission's supervision full-sized and panoplied like Minerva from the brow of Jove.

The difficulties confronting the executives in trying to effect an agreement for the grouping of the lines in trunk-line territory were so numerous as to be almost insurmountable. Even now there are unsettled questions. That these might not upset the general scheme, they are to be left to arbitration.

I think you and all the people of the country have a big stake in this agreement; that you may well urge those who would destroy it, whether in or out of Congress, to desist; for if this 4-system proposal is turned down by the commission or thwarted by congressional action, the railroad situation in that eastern region will not only fail of coordination but it may, to some degree, become chaotic. Its effect on the general business situation in the country as a whole would be most unfavorable.

In other times this might not have been the case, but times have changed, conditions have changed. The railroads to-day are faced with competition of various kinds, of new forms, much of which is, in effect, subsidized by Federal and State Governments; subsidized by indirect payments out of the public treasuries, tax money, no inconsiderable part of which the railroads themselves pay. This subsidizing process of competitive transportation catches the railroads like the old colored man's trap caught the mice—"comin' and gwiein'."

Not in a spirit of complaint or of criticism, but in frank recognition of changed conditions, let us recall some of the things that have happened.

Each decade, up to the last one, the freight and passenger business of the steam railroads increased in proportion to the growth and development of the country, the freight business more than 80 per cent in some 10-year periods and the passenger traffic almost proportionately. From 1920 to 1929, inclusive, the increase in revenue ton-miles was less than 9 per cent, while passenger miles actually decreased 35 per cent. During that period, however, the railroads raised and expended for capital purposes—to expand and improve their facilities—$6,000,000,000, assuming responsibility for increased net earnings to pay interest or dividends on that new capital, amounting to more than $250,000,000 annually.

What caused this slump in the theretofore normal increase in their freight revenues and the actual decrease of more than one-third in their passenger revenues in the last 10 years?

In 1920 there were about 8,000,000 automobiles registered in the United States. In 1929 there were more than 23,000,000.

In 1920 there were 10,000 passenger motor busses in operation as public carriers. In 1929 the number had increased to 92,000. That accounts for the loss of passenger business, except that airplane travel has likewise become a considerable factor. Motor truck transportation development has been even more devastating in its effect upon railroad revenues. Without the cost of the upkeep of the roadbeds upon which they operate, as in the case of the railroads, without Government regulation of their rates, routes, or reports, naturally they have a great advantage over the rail carriers in many particulars, upon which time will not permit me to elaborate.

But this is not all, or the worst, from the railroad point of view. The tonnage carried by ship lines through the Panama Canal increased from 1,372,000 tons in 1921 to 10,100,000 tons in 1929, or 637.3 per cent. The railroads are forbidden to operate ship lines through the canal, nor are they permitted to adjust rates, as in some instances they might, to meet this unregulated competition.

Here in the Middle West there appears to be great interest in inland waterways development, which the railroads have not and do not oppose where actually economically justified. Hundreds of millions of dollars have been expended and huge sums are still being appropriated to deepen inland waterways and carry on that development, a very considerable part of which is paid into the Government Treasury by the railroads in taxes. That business has grown rapidly under the fostering hand of the Government. In 1920 there were handled on these waterways 83,000,000 tons of freight, while in 1928, the last year for which figures are available, 161,000,000 tons were carried. Concerns operating on these waterways do not have to take 15 cents out of every dollar earned for the upkeep of the roadbed, as do the railroads, nor do they pay taxes on it. It is furnished free, and there are no expensive and restrictive regulations of the operation, as in the case with the railroads.

There is one phase of this waterways operation we do think is uneconomical, unfair, and un-American in character, and that is the operation of Government barge lines, at Government expense, in competition with the rail carriers, and the requirements of interchange of traffic and divisions of rates and revenues by the railroads with the barge company. This is similar to Senator BROOKHART's proposal, embodied in his bill, for the Government to acquire a transcontinental railroad line, to be operated by the Government in competition with the privately owned but Government regulated railroads.

Certainly a man need not be a Solomon to know that private enterprises can not compete successfully with a Government-owned enterprise of the same character in the same territory, with the Federal Treasury supplying funds for the Government enterprise, collected in large part from the private enterprise regulated strictly and expensively by the Government that is operating its competitor. Under such conditions the private enterprise is predoomed to failure and Government ownership and operation is the only alternative. I shall not discuss that eventuality, for I do not think this country desires to pattern after Russia, and that is the eventual pattern for all governments and countries which indulge fully in government ownership and operation.

Now, why am I bringing all these things to your attention?

Because you are interested in seeing the Alton rehabilitated, successfully operated, and made more efficient and prosperous. So are we of the Baltimore & Ohio. However, the future of this road, and of all the railroads in this country, depend upon the American people having a full and correct understanding of what confronts the railroads and their managements to-day. The people must get more information from the records and less from the politicians. If they are going to continue to subsidize competition in various forms, they must relax their grip on the railroads so they can have at least a fair fight. They must cease to load the railroads with more and more taxes and, at the same time, pull down freight rates. They must help the railroads to unify and further lessen the cost of operation, for reduced operating costs, largely resulting from huge expenditures, have been their salvation the past few years.

Notwithstanding this picture which I have presented, I have faith that the railroads will survive and continue to become more and more efficient, for I have faith in the American people. They are right in their judgment when they have the facts.

It is the task not only of railroad representatives but of business organizations such as this all over the land to see that they have the facts. The preservation of the railroads and of efficient rail transportation is vital to all the people of this country. I need not argue or emphasize that. You know it.

CLOSING STREETS, ROADS, AND HIGHWAYS IN THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 16045) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes, which bill is on the House Calendar.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, I make a point of order against the consideration of this bill.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. BLANTON. Mr. Speaker, I think time could be saved by the action of the Speaker. There is a great deal of opposition to this bill.

Mr. STAFFORD. Mr. Speaker, I make the point of order against this bill that the report does not comply with the so-called Ramseyer rule.

Mr. ZIHLMAN. Mr. Speaker, I think the point of order is not well taken, as the bill does not repeal existing law.

The SPEAKER pro tempore. Will the gentleman from Wisconsin kindly state specifically what his point of order is?

Mr. STAFFORD. The point of order is that the report is wanting in compliance with rule 13, subsection 2a in that this bill seeks to amend existing law, and the existing law is not incorporated in the report. There is existing law for the closing of streets, roads, highways, and alleys. This bill seeks to change that law.

Mr. ZIHLMAN. In what way does it change it, may I ask the gentleman?

Mr. STAFFORD. It changes it to the extent of the provisions incorporated in the bill.

Mr. ZIHLMAN. It does not repeal existing law. It simply makes new law.

Mr. STAFFORD. Yes; but it changes existing law by amending the procedure whereby streets and alleys can be closed. If I appreciate at all the purpose of the bill, it is to change existing law.

Mr. ZIHLMAN. Will the gentleman direct the attention of the chairman of the committee to the sections of the code that are affected, repealed, modified, or amended by this bill?

Mr. STAFFORD. No; I can not, but I assume there are some sections of the code which gives authority to close streets and alleys.

Mr. HOLADAY. Will the gentleman yield?

Mr. ZIHLMAN. I yield.

Mr. HOLADAY. I might explain to the gentleman from Wisconsin [Mr. STAFFORD] that at the present time there is no legislation on this. If they want to close an alley or a street it must be done under a special act of Congress.

Mr. STAFFORD. But under certain procedure as to the method which is to be followed if Congress decides to close any certain street.

Mr. HOLADAY. No. Congress by legislation closes the street.

Mr. ZIHLMAN. By specific legislation.

Mr. HOLADAY. This is an entirely new bill.

The SPEAKER pro tempore (Mr. SNELL). The Chair is ready to rule. It has been generally held, the Chair thinks, that section 2a of Rule XIII is applicable where a bill seeks to repeal or amend specifically an existing law; but when it applies to a general proposition or a general amendment of an entire statute, it does not come under the rule. It must amend the law directly and refer to the specific section of the statute that it seeks to amend or repeal.

The Chair does not think that this bill comes within the provision of the rule and, therefore, overrules the point of order.

Mr. ZIHLMAN. Mr. Speaker, in view of the fact that a number of Members wish to look into the various sections of this bill and ascertain what it seeks to do and what power it seeks to lodge in the commissioners, I ask unanimous consent to withdraw the bill from consideration at this time.

The SPEAKER pro tempore. Without objection, the bill will be withdrawn from consideration.

There was no objection.

AMENDMENT OF THE ACT TO REGULATE THE PRACTICE OF THE HEALING ART IN THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 12169) to amend the meaning and intention of an act of Congress entitled "An act to regulate the practice of the healing art to protect the public health of the District of Columbia," approved February 27, 1929.

The SPEAKER pro tempore. The gentleman from Maryland calls up House bill 12169, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That nothing in the act of Congress entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929, shall be construed to authorize the Commission on Licensure provided for in the said act to make, or to give, or to require, any applicant for license to practice as a naturopath in the District of Columbia to make or give any definition of the character and limits of the method of healing to be practiced by him or her as a naturopath. The object and intent of this act is to require that the aforesaid act of Congress, approved February 27, 1929, shall be construed to mean that "naturopathy" as a branch of the healing art is placed upon the same basis as medicine, osteopathy, and chiropractic, that the said act of Congress means, and shall be construed to mean, that the term "naturopathy," as used therein, is self-definitive to the same extent as are the terms "medicine," "osteopathy," and "chiropractic," that no applicant for license to practice naturopathy under the said act of Congress is required, in making application for such license, to give the character and limits of the method of healing practiced by him or her as a naturopath; nor shall the Commission on Licensure make, give, or establish any definition of the character and limits of the method of healing to be practiced by naturopaths.

SEC. 2. It is further enacted that "naturopathy," as used in the aforesaid act, approved February 27, 1929, hereafter shall comprehend, embrace, and be composed of the following acts, practices, and usages: Diagnosis and practice of physiological, mechanical, and material sciences of healing as follows: The physiological and mechanical sciences such as the mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, neurotherapy, psychotherapy, hydrotherapy, and mineral baths, electrotherapy, thermotherapy, phototherapy, chromotherapy, vibrotherapy, thalmotherapy, and dietetics, which shall include the use of foods of such biochemical tissue-building products and cell salts as are

found in the normal body; and the use of vegetal oils and dehydrated and pulverized fruits, flowers, seeds, barks, herbs, roots, and vegetables uncompounded and used in their natural state.

The bill was ordered to be engrossed and 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.

NATUROPATHY

Mrs. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed, H. R. 12169.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mrs. LANGLEY. Mr. Speaker and Members of the House, as author of H. R. 12169, a bill to amend the meaning and intention of an act of Congress, entitled "An act to regulate the practice of the healing art; to protect the public health of the District of Columbia," approved February 27, 1929, I wish to point out the error in the action of the Commissioners of the District of Columbia in denying the full definition of naturopathy as embodied in original bill H. R. 12169.

I wish also to call attention to the misleading statement as issued to the public through the medium of the press that naturopathy desires the authority to use drugs and to perform surgical operations, as follows:

COMMISSIONERS HIT DRUGLESS HEALERS—CAPITAL HEADS RECOMMEND ADVERSE ACTION ON BILL OF NATUROPATHISTS

Efforts of the naturopathists to extend the legal scope of their healing activities struck a snag yesterday when the District Commissioners asked Congress not to enact the pending bill, authorizing naturopathists to administer drugs Definition of naturopathy was one of the difficult tasks confronting the commission on licensure of the healing arts. The definition proposed by the naturopathists was so broad as to include every branch of healing. The definition finally adopted provided for the licensing of naturopathists, but the definition restricted them from administering drugs or performing operations on the person. Apparently, the naturopathists wanted broader fields of activity and had introduced a bill upon which the commissioners commented so adversely yesterday.

Naturopathy has always been known as a system of drugless healing and it would seem, therefore, that internal medication could have no part whatever in their method of healing. For these reasons the commissioners recommended an adverse action on the bill.

Naturopathy does not contemplate drugs and surgical operations, nor is it within the scope of their science or practice. To the contrary, they do not use or prescribe drugs as a part of their treatment, nor do they advocate or perform surgical operations upon their patients. I herewith submit as part of these remarks, under leave granted me, the report of the House Committee on the District of Columbia, House Report No. 2432, Seventy-first Congress, third session, to clarify the meaning and intention of act to regulate the practice of the healing art.

The Committee on the District of Columbia, to whom was referred the bill (H. R. 12169) to amend the meaning and intention of an act of Congress entitled "An act to regulate the practice of the healing art; to protect the public health of the District of Columbia," approved February 27, 1929, having considered the same, report back to the House with the recommendation that the legislation be passed.

The purpose of this bill is to clarify the definition of naturopathy. The Commissioners of the District, in defining the type of work that might be performed by the naturopaths under the act of February 27, 1929, excluded from their definition the right of naturopaths to diagnose the case or to administer drugs, medicines, or perform surgical operations. The naturopaths are not concerned with the use of drugs, and do not desire to perform surgical operations, because naturopathy does not contemplate drugs or surgical operations, nor is it within the scope of their science or practice. They have advised the committee that never, as any part of any such treatment, have they used drugs nor performed or attempted to perform any surgical operation.

Naturopaths practice and teach that the living body is a vital machine, and that the retention of waste products in the body and the nonelimination of drugs are considered the most underlying causes of disease, so that they could not consistently prescribe them.

Naturopathy, they aver, is a system of natural methods comprising the use of air, earth, sunshine, water, heat and cold, harmonized food, the use of dehydrated vegetables, herbs, fruits, and any natural modalities, and it is their belief. and the belief of this committee, that they should not be excluded from the use of vegetal oils and herbs, fruits, and any other natural modalities in their practice.

The committee, therefore, recommends the early passage of this measure so that the type of service to be performed by those in the naturopathy profession may be clearly defined.

A naturopath claims when waste matter, ptomaines, or poisonous alkaloids and acids produced in the body, as a result of wrong diet and other violations of nature's laws, have brought about destruction and corrosion in vital parts of organs; when dislocations and subluxations of bony structures or new growths and accumulations in the forms of tumors, stones, or gravel obstruct the blood vessels and nerve currents, shut off the supply of the vital fluids, and thus cause malnutrition and gradual decay of the tissues; when in addition to this the organism has been poisoned or mutilated by drugs and surgical operations, then, not only must the mechanism of the body be cleaned and freed from obstructive and destructive material, but the injured parts must be repaired, morbid growths and abnormal formations dissolved and eliminated, and lesions in the bony structures corrected by manipulative treatment.

In organic diseases the vitality is usually so low and destruction so great that the organism can not arouse itself to self-help. Even the cessation of suppressive treatment and the stimulating influence of mental and metaphysical therapeutics are not sufficient to bring about the reconstructed healing process, and this can only be accomplished by the combined influence of all the natural methods of living and of treatment. The Ling System of Swedish movement cures, founded in 1805, has always been part of the naturopathic treatment.

Dietetics also plays a most important part in the treatment, and the use of foods of such biochemical tissue-building products and cell salts as are found in the normal body, and the use of vegetal oils and dehydrated and pulverized fruits, flowers, seeds, barks, herbs, roots, and vegetables uncompounded and used in their natural state. And the use of herbs, fruits, and plants dates back to the earliest practitioners. In the year 1512 King Henry VIII granted what is known as the herbalist charter which became a part of the law of the thirteen original States, and continues in force as a part of the common law of to-day.

Naturopathy has kept pace with the advance of modern natural sciences and methods of healing, and in the future will be adapted to new discoveries in the healing art in the natural sciences.

Naturopathy is not the invention of any human mind; it does not place its origin at any given date, but is the accumulation of knowledge pertaining to natural methods of living and healing throughout the centuries. Naturopathy is more than a system of curing aches and pains; it is a complete revolutionizing of the art of living.

Naturopathy is the philosophy of healing basing its treatment of all physiological functions and abnormal conditions of the body on the natural laws governing the body. The success of naturopathy is due to the fact that they do not rely on one method of treatment but must include in their work all that is good in the different systems of natural healing. Naturopathy as approved in aforesaid act, February 27, 1929, hereafter shall comprehend and embrace and be composed of the following acts and practices and usages of the physiological and mechanical and material sciences of healing, as follows: Iridology, diagnosis, and the practice of physiological, mechanical, and material sciences of healing; the physiological and mechanical sciences, such as the mechanotherapy, articular manipulation, corrective and orthopedic gymnastics, neurotherapy, psycho-

therapy, hydrotherapy, and mineral baths, electrotherapy, thermotherapy, radiotherapy, phototherapy, chromotherapy, vibrotherapy, thalamotherapy, and orificial dilatation and other stimulation of the sympathetic nervous system through the orifices, and dietetics, which shall include the use of foods of such biochemical tissue-building products and cell salts as are found in the normal body; and the use of vegetal oils and dehydrated and pulverized fruits, flowers, seeds, barks, herbs, roots, and vegetables uncompounded and used in their natural state.

In conclusion, I feel that this great group of nature's healers are performing a wonderful service to humanity, and it can be truthfully said of them—

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time.

AMENDMENT OF THE ACT TO PROVIDE FOR THE ELIMINATION OF THE MICHIGAN AVENUE GRADE CROSSING

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (S. 4211) to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927. This bill is on the Union Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maryland calls up Senate bill 4211 and asks unanimous consent that it may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927, be, and it is hereby, amended to read as follows:

"That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to construct a viaduct and approaches to eliminate the present crossing at grade of Michigan Avenue and the tracks and right of way of the Baltimore & Ohio Railroad Co., said viaduct to be constructed north of the present line of Michigan Avenue as may be determined by the Commissioners of the District of Columbia in accordance with plans and profiles of said works to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing the said viaduct and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company.

SEC. 2. That no street railway company shall use the said viaduct or any approaches thereto herein authorized for its tracks until the said company shall have paid to the collector of taxes of the District of Columbia a sum equal to one-fourth of the cost of said viaduct and approaches, which sum shall be deposited to the credit of the District of Columbia.

SEC. 3. That for the purpose of carrying into effect the foregoing provisions the sum of $500,000 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia; and the said commissioners are authorized to expend such sum as may be necessary for personal services, engineering, and incidental expenses, including the cost of relocating sewers and water mains. The said commissioners are further authorized to acquire, out of the appropriation herein authorized, the necessary land to carry out the provisions of this act, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation in accordance with chapter 15 of the Code of Law of the District of Columbia, as amended.

SEC. 4. That from and after the completion of the said viaduct and approaches the highway grade crossing over the tracks and right of way of the said Baltimore & Ohio Railroad Co. at Michigan Avenue shall be forever closed against further traffic of any kind.

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.

NATIONAL LINCOLN MUSEUM

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 10554) to establish a National Lincoln Museum and veterans' headquarters in the building known as Ford's Theater, introduced by the gentleman from Pennsylvania [Mr. BECK]. This bill is on the Union Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maryland calls up the bill H. R. 10554, and asks unanimous consent that it may be considered in the House as in Committee of the Whole. Is there objection?

Mr. HOLADAY. Mr. Speaker, I ask the chairman of the committee to allow this bill to go over. It will involve an expenditure of a good many thousands of dollars and I think we ought to have a full House present when it is considered.

Mr. ZIHLMAN. Mr. Speaker, I will withdraw the bill.

The SPEAKER pro tempore. Without objection, the bill will be withdrawn.

There was no objection.

COMMERCIAL COAL CO.

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (S. 4307) to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916. This bill is on the Private Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

Mr. BLANTON. Mr. Speaker, I reserve a point of order against the bill until we can find whether it is a bill that ought to be on the Union Calendar.

Mr. ZIHLMAN. Mr. Speaker, this bill authorizes the Commissioners of the District of Columbia to settle a claim they have against a bonding company. The corporation counsel informs the committee that he can obtain in the neighborhood of $10,000 if the claim is settled out of court, but he is very dubious about getting a cent if he goes into court.

Mr. BLANTON. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The gentleman from Maryland calls up Senate bill 4307 and asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to discontinue the prosecution of the claim and suit now pending in the Supreme Court of the District of Columbia and entitled "Suit No. 73035," to recover the sum of $19,800, this being the amount of the bond accompanying contract No. 6132, entered into by the Globe Indemnity Co., a corporation of the State of New York: *Provided*, That the Globe Indemnity Co. pay to the collector of taxes of the District of Columbia a sum not less than $7,000 in compromise and settlement of said claim: *Provided further*, That the said sum shall be covered into the Treasury of the United States to the credit of the United States and the revenues of the District of Columbia in equal parts.

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.

CONDUIT ACROSS E AND F STREETS SW.

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 16691) permitting the laying of a conduit across E and F Streets SW. in the District of Columbia, introduced by the gentleman from New York [Mr. STALKER]. This bill is on the Private Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maryland calls up House bill 16691 and asks unanimous consent

that it may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized to issue a permit to the Terminal Refrigerating & Warehousing Corporation, its successors or assigns, for the laying of an underground conduit and pipes from square 328 across and under E Street SW. to and into square 327, and traversing all public alleys in said square, and from square 328 across and under F Street SW. to and into square 329, for refrigerating purposes, under the following conditions, namely: The conduit and pipes therein laid shall be laid in a straight direction at right angles to the building lines of said streets; they shall be located as directed by the Commissioners of the District of Columbia and be laid under their inspection, and the cost of such inspection and the replacing of pavements, curbs, and sidewalks disturbed shall be paid by the parties to whom the permit shall be granted: *Provided*, That such conduit and pipes shall be used for no purpose other than refrigeration.

SEC. 2. That Congress reserves the right to amend, alter, or repeal this act.

With the following committee amendment:

On page 1, line 6, after the word "assigns," insert the words "revocable at the pleasure of the said commissioners."

Mr. ZIHLMAN. Mr. Speaker, by direction of the committee, I ask that the amendment be rejected, as it is not deemed advisable.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was rejected.

The bill was ordered to be engrossed and 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.

CONSTRUCTION, MAINTENANCE, AND USE OF CERTAIN PIPE LINES FOR PETROLEUM AND PETROLEUM PRODUCTS

Mr. ZIHLMAN. Mr. Speaker, I call up the bill H. R. 15010, to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products. This bill is on the Private Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

Mr. BLANTON. Mr. Speaker, reserving the right to object, has the gentleman looked into this bill carefully?

Mr. ZIHLMAN. The subcommittee, of which the gentleman from New York [Mr. STALKER] is chairman, has considered the bill and favorably reported it to the full committee, and the full committee has reported it to the House.

Mr. BLANTON. The Gulf Refining Co. and the Shell Co. and the Standard Oil Co. have enough rights in the District of Columbia already. They are establishing their retail stations all over the city and they are running out of business all the independent stations. These three large companies are grabbing up all the retail gasoline establishments in the District of Columbia, and I do not think it is wise to give them any more power. I wish the gentleman would not call up this bill.

Mr. STALKER. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. STALKER. I may say to the gentleman that this bill is similar to other bills that we have enacted here year after year.

Mr. BLANTON. And sometimes we have enacted them too fast.

Mr. STALKER. We grant this permission to any of the industries here that desire to install these conduits.

Mr. BLANTON. This is to be a pipe line.

Mr. ZIHLMAN. Under a street; yes.

Mr. STALKER. And it is necessary for them to secure permission by an act of Congress.

Mr. BLANTON. I will say to the gentleman that in the State of Texas 90 per cent of the ordinary filling stations, to which everyone must go, are owned by the big wholesale producing companies of the United States. They have run out all the retailers.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SCHAFER of Wisconsin. If we are going to grant this big oil monopoly a further monopoly here in the District of Columbia, does not the gentleman think we ought to have a quorum here to consider the bill?

Mr. BLANTON. And the distinguished Secretary of the Treasury has enough rights now in the District of Columbia without giving his petroleum company this additional monopolistic advantage in the Nation's Capital

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent to withdraw from consideration the bill H. R. 15010.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

TRAFFIC LAW FOR THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 14922) to amend the acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, and so forth, which is on the Union Calendar, and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maryland calls up the bill H. R. 14922, a bill on the Union Calendar, and asks unanimous consent that it may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. LANKFORD of Georgia. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Georgia rise?

Mr. LANKFORD of Georgia. Mr. Speaker, I make the point of no quorum.

Mr. STALKER. Will the gentleman withhold his point of no quorum a moment?

Mr. LANKFORD of Georgia. I will withhold it.

Mr. STALKER. I will say to the gentleman that this is a very important bill. The Commissioners of the District of Columbia have requested that this bill be passed and have stated that it is an emergency measure. This bill has been agreed to not only by the Commissioners of the District of Columbia but by the Public Utilities Commission, the Bureau of Efficiency, and by the various citizens associations in the District. It is one bill on which everyone seems to be agreed.

This bill is primarily intended to clarify questions of jurisdiction which have been raised in the courts as a bar to proper regulation of traffic. This is sought to be accomplished by concentrating in the Commissioners of the District of Columbia general powers to make regulations and rules with respect to traffic, and to correct the present situation under which the director of traffic, the Public Utilities Commission, and the District Commissioners have numerous overlapping jurisdictions, and in the aggregate are without the power to meet changes in traffic conditions as the result of the development of automotive transportation.

For several years the Commissioners of the District of Columbia, the Public Utilities Commission, and all other parties concerned have been seeking means to control the routing and stopping, as well as the operation, of interstate busses in the congested area of the city. Complaints have come from numerous private, official, and congressional sources as to the operation of these huge vehicles, which endanger and interfere with all other traffic. As public utilities they should be under the jurisdiction, in part, of the Public Utilities Commission, but the courts of the District of Columbia have held that the Public Utilities Commission has no jurisdiction in any particular over interstate motor vehicles. The District Commissioners can not originate regulations which would control the parking of the vehicles, and it has been impracticable to get agreements from all of the regulatory agencies in the case of each violation.

Under the proposed bill the Public Utilities Commission would originate regulations with respect to the interstate motor vehicle. The question then would be submitted to a joint board consisting of the Public Utilities Commission and the Commissioners of the District of Columbia, which could

promulgate directly a regulation controlling the routing of the interstate bus. I hope the gentleman will not interpose any objection to the bill.

Mr. LANKFORD of Georgia. I feel it is a bill of too much importance to be taken up and passed through the House on a Saturday afternoon without a quorum being present. I think the traffic conditions of the District are such that I should be fearful about any move being taken that might make them much worse, and I have the general opinion that the Commissioners of the District of Columbia are not very much concerned about making traffic conditions better, especially so far as the pedestrians are concerned. I happen not to own a car myself and I am a pedestrian, and I do not consider that they are given the proper amount of attention, and I insist that there shall be a quorum present if we are to pass on this kind of legislation.

Mr. ZIHLMAN. If the gentleman will withhold that a moment, the District Committee has repeatedly called to the attention of the Commissioners of the District of Columbia conditions with reference to traffic in the city that are not satisfactory, and the District Commissioners have pointed out that they have no power under existing law to make regulations. They have not the power to initiate regulations and only have the veto power. They seek by this bill to secure power to initiate and make regulations to bring about an improvement in traffic conditions here in the city, which, as the gentleman knows, are notably bad.

Mr. LANKFORD of Georgia. Is it the policy of the District Commissioners to extend the traffic-light system in the District? Do they have any purpose to install traffic lights at the Peace Monument, for instance, where there is a most serious situation and where a man's life is not at all safe if he happens to be a pedestrian.

Mr. STALKER. The director of traffic has such jurisdiction at the present time and this bill would transfer that power to the commissioners.

Mr. LANKFORD of Georgia. I insist on my point if this bill is to be considered.

The SPEAKER pro tempore. The gentleman from Georgia makes the point of order that there is not a quorum present. The Chair will count. [After counting.] Sixty-two Members present, not a quorum.

Mr. ZIHLMAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

Baird	Doyle	Johnston, Mo.	Pratt, Harcourt J.
Barbour	Drewry	Kearns	Pratt, Ruth
Beck	Eaton, N. J.	Kendall, Pa.	Pritchard
Bell	Fenn	Kennedy	Ransley
Bland	Fish	Kiefner	Reid, Ill.
Bloom	Fitzpatrick	Knutson	Rowbottom
Brand, Ohio	Foss	Kunz	Sabath
Britten	Fulmer	Kurtz	Simms
Brunner	Gambrill	Larsen	Sirovich
Buckbee	Garrett	Lea	Somers, N. Y.
Busby	Gavagan	Lehlbach	Sparks
Butler	Gifford	Letts	Spearing
Carley	Golder	Lindsay	Sproul, Kans.
Carter, Wyo.	Graham	Linthicum	Stevenson
Cartwright	Granfield	Loofbourow	Stobbs
Celler	Greenwood	Ludlow	Sullivan, N. Y.
Chase	Hale	McCormick, Ill.	Sullivan, Pa.
Clark, Md.	Hastings	McMillan	Sumners, Tex.
Cooke	Hoffman	McSwain	Taylor, Colo.
Cooper, Ohio	Hopkins	Menges	Thompson
Corning	Houston	Merritt	Timberlake
Crail	Hudson	Michaelson	Treadway
Cullen	Hudspeth	Nelson, Wis.	Turpin
Dempsey	Igoe	Newhall	Underhill
De Priest	Irwin	Niedringhaus	Underwood
DeRouen	James, Mich.	O'Connor, La.	Vinson, Ga.
Dickstein	James, N. C.	O'Connor, N. Y.	White
Doughton	Jeffers	Oliver, N. Y.	Whitehead
Douglas, Ariz.	Johnson, Ill.	Parks	Wigglesworth
Douglass, Mass.	Johnson, Ind.	Patman	Williams, Tex.
Doutrich	Johnson, S. Dak.	Pou	Woodrum.
Doxey	Johnson, Wash.	Prall	

The SPEAKER. Three hundred and nine Members have answered to their names. A quorum.

Mr. ZIHLMAN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House to the bill (S. 1533) entitled "An act to authorize the Secretary of the Interior to adjust payment of charges due on the Blackfeet Indian irrigation projects, and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 4051) entitled "An act authorizing the Pillager Bands of Chippewa Indians, residing in the State of Minnesota, to submit claims to the Court of Claims," requests a conference with the House on disagreeing votes of the two Houses thereon, and appoints Mr. FRAZIER, Mr. SCHALL, and Mr. ASHURST to be the conferees on the part of the Senate.

VETO MESSAGE FROM THE PRESIDENT

The SPEAKER laid before the House the following veto message from the President of the United States, which was read:

To the House of Representatives:

I am returning herewith without my approval H. R. 1036, entitled "An act for the relief of Homer N. Horine."

This enactment would bring Homer N. Horine within the provisions of the pension laws conferring benefits upon honorably discharged members of the military forces who served 90 days or more during the War with Spain. I am advised by the Secretary of War that no record has been found of the enrollment, muster-in, or service in Company G, Fourth Regiment Kentucky Volunteer Infantry, during the war with Spain, of any man named Homer N. Horine. The Veterans' Administration has no information as to whether Mr. Horine was or was not in the military service of the United States during the war with Spain except a statement from him in connection with a claim for pension based upon a short period of service in 1916 as a member of the First Regiment Kentucky National Guard, when that organization was called for border defense, to the effect that he had had no military service prior to 1916. He is now receiving a pension of $17 per month under a special bill enacted by the Congress after he failed to show a disability of service origin during his service in 1916.

It does not, therefore, appear that he was engaged in the service upon which this legislation is based.

HERBERT HOOVER.

THE WHITE HOUSE, *February 7, 1931.*

The SPEAKER. The question is, Shall the House on reconsideration agree to pass the bill, the objections of the President to the contrary notwithstanding?

Mr. STAFFORD. Mr. Speaker, it is my opinion after considering the report in this case made by the gentleman from New Jersey [Mr. HOFFMAN] that the veto of the President of the United States should be sustained. This is one of the many bills that were reported from the Committee on Military Affairs in this Congress en bloc, comprising several hundred that had in the past Congress been favorably reported by the committee and by unanimous consent passed the House.

I do not think I violate any confidence of the committee in saying that there are some members of that committee who believe that the committee has been too liberal in its policy in voting relief measures, setting aside disabilities to the extent of trying to set aside desertion charges, and even to the extent, I think, of changing the military records of the War Department so as to extend the military service of the soldier beyond what the military record shows.

In this case, upon examination in detail of the report, I find that this man referred to had in fact no connection with the company referred to other than for a short time while it was in the course of being trained before it was mustered into the service.

This bill was not called specifically to the attention of the members of the Committee on Military Affairs of this Congress. If the gentlemen of the House will permit, because some have asked how the bill got by, I may say in defense of my attitude and the work on the committee that when I

was assigned to the committee at the beginning of the session I made the suggestion to the full membership that all bills that had been favorably reported in the last Congress should be taken up singly. After some delay and considerable discussion a majority of the committee decided to vote all bills that in the prior Congress had been reported seeking to give a pensionable status for report en masse.

I think this bill, trying to change the military record when the facts do not warrant it, can not be defended.

Mr. LAGUARDIA. Will the gentleman state how it got by on the Private Calendar?

Mr. STAFFORD. So far these bills seeking by indirection to give a pensionable status have got by because the committee voted down the proposition to take each individual bill and give it consideration. I may say in defense of the committee that in this Congress, other than those acted upon in the last and prior Congresses, it has adopted a different policy and gives individual consideration to every bill of this character.

Mr. BLANTON. When the President is right we all support him.

Mr. STAFFORD. I think the President's position in this matter should be upheld.

The SPEAKER. Under the Constitution a roll call is necessary on this vote. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding?

The question was taken; and there were—yeas 10, nays 278, answered "present" 2, not voting 141, as follows:

[Roll No. 27]

YEAS—10

Blackburn	Goldsborough	Milligan	Steagall
Boylan	Hill, Ala.	Norton	
Gasque	Huddleston	Rankin	

NAYS—278

Abernethy	Cooper, Tenn.	Hastings	Miller
Ackerman	Cooper, Wis.	Hawley	Montague
Adkins	Cox	Hess	Montet
Allen	Coyle	Hickey	Mooney
Allgood	Craddock	Hill, Wash.	Moore, Ky.
Almon	Cramton	Hoch	Moore, Ohio
Andrew	Crisp	Hogg, Ind.	Moore, Va.
Arnold	Cross	Hogg, W. Va.	Morehead
Aswell	Crosser	Holaday	Morgan
Auf der Heide	Crowther	Hooper	Mouser
Bachmann	Culkin	Hope	Murphy
Bacon	Darrow	Howard	Nelson, Me.
Bankhead	Davenport	Hull, Morton D.	Nelson, Mo.
Barbour	Davis	Hull, Tenn.	Nolan
Beck	Denison	Hull, Wis.	O'Connor, Okla.
Beedy	Dickinson	Jenkins	Oldfield
Beers	Dominick	Johnson, Ind.	Oliver, Ala.
Black	Dorsey	Johnson, Nebr.	Palmer
Blanton	Dowell	Johnson, Tex.	Palmisano
Bohn	Doxey	Jonas, N. C.	Parker
Bolton	Drane	Jones, Tex.	Parsons
Bowman	Driver	Kading	Patterson
Box	Dunbar	Kahn	Peavey
Brand, Ga.	Dyer	Kelly	Perkins
Brand, Ohio	Eaton, Colo.	Kemp	Purnell
Briggs	Edwards	Kendall, Pa.	Quin
Brigham	Elliott	Kerr	Ragon
Browning	Ellis	Ketcham	Rainey, Henry T.
Brumm	Englebright	Kinzer	Ramey, Frank M.
Buchanan	Eslick	Kopp	Ramseyer
Burdick	Esterly	Korell	Ramspeck
Burtness	Evans, Calif.	Kvale	Rayburn
Byrns	Evans, Mont.	LaGuardia	Reed, N. Y.
Cable	Fisher	Lambertson	Reilly
Campbell, Iowa	Fort	Langley	Rich
Campbell, Pa.	Frear	Lanham	Robinson
Canfield	Free	Lankford, Ga.	Rogers
Cannon	Freeman	Lankford, Va.	Romjue
Carter, Calif.	French	Leavitt	Rutherford
Carter, Wyo.	Fuller	Leech	Sanders, N. Y.
Chalmers	Garber, Va.	Letts	Sanders, Tex.
Chiperfield	Garner	Lozier	Sandlin
Christgau	Gibson	Luce	Schafer, Wis.
Christopherson	Gifford	McClintic, Okla.	Schneider
Clague	Glover	McClintock, Ohio	Seger
Clancy	Goodwin	McCormack, Mass.	Selvig
Clark, Md.	Green	McDuffie	Shaffer, Va.
Clark, N. C.	Gregory	McFadden	Short, Mo.
Clarke, N. Y.	Guyer	McKeown	Shott, W. Va.
Cochran, Mo.	Hale	McLaughlin	Simmons
Cochran, Pa.	Hall, Ill.	McLeod	Sinclair
Cole	Hall, Ind.	McReynolds	Sloan
Collier	Hall, Miss.	Maas	Smith, Idaho
Collins	Halsey	Magrady	Smith, W. Va.
Colton	Hancock, N. Y.	Mansfield	Snell
Condon	Hancock, N. C.	Mapes	Snow
Connery	Hardy	Martin	Sparks
Connolly	Hare	Mead	Speaks
Cooper, Ohio	Hartley	Michener	Sproul, Ill.
Sproul, Kans.	Temple	Wason	Wolverton, W. Va.
Stafford	Thatcher	Welch, Calif.	Wood
Stalker	Thurston	Welsh, Pa.	Woodrum
Stone	Tilson	White	Wright
Strong, Pa.	Tinkham	Whitley	Wurzbach
Summers, Wash.	Vestal	Whittington	Wyant
Swanson	Vincent, Mich.	Williamson	Yates
Swick	Vinson, Ga.	Wilson	Yon
Swing	Wainwright	Wingo	Zihlman
Taber	Walker	Wolfenden	
Tarver	Warren	Wolverton, N. J.	

ANSWERED "PRESENT"—2

Finley	Fitzgerald

NOT VOTING—141

Aldrich	Erk	Kearns	Ransley
Andresen	Estep	Kendall, Ky.	Reece
Arentz	Fenn	Kennedy	Reid, Ill.
Ayres	Fish	Kiefner	Rowbottom
Bacharach	Fitzpatrick	Knutson	Sabath
Baird	Foss	Kunz	Sears
Bell	Fulmer	Kurtz	Seiberling
Bland	Gambrill	Larsen	Shreve
Bloom	Garber, Okla.	Lea	Simms
Britten	Garrett	Lehlbach	Sirovich
Browne	Gavagan	Lindsay	Somers, N. Y.
Brunner	Golder	Linthicum	Spearing
Buckbee	Goss	Loofbourow	Stevenson
Busby	Graham	Ludlow	Stobbs
Butler	Granfield	McCormick, Ill.	Strong, Kans.
Carley	Greenwood	McMillan	Sullivan, N. Y.
Cartwright	Griffin	McSwain	Sullivan, Pa.
Celler	Hadley	Manlove	Sumners, Tex.
Chase	Hall, N. Dak.	Menges	Taylor, Colo.
Chindblom	Haugen	Merritt	Taylor, Tenn.
Cooke	Hoffman	Michaelson	Thompson
Corning	Hopkins	Nelson, Wis.	Timberlake
Crail	Houston, Del.	Newhall	Treadway
Cullen	Hudson	Niedringhaus	Tucker
Dallinger	Hudspeth	O'Connor, La.	Turpin
Dempsey	Hull, William E.	O'Connor, N. Y.	Underhill
De Priest	Igoe	Oliver, N. Y.	Underwood
DeRouen	Irwin	Owen	Watres
Dickstein	James, Mich.	Parks	Watson
Doughton	James, N. C.	Patman	Whitehead
Douglas, Ariz.	Jeffers	Pittenger	Wigglesworth
Douglass, Mass.	Johnson, Ill.	Pou	Williams
Doutrich	Johnson, Okla.	Prall	Woodruff
Doyle	Johnson, S. Dak.	Pratt, Harcourt J.	
Drewry	Johnson, Wash.	Pratt, Ruth	
Eaton, N. J.	Johnston, Mo.	Pritchard	

So the bill was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. Graham with Mr. Cullen.
Mr. Erk with Mr. Linthicum.
Mr. Johnson of South Dakota with Mr. Drewry.
Mr. Crail with Mr. Owen.
Mr. Browne with Mr. Lindsay.
Mr. Kurtz with Mr. Busby.
Mr. Manlove with Mr. Douglas of Arizona.
Mr. Golder with Mr. Garrett.
Mr. Merritt with Mr. Somers of New York.
Mr. Johnston of Missouri with Mr. Greenwood.
Mr. Chindblom with Mr. Taylor of Colorado.
Mr. Hopkins with Mr. Stevenson.
Mr. Bacharach with Mr. Tucker.
Mr. Arentz with Mr. Prall.
Mr. Buckbee with Mr. Fulmer.
Mr. Knutson with Mr. Pou.
Mr. Dallinger with Mr. Celler.
Mr. Niedringhaus with Mr. Jeffers.
Mr. Shreve with Mr. Ayres.
Mr. Harcourt J. Pratt with Mr. Corning.
Mr. Ransley with Mr. Underwood.
Mr. Hadley with Mr. Gambrill.
Mr. Treadway with Mr. Whitehead.
Mr. Watson with Mr. Igoe.
Mr. Reid of Illinois with Mr. Griffin.
Mrs. Ruth Pratt with Mr. Ludlow.
Mr. Lehlbach with Mr. Williams.
Mr. Doutrich with Mr. Kennedy.
Mr. Eaton of New Jersey with Mr. Brunner.
Mr. Johnson of Illinois with Mr. Lea.
Mr. Timberlake with Mr. McSwain.
Mr. Taylor of Tennessee with Mr. Gasque.
Mr. Underhill with Mr. Sirovich.
Mr. Chase with Mr. O'Connor of New York.
Mr. James of Michigan with Mr. Doughton.
Mr. Kiefner with Mr. Bland.
Mr. Estep with Mr. Carley.
Mr. Nelson of Wisconsin with Mr. Larsen.
Mr. Pittinger with Mr. DeRouen.
Mr. Goss with Mr. Bell.
Mr. Fish with Mr. James of North Carolina.
Mr. Menges with Mr. Cartwright.
Mr. Foss with Mr. Bloom.
Mr. Johnson of Washington with Mr. Johnson of Oklahoma.
Mr. Britten with Mr. McMillan.
Mr. Andresen with Mr. Oliver of New York.
Mr. Hall of North Dakota with Mr. Patman.
Mr. Aldridge with Mr. Granfield.
Mr. Butler with Mr. Sumners of Texas.
Mr. Seiberling with Mr. Sullivan of New York.

Mr. Sullivan of Pennsylvania with Mr. Fitzpatrick.
Mr. Turpin with Mr. Dickstein.
Mr. Fenn with Mr. Douglass of Massachusetts.
Mr. Garber of Oklahoma with Mr. Sabath.
Mr. Loofbourow with Mr. Spearing.
Mr. Haugen with Mr. O'Connor of Louisiana.
Mr. William E. Hull with Mr. Parks.
Mr. Wigglesworth with Mr. Kunz.
Mr. Woodruff with Mr. Hudspeth.
Mr. Irwin with Mr. Doyle.
Mr. De Priest with Mr. Kearns.

The SPEAKER. On this vote the yeas are 10, nays 278, answering "present" 2. Two-thirds not having voted in the affirmative, the bill is rejected. The message of the President is referred to the Committee on Military Affairs with the bill and ordered printed, and the Clerk will inform the Senate of the action taken by the House.

TRAFFIC IN THE DISTRICT OF COLUMBIA

The SPEAKER. The Clerk will report the bill called up by the gentleman from Maryland (H. R. 14922) to amend the acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, and, without objection, the Clerk will report the amendment in lieu of the bill.

There was no objection.

The Clerk read as follows:

That the act of Congress approved March 3, 1925, known as the District of Columbia traffic act, 1925, and the act of Congress approved July 3, 1926, entitled "An act to amend the act known as the District of Columbia traffic act" be, and the same are hereby, amended as follows:

1. That paragraph (f) of section 2 of such act of March 3, 1925, as amended, be, and the same is, repealed, and the letters designating paragraphs (g), (h), (i), (j), (k), and (l), be changed to (f), (g), (h), (i), (j), and (k), respectively.

2. That such acts be, and the same are hereby, amended so that wherever the word "director" appears in such acts said word "director" shall be stricken and in lieu thereof the words "commissioners or their designated agent" shall be substituted.

3. That section 6 of said acts be, and the same is hereby, amended so that the title thereof shall read "Regulation of traffic."

4. That sections 6, 9, 10, and 13a of such acts be, and the same are hereby, amended to read as follows:

"SEC. 6. (a) The Commissioners of the District of Columbia are hereby authorized and empowered to make, modify, repeal, and enforce usual and reasonable traffic rules and regulations relating to vehicles, and rules and regulations concerning the control of traffic, the registration of motor vehicles, and the issuance and revocation of operators' permits; and to exercise any power or perform any duty imposed on the director of traffic, which office is hereby abolished; and in the administration of the above powers and authority the commissioners may exercise the same through such officers or agents of the District as the commissioners may designate: *Provided,* That no member of the Metropolitan police department may be empowered to perform any function under this act other than in the enforcement thereof.

"(b) There is hereby established in the government of the District of Columbia a department of vehicles and traffic, which, under the direction of the commissioners, shall have charge of the issuance and revocation of operators' permits, the registration and titling of motor vehicles, the making of traffic studies and plans, the installation and maintenance of traffic signs, signals, and markers, and of such other matters as may be determined by the commissioners. The commissioners shall appoint a director of vehicles and traffic, who shall be in charge of said department, and such other personnel as they may deem necessary to perform the duties thereof and as may be appropriated for by Congress. The salaries of such director of vehicles and traffic and other personnel shall be fixed in accordance with the classification act of 1923. The director of vehicles and traffic shall be responsible directly to the commissioners for the faithful performance of his duties and shall be subject to removal by the commissioners for cause.

"(c) The Commissioners of the District of Columbia are hereby authorized and empowered to make, modify, and enforce reasonable regulations in respect to brakes, horns, lights, mufflers, and other equipment, the inspection of the same; the registering, reregistering, titling, retitling, transferring of titles, and revocation of the certificate of title to motor vehicles and trailers.

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

The Clerk read as follows:

Amendment offered by Mr. GIBSON: On page 12, line 2, after the word "trailers," strike out the period, insert a colon, and add the following:

"*Provided,* That hereafter congressional tags now issued shall be issued by the commissioners in consecutive numbers, one to each Senator and Representative in Congress for their official use, which, when used officially by them individually, shall authorize their automobiles to be parked in any available curb space in the District of Columbia except within fire-plug limitations, but such congressional tags shall not be assigned to or used by others."

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

The amendment was agreed to.

The Clerk read as follows:

"(d) The commissioners shall cause to be levied, collected, and paid such fees for titling and retitling as they deem necessary, not to exceed the sum of $1 for each such titling or retitling, and they shall not after the 1st day of January, 1932, register or renew the registration of any motor vehicle or trailer unless and until the owner thereof shall make application in the form prescribed by the commissioners, under oath, and be granted an official certificate of title for such vehicle. No registration or other fee shall be charged to vehicles owned by the Federal or District Government, or any duly accredited representative of a foreign government. The owner of a motor vehicle or trailer registered in the District of Columbia shall not after the 1st day of January, 1932, operate or permit or cause to be operated any such vehicle upon any public highway in the District without first obtaining a certificate of title therefor, nor shall any individual knowingly permit any certificate of title to be obtained in his name for any vehicle not in fact owned by him, and any individual violating any provision of this subsection or any regulations promulgated thereunder shall be fined not more than $1,000 or imprisoned not more than one year, or both. If the properly designated agent of the commissioners shall determine that an applicant for a certificate of title is not entitled thereto, such certificate of title may be refused, and in that event unless such determination is reversed upon written application to the commissioners by the individual affected, such individual shall be entitled to proceed further as provided under section 13 (a) of the traffic acts for the District, and jurisdiction is hereby conferred upon the Court of Appeals of the District for this purpose: *Provided,* That reasonable time for hearing be given the applicant in the first instance.

"(e) The commissioners may in the administration of this section, or any provision of the traffic acts for the District, exercise any power or perform any duty conferred on them by this act and the traffic acts through such officers and agents of the District as the commissioners may designate. The commissioners are further authorized and empowered to make, modify, repeal, and enforce reasonable rules and regulations in respect to the movement of traffic, speed, length, weight, height, width, routing, and parking of vehicles, and the establishment and location of hack stands: *Provided,* That as to all common carriers by vehicle which enter, operate in, or leave the District of Columbia the power to route such vehicles within the District of Columbia, to regulate their equipment other than that specifically named elsewhere in this act, to regulate their schedules and their loading and unloading, to locate their stops, and all platforms and loading zones, and to require the appropriate marking thereof is vested in the Public Utilities Commission of the District of Columbia: *Provided further,* That whenever any order, rule, or regulation of the Public Utilities Commission shall be made relative to the routing of common-carrier vehicles, to the location of their stops, to the establishment or change in location of platforms, loading zones, or other spaces on the public highways to be reserved for any purpose whatsoever, or to the appropriate marking thereof, said order, rule, or regulation shall prior to promulgation be served on the Commissioners of the District of Columbia, and if the same be not approved by the said commissioners within 10 days such order, rule, or regulation shall be referred forthwith to a joint board to be composed of the Commissioners of the District of Columbia and the members of the Public Utilities Commission, which is hereby authorized and created. Such joint board may by the affirmative action of any three members thereof adopt rules and regulations, which when promulgated in accordance with the provisions of this act shall be binding and shall have the full force and effect of law, and the engineer commissioner shall be the chairman of such joint board, and shall have but one vote, but changes in any of said rules and regulations which have been promulgated with or without action by the said joint board may be made by the joint board upon written request of the Commissioners of the District of Columbia.

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

The Clerk read as follows:

Amendment offered by Mr. ZIHLMAN: Page 14, line 9, after the word "thereof," strike out all down to and including line 2 on page 15 and insert the following: "or whenever any order, rule, or regulation of the District Commissioners shall be made which affects such routing, stops, platform, zones, or spaces, said order, rule, or regulation shall, prior to promulgation, be referred to a joint board, to be composed of the Commissioners of the District of Columbia and the members of the Public Utilities Commission, which is hereby authorized and created. Such joint board may, by the affirmative action of any three members thereof, adopt rules and regulations which, when promulgated, shall be binding and shall have the full force and effect of law; and the engineer commissioner shall be the chairman of such joint board and shall have but one vote. Any of said rules and regulations hereafter promulgated after reasonable trial and within a reasonable time may be changed by the joint board upon the request of the Commissioners of the District of Columbia or of the Public Utilities Commission.

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

Mr. ZIHLMAN. Mr. Speaker, I yield to the gentleman from Georgia [Mr. LANKFORD] for a question.

Mr. LANKFORD of Georgia. Will the gentleman state to us what policy the commissioners will pursue with reference to traffic lights if this bill becomes a law?

Mr. ZIHLMAN. The District Committee have repeatedly called the attention of the commissioners to the very unsatisfactory traffic conditions in this city, and the commissioners have stated to the committee that they had no authority to initiate regulations and bring about an improvement, that they have only veto power over regulations that have been promulgated by the Director of Traffic and submitted to the District Commissioners. The commissioners informed the committee it is their purpose to revise the regulations in reference to traffic conditions in the city and to endeavor to provide safety to pedestrians as well as to automobiles. They further informed the committee it is their purpose to put traffic lights at a great many places in the city where they are needed and eliminate some that they do not consider necessary. It is their purpose in administering this bill, if it becomes a law, to provide for better traffic conditions and more safety for pedestrians.

Mr. LANKFORD of Georgia. I may say to the gentleman that among others I have in mind three points where it seems to me there should be a system of traffic lights. One is at the Peace Monument near the Capitol on Pennsylvania Avenue. The other is at Fourteenth Street and Pennsylvania Avenue NW., and a third is at Massachusetts Avenue, North Capitol and F Streets, near the city post office. Those three points are badly congested, and there is need for proper traffic lights there for the protection of pedestrians. I notice there are traffic lights at some other places where the traffic is not one-fifth as heavy as it is at those points.

Mr. ZIHLMAN. The Commissioners of the District stated that there were lights at some points where they were not needed and no lights at others where they were.

Mr. LANKFORD of Georgia. I may say to the gentleman that it is not my desire to oppose this bill if the commissioners will really endeavor to improve traffic conditions in the District of Columbia. I sometimes fear that people in passing on traffic conditions look at the matter from the standpoint of the man driving a big car. I look at traffic conditions here from the standpoint of the pedestrian. I have stood at Peace Monument and had them attack me from every possible direction while waiting for a street car in order to come on to the Capitol.

I feel that lights ought to be installed at those places and others in order to protect not only pedestrians but the man who owns and drives a small car.

Mr. ZIHLMAN. The committee will be glad to call the points which the gentleman has designated to the attention of the commissioners, and I am sure action will be taken which will provide the safety to which the gentleman refers.

Mr. LANKFORD of Georgia. I hope this bill, if enacted, will bring about better traffic conditions in the District of Columbia.

Mr. ZIHLMAN. The gentleman agrees it could not be much worse.

Mr. LANKFORD of Georgia. I hope it will not be any worse. I am withdrawing my opposition to the bill with the hope that traffic lights will be installed at the Peace Monument and at other points just named, and that traffic conditions will be improved generally in the District of Columbia.

The amendment to the amendment was agreed to.

The Clerk read as follows:

"(f) The commissioners may establish and designate arterial and boulevard highways, regulate the speed of vehicles thereon, and provide for the equipment of any street, road, or highway, with control lights and/or other devices for the regulation of traffic, and make such other regulations with respect to the control of traffic as are deemed advisable; and section 14 of said traffic acts is hereby repealed.

"(g) The District Commissioners are authorized to prescribe within the limitations of these acts reasonable penalties of fine, or imprisonments not to exceed 10 days in lieu of or in addition to any fine, for the violation of any rule or regulation promulgated under the authority of these acts not otherwise herein provided for. All traffic, motor vehicle, and vehicle regulations not inconsistent herewith heretofore adopted and promulgated are continued and shall remain in full force and effect until amended, altered, or revoked.

"(h) All regulations promulgated under the authority of the traffic acts and this act, except those made by the Public Utilities Commission under powers given it by the act of March 4, 1913, and these acts, shall, when adopted, be printed in one or more of the daily newspapers published in the District, and no penalty shall be enforced for any violation of any such regulation which occurs within 10 days after such publication, except that whenever the Commissioners of the District of Columbia deem it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. The placing at or upon the public highway of any sign relating to parking or regulation of traffic, except by the authority of the Commissioners of the District of Columbia or their designated agent, or of the joint board, is prohibited: *Provided*, That this restriction shall not apply to any such signs which do not purport to reserve space on the public highways and which the Public Utilities Commission may authorize under the provisions of this act.

"(i) All prosecutions for violations of provisions of the traffic acts, excepting section 11 thereof, and this act or regulations made and promulgated under the authority of said acts shall be in the police court of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants.

"SPEEDING AND RECKLESS DRIVING

"SEC. 9. (a) No vehicle shall be operated at a greater rate of speed than permitted by the regulations adopted under the authority of this act.

"(b) Any person who drives any vehicle upon a highway carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of reckless driving.

"(c) Any individual violating any provision of this section where the offense constitutes reckless driving shall upon conviction for the first offense be fined not more than $100 or imprisoned not more than 30 days; and upon conviction for the second or any subsequent offense committed within two years from the date of any such previous offense such individual shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(d) Any individual violating any provision of this section, except where the offense constitutes reckless driving, shall upon conviction for the first offense be fined not more than $25; upon conviction for a second offense committed within one year from the date of conviction of the first offense such individual shall be fined not more than $100; and upon conviction for the third or any subsequent offense committed within one year from the date of conviction of the first offense such individual shall be fined not more than $300 or be imprisoned not more than 90 days, or both.

"FLEEING FROM SCENE OF ACCIDENT—DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS

"SEC. 10. (a) No individual while operating a motor vehicle in the District, knowing that such motor vehicle has struck any individual or any vehicle or property or that such vehicle has been struck by any other vehicle, shall leave the place where the collision or injury occurred without stopping and giving his name, place of residence, including street and number, and exhibiting his registration certificate and operator's permit to the individual so struck or to the owner of such property or the operator of the other vehicle if such owner or operator is present, or, if such owner or operator is not present, then he shall report the same to a police station immediately. In all cases of accidents resulting in injury to any person the operator or operators of the motor vehicle or vehicles shall also report the case to any police station immediately. Any operator whose vehicle strikes and causes personal injury to an individual and who fails to conform to the requirements of this subdivision shall, upon conviction of the first offense, be fined not more than $500 or shall be imprisoned not more than six months, or both; and upon the conviction of a second or subsequent offense shall be fined not more than $1,000 or shall be imprisoned not more than one year, or both. Any operator whose vehicle strikes and causes damage to any vehicle or property and who fails to conform to the requirements of this subdivision shall, upon conviction of the first offense, be fined not more than $300 or be imprisoned not more than three months, or both; and for the second or any subsequent offense be fined not more than $500 or imprisoned not more than six months, or both.

"(b) No individual shall, while under the influence of any intoxicating liquor or narcotic drug, operate any motor vehicle in the District. Any individual violating any provision of this subdivision shall upon conviction for the first offense be fined not more than $500 or imprisoned not more than six months, or both; and upon conviction for the second or any subsequent offense be fined not more than $1,000 or imprisoned not more than one year, or both. Upon conviction of a violation of any provision of

this paragraph the clerk of the court shall certify forthwith such conviction to the designated agent of the commissioners who shall thereupon revoke the operator's permit of such individual.

"(c) Any violation of any provision of law or regulation issued thereunder which is repealed or amended by this act, and any liability arising under such provisions or regulations may, if the violation occurred or the liability arose prior to such repeal or amendment, be prosecuted to the same extent as if this act had not been enacted.

"REVOCATION OR SUSPENSION OF OPERATORS' PERMITS

"13. (a) Except where for any violation of this act revocation of the operator's permit is mandatory, the commissioners or their designated agent may with or without a prior hearing revoke or suspend an operator's permit for any cause which they or their agent may deem sufficient: *Provided*, That in each case where a permit is revoked or suspended the reasons therefor shall be set out in the order of revocation or suspension: *Provided further*, That such order shall take effect five days after its issuance unless the holder of the permit shall have filed within such period written application with the Commissioners of the District of Columbia for a review of their order or the order of their agent, and, if upon such review, the commissioners shall sustain such order, the same shall become effective immediately: *Provided*, That any individual whose permit shall be denied, suspended, or revoked by the commissioners or their agent may, within 30 days after such denial, revocation, or suspension is ordered, if application for a review by the commissioners of an order for revocation or suspension has not been filed, or in case such application has been filed, within 30 days after decision of the commissioners, apply to any justice of the Court of Appeals of the District of Columbia for a writ of error to review the order of the commissioners or their agent complained of or the decision of the commissioners. Said court is authorized to promulgate rules governing the application for the writ, and the record and proceedings thereon, and to affirm, modify, or reverse the order of the commissioners or their agent or the decision of the commissioners, where the writ is allowed pursuant hereto; and the decision of said court shall be final: *Provided further*, That the application to said court for a writ of error shall not operate as a stay of such order of the commissioners or their agent or the decision of the commisisoners."

5. All convictions under this act shall be reported by the clerk of the court to the commissioners or their designated agent.

6. This act shall take effect July 1, 1931.

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

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

The Clerk read as follows:

Page 20, line 18, after the word "immediately," insert the following: "*Provided further*, That application to said commissioners for a review shall not operate as a stay of such order of the commissioners or their agent when the order has been issued revoking or suspending a permit on account of mental or physical incapacity, for driving under the influence of liquor or narcotic drugs, for manslaughter when an automobile is involved, or for operating a motor vehicle equipped with a smoke screen."

Mr. ZIHLMAN. May I call the attention of the gentleman from Vermont [Mr. GIBSON] to the fact that in the proviso just preceding there is used the words "provided further," and I suggest that the gentleman modify his amendment by striking out the word "further" so that that could be used with the second proviso.

Mr. GIBSON. That will be agreeable to me.

Mr. STAFFORD. Will the gentleman yield?

Mr. ZIHLMAN. I yield.

Mr. STAFFORD. I do not follow the real purpose of the gentleman's suggestion.

Mr. ZIHLMAN. The gentleman from Vermont seeks to provide that while revocation of the license is being reviewed for a number of offenses which he enumerates, the license shall not be restored. The gentleman used the words "provided further." I wish to use it in connection with the second proviso and insert it in the second proviso which will follow immediately after that.

Mr. STAFFORD. Where does the gentleman propose to have it inserted?

Mr. ZIHLMAN. On page 20, line 18, after the word "immediately."

Mr. STAFFORD. But where does the gentleman from Maryland [Mr. ZIHLMAN] propose to have it inserted?

Mr. ZIHLMAN. In the same line, after the word "*Provided*," I wish to say "*Provided further*."

Mr. TEMPLE. Will the gentleman yield?

Mr. ZIHLMAN. I yield.

Mr. TEMPLE. I notice that in line 9 is the first proviso; in line 11 a second proviso beginning "*Provided further*," and then in line 18, "*Provided*." Would it not be better to leave the word "*further*" in the amendment suggested by the gentleman from Vermont, and add it after the word "*Provided*" there?

Mr. STAFFORD. I may say that I observed that before I made inquiry of the gentleman from Maryland, and that is why I could not follow the purpose of the amendment.

Mr. TEMPLE. Instead of striking it out of the amendment, add it where it is lacking here.

Mr. ZIHLMAN. I simply made that as a suggestion. I did not offer an amendment.

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

The amendment to the amendment was agreed to.

Mr. ZIHLMAN. Mr. Speaker, I wish to offer an amendment, on page 20, line 18, to insert the word "*further*."

Mr. BLANTON. And it should have the word "*And*" before it.

Mr. ZIHLMAN. I accept that.

Mr. TEMPLE. There is still a further proviso on page 21, line 9.

Mr. BLANTON. Then the word "*And*" should not go in.

The SPEAKER. The gentleman from Maryland [Mr. ZIHLMAN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ZIHLMAN: On page 20, line 18, after the word "*Provided*," insert the word "*further*."

The amendment to the amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, for grammatical accuracy, I move that, in line 9, page 21, the word "*And*" be inserted before the word "*Provided*."

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 21, line 9, after the word "final" and before the word "*Provided*," insert the word "*And*."

The amendment to the amendment was agreed to.

The Clerk concluded the reading of the amendment.

The committee amendment was agreed to.

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

A motion to reconsider the vote was laid on the table.

PILLAGER BANDS OF CHIPPEWA INDIANS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4051) authorizing the Pillager Bands of Chippewa Indians, residing in the State of Minnesota, to submit claims to the Court of Claims, insist on the House amendments, agree to the conference asked by the Senate, and appoint conferees.

The SPEAKER. The gentleman from Montana asks unanimous consent to take from the Speaker's table the bill (S. 4051), insist on the House amendments, agree to the conference asked, and appoint conferees. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. LEAVITT]?

Mr. CRAMTON. Reserving the right to object, what was the nature of the amendment?

Mr. LEAVITT. The Senate passed the bill with the usual provision of 10 per cent limitation on attorneys' fees. The House subcommittee reported it 5 per cent, making a change, and the only point at issue is whether the attorneys' fees shall be 5 per cent limitation or 10 per cent limitation.

Mr. CRAMTON. And the other amendments which the House put on are not contested by the Senate?

Mr. LEAVITT. Not at all. This is the only one, as I understand.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. LEAVITT, SPROUL of Kansas, and EVANS of Montana.

TRANSFER TO THE TRUSTEES OF HOWARD UNIVERSITY OF TITLE TO CERTAIN PROPERTY IN THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 15496) to authorize the Commissioners of the District of

Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia, and I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Maryland calls up a bill which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Maryland asks unanimous consent that this bill may be considered in the House as in Committee of the Whole. Is there objection?

Mr. BLANTON. Mr. Speaker, the gentleman from Maryland has promised to yield me 10 minutes, and, with that understanding and with the understanding that the bill will be considered under the rules relating to general debate, I shall not object.

Mr. ZIHLMAN. Mr. Speaker, I shall be very glad to yield time to the gentleman from Texas.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to transfer to the trustees of Howard University title to lots 821 and 822, in square 3064, with all improvements thereon, upon payment to the District of Columbia of the sum of $15,000; and the said commissioners are further authorized and directed to transfer to the trustees of Howard University title to lot 800 in square 3068, including all improvements thereon, upon payment to the District of Columbia for credit to the water revenues of the sum of $22,500.

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. I desire to read a communication from an American Legion post, dated at Anson, Tex., February 4, 1931:

Hon. MORRIS SHEPPARD, *Senator.*
Hon. TOM CONNALLY, *Senator.*
Hon. THOMAS L. BLANTON, *Congressman.*
Hon. JOHN THOMAS TAYLOR,
Chairman American Legion Legislative Committee.
DEPARTMENT ADJUTANT, *Austin.*

GENTLEMEN: I have the honor to hand you herewith copy of petition and resolutions of the officers and membership of Anson Jones Post, No. 72, American Legion, Department of Texas, respectfully soliciting your hearty support in favor of the measures outlined in said petition and resolutions.

Anson Jones Post feels that the sentiment of all Texas American Legion posts will reflect the same sentiment and desires expressed in the inclosed petition and resolutions.

Thanking you for your cooperation in the matters set forth as needing your support, I am,

Yours truly,

OTIS MILLER,
Post Adjutant, Anson Jones Post No. 72,
American Legion, Department of Texas.

Mr. BLANTON. This Mr. Otis Miller, adjutant of said post, is the county judge of Jones County, Tex. Mr. Speaker, to save the time necessary to read it, I ask unanimous consent to extend my remarks by printing the said petition and resolution in connection herewith.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The petition and resolution is as follows:

THE STATE OF TEXAS,
County of Jones:

Whereas the national legislative program of the American Legion has now reached a point when concerted action by Legion posts and members of the organization is required if this program is to meet with success; and

Whereas in order to impress upon the Congressmen and the Senators from Texas the fact that the Legion is deeply interested in this proposed legislation: Now, therefore,

We, the officers and members of Anson Jones Post, No. 72, American Legion, Anson, Jones County, Tex., in open and official meeting this 27th day of January, A. D. 1931, do hereby adopt the following resolutions, to wit:

I. *Be it resolved by Anson Jones Post*, That it is to the best interest of all concerned that Congress give immediate attention to the amendments to the World War veterans' act giving pensions to widows and orphans of deceased veterans and veterans with service-connected chronic constitutional disabilities to January 1, 1925.

II. *Be it resolved by Anson Jones Post*, That it is to the best interest of all concerned that Congress give immediate attention to the great need for action on the hospital-construction program and for provision for hospitalization for all nonservice-connected cases.

III. *Be it resolved by Anson Jones Post*, That it is to the best interest of all ex-service men of the World War that Congress give immediate attention to the payment of adjusted-service compensation certificates in full, and that this action is the more pressing and necessary on account of the prevailing and economical condition and the straightened circumstances and lack of opportunity to relieve them in which the majority of the ex-service men now find themselves.

IV. *And be it further resolved*, That copies of these resolutions be sent to the two Senators from Texas, the Hon. MORRIS SHEPPARD and the Hon. TOM CONNALLY, and to the Member in Congress from this district, the Hon. THOMAS L. BLANTON, respectfully soliciting them to bend their every energy toward the enactment of the measures outlined in these resolutions; and

V. That a copy of these resolutions be sent to State headquarters at Austin and to the Hon. John Thomas Taylor, chairman of the national legislative committee, Washington, D. C.

The above and foregoing resolutions passed unanimously by the full membership of Anson Jones Post, No. 72, American Legion, Anson, Jones County, Tex., this 27th day of January, 1931, to certify which witness the signatures of the officers and membership of said American Legion post.

Signed by all officers and members, a total of 89 signatures.

Doss Harris, Otis Miller, Morris Pittard, J. L. Gordon, Perry May, M. E. Hudson, H. C. Fail, Roy E. Prichard, C. E. Lantrip, W. D. Baker, L. R. Nichols, Fred H. O'Neal, Paul W. Jones, M. L. Archer, R. L. Baker, J. D. Pickens, E. A. Williams, C. C. Jobson, C. C. Goza, V. P. White, A. Heidenheimer, Bino Warren, Charles W. Pace, P. L. Maples, H. G. Hubbard, Wm. S. Henslee, E. T. Pittard, Phillip L. Cole, J. T. Caffey, S. L. Williams, D. C. Rogers, A. L. Cook, G. G. Martin, W. C. McCreight, J. M. Sosebee, Joe V. Pitcock, P. M. Jones, William Doby, E. M. Connell, L. S. Bressler, James A. Davis, Charlie G. Beck, F. L. Wood, Claud F. Chadwick, J. R. Love, jr., Geo. F. Newton, B. B. Prichard, R. L. Watts, R. B. Moss, K. C. Hughes, E. L. Burleson, Gus Maxwell, J. L. Griffith, J. F. Burk, B. N. Herndon, C. B. Harris, Earl Cole, D. O. Smith, T. E. Carman, E. M. Isbell, W. P. Bailey, Forest A. Turner, Wm. Y. Parham, Taylor Owens, R. C. Todd, R. E. Calvert, E. B. Bumpass, W. P. Bumpass, R. Y. Bumpass, J. D. Poland, J. B. Todd, W. D. Hawthorne, A. N. Parish, C. C. Stewart, Earl Lollar, E. C. Lollar, W. L. Gadpenny, B. F. McNealey, W. F. Mittel, A. B. Carlton, J. F. Welch, H. R. Cox, J. C. Mathis, Ambrose Brown, Glen Loftin, C. Y. Cromeans, Gabe W. Gentry, Wm. F. Lloyd, H. B. Dozier.

The above and foregoing list of names were signed to the original petition of which copy is attached.

OTIS MILLER.

STATE OF TEXAS,
County of Jones:

Before me, the undersigned authority in and for the above-named State and county, on this day personally appeared Otis Miller, known to me, and being duly sworn, on oath declares that the foregoing and annexed list of names were signed to the original petition of Anson Jones Post, American Legion, Anson, Jones County, Tex., copy of which petition is attached hereto.

Sworn to and subscribed before me this 4th day of February, A. D. 1931.

ROY E. PRICHARD,
County Clerk, Jones County, Tex.

The bill was ordered to be engrossed and 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.

SERGT. HOMER N. HORINE

Mr. BLACKBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on House bill 1036, and to include as a part of my remarks the report on the bill made by the House Committee on Military Affairs.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD on House bill 1036, and to include the report of the committee thereon. Is there objection?

There was no objection.

Mr. BLACKBURN. Mr. Speaker and Members of the House, as the author of H. R. 1036, a bill for the relief of Homer N. Horine, I desire to justify to myself and to my colleagues and to make this statement with reference to this, which I have been criticized for offering.

The measure has been vetoed by the President and his action sustained by the House.

I have every reason to believe that the equity is in favor of the intended beneficiary of this bill and is of such character as to merit the relief sought. A similar bill was introduced by my predecessor, Hon. Virgil Chapman, during the Seventieth Congress and was passed by the House but not

acted on in the Senate. When I assumed office I was asked to reintroduce the bill, and affidavits were given to me by people who served in the Fourth Kentucky Volunteer Regiment during the Spanish-American War.

These were and are to the effect that Homer N. Horine also served for several months in that regiment during that war. These documents were furnished by men of integrity and standing. In substance, it appears that Homer N. Horine actually served from July 11 to November 1, 1898, as a sergeant in Company G of the indicated regiment, but the Army records fail to show such service. It appears from the affidavits referred to that on the day that the men of Company G were officially mustered into service that Homer N. Horine was absent from muster call on account of an injury sustained on that day by his little daughter. Her hand was cut off by a street car and he had to attend her. It is shown by these affidavits that Horine not only rendered service as a soldier of this regiment but conducted himself in such a manner as to win the special notice and praise of his officers; that he gave valuable service in drilling men and performed special work of a military character. See the affidavits of Capt. C. C. Calhoun, formerly of Kentucky, now of Washington; also the affidavit of Maj. S. S. Morrow, a nephew of former Governor and Senator W. O. Bradley, of Kentucky, and brother of former Gov. Edwin P. Morrow, of Kentucky, now a member of the United States Board of Mediation.

The statements of Captain Calhoun and Major Morrow are sustained by a number of other affidavits filed with the House Committee on Military Affairs, and they are referred to in the favorable report of that committee on this bill.

These statements and affidavits indicate beyond any question that Homer N. Horine served in the Fourth Kentucky Volunteer Regiment during the Spanish-American War and that he performed such service in a creditable manner. The records of the Fourth Kentucky Regiment, it is believed, were not kept as accurately as they might have been, and if Horine was ever mustered in with the official muster of his company, the records do not show it, and were evidently lost. In any event, he appears to have rendered the service and, because of the equity involved, seems entitled to have the record corrected to show such service.

All these facts were submitted to the House Committee on Military Affairs, and the members thereof were convinced of the justice of this measure and accordingly twice made favorable reports and passed the bill.

I have seen the reports made to the President by Secretary of War Hurley and Administrator of Veterans' Affairs Hines, indicating their belief that bills of this character were of doubtful propriety. In neither of such reports, however, is reference made to the statements and affidavits appearing in the committee records and on which the committee and Congress acted in reporting favorably on and passing the bill. Doubtless they have been constrained in advising vetoing this bill by not having available for their perusal these statements and records. I believe, however, that the question should be one to turn on the facts and equity.

I am also a Spanish War veteran and served in the Fourth Kentucky. I know the men who furnished these affidavits and statements on which this claim is based. They are men of substance and standing whose word can be relied upon. Horine also was an American soldier in the World War.

The President, of course, has acted in the utmost good faith and on the recommendations of those officials on whom he must rely. I have also acted in utmost good faith, and I herewith submit as part of these remarks, under the leave granted me, the report of the House Committee on Military Affairs. This report speaks for itself.

[Senate Report No. 1180, Seventy-first Congress, third session]

HOMER N. HORINE

Mr. BLACK, from the Committee on Military Affairs, submitted the following report (to accompany H. R. 1036):

The Committee on Military Affairs, to which was referred the bill (H. R. 1036) for the relief of Homer N. Horine, having considered the same, reports favorably thereon with the recommendation that it do pass.

The merits of the case are set forth in the House report thereon which is made a part of this report and reads as follows:

"The Committee on Military Affairs, to whom was referred the bill (H. R. 1036) for the relief of Homer N. Horine, introduced by Mr. BLACKBURN, having considered the same, report thereon with the recommendation that it do pass.

"This measure was favorably reported and passed the House in the Seventieth Congress. The report made at that time therefore is made a part of this report, as follows:

"'[House Report No. 2505, Seventieth Congress, second session]

"'The Committee on Military Affairs, to which was referred the bill (H. R. 9515) for the relief of Homer N. Horine, having considered the same, reports thereon with the recommendation that it do pass, with the following amendments:

"'Line 6, after "Infantry" and before "shall," insert "shall hereafter be held and considered to have become a member of Company G, Fourth Regiment Kentucky Volunteer Infantry, on the 11th day of July, 1898, and."

"'The purpose to be accomplished by this bill is to give Homer N. Horine an honorable discharge as a sergeant of Company G, Fourth Regiment Kentucky Volunteer Infantry, United States Army, as of November 1, 1898.

"'It appears from affidavits filed in this record that Horine served with the above-named organizations from July 11, 1898, until November 1, 1898, but was absent from camp when his company was mustered into the service as an organization. The camp was only a few hundred yards from his home, to which he had gone upon receiving information of a serious accident to his child. Her hand was cut off by a street car. He performed all the duties of a sergeant in that company, and but for said brief temporary absence would have been properly mustered in.

"'The following affidavit of Capt. C. C. Calhoun, prominent attorney at law, of Washington, D. C., explains the circumstances in detail:

"'"CITY OF WASHINGTON,

"'"*District of Columbia, ss:*

"'"The affiant, C. C. Calhoun, says that he was largely instrumental in organizing Company C, Second Kentucky Regiment, acting as a volunteer company in the Spanish-American War.

"'"That shortly after the war was declared by the United States against Spain in 1898, the then Governor of Kentucky, W. O. Bradley, came to the headquarters of said company at Lexington, Ky., and in person mustered the company into the military service of Kentucky. That Governor Bradley held this company in very high esteem, as shown by this signal act of distinction of personally mustering it into the service. The governor continued to manifest this special interest in the company.

"'"Shortly after its organization the affiant was elected and commissioned by the governor as captain of the company, which position affiant held throughout and some time subsequent to the Spanish-American War.

"'"Having received assurances from the governor that the company would be called upon at a later date to perform some special and serious active duty, affiant took the company into camp for active duty as guards for the Chautauqua assembly which was at that time being held at Lexington, Ky.

"'"Under the first call for volunteers for the Spanish-American War three regiments, consisting of the entire National Guard, were mustered in from the State. These regiments were from central and western Kentucky, and when the second call for volunteers was made Governor Bradley determined that the patriotic men of eastern Kentucky, or the highlands, should be given an opportunity to volunteer, and his call for an additional regiment was limited to that portion of the State. This regiment was afterwards mustered into the service as the Fourth Kentucky Volunteer Infantry.

"'"The regiment was ordered to assemble at Camp Corbin at Lexington, Ky. At the time of assembly the regiment was composed almost exclusively of raw recruits, as there was practically no State guard organization in that part of the State. For this reason Company C, which affiant commanded, was requested to act as escort to the members of the Fourth Kentucky as they came to Lexington for encampment, which service was rendered.

"'"Affiant made a personal request of the governor that Company C be mustered into the United States Volunteer Service as one of the companies of the Fourth Kentucky, but the governor assured affiant that, as highly as he esteemed that organization, in justice he should confine the organization to eastern Kentucky men but requested affiant to assist and have the men of his company assist in the preparation of the companies of the regiment to be mustered into the service.

"'"While Company C was on active duty at the Chautauqua, and before the members of the Fourth Regiment had been mustered into the service and armed and equipped, some members of the Fourth Kentucky had become involved in a difficulty with some colored men, which resulted in very severe handling of one or two of these colored men by members of the Fourth Kentucky. As the Fourth Kentucky was situated near a large settlement of colored people, this whole settlement of colored people became aroused and very indignant at the above treatment received from the members of the Fourth Kentucky, which resulted in two or three hundred colored men arming themselves and preparing for an attack at night on the unarmed members of the Fourth Kentucky. This resulted in an urgent call from the commanding

officers of the Fourth Kentucky for assistance, and in response affiant hurriedly sent to the camp 12 of his picked men and 24 guns with an ample supply of ammunition. This squad was put in command of Sergt. Homer N. Horine, one of affiant's best drilled, most experienced, and efficient men. The response being so prompt and the assistance rendered in such a military and efficient manner, serious trouble, which was thought to be almost inevitable, was averted, and affiant received the warmest thanks from the commanding officers of the Fourth Kentucky and of the civil officers of Lexington as well.

"' "As is frequently the case in such matters, the credit was due not to the commanding officer of Company C but to the commanding officer and men of the squad of relief. Sergeant Horine conducted himself in such a manner as to elicit from the commanding officers of the Fourth Kentucky a request that he be permitted to remain with that organization for the purpose of drilling the men and giving them instruction in military matters. This request was granted, particularly as it was in accordance with the request of Governor Bradley that some of the best men of Company C be detailed to assist in preparing the Fourth Kentucky to be mustered into the service.

"' "Affiant had a number of interviews with the colonel, the lieutenant colonel, and Maj. S. S. Morrow, of the Fourth Kentucky, regarding the splendid services which Sergeant Horine had rendered in drilling raw recruits and in assisting in getting the regiment in condition to be mustered into the service. His services at the time were considered almost invaluable by its officers, and affiant allowed him to remain with the regiment until after it was mustered into the United States service. Affiant was informed by the officers of the regiment that in order to give Sergeant Horine a military status they had sworn him into the service individually and some time prior to the time the company to which he belonged was mustered into the service as an organization. Realizing the necessity of this, affiant made no objection.

"' "Affiant has been reliably informed by officers of the Fourth Kentucky and by Sergeant Horine that the reason he was not mustered into the service along with the company to which he belonged was because he was absent from the camp for a short time when his company was mustered into the service as an organization. This absence, affiant has been informed, was occasioned by a serious accident to his little girl, which affiant has every reason to believe to be a fact. When Sergeant Horine returned to the camp and found that his company had been mustered in, he made every effort to have his name appear on the muster-in rolls of the company, but on account of the confusion in breaking camp this was not done. Affiant has no doubt but that the commanding officers would have insisted upon Sergeant Horine's name appearing on the muster-in roll of his company but for this confusion and perhaps by the further fact that there was a reluctance to take any active steps to have the name of a man from central Kentucky appear on the muster-in rolls of this regiment, which was composed almost entirely of men from another section of the State.

"' "Affiant has read with much interest the affidavit of Maj. S. S. Morrow, whom he knows to be one of the active organizers of the Fourth Kentucky, a man of the very highest standing and a splendid soldier. Major Morrow is a nephew of Governor Bradley, the then governor of the State, who took an especial interest in the organization of this regiment. He is also a brother of ex-Governor Morrow, of Kentucky, and of Colonel Morrow, of the United States Army, and his affidavit should be accepted at 100 per cent.

"' "Affiant joins Major Morrow in saying that Sergeant Horine has deserved and should receive an honorable discharge from the United States military service.

"' "Witness my hand and seal this 15th day of May, 1928

"' " C. C. CALHOUN.

"' " Subscribed and sworn to before me this 15th day of May, 1928.

"' " [SEAL.] FRANCIS L. NEUBECK,

"' " *Notary Public, District of Columbia.*"

"' The corroborative affidavit of Maj. S. S. Morrow, of Somerset, Ky., is as follows:

"' " This is to certify that I, S. S. Morrow, was major of Fourth Kentucky Volunteer Infantry, Spanish War; that I know that Sergt. Homer N. Horine was sworn in by the mustering officer, Captain Ballance; that he was there and rendered service from July 11, 1898, until November 1, 1898; that he was turned out from the service without pay or honorable discharge. He behaved himself soldierly; that he drilled platoons and company; that he helped to form the first guard mount. We had his military training, which was very valuable to our command, and I would say that Sergt. Homer N. Horine should have an honorable discharge; character excellent.

"' " S. S. MORROW,

"' " *Major, Fourth Kentucky Volunteer Infantry.*

"' " Witness:

"' " OTIS WODDLE.

"' " Subscribed and sworn to before me by S. S. Morrow this the 9th day of September, 1927.

"' " [SEAL.] W. O. HAYS, *Notary Public.*

"' " My commission expires January 15, 1928."

"'Affidavits to the same effect on file in this case are those of J. M. Parks, R. C. Thompson, C. F. Ward, Howard Adams, Harry J. Montague, and George C. Pearce, all of whom state that they served in the same regiment with Sergeant Horine and corroborate the statements contained in the affidavits of Captain Calhoun and Major Morrow, above set out in full.

"' Homer N. Horine filed the following sworn statement:

"' " This is to certify that I, Homer N. Horine, was ordered to Camp Corbin in or near Lexington, Ky., while I was in camp at Woodland Park. I was a sergeant of Company C, Second Kentucky Infantry, Kentucky National Guard. At that time I was also ordered to take 12 men of my company with me, with two rifles apiece, and report to Colonel Colston, of the Fourth Kentucky Volunteer Infantry, which I did on the evening of July 10. On the morning of the 11th Colonel Colston asked me to remain with them and join their regiment, which I did. He sent me to the regiment surgeon, Dr. Frank Kennon, and he passed me as O. K., and Colonel Colston gave me the oath and swore me in and there Captain Ballance, mustering officer,' swore me in under oath, and I did my duty as a drillmaster of the Fourth Kentucky Volunteer Infantry, drilling guards, platoons, companies, etc. I formed the first guard mount they ever had. I was ordered there by superior officers and the regiment was purely a United States Volunteer Infantry Regiment. I was with them from July 11, 1898, until November 1, 1898."

"' Several affidavits show conclusively that Sergeant Horine actually rendered the service which he claims to have rendered; that he was sworn in by the mustering officer, Captain Ballance, and but for his brief but necessary absence on account of his child's serious injury at the time his company was mustered in as a United States organization no question would have arisen.

"' JANUARY 25, 1928.

"' Hon. JOHN M. MORIN,

"' *Chairman Committee on Military Affairs,*

"' *House of Representatives.*

"' DEAR MR. MORIN: In response to your request for information regarding House bill 9515, Seventieth Congress, first session, for the relief of Homer N. Horine as a sergeant of Company G, Fourth Regiment Kentucky Volunteer Infantry, I have the honor to inclose a report in duplicate from The Adjutant General.

"' Your attention is invited to the fact that the inclosed bill does not show any date upon which Homer N. Horine shall hereafter be held and considered to have become a member of Company G, Fourth Kentucky Volunteer Infantry.

"' Respectfully,

"' DWIGHT F. DAVIS, *Secretary of War.*

"' WAR DEPARTMENT,

"' THE ADJUTANT GENERAL'S OFFICE,

January 25, 1928.

"' The SECRETARY OF WAR:

"' No record has been found of the enrollment, muster in, or service in Company G, Fourth Regiment Kentucky Volunteer Infantry, during the war with Spain of any man named Homer N. Horine.

"' Respectfully submitted.

"' LUTZ WAHL,

"' *Major General,*

"' *The Adjutant General.*'"

AMENDMENT OF THE CODE OF LAW OF THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up Senate bill 4551, to amend an act entitled "An act to establish a Code of Law for the District of Columbia" approved March 3, 1901, and the acts amendatory thereof and supplemental thereto.

The SPEAKER. The gentleman from Maryland calls up a bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplemental thereto, constituting the Code of Law for the District of Columbia, be, and the same are hereby, amended by adding three additional sections, as follows:

"SEC. 639b. Every corporation having capital stock and heretofore or hereafter organized or existing under this subchapter 4, or which has availed or may hereafter avail itself of the provisions of this subchapter 4 pursuant to subchapter 13 of this chapter 18, may, by pursuing the same procedure and complying with the same requirements as are prescribed in this subchapter in respect to the increase or diminution of capital stock, amend its charter so as to accomplish any one or more of the following objects: The addition to or diminution of the corporate purposes and powers, or the substitution of other purposes and powers in whole or in part for those set forth in the charter; the changing of the corporate business; the changing of the location of the place in the District of Columbia in which the operations of the corporation are to be carried on; and the making of any other amendment or amendments, not otherwise provided for under this subchapter, of the charter that may be desired, provided such amendment or amendments shall contain only such provisions as it would be lawful or proper to insert in an original certificate of incorporation made at the time of making such amendment or amendments.

"SEC. 639c. In addition to its common stock, every corporation heretofore or hereafter organized or existing under this subchapter 4, or which has availed or may hereafter avail itself of the provisions of this subchapter 4 pursuant to subchapter 13 of this chapter 18, may create one or more classes of preferred stock, with such preferences, restrictions, and qualifications not

inconsistent with law as shall be expressed in its charter. Such preferred stock shall have such voting powers as are provided in such charter, or it may have no voting power if such charter so provides. Each such corporation may have one or more classes of common stock, with or without voting powers, and with such rights, restrictions, and qualifications as shall be expressed in its charter. The term 'charter' is hereby defined to include a charter granted by special act, certificate of incorporation, certificate of organization, or certificate of reorganization, either as originally passed or filed or as amended, unless such construction would be inconsistent with the context. Preferred stock of any class may be made subject to redemption at such times and prices as may be determined in such charter. In the case of stock which is preferred as to its distributive share of the assets of the corporation upon dissolution, the amount and terms of such preference shall be stated in the charter. All certificates for stock which has no voting powers or is restricted or limited as to its voting powers, or which is preferred or limited as to its dividends, or as to its share of the assets upon dissolution, shall have a statement of such restriction, limitation, or preference plainly stated thereon.

"SEC. 639d. Every corporation having capital stock and heretofore or hereafter organized or existing under this subchapter 4, or which has availed or may hereafter avail itself of the provisions of this subchapter 4 pursuant to subchapter 13 of this chapter 18, may, pursuant to a meeting of its stockholders, held upon notice given in accordance with the provisions of section 635 of this subchapter 4, sell, lease, or exchange all of its property and assets as an entirety, including its good will, and franchises howsoever granted and/or acquired, to or with any other such corporation or any other corporation organized or existing under the laws of any State of the United States which is duly authorized by its charter or otherwise to acquire and hold such or similar property, or to or with any natural person. An agreement containing the terms and conditions of the proposed sale, lease, or exchange shall, after approval thereof by a majority of the trustees or directors of such vendor, lessor, or grantor corporation, be submitted to said stockholders at said meeting for their approval; and if approved by the affirmative vote of two-thirds of all the stock outstanding (or, if two or more classes of stock have been issued, of two-thirds of each class, including stock of any class to which the charter denies the right to vote), such agreement shall be executed and its terms and conditions performed. Any stockholder, who, at such meeting, voted against the agreement submitted or who shall in writing file his protest at least 5 days before the holding of such meeting, may within 20 days after such meeting (but not afterwards) make upon such vendor, lessor, or grantor corporation a written demand for payment for his stock; and he shall thereupon be entitled to receive an amount equal to the fair value thereof, unaffected by such sale, lease, or exchange of said corporate property and assets. If such dissenting stockholder and said vendor, lessor, or grantor corporation of which he is a stockholder shall fail to agree upon the fair value of said stock (or if, having agreed, such corporation shall fail to pay or tender the amount thereof), such stockholder shall be entitled to file, within 30 days after such written demand (but not afterwards), against said vendor, lessor, or grantor corporation, in the Supreme Court of the District of Columbia, a petition for an accounting and for the ascertainment of the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of such sale, lease, or exchange; and on the coming in of the answer to said petition, which shall be filed within such reasonable period as the court may fix, the court shall pass an order referring the matter to a commissioner or commissioners agreed upon by the parties, and if the parties do not so agree, then to the auditor of said court, for the purpose of ascertaining such fair value, and such order may prescribe the time and manner of producing evidence; and the award of said commissioner or commissioners (or that of a majority of them), or of said auditor, when confirmed by decree of said court, shall be final and conclusive on all parties, and said vendor, lessor, or grantor corporation shall pay such stockholder the fair value of his shares ascertained as aforesaid, and on receiving such payment or on a tender thereof, said stockholder shall transfer his stock to the said vendor, lessor, or grantor corporation for cancellation, and until said award is paid or tendered, said stockholder shall have a lien for the payment of such award on the proceeds of such sale, lease, or exchange, prior to any distribution by said vendor, lessor, or grantor corporation and said payment and lien may be collected and enforced in the same manner as other decrees and liens are by law enforceable in said Supreme Court of the District of Columbia. If the amount awarded said stockholder exceeds the amount offered by the corporation prior to the filing of said suit, costs shall be awarded to said stockholder; otherwise costs shall be awarded to the corporation. Each party shall have the right of appeal as in other cases in the Supreme Court of the District of Columbia. The proceeding by a dissenting stockholder hereunder shall not prevent or delay the execution and performance of any agreement so approved by the affirmative vote of two-thirds of each class of stock: *Provided, however*, That the right granted to a dissenting stockholder hereunder to demand payment for his shares shall cease, if at any time prior to the entry of any decree herein provided for, the defendant corporation shall make it appear to said Supreme Court of the District of Columbia that the agreement of sale, lease, or exchange has been rescinded by appropriate corporate action, so that the shares of such dissenting shareholder remain unaffected thereby. Upon the performance of any agreement of sale hereunder of all of the property and assets as an entirety of a corporation (including its good will and franchises), all property, assets, rights, privileges, franchises, and powers of said selling corporation shall be vested in the purchasing corporation or person and shall thereafter be as effectually the property of the purchasing corporation or person as they were of the selling corporation subject to the provisions of this section, and such purchasing corporation or person shall thereupon immediately file in the office of the recorder of deeds of the District of Columbia proper evidence of such sale, and thereupon said selling corporation shall be dissolved and cease, subject, however, to the provisions of sections 782, 783, 784, and 785 of subchapter 14 of this chapter 18. Nothing contained herein shall affect the provisions of the act approved April 28, 1904, entitled 'An act to prevent the fraudulent sale of merchandise in the District of Columbia,' or any of the provisions of the act relating to the Public Utilities Commission of the District of Columbia, approved March 4, 1913, or any amendment or supplement thereof, or of any other law regulating public-utility corporations in the District of Columbia."

Mr. BLACK. Mr. Speaker, I want to ask the chairman of the committee who has asked for this bill? Where does this bill come from?

Mr. ZIHLMAN. It comes from the Senate.

Mr. BLACK. Does the gentleman know who asked the Senate to pass it?

Mr. ZIHLMAN. I could not answer that. It came to the committee, and it has been before the committee.

Mr. BLACK. It seems to me this is another merger proposition.

Mr. ZIHLMAN. No; the last paragraph of the bill specifically exempts all utilities from the provisions of this act. The bill specifically exempts them and it has nothing to do with any utilities.

Mr. STAFFORD. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. STAFFORD. I notice that in the proposed section—639d, page 4—you authorize the sale of the property and assets of a corporation upon the vote of a majority of the directors of the corporation. I think it should require at least the vote of two-thirds of the directors before a corporation is authorized to sell the entire assets of the corporation.

Mr. ZIHLMAN. May I ask the gentleman from what line he is reading?

Mr. STAFFORD. Line 17, page 4.

Mr. SNELL. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SNELL. What is the law in other States? Does the gentleman know whether other States require a majority vote or a two-thirds vote?

Mr. STAFFORD. Most States require the approval of two-thirds of the stockholders after the vote of the directors. I think that before such drastic action should be taken as to sell the entire assets of a corporation it would be no more than fair to the rights of the stockholders to require a two-thirds vote of the directors rather than a majority vote of the directors.

Mr. ZIHLMAN. If the gentleman will read a little further, he will see that the bill requires the affirmative vote of two-thirds of the stockholders.

Mr. STAFFORD. I stated that in answer to an inquiry propounded by the gentleman from New York [Mr. SNELL]. In the management of a corporation the business policy largely vests with the directors, and whenever they are going to adopt the radical policy of disposing of the entire assets of the corporation I think it is only fair to the stockholders who follow the judgment of the directors that instead of having a majority vote to adopt that policy there should be a two-thirds vote. This bill really should not have been reported by this committee, but by the Committee on the Judiciary, because, to a very great extent, it changes the corporate powers of corporations in the District.

Mr. SNELL. Will the gentleman yield for another question?

Mr. STAFFORD. Yes.

Mr. SNELL. I do not know about the particular language of the bill, but I have been told that it does not go any

further than what is permitted ordinarily in the States of the Union.

Mr. STAFFORD. I can not say as to that, because I have not examined the bill critically or examined the laws of other States so as to give an opinion on that point.

Mr. LAGUARDIA. If the gentleman will yield, I think this provision is very much like the law in our State. If it is intended to dispose of all the assets of a corporation, all the stockholders get a notice to that effect and then a two-thirds vote in the affirmative is required, and if any stockholder present who votes against the sale files a notice in writing of his protest then his stock must be paid for at its face value.

Mr. STAFFORD. I may say to the gentleman that it is generally agreed that the directors should determine the business policy of a corporation, but a proposal to sell the entire assets of a corporation is a matter of such broad scope that I believe there should be required more than a mere majority of the directors before passing the matter on to the stockholders.

Mr. SNELL. All the directors can do is to recommend, and the stockholders have in charge the question of approval and, if approval by two-thirds of the stockholders is required, I do not think that is very drastic.

Mr. STAFFORD. Well, the gentleman has had some experience in corporate matters—does the gentleman believe that a matter of such great importance as disposing of all the assets of a corporation——

Mr. SNELL. I never had any experience along that line.

Mr. STAFFORD. I thought the gentleman had had experience in such matters.

Mr. SNELL. Not in disposing of the assets of a corporation.

Mr. MICHENER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MICHENER. I am one of those who feel that bills of this type should come before the Judiciary Committee, but this bill was not before the Judiciary Committee. However, the bill, I am advised, has been approved by a committee of the bar association of the District, and has been thoroughly considered by the bar association of the District and there is a unanimous report from the bar association here in favor of the bill. This proposed legislation is necessarily technical. It is legislation which should not be written on the floor of the House without most careful consideration. I do not know what consideration the committee may have given the bill, but when a bar association like the Bar Association of the District of Columbia has considered a matter of this kind in its committee and then has reported back to the association, and it comes to the Congress and is on the floor, it seems to me we should be rather careful about amending it on the floor.

Mr. STAFFORD. Oh, I am only suggesting an amendment on a matter about which I have some knowledge and about which I think the gentlemen ought to have some knowledge if they have ever served on the directorate of a corporation. If I were a stockholder of a corporation, before I would want the entire assets of the corporation sold to another corporation I would like to have a vote in favor thereof by at least two-thirds of the directorate.

Mr. LAGUARDIA. If the gentleman will permit, I do not see what difference that would make. All the directors can do is to authorize a meeting for the purpose of having the matter passed upon by the stockholders.

Mr. STAFFORD. Ah, but the stockholders rely upon the judgment of the directors, and there may be just a bare majority of the directors. This is not a matter of ordinary business policy that the directors are passing upon. It is a matter which changes the entire policy of the corporation in selling all the assets of the corporation, and it should be safeguarded by requiring approval by at least two-thirds of the directors.

Mr. ZIHLMAN. What is the law in the gentleman's own State, may I ask? Does not the law of Wisconsin provide that a majority of the directors may submit such a proposition to the stockholders for ratification or rejection?

Mr. STAFFORD. I am always frank with the Members of this body, and I can not say, offhand, what the law of my State provides in this particular.

Mr. LAGUARDIA. I think the provision in the bill which provides—

> Any stockholder, who at such a meeting voted against the agreement submitted or who shall in writing file his protest at least 5 days before the holding of such meeting, may, within 20 days after such meeting (but not afterwards), make upon such vendor, lessor, or grantor corporation a written demand for payment for his stock; and he shall thereupon be entitled to receive an amount equal to the fair value thereof, unaffected by such sale, lease, or exchange of said corporate property and assets—

Affords ample protection.

Mr. STAFFORD. I am well acquainted with that provision of the bill. I am getting at the root of the matter in order to safeguard the interests of the stockholders, so that before any drastic policy is inaugurated it shall have the approval of at least two-thirds of the directors. We might even go to the extent of requiring the approval of the entire directorate, but in some instances that might work drastically.

Mr. ZIHLMAN. While I am not an attorney, I will say to the gentleman that I do not think the suggested amendment is necessary.

Mr. STAFFORD. Well, I shall not press the amendment.

Mr. SNELL. If the gentleman will permit, gentlemen who have given this considerable attention have informed me——

Mr. STAFFORD. So far as the argument made by the gentleman's colleague on the Committee on Rules——

Mr. SNELL. The Rules Committee has not anything to do with it.

Mr. STAFFORD. I said the argument made by the gentleman's colleague on the Committee on Rules. I will also withdraw that sting by saying, and who is also a member of the Committee on the Judiciary.

Mr. SNELL. Then the gentleman meant it to sting?

Mr. STAFFORD. I thought it was a sting by the way the gentleman remonstrated about my conferring that high honor upon the gentleman in referring to the Committee on Rules.

Mr. GARNER. The gentleman should know that the gentleman from New York is a little touchy on a reference to the Rules Committee at this time.

Mr. STAFFORD. If he is sensitive now, what will he be in the next Congress? [Laughter.]

Mr. Speaker, I will not press it further, but I have one other observation to make.

Mr. ZIHLMAN. I yield to the gentleman, but not for an amendment.

Mr. STAFFORD. Oh, I am not trying to take control of the bill away from the gentleman. I assume he recollects the information I gave him earlier in the day as to parliamentary procedure in such cases.

Mr. ZIHLMAN. I appreciate the gentleman's courtesy.

Mr. STAFFORD. Mr. Speaker, I want to direct attention to the provision on page 7 when a dissenting stockholder has brought suit to demand payment of his share and the suit is afterwards withdrawn by the corporation not going ahead with the purchase, would the gentleman have objection to an amendment authorizing the dissenting stockholder to have judgment for costs and reasonable attorney's fees?

Mr. LAGUARDIA. Against whom?

Mr. STAFFORD. Against the corporation which proposed to purchase the assets of the corporation and then abandoned the plan. I had an amendment prepared for that purpose, but I will not press it.

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

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

On motion of Mr. ZIHLMAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL (S. DOC. NO. 268)

Mr. CRAMTON. Mr. Speaker, I offer for printing under the rule a conference report on the bill (H. R. 14675) making

appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. GARNER. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. GARNER. Will the gentleman state when he intends to call this up?

Mr. CRAMTON. I will go as far as I can. The report comes up first in the Senate. The expectation was when we broke up the conference, expressed by Senator SMOOT, that he hoped to get it up on Monday. He did not expect to get it up to-day. After it comes up in the Senate and comes over here I shall call it up as soon as business may permit.

Mr. WOOD. Mr. Speaker and gentlemen of the House, the conference report on the Interior Department appropriation bill that has just been filed contains a substitute for the so-called $25,000,000 appropriation proposed for relief. There has been considerable discussion among the membership on the outside with reference to the meaning of the compromise on the amendment.

I felt that it was proper that the Members should be taken into the confidence of those who have been trying to effect a settlement, the prime purpose of which is to avoid an extra session.

It is my understanding and the understanding of those who have taken some part in the compromise that it not only includes the proposal in the conference report which has just been filed, but it also includes the settlement of other matters and other proposals that have been offered in the other branch of this Congress.

In other words, it includes the settlement of the 20,000,000 bushels of wheat proposition, the $5,000,000 that was for cooperative loans, because that is covered in this proposal that is in this conference report—the $2,500,000 of reappropriation for seed loans in several specific States. The idea is to wipe out all of the differences existing now between the two Houses with reference to these proposed matters of relief, in order that relief may be had for those needing it and that we may avoid an extra session, which I think every Member of the House desires to do.

In order that there might be no mistake with reference to the interpretation of this proposal in the conference report which has been presented, I addressed a letter to the Secretary of Agriculture and asked him to give to me, so that I might give it to the House, his interpretation of what the proposed language means, and with your permission I shall read his reply. It is as follows:

FEBRUARY 7, 1931.

Hon. WILL R. WOOD,
Chairman Appropriations Committee,
House of Representatives.

DEAR MR. WOOD: Your request for my views upon the pending amendment to the seed-loan appropriation has been received.

The proposed measure is intended to take care of another phase of the credit problem in the drought-stricken area which is economic in character and not covered by other services.

The critical condition in the drought area arises not only from the drought but also from the weakened banking situation. There are two phases of this whole problem:

First, relief to the distressed who have no resources and therefore no security to offer for loans.

Second, the provision of adequate credit for these who can offer security for loans to enable them to carry on their usual operations.

The Red Cross is adequately caring for the needs of the first class. The appropriation already made of $45,000,000 for seed, feed, and fertilizer loans to be secured by liens on the crop will provide for a large number of the second class.

There remains the general problem of furnishing essential credit to those who have security, but who can not obtain it because of the breakdown of normal credit facilities.

The requirements are to be met in two ways: First, secured by loans to individuals of capital to assist them to strengthen the existing agricultural credit corporations or to set up new agencies, which can in turn operate through the intermediate credit banks; and second, by other emergency loans on adequate security to be made by the Secretary of Agriculture.

A part of the normal agricultural credit operation in the drought area consists in financing from month to month by the landlord of his tenants. This financing goes to buy food and clothing, as well as for other purposes. It is principally this system which, due to a weakened banking structure, has broken down, thus depriving the community of the credit essential to economic recovery.

The provision in the pending proposal would answer the needs of all of these who can offer security. It will relieve the burden upon charity by aiding to restore normal credit conditions. It leaves to the Red Cross the responsibility of the field as agent for human relief to those who do not have security and to whom Government loans for food such as were at one time proposed would have been mere charity by creating obligations from large groups far beyond their ability to repay.

This situation was foreseen last September when the President called a conference of bankers in the drought-stricken States and recommended that agricultural credit corporations be formed to function under the intermediate-credit system. The bankers undertook to assist in the creation of such corporations, and a number of them were formed, but not to the number or strength which is now necessary.

The present bill rounds out the program of economic rehabilitation in much better fashion than the legislative proposals heretofore made. It fills out the pattern of measures necessary in the drought territory. First, human relief by the Red Cross to farmers and to industrial people who have no resources in the drought region; second, loans for seed and fertilizer secured against the coming crop; and finally, this last provision aimed to restore credit facilities for those who have security to offer.

This program avoids doles or direct charity from the Federal Treasury or any implication thereof.

Yours very truly,

ARTHUR M. HYDE, *Secretary.*

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

Mr. WOOD. Yes.

Mr. BLACK. Is there any provision in the conference report that is proposed for relief of folks outside of the rural districts, who are in distress in the cities?

Mr. WOOD. No.

Mr. BLACK. Are all of the relief propositions based on credit rather than on any form of charity in the rural districts?

Mr. WOOD. The purpose of the proposal in the conference report is to enable those who desire to rely upon their own efforts and upon their own ability to secure credit whereby they can make purchases of necessities and keep from asking charity.

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

Mr. WOOD. Yes.

Mr. LAGUARDIA. As I understand it, a mortgage is taken upon the crop for loans made out of the first appropriation that we passed. The appropriation carried in the bill just reported is over and above the previous $45,000,000 that we have appropriated.

Mr. WOOD. Yes.

Mr. LAGUARDIA. Do I understand that loans will be made to those farmers in this area without any security, or must the farmer have security?

Mr. WOOD. He must give security if the loan is made. One of the principal purposes to be served is this. The original $45,000,000 proposal was for the purpose of loans for seed and feed for the work animals so that they might make a crop. It did not include other livestock, such as cattle, hogs, or poultry. To my mind, one of the greatest essentials and one of the best benefits to be derived from this proposal is that it protects the livestock, and particularly the milk cow, upon which the entire family may be depending.

Mr. BLANTON. But it is for "a rehabilitation," and whatever is required to rehabilitate, this $20,000,000 is to be expended for.

Mr. WOOD. That is correct.

Mr. BLANTON. That really covers food, although we must not mention food, but call it rehabilitation.

Mr. LAGUARDIA. What information was obtained since we had the debate on the floor of the House that the Red Cross could absolutely take care of everything? If I remember correctly, although I may be in error, the gentleman and others said that there was no necessity whatsoever for appropriating anything. Just what has happened in the last few days in the way of additional information?

Mr. WOOD. Of course, we might get into an argument about this proposition. We all have our individual opinions about it. This proposal is a compromise, and that means that each contending party had to give up something of his own opinion.

Mr. LAGUARDIA. And it also means that some of us were not very far wrong when we took the other side.

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

Mr. WOOD. Yes.

Mr. CRAMTON. There is as much difference between the proposition that was up the other day of giving money to the Red Cross to be handed out in gifts of food and clothing and this proposition for loans for agricultural rehabilitation upon what the Secretary characterizes as adequate security as there is between day and night. It is an entirely different proposition, and in this compromise there is nothing whatever of the proposition which the House so decisively rejected.

Mr. LAGUARDIA. But there is also a big difference between this and the absolute negative stand which the gentleman and others took at the same time that we took the other extreme.

Mr. CRAMTON. Oh, the things cared for in this would not have been cared for at all if the $25,000,000 had been given to the Red Cross. There would have been no agricultural rehabilitation in that.

Mr. LAGUARDIA. And one thing that is certain is that the unemployed in the cities will get nothing. On that there can be no dispute.

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

Mr. WOOD. Yes.

Mr. GARNER. Prior to the holidays, when the so-called farm relief bill was before the House, I recall that the gentleman from Indiana insisted that $45,000,000 would be sufficient for all purposes. I take it that he has revised his views on that, and he thinks now that $65,000,000 is a better sum.

Mr. WOOD. I was about to say that if I consulted my own opinion about it I would still think that, but if we had to do it over again I would make the $45,000,000 cover the livestock upon the farm, everything on the farm.

Mr. GARNER. I am glad the gentleman has gotten educated to that point.

Mr. ALLGOOD. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. ALLGOOD. Is it a fact now that the Red Cross has raised $10,000,000 and had a surplus of $5,000,000, which makes $15,000,000, to feed the people throughout the Nation that are needy, and with this additional $20,000,000 that sum is deemed sufficient, in addition to what the Red Cross has raised, to care for the situation?

Mr. WOOD. It is hoped to be, and if it is not, there will be a way provided.

Mr. TILSON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. TILSON. This is not to be in addition to any amounts the Red Cross has raised because this is for an entirely different purpose than any money contributed to the Red Cross.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. CRAMTON. The Red Cross definitely stated that if it cost three times the estimated amount they are prepared to raise it in the usual way, so this is not at all involved in that.

Mr. O'CONNOR of Oklahoma. Will the gentleman yield?

Mr. WOOD. I yield to the gentleman from Oklahoma.

Mr. O'CONNOR of Oklahoma. It seems to me the letter of the Secretary of Agriculture is very clear. He states that he has nothing to do with the matter of charity; that that is to be handled by the Red Cross; and the Red Cross has said they would meet every need. They did not say they could take the place of the country banks. Down there they have what they call "cropper loans." Money is advanced on a crop that is not planted. The country banks can not make such loans now. The Government steps in and does that. If these people should spend some of that money for food, that is their business; but the crop that is not planted is going to be considered adequate security. There is no use mixing things up at all. The Government stepped in to do what the local credit agencies are not able to do.

Mr. WOOD. That is correct.

Mr. O'CONNOR of Oklahoma. It is not the Government stepping in and putting on a Red Cross uniform and establishing a cafeteria and saying to everybody, "Come up and we will fill you up." That has still got to be done as a charitable proposition, if I understand this thing.

Mr. WOOD. That is correct.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. SNELL. How is the $5,000,000 fund administered? What security comes to the Government for that?

Mr. WOOD. The $5,000,000 is wiped out.

Mr. SNELL. But a part of this fund is to be used for that?

Mr. WOOD. Absolutely. That is the purpose of loaning to persons who desire to create these credit corporations.

Mr. SNELL. Do we loan to the local banks or direct, or how do we make the loans?

Mr. WOOD. An organization will be created just exactly as they are now created under the intermediary banking system.

Mr. SNELL. But not through the local banks?

Mr. WOOD. No, sir.

Mr. SNELL. It is entirely separate and apart from the local banks?

Mr. WOOD. Entirely separate from the local banks.

The SPEAKER. May the Chair suggest that this entire debate is out of order?

Mr. BLANTON. Will the gentleman yield for just a moment? We do not care about these fine-spun parliamentary distinctions between tweedledee and tweedledum, as long as the people get the money.

Mr. BLACK. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BLACK. As I understand, the only one who can get this money is some one who has security? In other words, the fellow who has nothing can get nothing under this proposition?

Mr. WOOD. That seems to have been the lifelong practice.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. SCHAFER of Wisconsin. Now that we have provided legislation to take care of the suffering people in the dry South, can we reasonably expect in the near future that we will have legislation to provide for a modification of the existing prohibition law to take care of the drought and relieve the city districts?

Mr. BACON. Mr. Speaker, the regular order.

The SPEAKER. The time has expired some time ago. The gentleman from Indiana has no time to yield.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. KENDALL of Kentucky, for six days, on account of business.

Mr. PATMAN, for to-day, on account of important business.

Mr. NEWHALL (at the request of Mr. THATCHER), indefinitely, on account of illness.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until Monday, February 9, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, February 9, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Second deficiency bill.

COMMITTEE ON THE POST OFFICE AND POST ROADS

(11 a. m.)

To provide that first-class postmasters shall not continue in office more than one year after the expiration of their terms of office if not reappointed. (H. R. 16386.)

COMMITTEE ON THE CENSUS

(10.30 a. m.)

To consider bills relating to reapportionment.

COMMITTEE ON MILITARY AFFAIRS—SUBCOMMITTEE NO. 5

(10.30 a. m.)

To authorize the development of an aircraft combining a heavier-than-air type of airplane with a lighter-than-air craft suitable for transport purposes for the Army Air Corps. (H. R. 14819.)

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. KAHN: Committee on Military Affairs. H. R. 1804. A bill for the relief of David I. Brown; without amendment (Rept. No. 2540). Referred to the Committee of the Whole House.

Mr. DOUGLAS of Arizona: Committee on Military Affairs. H. R. 2627. A bill for the relief of Clayton M. Thomas; without amendment (Rept. No. 2541). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 3693. A bill for the relief of Frank R. Carpenter, alias Frank R. Carvin; without amendment (Rept. No. 2542). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 12084. A bill for the relief of W. M. Cornett; without amendment (Rept. No. 2543). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 12780. A bill for the relief of Mrs. J. J. Bradshaw; with amendment (Rept. No. 2544). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 13676. A bill for the relief of Charles L. Barber; with amendment (Rept. No. 2545). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 13735. A bill for the relief of Elizabeth B. Dayton; with amendment (Rept. No. 2546). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 15696. A bill for the relief of Raymond D. Woods; without amendment (Rept. No. 2547). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 15803. A bill for the relief of Commercial Loan & Trust Co., Monticello, Ark.; with amendment (Rept. No. 2548). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. S. 43. An act for the relief of W. W. Payne; with amendment (Rept. No. 2549). 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 Mr. CABLE: A bill (H. R. 16946) to authorize the erection of a United States Veterans' Bureau hospital in northwestern Ohio; to the Committee on World War Veterans' Legislation.

By Mr. CARTER of California: A bill (H. R. 16947) to authorize the construction on Government Island, Alameda, Calif., of buildings required by the Bureau of Public Roads and Forest Service, of the Department of Agriculture, and the Coast Guard, of the Treasury Department; to the Committee on Public Buildings and Grounds.

By Mr. GIFFORD: A bill (H. R. 16948) for a Coast Guard station at the eastern entrance to Cape Cod Canal, Mass.; to the Committee on Interstate and Foreign Commerce.

By Mr. LUDLOW: A bill (H. R. 16949) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. WILSON: A bill (H. R. 16950) granting the consent of Congress to the police jury of Richland Parish, La., or the State Highway Commission of Louisiana, to construct, maintain, and operate a free highway bridge across Boeuf River at or near Buckner, Richland Parish, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCKBEE: A bill (H. R. 16951) to adjust the salaries of postmasters of the first and second classes; to the Committee on the Post Office and Post Roads.

By Mr. TARVER: A bill (H. R. 16952) providing for settlement of claims of officers and enlisted men for extra pay provided by act of January 12, 1899; to the Committee on Claims.

By Mr. ENGLEBRIGHT: A bill (H. R. 16953) to authorize the Secretary of the Interior to purchase certain land in California for addition to the Cahuilla Indian Reservation and issuance of a patent to the band of Indians therefor; to the Committee on Indian Affairs.

By Mr. JENKINS: A bill (H. R. 16954) granting pensions to certain widows, minor children, and helpless children of soldiers, sailors, and marines who served during the World War, and for other purposes; to the Committee on Pensions.

By Mr GASQUE: A bill (H. R. 16955) providing for the appointment of an additional district judge for South Carolina; to the Committee on the Judiciary.

By Mr. LUDLOW: Joint resolution (H. J. Res. 493) directing the President of the United States to proclaim October 11, 1931, General Pulaski's memorial day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CRAIL: Joint resolution (H. J. Res. 494) authorizing the establishment and maintenance of a United States passport bureau at Los Angeles, Calif.; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the State Legislature of the State of New Mexico, memorializing the Congress of the United States to urge the passage of the Glenn bill, S. 4123, Seventy-first Congress, third session; to the Committee on Irrigation and Reclamation.

Memorial of the State Legislature of the State of Georgia, memorializing the Congress of the United States to cede Blackbeard Island, off the coast of Georgia, to the county of McIntosh, Ga., to be used as a summer resort; to the Committee on Naval Affairs.

Memorial of the State Legislature of the State of Oregon, memorializing the Congress of the United States to favorably consider pending legislation whereby the Deschutes project in Oregon will be considered for construction and a vast area of fertile land be made productive and thereby add to the wealth of our State; to the Committee on Irrigation and Reclamation.

Memorial of the State Legislature of the State of Oregon, memorializing the Congress of the United States to pass Senate bill No. 4123, known as the Glenn-Smith bill, designed to relieve such districts by refinancing them; to the Committee on Irrigation and Reclamation.

By Mr. CRISP: Memorial of the State Legislature of the State of Georgia, memorializing the Congress of the United States to cede Blackbeard Island, off the coast of Georgia, to the county of McIntosh, Ga., to be used as a summer resort; to the Committee on Naval Affairs.

By Mr. BRIGHAM: Memorial of the State Legislature of the State of Vermont, memorializing the Congress of the United States for the passage of such legislation as will enable the Veterans' Bureau to build a veterans' hospital in the State of Vermont for the care of sick and disabled veterans and for the housing of veterans' activities of the Federal Government; to the Committee on World War Veterans' Legislation.

By Mr. SELVIG: Memorial of the State legislature of the State of Minnesota, memorializing the Congress of the United States for enactment of an amendment to section 5219, Revised Statutes of the United States, so as to permit the States to tax national banks upon a fair and equitable basis; to the Committee on Banking and Currency.

By Mr. HILL of Washington: Memorial of the State legislature of the State of Washington, memorializing the Congress of the United States for the passage of Senate bill 4123 for the relief of drainage districts; to the Committee on Irrigation and Reclamation.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CABLE: A bill (H. R. 16956) granting a pension to Thomas Eubank; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 16957) granting a pension to Tressa R. O'Dell; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 16958) granting an increase of pension to Caroline Forrest; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 16959) granting a pension to Ella F. Lane; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 16960) granting an increase of pension to Martha A. Brewer; to the Committee on Invalid Pensions.

By Mr. HENRY T. RAINEY: A bill (H. R. 16961) granting an increase of pension to Martha P. Henderson; to the Committee on Invalid Pensions.

By Mr. RAMSPECK: A bill (H. R. 16962) for the relief of Mrs. Pleasant Lawrence Parr; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 16963) granting an increase of pension to Adelia F. Hogle; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 16964) granting an increase of pension to Sarah Van Tuyl; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 16965) granting an increase of pension to Lizzie Pennington; to the Committee on Pensions.

By Mr. WOOD: A bill (H. R. 16966) for the relief of Allen A. North; to the Committee on Military Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 16967) granting an increase of pension to Mary Danley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16968) granting an increase of pension to Frances E. Starkey; 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:

9174. Petition of Women's Patriotic Conference on National Defense, urgently recommending the early passage of legislation providing for the just and necessary compensation for the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, recommended by the interdepartmental pay board; to the Committee on Military Affairs.

9175. Petition of citizens of McGraw, N. Y., favoring House Joint Resolution 356, providing for an amendment to the United States Constitution excluding unnaturalized aliens when making apportionment for congressional districts; to the Committee on the Judiciary.

9176. By Mr. ALDRICH: Petitions of residents of second congressional district of Rhode Island, favoring passage of House bill 7884; to the Committee on the District of Columbia.

9177. By Mr. AUF DER HEIDE: Petition of 192 residents of the eleventh congressional district, favoring passage of House bill 7884; to the Committee on the District of Columbia.

9178. By Mr. BLOOM: Petition of residents of New York State, urging the passage of House bill 7884 providing for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9179. By Mr. COOPER of Wisconsin: Resolution adopted by members of the Bob Evans Post, No. 119, American Legion, at Milwaukee, Wis., urging the immedate payment to veterans of the World War the cash value of their adjusted-service certificates; to the Committee on Ways and Means.

9180. Also, resolution adopted by 300 members of the Myron C. West Post, No. 48, American Legion, at Beloit, Wis., urging the immediate payment to veterans of the World War the cash value of their adjusted-service certificates; to the Committee on Ways and Means.

9181. By Mr. ENGLEBRIGHT: Petition of George A. Marshall Camp, No. 89, United Spanish War Veterans, Department of California, through its adjutant, Don L. Bass, indorsing House bills 9333 and 9933; to the Committee on Military Affairs.

9182. Also, petition of N. H. Sloane, State Chamber of Commerce, of San Francisco, Calif., asking for a modernization of the antitrust laws of the United States; to the Committee on the Judiciary.

9183. Also, petition of Oakland City Council, Oakland, Calif., approving immediate payment in cash of the veterans' bonus, and urging Congress to pass such legislation as will make such immediate payment possible; to the Committee on Ways and Means.

9184. Also, petition of 17 prominent citizens of Alturas, Calif., indorsing House bill 7884; to the Committee on the District of Columbia.

9185. By Mr. HOOPER: Petition of the Eaton County Association of Ancient Order of Gleaners, of Grand Ledge, Mich., urging Congress to enact a new law taxing all yellow oleomargarine at least 10 cents a pound; to the Committee on Ways and Means.

9186. Also, petition of Coldwater Grange, No. 137, of Coldwater, Mich., requesting Congress to enact a law for the Federal supervision of motion pictures as provided in the Grant Hudson bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9187. By Mr. JOHNSON of Nebraska: Petition of American Legion Auxiliary, Hastings, Nebr., urging the passage of the omnibus disabled bill; to the Committee on World War Veterans' Legislation.

9188. By Mr. MAPES: Petition of Mrs. E. J. Marin, secretary Grand Rapids League of Catholic Women, Grand Rapids, Mich., protesting against the passage of Senate bill 4582, the birth control bill; to the Committee on the Judiciary.

9189. By Mr. MOONEY: Petition of City Council of Cleveland, Ohio, indorsing House bill 3493, to provide immediate payment of adjusted compensation; to the Committee on Ways and Means.

9190. By Mr. O'CONNOR of Oklahoma: Petition of J. Kelsey McClure, and other citizens of Dewey, Okla., urging support of House joint resolution 356; to the Committee on the Judiciary.

9191. By Mrs. OWEN: Petition of certain citizens of the fourth district of Florida in behalf of House bill 7884; to the Committee on the District of Columbia.

9192. By Mr. REED of New York: Petition of Church of the United Brethren in Christ, Findley Lake, and Woman's Christian Temperance Union, Houghton, N. Y., indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

9193. By Mr. REILLY: Petitions signed by veterans of Winneconne, Neenah, and Menasha, Wis., who served during the recent World War, urging legislation looking toward the immediate payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

9194. By Mr. ROBINSON: Petition of Mrs. George Morris, of Washburn, Iowa, president of the Woman's Christian Temperance Union, and six other members, urging support of Sparks-Capper stop-alien-representation amendment; to the Committee on the Judiciary.

9195. By Mr. SANDERS of Texas: Resolution of Texas Farm Bureau Federation, indorsing recommendation of Federal Farm Board, relating to the placing of and the increase of duties on importation of agricultural products; to the Committee on Ways and Means.

9196. By Mr. SELVIG: Petition of American Legion Auxiliary, of Crookston, Minn., in favor of furnishing additional beds for Fort Snelling and St. Cloud Veterans' Hospi-

tals in Minnesota; to the Committee on World War Veterans' Legislation.

9197. Also, petition of American Legion Post, of East Grand Forks, Minn., in favor of furnishing additional beds for Fort Snelling and St. Cloud veterans' hospitals in Minnesota; to the Committee on World War Veterans' Legislation.

9198. Also, petition of Mentor-Erskine (Minn.) Post of the American Legion, favoring prompt and full payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9199. By Mr. SPARKS: Petition of Church of the United Brethren in Christ, of Woodston, Kans., adopted at congregation meeting, for the Federal supervision of motion pictures as provided in the Grant-Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9200. Also, petition of 17 members of the Woman's Christian Temperance Union of Lincoln, Kans., adopted at the meeting of the Study Club, for the Federal supervision of motion pictures as provided in the Grant-Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9201. By Mr. SPROUL of Illinois: Petition of 38 residents of Chicago, praying for cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9202. By Mr. STRONG of Pennsylvania: Petition of citizens of Clarion County, Pa., in favor of the proposed Sparks-Capper amendment to the Constitution, to exclude unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts; to the Committee on the Judiciary.

9203. By Mr. SWANSON: Petition of Ella Boyd and 106 others, favoring a constitutional amendment providing that aliens shall not be counted in the apportionment of the membership of the House of Representatives; to the Committee on the Judiciary.

SENATE

MONDAY, FEBRUARY 9, 1931

(Legislative day of Monday, January 26, 1931)

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

THE JOURNAL

Mr. FESS. Mr. President, I ask unanimous consent for the approval of the Journal for the calendar days of February 6 and February 7.

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

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Fess	La Follette	Shortridge
Barkley	George	McGill	Smith
Bingham	Frazier	McKellar	Smoot
Black	Fletcher	McMaster	Steiwer
Blaine	Gillett	McNary	Stephens
Blease	Glass	Morrison	Swanson
Borah	Glenn	Morrow	Thomas, Idaho
Bratton	Goff	Moses	Thomas, Okla.
Brock	Goldsborough	Norbeck	Townsend
Brookhart	Gould	Norris	Trammell
Broussard	Hale	Nye	Tydings
Bulkley	Harrison	Oddie	Vandenberg
Capper	Hatfield	Partridge	Wagner
Caraway	Hawes	Patterson	Walcott
Carey	Hayden	Phipps	Walsh, Mass.
Connally	Hebert	Pine	Walsh, Mont.
Copeland	Heflin	Pittman	Waterman
Couzens	Howell	Ransdell	Watson
Cutting	Johnson	Reed	Wheeler
Dale	Jones	Robinson, Ark	Williamson
Davis	Kean	Robinson, Ind.	
Deneen	Kendrick	Sheppard	
Dill	King	Shipstead	

Mr. GEORGE. I wish to announce that my colleague the senior Member from Georgia [Mr. HARRIS] is ill and absent from the Senate for that reason. I wish to have this announcement stand for the day.

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 4211. An act to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927;

S. 4307. An act to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; and

S. 4551. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplemental thereto.

The message also announced that the House had passed the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House insisted upon its amendments to the bill (S. 4051) authorizing the Pillager Bands of Chippewa Indians, residing in the State of Minnesota, to submit claims to the Court of Claims, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LEAVITT, Mr. SPROUL of Kansas, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

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

H. R. 12169. An act to amend the meaning and intention of an act of Congress entitled "An act to regulate the practice of the healing art to protect the public health of the District of Columbia," approved February 27, 1929;

H. R. 14922. An act to amend the acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, etc.;

H. R. 15496. An act to authorize the Commissioners of the District of Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia;

H. R. 16479. An act to authorize the widening of Piney Branch Road NW., in the District of Columbia, and for other purposes;

H. R. 16691. An act permitting the laying of a conduit across E and F Streets SW., in the District of Columbia; and

H. J. Res. 404. Joint resolution to change the name of B Street NW., in the District of Columbia.

INTERNATIONAL PARLIAMENTARY CONFERENCE ON COMMERCE

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of State, transmitting copy of a letter from the secretary general of the International Parliamentary Conference on Commerce, extending an invitation to the Congress of the United States to be represented at the seventeenth plenary assembly of the organization, which is to take place in the House of Representatives at Prague, beginning on May 26, 1931, and